
By: **Delegate Campbell**

Introduced and read first time: January 21, 2000

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education - School Reconstitution**

3 FOR the purpose of authorizing the State Board of Education to require the
4 reconstitution of certain schools under certain circumstances; requiring the
5 State Superintendent to notify local boards of education and local
6 superintendents of schools by certain dates when schools in their jurisdictions
7 are subject to recommendation for, or recommended for, reconstitution;
8 requiring local boards to notify the local governing body and the parents of
9 students enrolled in a school recommended for reconstitution of the
10 recommendation; requiring the State Department of Education to conduct an
11 independent on-site review of schools recommended for reconstitution and to
12 submit a report of its findings to certain persons; requiring certain local boards
13 of education to submit to the State Board reconstitution proposals by a certain
14 date; requiring the Department to monitor the progress of each school
15 recommended for reconstitution and the local board's evaluation of that progress
16 and to submit a report of its assessment by a certain date; defining certain
17 terms; and generally relating to the process for school reconstitution.

18 BY adding to
19 Article - Education
20 Section 7-203.1
21 Annotated Code of Maryland
22 (1999 Replacement Volume)

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

25 **Article - Education**

26 7-203.1.

27 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
28 INDICATED.

1 (2) "MARYLAND SCHOOL PERFORMANCE REPORT" MEANS A REPORT
2 PUBLISHED EACH NOVEMBER BY THE DEPARTMENT THAT INCLUDES SCHOOL AND
3 STUDENT PERFORMANCE DATA AND SUPPORTING INFORMATION FOR THE COUNTY
4 BOARDS.

5 (3) "RECONSTITUTION" MEANS A CHANGE IN THE ADMINISTRATION,
6 STAFF ORGANIZATION, OR INSTRUCTIONAL PROGRAM OF A PUBLIC SCHOOL AS A
7 RESULT OF THE STATE BOARD'S DETERMINATION THAT THE SCHOOL HAS
8 PERFORMED POORLY.

9 (4) (I) "STUDENT PERFORMANCE AREA" MEANS A DATA-BASED AREA
10 THAT IS USED BY THE STATE BOARD TO ASSESS SCHOOL PERFORMANCE.

11 (II) "STUDENT PERFORMANCE AREA" INCLUDES:

12 1. THE MARYLAND FUNCTIONAL TEST;

13 2. THE MARYLAND CRITERION-REFERENCED TEST;

14 3. COMPLETION WHILE ATTENDING HIGH SCHOOL OF THE
15 UNIVERSITY SYSTEM OF MARYLAND;

16 4. AVERAGE DAILY ATTENDANCE FOR STUDENTS IN
17 KINDERGARTEN THROUGH GRADE 12; AND

18 5. THE YEARLY DROPOUT RATE FOR STUDENTS IN GRADES 9
19 THROUGH 12.

20 (B) THE STATE BOARD OF EDUCATION MAY REQUIRE THE RECONSTITUTION
21 OF THE OVERALL PROGRAM AND MANAGEMENT OF A SCHOOL IF:

22 (1) BY THE TIME THAT THE BOARD ISSUES THE FOURTH ANNUAL
23 MARYLAND SCHOOL PERFORMANCE REPORT, A SCHOOL DOES NOT MEET ALL
24 STANDARDS FOR STUDENT PERFORMANCE AREAS AT A LEVEL OF SATISFACTORY OR
25 BETTER AND ITS AVERAGE OF RESULTS IN THOSE STUDENT PERFORMANCE AREAS IS
26 BELOW SATISFACTORY AND DECLINING; OR

27 (2) BY THE TIME THAT THE BOARD ISSUES THE FIFTH ANNUAL
28 MARYLAND SCHOOL PERFORMANCE REPORT, AND AFTER IMPLEMENTATION OF ITS
29 SCHOOL IMPROVEMENT PLAN, A SCHOOL DOES NOT MEET ALL STANDARDS FOR
30 STUDENT PERFORMANCE AREAS AT A LEVEL OF SATISFACTORY OR BETTER AND ITS
31 AVERAGE OF RESULTS IN THOSE STUDENT PERFORMANCE AREAS DOES NOT
32 DEMONSTRATE SUBSTANTIAL AND SUSTAINED IMPROVEMENT.

33 (C) (1) BY JANUARY 15 OF EACH YEAR, THE STATE SUPERINTENDENT OF
34 SCHOOLS SHALL NOTIFY EACH LOCAL BOARD OF EDUCATION AND EACH LOCAL
35 SUPERINTENDENT OF SCHOOLS OF THE NAMES OF SCHOOLS IN THEIR
36 JURISDICTION THAT MAY BE SUBJECT TO A RECOMMENDATION FOR
37 RECONSTITUTION.

