

C. AMENDMENTS TO REGULATIONS – STATE COST SHARE PERCENTAGES

Background

State Cost Share Percentages (Amend Existing COMAR 23.03.02.05)

By regulation, every three years the IAC shall recommend to the Board of Public Works the State-Local Cost Share Percentages that determine the State funding participation for individual projects approved in the annual Capital Improvement Program (CIP). The Cost Share Percentage for each local educational agency (LEA) is based on calculations that consider the factors described in COMAR 23.03.02.05:

- The LEA’s current share of the Foundation program;
- The LEA’s allocation under the guaranteed tax base program;
- The LEA’s Free and Reduced Price Meal student population;
- The LEA’s location in a Distressed County as defined by the Department of Business and Economic Development;
- The LEA’s student enrollment growth; and
- The local government’s financial effort toward school construction since the previous calculation

Attached for your information are the proposed Cost Share Percentages that will apply to the FY 2019 through FY 2021 CIPs; for comparison, the Cost Share Percentages for FY 2018 are also shown. The Percentage of six (6) LEAs will increase, nine (9) LEAs and the Maryland School for the Blind Percentage’s will remain unchanged, and the Percentage of nine (9) LEAs is decreased. By regulation a decrease in Percentage cannot exceed 5% in any fiscal year. Therefore, for Baltimore City the decrease will occur over two (2) fiscal years.

Explanation:

As stated in COMAR, this regulation was due to be amended last October, and percentages are necessary for the FY 2019 CIP. However, there are factors that delayed this process. Previously, the Public School Construction Program worked with DLS to collect and analyze data necessary to calculate the Percentages. The process now involves the PSCP, MSDE, and DLS. Further, there was hesitation to begin this work amongst participants as the 21st Century Schools Commission, in reviewing all aspects of the Public School Construction Program, might have altered the current practice. This delay was then compounded by the loss of key PSCP staffs that were assigned this work.

Once the COMAR State participation Percentages for FY19 through FY21 are approved by the IAC, they will be submitted to the Board of Public Works for consideration at their meeting on October 4, 2017. The amended regulation then goes through the AELR process and comment period. It is our intention to distribute the final Cost Share Percentages to the LEAs and the local governments in the week of November 6 for use in their FY 2019 CIP requests.

Motion:

TO RECOMMEND APPROVAL TO THE BOARD OF PUBLIC WORKS OF AN AMENDMENT TO EXISTING REGULATION 23.03.02.05 REGARDING THE STATE-LOCAL COST SHARE PERCENTAGES.

IAC ACTION: THE ABOVE REFERENCED ITEMS WERE:					
	Approved	Disapproved	Deferred	Abstain	Recuse
Dr. Karen Salmon	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Wendi Peters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Ellington Churchill, Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ms. Barbara Hoffman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mr. John Bohanan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Title 23 BOARD OF PUBLIC WORKS

Subtitle 03 PUBLIC SCHOOL CONSTRUCTION

Chapter 02 Administration of the Public School Construction Program

Authority: Education Article, §§4-126, 5-112, and 5-301, Annotated Code of Maryland

.05 State Cost Share Percentage

A. The State may fund eligible costs of approved public school construction projects according to the State cost share percentage established in this regulation.

B. Percentages.

(1) For Fiscal Year [2016] 2019 through Fiscal Year [2018] 2021, the State share percentages of public school construction funding for eligible costs of approved projects are as follows:

[COUNTY	FY 2016	FY 2017	FY 2018		COUNTY	FY 2019	FY 2020	FY 2021
<i>Allegany</i>	88%	83%	83%		Allegany	85%	85%	85%
<i>Anne Arundel</i>	50%	50%	50%		Anne Arundel	50%	50%	50%
<i>Baltimore City</i>	93%	93%	93%		Baltimore City	88%	87%	87%
<i>Baltimore</i>	52%	52%	52%		Baltimore	56%	56%	56%
<i>Calvert</i>	53%	53%	53%		Calvert	53%	53%	53%
<i>Caroline</i>	80%	80%	80%		Caroline	81%	81%	81%
<i>Carroll</i>	59%	59%	59%		Carroll	55%	55%	55%
<i>Cecil</i>	64%	63%	63%		Cecil	66%	66%	66%
<i>Charles</i>	61%	61%	61%		Charles	61%	61%	61%
<i>Dorchester</i>	76%	76%	76%		Dorchester	75%	75%	75%
<i>Frederick</i>	64%	64%	64%		Frederick	60%	60%	60%
<i>Garrett</i>	50%	50%	50%		Garrett	50%	50%	50%
<i>Harford</i>	63%	63%	63%		Harford	60%	60%	60%
<i>Howard</i>	55%	55%	55%		Howard	54%	54%	54%
<i>Kent</i>	50%	50%	50%		Kent	50%	50%	50%
<i>Montgomery</i>	50%	50%	50%		Montgomery	50%	50%	50%
<i>Prince George's</i>	63%	63%	63%		Prince George's	70%	70%	70%
<i>Queen Anne's</i>	50%	50%	50%		Queen Anne's	51%	51%	51%
<i>St. Mary's</i>	59%	58%	58%		St. Mary's	57%	57%	57%
<i>Somerset</i>	100%	100%	100%		Somerset	96%	96%	96%
<i>Talbot</i>	50%	50%	50%		Talbot	50%	50%	50%
<i>Washington</i>	71%	71%	71%		Washington	71%	71%	71%
<i>Wicomico</i>	97%	97%	97%		Wicomico	95%	95%	95%
<i>Worcester</i>	50%	50%	50%]		Worcester	50%	50%	50%

C. Text unchanged.