

- A. COMPUTER LABORATORIES;
- B. TECHNOLOGY ENHANCEMENT;
- C. NEW INSTRUCTIONAL PROGRAM START-UP COSTS; AND
- D. BOOKS OTHER THAN CLASSROOM TEXTBOOKS.

(IV) 1. THE PROVISIONS OF THIS PARAGRAPH DO NOT APPLY TO A COUNTY IF THE COUNTY IS GRANTED A TEMPORARY WAIVER OR PARTIAL WAIVER FROM THE PROVISIONS BY THE STATE BOARD OF EDUCATION BASED ON A DETERMINATION THAT THE COUNTY'S FISCAL CONDITION SIGNIFICANTLY IMPEDES THE COUNTY'S ABILITY TO FUND THE MAINTENANCE OF EFFORT REQUIREMENT.

2. AFTER A PUBLIC HEARING, THE STATE BOARD OF EDUCATION MAY GRANT A WAIVER UNDER THIS SUBPARAGRAPH IN ACCORDANCE WITH ITS REGULATIONS.

3. IN ORDER TO QUALIFY FOR THE WAIVER UNDER THIS SUBPARAGRAPH FOR A FISCAL YEAR, A COUNTY SHALL MAKE A REQUEST FOR A WAIVER TO THE STATE BOARD OF EDUCATION BY APRIL 1 OF THE PRIOR FISCAL YEAR.

4. THE STATE BOARD OF EDUCATION SHALL INFORM THE COUNTY WHETHER THE WAIVER FOR A FISCAL YEAR IS APPROVED OR DENIED IN WHOLE OR IN PART BY MAY 15 OF THE PRIOR FISCAL YEAR.

5-205.

(a) After notification from the State Superintendent that a county is not complying with the provisions of the State program of public education, the State Comptroller shall withhold any installment due the county from the General State School Fund.

(b) (1) If the Superintendent finds that a county is not complying with the maintenance of local effort provisions of § 5-202 of this article or that a county fails to meet the requirements of Title 5, Subtitle 4 of this article, the Superintendent shall notify the county of such noncompliance.

(2) If a county disputes the finding within 30 days of the issuance of such notice, the dispute shall be promptly referred to the State Board of Education which shall make a final determination.

(3) Upon receipt of certification of noncompliance by the Superintendent or the State Board, as the case may be, the Comptroller shall suspend, until notification of compliance is received, payment of any funds due the county for the current fiscal year, as provided under § 5-202 of this article which are appropriated in the General State School Fund, to the extent that the State's aid due the county in the current fiscal year under that section in the Fund exceeds the amount which the county received in the prior fiscal year.

(C) NOTWITHSTANDING THE PROVISIONS OF THIS SECTION OR § 5-202 OF THIS SUBTITLE, THE STATE BOARD OF EDUCATION, AFTER A PUBLIC HEARING, AND IN ACCORDANCE WITH ITS REGULATIONS, MAY GRANT A COUNTY A WAIVER FROM THE PROVISIONS OF THIS SECTION OR § 5-202 OF THIS SUBTITLE.