1 (2) A LOCAL SCHOOL BOARD PRESIDENT AND A LOCAL SCHOOL
2 SUPERINTENDENT MAY REQUEST A MEETING WITH THE STATE SUPERINTENDENT
3 TO PRESENT EXTENUATING CIRCUMSTANCES REGARDING A SCHOOL IN THEIR
4 JURISDICTION THAT MAY AFFECT A BOARD RECOMMENDATION FOR
5 RECONSTITUTION OF THAT SCHOOL.

6 (D) (1) BY FEBRUARY 1 OF EACH YEAR, THE STATE SUPERINTENDENT
7 SHALL SEND WRITTEN NOTIFICATION TO EACH LOCAL BOARD OF EDUCATION AND
8 EACH LOCAL SUPERINTENDENT OF SCHOOLS OF THE NAMES OF SCHOOLS IN THEIR
9 JURISDICTION THAT ARE RECOMMENDED FOR LOCAL RECONSTITUTION.

10 (2) THE LOCAL BOARD SHALL PROMPTLY NOTIFY THE LOCAL
11 GOVERNING BODY AND THE PARENTS OF THE STUDENTS ENROLLED IN ANY SCHOOL
12 RECOMMENDED FOR RECONSTITUTION THAT THE SCHOOL HAS BEEN
13 RECOMMENDED FOR RECONSTITUTION.

14 (E) (1) AFTER THE STATE SUPERINTENDENT HAS SENT NOTIFICATION OF
15 SCHOOLS RECOMMENDED FOR RECONSTITUTION, THE DEPARTMENT SHALL
16 CONDUCT AN INDEPENDENT ON-SITE REVIEW OF EACH SCHOOL AND SUBMIT ITS
17 FINDINGS TO THE PRESIDENT OF THE LOCAL BOARD, THE LOCAL SUPERINTENDENT
18 OF SCHOOLS, THE PRINCIPAL OF EACH SCHOOL, THE STATE BOARD, AND THE STATE
19 SUPERINTENDENT.

20 (2) THE DEPARTMENT SHALL INCLUDE IN ITS REPORT OF FINDINGS:

21 (I) ITS RECOMMENDATIONS FOR ANNUAL GOALS AND QUARTERLY
22 ASSESSMENTS FOR EACH INDIVIDUAL SCHOOL;

23 (II) GUIDELINES FOR ACHIEVING THOSE ANNUAL GOALS; AND

24 (III) CRITERIA FOR THE APPROVAL OF TEACHERS, PRINCIPALS, AND
25 OTHER STAFF AT SCHOOLS RECOMMENDED FOR RECONSTITUTION.

26 (F) (1) BY APRIL 1 OF THE YEAR OF A NOTIFICATION FROM THE STATE
27 SUPERINTENDENT OF THE NEED FOR RECONSTITUTION, AND AFTER CONSULTING
28 WITH EACH SCHOOL RECOMMENDED FOR RECONSTITUTION, A LOCAL BOARD SHALL
29 SUBMIT TO THE STATE BOARD A RECONSTITUTION PROPOSAL FOR EACH SCHOOL
30 RECOMMENDED FOR RECONSTITUTION.

31 (2) THE LOCAL BOARD'S REPORT SHALL INCLUDE A SCHEDULE FOR
32 IMPLEMENTING THE DEPARTMENT'S GUIDELINES FOR ACHIEVING ANNUAL GOALS.

33 (G) (1) AFTER THE STATE BOARD HAS APPROVED A RECONSTITUTION
34 PROPOSAL, THE DEPARTMENT SHALL MONITOR THE IMPLEMENTATION OF THE
35 PROPOSAL AND THE LOCAL BOARD'S EVALUATION OF THE PROGRESS OF
36 RECONSTITUTION IN EACH SCHOOL.

37 (2) BY JULY 1 OF THE CALENDAR YEAR FOLLOWING THE
38 IMPLEMENTATION OF THE RECONSTITUTION PROPOSAL AND EACH YEAR
39 THEREAFTER THAT THE SCHOOL IS RECOMMENDED FOR RECONSTITUTION, THE

1 DEPARTMENT SHALL SUBMIT ITS ASSESSMENT OF THAT SCHOOL'S PROGRESS TO
2 THE PRESIDENT OF THE LOCAL BOARD, THE LOCAL SUPERINTENDENT OF SCHOOLS,
3 THE PRINCIPAL OF EACH SCHOOL, THE STATE BOARD, AND THE STATE
4 SUPERINTENDENT.

5 (3) THE DEPARTMENT'S ASSESSMENT SHALL INCLUDE AN EVALUATION
6 OF ANY ACTUAL GROWTH IN STUDENT ACHIEVEMENT AS MEASURED AGAINST THE
7 GROWTH IN STUDENT ACHIEVEMENT EXPECTED AT THE TIME THAT THE
8 RECONSTITUTION PROPOSAL WAS MADE AND APPROVED.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 July 1, 2000.