

SENATE BILL 719

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2001 Regular Session  
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By: **Senators Hoffman, Lawlah, McCabe, and Neall (Commission on Education Finance, Equity, and Excellence)**

Introduced and read first time: February 2, 2001

Assigned to: Budget and Taxation

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: April 2, 2001

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CHAPTER 420

1 AN ACT concerning

2 **Education Finance, Equity, and Excellence Act of 2001**

3 FOR the purpose of ~~modifying a certain State grant that is distributed to counties for~~  
4 ~~the transportation of handicapped students~~; modifying the Governor's Teacher  
5 Salary Challenge Program to require that certain funds be distributed to certain  
6 counties in a certain fiscal year; extending the termination date of a certain  
7 management oversight panel in Prince George's County; extending certain  
8 responsibilities of the management oversight panel for a certain period;  
9 extending certain duties of the coordination office for the management oversight  
10 panel for a certain period; ~~establishing a funding program to support teacher~~  
11 ~~mentoring~~; modifying the Maryland Academic Intervention and Support  
12 Program to require that funds that are allocated to the program be distributed  
13 in a certain manner; ~~stating that it is the intent of the General Assembly that~~  
14 ~~the Governor include certain appropriations in the State budget for a certain~~  
15 ~~fiscal year for certain educational programs~~; requiring the Governor to include  
16 certain appropriations in the State budget for a certain fiscal year bill submitted  
17 at a certain session of the General Assembly for certain educational programs;  
18 providing for the distribution of certain appropriations; extending the  
19 termination date of certain educational funding programs; modifying certain  
20 educational programs to make them applicable in a certain fiscal year;  
21 extending certain reporting deadlines relating to the Commission on Education  
22 Finance, Equity, and Excellence; ~~providing for the termination of certain~~  
23 ~~modifications to a certain State grant that is distributed to counties for the~~  
24 ~~transportation of handicapped students~~; ~~providing for the termination of a~~  
25 ~~funding program to support teacher mentoring~~; defining certain terms; and  
26 generally relating to the funding of the State's public schools.

1 BY repealing and reenacting, with amendments,  
2 Article - Education  
3 Section ~~5-205(e) and (e)~~, 5-206(g)(6) and (8), 5-213, and 7-208(a) and (g)  
4 Annotated Code of Maryland  
5 (1999 Replacement Volume and 2000 Supplement)

6 ~~BY repealing~~  
7 ~~Article - Education~~  
8 ~~Section 5-205(d)~~  
9 ~~Annotated Code of Maryland~~  
10 ~~(1999 Replacement Volume and 2000 Supplement)~~

11 ~~BY adding to~~  
12 ~~Article - Education~~  
13 ~~Section 5-206.2~~  
14 ~~Annotated Code of Maryland~~  
15 ~~(1999 Replacement Volume and 2000 Supplement)~~

16 BY repealing and reenacting, without amendments,  
17 Article - Education  
18 Section 5-206(g)(7) and 7-208(b)  
19 Annotated Code of Maryland  
20 (1999 Replacement Volume and 2000 Supplement)

21 BY repealing and reenacting, with amendments,  
22 Chapter 105 of the Acts of the General Assembly of 1997  
23 Section 7 and 29-2(a)

24 BY repealing and reenacting, without amendments,  
25 Chapter 105 of the Acts of the General Assembly of 1997  
26 Section 24, 29-1, 29-2(b), and 29-3(e)

27 BY repealing and reenacting, with amendments,  
28 Chapter 565 of the Acts of the General Assembly of 1998  
29 Section 2 and 3

30 BY repealing and reenacting, with amendments,  
31 Chapter 704 of the Acts of the General Assembly of 1998  
32 Section 2, 3, 4, and 5

33 BY repealing and reenacting, with amendments,  
34 Chapter 464 of the Acts of the General Assembly of 1999  
35 Section 4

1 BY repealing and reenacting, with amendments,  
 2 Chapter 601 of the Acts of the General Assembly of 1999  
 3 Section 1(f) and 2

4 BY repealing and reenacting, with amendments,  
 5 Chapter 493 of the Acts of the General Assembly of 2000  
 6 Section 4 and 10

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

9 **Article—Education**

10 ~~5-205.~~

11 (e) For each fiscal year, in addition to the grant provided under subsections (a)  
 12 and (b) of this section, a handicapped student transportation grant shall be  
 13 distributed to each county board. The amount of the grant to each board shall be  
 14 ~~[\$500]~~ \$1,000 times the number of handicapped students requiring special  
 15 transportation services who are transported by the county board ~~[in excess of the~~  
 16 ~~number transported during the 1980-1981 school year].~~

