
By: Delegates Rawlings, Conway, Kopp, Proctor, W. Baker, Baldwin, Branch, Cadden, Dewberry, Edwards, Flanagan, Franchot, Fry, Hecht, Holt, B. Hughes, Hurson, Klima, La Vay, McIntosh, Palumbo, Parker, Pitkin, Rosenberg, Slade, and Stocksdale

Introduced and read first time: January 31, 1996

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City Schools - Funding**

3 FOR the purpose of authorizing, ratifying, and sanctioning a reduction in the State share
4 of basic current expenses for elementary and secondary education for the City of
5 Baltimore by a certain amount for a certain fiscal year, contingent upon receipt of
6 certain information; clarifying legislative intent; and providing for the effective date
7 of this Act.

8 Preamble

9 WHEREAS, The Maryland General Assembly remains concerned about the
10 progress of the Baltimore City Public Schools (BCPS) in implementing a plan of school
11 management reforms, including the creation of a network of enterprise schools; and

12 WHEREAS, The Maryland General Assembly remains concerned about the
13 ability of the Baltimore City Public Schools (BCPS) leadership to manage State and local
14 resources and the impact that deficiency has on the classroom and student performance
15 of BCPS students; and

16 WHEREAS, Although progress is being made in certain areas, for the sixth
17 consecutive year, the 1995 Maryland School Performance Report indicates that
18 performance of BCPS students was far lower, and in some areas declining, when
19 compared to the performance of students in similarly challenged jurisdictions and
20 students statewide; and

21 WHEREAS, In 1991, in consultation and cooperation with the Board of School
22 Commissioners and the superintendent, Associated Black Charities commissioned an
23 international management consulting firm, Towers Perrin/Cresap, to conduct a
24 management study of the BCPS; and

25 WHEREAS, The final report released in June, 1992, raised serious issues about
26 the management of the BCPS and offered numerous recommendations and strategies to
27 restructure the management system into a network of enterprise schools, in which
28 resources are focused at the school level and principals are given greater authority to
29 manage their schools; and

1 WHEREAS, In August, 1992, the superintendent of the BCPS endorsed all but six
2 of the Cresap recommendations to restructure the BCPS' management system into a
3 network of enterprise schools, and appointed an implementation team and an enterprise
4 school group to oversee implementation; and

5 WHEREAS, In April, 1993, the Maryland General Assembly endorsed the Cresap
6 report by including a provision in the State budget bill requiring the BCPS and the
7 Maryland State Department of Education (MSDE) to enter into a three-year agreement
8 to monitor and evaluate the implementation of the Cresap recommendations, including
9 the recommendation to implement a merit-based, systemwide personnel evaluation
10 system for teachers, principals, and administrators; and

11 WHEREAS, In July, 1993, the agreement was signed by the State Superintendent
12 and the BCPS superintendent, with the caveat that recommendations deemed
13 inappropriate or not feasible, based on a written explanation by the BCPS, would not be
14 implemented, and a requirement that MSDE and the BCPS mutually agree on the
15 selection of a third party to conduct an independent evaluation of BCPS' progress in
16 implementing the recommendations by June 30, 1994; and

17 WHEREAS, In January, 1994, a public meeting was held to hear a report on the
18 BCPS' progress at which the private sector team leaders appointed by MSDE to help the
19 BCPS facilitate the implementation of the Cresap recommendations revealed that few
20 recommendations, if any, had been implemented, and that planning, coordination, and
21 clear lines of responsibility were lacking on the part of the BCPS; and

22 WHEREAS, In June, 1994, the BCPS and MSDE mutually agreed to retain MGT
23 of America, Inc., a Florida consulting firm with experience in education issues, to
24 evaluate the BCPS' progress in implementing the Cresap recommendations; and

25 WHEREAS, In January, 1995, at a public hearing, MGT presented its report on
26 BCPS' progress revealing that 39 of the 53 major Cresap recommendations had not been
27 implemented and cited the major barriers to implementation as: no master plan for
28 implementation; confusion among school and central office administrators about the
29 Cresap report; inadequate, fragmented, poorly coordinated training efforts; sweeping
30 changes in senior level staff within the BCPS; and the disbanding of the BCPS groups
31 responsible for implementation oversight; and

32 WHEREAS, At the same public hearing, the superintendent of the BCPS
33 responded to the MGT report by implying that the Cresap recommendations were for the
34 purpose of providing guidance only and there was no intention of implementing all of the
35 recommendations to which the BCPS and MSDE earlier agreed; and

36 WHEREAS, The BCPS' poor management practices likely contribute to the
37 unacceptable level of student performance and efforts by private sector volunteers,
38 independent consultants, the MSDE, and the Maryland General Assembly have failed to
39 motivate action by the BCPS; and

40 WHEREAS, In April, 1995, the Maryland General Assembly included a provision
41 in the State budget bill withholding \$5,873,943 from the Fiscal Year 1996 appropriation
42 for the State share of basic current expenses for the City of Baltimore pending receipt of
43 a report from the Maryland State Department of Education evaluating whether the BCPS

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1 has made substantial progress in implementing the Cresap recommendations, including a
2 systemwide personnel evaluation system; and

3 WHEREAS, The Fiscal Year 1996 State appropriation for education aid for
4 Baltimore City is \$423.6 million, or 20 percent of the appropriation statewide; and

5 WHEREAS, \$5,873,943 is the amount estimated to be 25 percent of Baltimore
6 City's expenditures for salaries, wages, and benefits for administration for the BCPS for
7 Fiscal Year 1996; and

8 WHEREAS, The action of withholding \$5,873,943 from the City of Baltimore is
9 consistent with provisions included in State budget bills to withhold up to 25 percent of
10 the salary of State administrators deemed to be responsible for poor compliance with
11 State laws, rules, and regulations governing fiscal administration practices; now,
12 therefore,

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That, notwithstanding any other provision of law, if the Maryland State
15 Department of Education has not reported by January 31, 1996, that the Baltimore City
16 Public Schools has made substantial progress toward implementing the Towers
17 Perrin/Cresap recommendations, including implementing a merit based, systemwide
18 personnel evaluation system, for Fiscal Year 1996 only, the State share of basic current
19 expenses as provided under § 5-202(b) of the Education Article for the City of Baltimore
20 shall be reduced by \$5,873,943, and the corresponding reduction in this appropriation for
21 the State share of basic current expenses is hereby authorized, ratified, and sanctioned.

22 SECTION 2. AND BE IT FURTHER ENACTED, That if the State share of
23 basic current expenses for the City of Baltimore is reduced in accordance with Section 1
24 of this Act, it is the intent of the General Assembly that the City of Baltimore reduce by
25 \$5,873,943 the budget for salaries, wages, and benefits classified as expenditures for
26 administration for the Baltimore City Public Schools.

27 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 April 15, 1996.