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By: **Delegates Shriver, Taylor, Hixson, Heller, and Franchot**  
Introduced and read first time: March 3, 1999  
Assigned to: Rules and Executive Nominations

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A BILL ENTITLED

1 AN ACT concerning

2 **Education - Alternative Learning Program**

3 FOR the purpose of authorizing the use of certain funds for alternative learning  
4 programs for certain students under certain circumstances; authorizing the  
5 granting of a Maryland high school diploma to students who attend certain  
6 alternative learning programs; establishing a minimum enrollment requirement  
7 for a regional career training center; establishing a certain limitation on  
8 alternative placements for each school system; authorizing a certain waiver  
9 under certain circumstances; defining certain terms; providing for the  
10 termination of this Act; and generally relating to alternative learning programs.

11 BY repealing and reenacting, without amendments,  
12 Article - Education  
13 Section 1-101  
14 Annotated Code of Maryland  
15 (1997 Replacement Volume and 1998 Supplement)

16 BY adding to  
17 Article - Education  
18 Section 5-202.1  
19 Annotated Code of Maryland  
20 (1997 Replacement Volume and 1998 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
22 MARYLAND, That the Laws of Maryland read as follows:

23 **Article - Education**

24 1-101.

25 (a) In this article, unless the context requires otherwise, the following words  
26 have the meanings indicated.

27 (b) "Any state" means:

- 1 (1) Any state, possession, or territory of the United States;
- 2 (2) The District of Columbia; and
- 3 (3) The Commonwealth of Puerto Rico.
- 4 (c) "County" means a county of this State and includes Baltimore City.
- 5 (d) "County board" means the board of education of a county and includes the  
6 New Baltimore City Board of School Commissioners.
- 7 (e) "County superintendent" means the county superintendent of schools of a  
8 county and includes the Chief Executive Officer of the New Baltimore City Board of  
9 School Commissioners.
- 10 (f) "Department" means the State Department of Education.
- 11 (g) "Elementary and secondary education" means education and programs of  
12 education from and including preschool through the end of high school and their  
13 equivalent.
- 14 (h) "Includes" or "including" means includes or including by way of illustration  
15 and not by way of limitation.
- 16 (i) "Person" includes:
- 17 (1) An individual, receiver, trustee, guardian, executor, administrator,  
18 fiduciary, or representative of any kind and any partnership, firm, association, public  
19 or private corporation, or other entity; and
- 20 (2) The State, any county, municipal corporation, or other political  
21 subdivision of this State, and any of their agencies or units.
- 22 (j) "Property" means any real or personal property or any interest in real or  
23 personal property.
- 24 (k) "Public schools" means the schools in the public elementary and secondary  
25 education system of this State.
- 26 (l) "State Board" means the State Board of Education.
- 27 (m) "State Superintendent" means the State Superintendent of Schools.

28 5-202.1.

29 (A) IN THIS SECTION, "ALTERNATIVE LEARNING PROGRAM" MEANS AN  
30 ALTERNATIVE EDUCATION PROGRAM DELIVERED BY A NONSCHOOL PROVIDER,  
31 INCLUDING SPECIALIZED REGIONAL CAREER TRAINING CENTERS.

1 (B) THE STATE AND LOCAL SHARE OF BASIC CURRENT EXPENSE FUNDING  
2 PER PUPIL MAY BE USED TO FUND THE PLACEMENT OF A STUDENT IN AN  
3 ALTERNATIVE LEARNING PROGRAM UNDER THE FOLLOWING CONDITIONS:

4 (1) THE ALTERNATIVE LEARNING PROGRAM HAS BEEN APPROVED BY  
5 THE STATE SUPERINTENDENT IN ACCORDANCE WITH CRITERIA ESTABLISHED BY  
6 THE STATE BOARD;

7 (2) THE ALTERNATIVE LEARNING PROGRAM PROVIDER HAS ENTERED  
8 INTO AN AGREEMENT WITH THE COUNTY BOARD IN THE COUNTY WHERE THE  
9 STUDENT IS ENROLLED THAT INCLUDES AN ARTICULATION ARRANGEMENT WITH  
10 THE LOCAL SCHOOL CURRICULUM TO INSURE CONTINUITY IN THE EDUCATIONAL  
11 PROGRESS OF THE STUDENT;

12 (3) THE STUDENT IS:

13 (I) ENROLLED IN AND ATTENDING A PUBLIC SECONDARY SCHOOL  
14 AS SPECIFIED FOR THE CALCULATION OF FULL-TIME EQUIVALENT ENROLLMENT  
15 UNDER § 5-202 OF THIS SUBTITLE; AND

16 (II) AT RISK OF DROPPING OUT OF HIGH SCHOOL OR ELIGIBLE FOR  
17 ADMISSION TO A SPECIALIZED REGIONAL CAREER TRAINING CENTER OR BOTH;

18 (4) THE PRINCIPAL OR THE DESIGNEE OF THE SCHOOL IN WHICH THE  
19 STUDENT IS ENROLLED DEVELOPS AN INDIVIDUAL STUDY PLAN FOR THE STUDENT  
20 IN ACCORDANCE WITH CRITERIA ESTABLISHED BY THE DEPARTMENT;

21 (5) THE PRINCIPAL OF THE SCHOOL IN WHICH THE STUDENT IS  
22 ENROLLED APPROVES THE PLACEMENT IN THE ALTERNATIVE LEARNING PROGRAM;  
23 AND

24 (6) THE ALTERNATIVE LEARNING PROGRAM IS LOCATED WITHIN THE  
25 GEOGRAPHICAL BOUNDARY UNDER THE JURISDICTION OF THE COUNTY BOARD OR  
26 IS SERVING TWO OR MORE COUNTY BOARDS THAT ARE IN CLOSE GEOGRAPHIC  
27 PROXIMITY.

28 (C) A STUDENT WHO ATTENDS AN ALTERNATIVE LEARNING PROGRAM AS  
29 SPECIFIED IN SUBSECTION (B) OF THIS SECTION AND WHO SATISFIES THE  
30 REQUIREMENTS FOR GRADUATION AS ESTABLISHED BY THE STATE BOARD AND THE  
31 COUNTY BOARD SHALL RECEIVE A MARYLAND HIGH SCHOOL DIPLOMA ISSUED BY  
32 THE PUBLIC SECONDARY SCHOOL IN WHICH THE STUDENT IS ENROLLED.

33 (D) IN ORDER TO QUALIFY FOR THE FUNDING DESCRIBED IN THIS SECTION, A  
34 REGIONAL CAREER TRAINING CENTER SHALL ENROLL A MINIMUM OF 75 STUDENTS.

35 (E) (1) A COUNTY BOARD MAY NOT PLACE MORE THAN 1% OF THE HIGH  
36 SCHOOL ENROLLMENT OF THE BOARD AT AN ALTERNATIVE LEARNING PROGRAM IN  
37 A SCHOOL YEAR.

1           (2)       THE STATE SUPERINTENDENT MAY WAIVE THE ENROLLMENT  
2 LIMITATION UPON WRITTEN REQUEST OF A COUNTY SUPERINTENDENT FOR GOOD  
3 CAUSE SHOWN.

4       (F)       THE STATE BOARD SHALL ADOPT REGULATIONS TO IMPLEMENT THE  
5 PROVISIONS OF THIS SECTION.

6       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
7 effect July 1, 1999. It shall remain effective for a period of 3 years and, at the end of  
8 June 30, 2002, with no further action required by the General Assembly, this Act shall  
9 be abrogated and of no further force and effect.