

HOUSE BILL 718

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2000 Regular Session
0lr1835
CF 0lr2629

By: **Delegates Carlson, Taylor, Hurson, Kopp, Shriver, Branch, Kagan,
Giannetti, Patterson, Rudolph, R. Baker, Turner, Gladden, Hecht, Moe,
Zirkin, Swain, Rosso, and Barkley**

Introduced and read first time: February 10, 2000

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Maryland Academic Intervention Program**

3 FOR the purpose of establishing the Maryland Academic Intervention Program;
4 creating the Maryland Academic Intervention Program Fund; requiring the
5 Governor to include a certain amount in the annual State budget for the Fund
6 for a certain fiscal year; requiring the State Board of Education to develop a list
7 of instructional providers; requiring schools to select students for the Program
8 based on their performance on certain tests; requiring county boards of
9 education to create a parental consent form; exempting the Program from
10 certain child care center rules, regulations, and requirements; requiring the
11 State Board to establish criteria for evaluating the Program; requiring counties
12 to order to prepare certain reports by certain dates relating to the status and
13 success of the Program; requiring the Superintendent to distribute certain
14 amounts to certain counties based on a certain formula; and generally relating
15 to the establishment of the Maryland Academic Intervention Program Act and
16 the creation of the Maryland Academic Intervention Program Fund.

17 BY adding to
18 Article - Education
19 Section 7-208
20 Annotated Code of Maryland
21 (1999 Replacement Volume)

22 **Preamble**

23 WHEREAS, In 1999, many Maryland schools suffered a decline in scores
24 under the Maryland School Performance Assessment Program; and

25 WHEREAS, Maryland has recognized an urgent need to monitor the progress of
26 individual students and to address deficiencies early in students' academic careers;
27 and

1 WHEREAS, The Maryland State Department of Education has developed a plan
2 for meeting the needs of the individual learner; and

3 WHEREAS, A primary recommendation under the Department's plan is to
4 develop academic intervention programs that are administered beyond the scope of
5 the regular school day or year; and

6 WHEREAS, The resources currently available to schools are inadequate for the
7 administration of academic intervention programs that will address the individual
8 learning requirements of each student; now, therefore,

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

11 **Article - Education**

12 7-208.

13 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
14 INDICATED.

15 (2) "ACADEMIC INTERVENTION PROGRAMS" MEANS ACADEMIC
16 PROGRAMS WITH CURRICULUM-BASED INSTRUCTION THAT TAKE PLACE:

17 (I) BEFORE SCHOOL STARTS EACH DAY AND AFTER SCHOOL ENDS
18 EACH DAY;

19 (II) DURING THE REGULAR SCHOOL DAY;

20 (III) ON WEEKENDS;

21 (IV) ON HOLIDAYS;

22 (V) DURING VACATIONS; OR

23 (VI) DURING SUMMER BREAK.

24 (3) "CURRICULUM-BASED INSTRUCTION" MEANS INSTRUCTION BASED
25 ON CURRICULUM GUIDES AND COURSES OF STUDY DEVELOPED BY EACH COUNTY IN
26 ACCORDANCE WITH § 4-111 OF THIS ARTICLE.

27 (4) "INDIVIDUAL LEARNING PLAN" MEANS A PLAN FOR ADDRESSING
28 THE INDIVIDUAL DEFICIENCIES OF EACH STUDENT SELECTED FOR THE PROGRAM.

29 (5) "INSTRUCTIONAL PROVIDER" MEANS AN ORGANIZATION APPROVED
30 BY THE STATE BOARD THAT PROVIDES STAFF AND MATERIALS FOR EXTENDED
31 ACADEMIC INSTRUCTION.

32 (B) (1) THERE IS A MARYLAND ACADEMIC INTERVENTION PROGRAM.

33 (2) THERE IS A MARYLAND ACADEMIC INTERVENTION PROGRAM FUND.

1 (3) THE PURPOSE OF THE PROGRAM IS TO PROVIDE ACADEMIC
2 INTERVENTION PROGRAMS FOR STUDENTS IN GRADES ONE, TWO, FIVE, SIX, AND
3 SEVEN WHO HAVE DEMONSTRATED DEFICIENCIES IN READING AND MATHEMATICS.

4 (C) (1) THE STATE BOARD SHALL:

5 (I) DEVELOP A LIST OF APPROVED INSTRUCTIONAL PROVIDERS;
6 AND

7 (II) DISTRIBUTE THE LIST TO THE LOCAL BOARDS OF EDUCATION.

8 (2) A SCHOOL MAY:

9 (I) SELECT AN INSTRUCTIONAL PROVIDER FROM THE LIST; OR

10 (II) PROVIDE INSTRUCTION USING SCHOOL STAFF AND
11 MATERIALS.

12 (3) EACH SCHOOL SHALL SUBMIT ITS SELECTION TO THE COUNTY
13 BOARD FOR APPROVAL.

14 (D) THE SCHOOLS SHALL DETERMINE A STUDENT'S ELIGIBILITY FOR THE
15 PROGRAM BASED ON THE STUDENT'S PERFORMANCE ON MARYLAND SCHOOL
16 PERFORMANCE ASSESSMENT PROGRAM TESTS, STANDARDIZED TESTS, CLASSROOM
17 TESTS, AND ANY OTHER CRITERIA THE STATE BOARD DEEMS APPROPRIATE.

18 (E) THE INSTRUCTIONAL PROVIDER SHALL PREPARE AN INDIVIDUAL
19 LEARNING PLAN FOR EACH STUDENT SELECTED FOR THE PROGRAM PRIOR TO THE
20 START OF THE PROGRAM.

21 (F) (1) THE LOCAL BOARDS SHALL DEVELOP OR APPROPRIATELY ADAPT AN
22 EXISTING PARENTAL CONSENT FORM FOR THE PROVISION OF ACADEMIC
23 INTERVENTION INSTRUCTION.

24 (2) A PARENT OR GUARDIAN OF A STUDENT SELECTED FOR THE
25 PROGRAM SHALL PROVIDE WRITTEN CONSENT FOR THE STUDENT'S PARTICIPATION
26 IN THE PROGRAM TO THE STUDENT'S SCHOOL PRIOR TO THE STUDENT'S
27 PARTICIPATION IN THE PROGRAM.

28 (G) (1) THE STATE BOARD SHALL ESTABLISH CRITERIA FOR EVALUATING
29 THE PROGRAM.

30 (2) EACH COUNTY BOARD SHALL SUBMIT A REPORT TO THE STATE
31 BOARD AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE,
32 THE GENERAL ASSEMBLY, BY JUNE 30 OF EACH YEAR, EVALUATING THE STATUS OF
33 THE PROGRAM.

34 (H) (1) THE SUPERINTENDENT SHALL DIVIDE THE FUND INTO TWO PARTS:

35 (I) AN AMOUNT FOR GRADE CLUSTER 1 AND 2; AND

1 (II) AN AMOUNT FOR GRADE CLUSTER 5, 6, AND 7.

2 (2) THE SUPERINTENDENT SHALL DISTRIBUTE EACH PART OF THE
3 FUND TO EACH COUNTY BY MULTIPLYING THE TOTAL AMOUNT IN THE PART BY A
4 FRACTION, EXPRESSED AS A PERCENT:

5 (I) THE NUMERATOR OF WHICH IS THE NUMBER OF STUDENTS IN
6 EACH COUNTY SCORING LESS THAN 70% ON THE MSPAP TEST; AND

7 (II) THE DENOMINATOR OF WHICH IS THE NUMBER OF STUDENTS
8 IN THE STATE SCORING LESS THAN 70% ON THE MSPAP TEST.

9 (I) THE DEPARTMENT SHALL ADOPT REGULATIONS NECESSARY FOR THE
10 IMPLEMENTATION OF THIS ACT.

11 SECTION 2. AND BE IT FURTHER ENACTED, That the Governor shall
12 include not less than \$24 million dollars in the State budget for fiscal years 2001 and
13 2002 for the Maryland Academic Intervention Program Fund for grades 1 and 2, and
14 not less than \$21 million in the State budget for fiscal years 2001 and 2002 for grades
15 5, 6, and 7, and that such funds shall be in addition to funds provided for child care
16 and after-school programs in the fiscal year 2001 budget.

17 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 July 1, 2000.