17 ~~[(d) For the purposes of determining the amount of the grant provided under~~  
 18 ~~subsection (c) of this section, the State Board shall develop a procedure and adopt~~  
 19 ~~regulations for determining the number of handicapped students transported in each~~  
 20 ~~jurisdiction in excess of the number transported in the 1980-1981 school year.]~~

21 ~~[(e)] (D) The State Board shall adopt rules and regulations that provide for~~  
 22 ~~the safe operation of the student transportation system of each county board of~~  
 23 ~~education.~~

24 ~~5-206.2.~~

25 (A) (1) ~~IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS~~  
 26 ~~INDICATED.~~

27 (2) ~~"ANNUAL ADJUSTMENT FACTOR" MEANS THE QUOTIENT RESULTING~~  
 28 ~~FROM DIVIDING THE AMOUNT OF FUNDS APPROPRIATED TO THE STATEWIDE~~  
 29 ~~TEACHER MENTORING PROGRAM IN THE APPLICABLE FISCAL YEAR, MINUS \$2.4~~  
 30 ~~MILLION, BY THE SUM OF THE WEALTH ADJUSTED GRANT AMOUNTS FOR ALL~~  
 31 ~~COUNTIES IN THE APPLICABLE FISCAL YEAR.~~

32 (3) ~~"BASIC CURRENT EXPENSES TO BE SHARED" MEANS THE TOTAL~~  
 33 ~~AMOUNT OF BASIC CURRENT EXPENSES TO BE SHARED BY THE STATE AND A~~  
 34 ~~COUNTY UNDER § 5-202(B) OF THE EDUCATION ARTICLE.~~

35 (4) ~~"NEW HIRE" MEANS A TEACHER WITH NO PRIOR TEACHING~~  
 36 ~~EXPERIENCE HIRED BY A COUNTY BOARD IN THE ACADEMIC YEAR THAT PRECEDES~~  
 37 ~~THE APPLICABLE FISCAL YEAR.~~



1 auditors to monitor the progress of the performance audit and of the financial audit,  
2 review the findings and recommendations of both audits, and monitor  
3 implementation of the audits' recommendations for a [four-year] FIVE-YEAR period.

4 (ii) The Management Oversight Panel shall consist of nine  
5 members jointly appointed by the Governor, the Prince George's County Executive,  
6 and the Chairperson of the Prince George's County Board of Education from a list of  
7 nominations submitted by the State Board of Education.

8 (iii) The Management Oversight Panel shall be comprised of:

9 1. Four individuals who have extensive expertise in  
10 management or business enterprises;

11 2. Three individuals who have extensive expertise in the  
12 education field; and

13 3. Two individuals who are parents of students in the Prince  
14 George's County public schools, at least one of whom has a child in special education.

15 (iv) A majority of the members of the Management Oversight Panel  
16 shall be residents of Prince George's County.

17 (v) The Governor, the Prince George's County Executive, and the  
18 Chairman of the Prince George's County Board of Education jointly shall designate a  
19 Chairman of the Management Oversight Panel.

20 (vi) The Management Oversight Panel shall assist in developing the  
21 scope of a performance audit and shall meet periodically with the Board Chairperson,  
22 the County Executive, and the County Council Chairperson to monitor the progress of  
23 the audit.

24 (vii) At the conclusion of the performance audit and the financial  
25 audit, the Management Oversight Panel shall review the findings and  
26 recommendations of the audits and report to the Governor, General Assembly, Prince  
27 George's County Council, Prince George's County Executive, and Prince George's  
28 County Board of Education:

29 1. On the audits' findings and recommendations; and

30 2. Annually on implementation of the audits'  
31 recommendations.

32 (viii) The Management Oversight Panel and the county board shall  
33 promulgate and publish a protocol for joint communications with, and requests for,  
34 information to the County Board and the County Superintendent and shall notify the  
35 Prince George's County Senators and the Prince George's County Delegation, the  
36 County Executive, the County Council and the State Superintendent of any breaches  
37 of that protocol by the Management Oversight Panel, the County Board, or the  
38 County Superintendent.

1 (ix) The Management Oversight Panel may meet and deliberate in  
2 executive session with the County Board, the County Superintendent, and employees  
3 of the County Board to discuss any matter which the Management Oversight Panel  
4 and the County Board may separately discuss in executive session.

5 (x) The affirmative vote of the members of the Management  
6 Oversight Panel for the passage of a motion by the Management Oversight Panel  
7 shall be a majority of the members presently authorized to serve.

8 (7) The State shall provide one-third of the total cost of the performance  
9 audit up to \$200,000, with release of the funds contingent on appointment of the  
10 Management Oversight Panel.

11 (8) (i) There shall be a coordination office with staff appointed by the  
12 Management Oversight Panel.

13 (ii) The coordination office shall provide support to the  
14 Management Oversight Panel and serve as liaison between the State, Prince George's  
15 County, and the Management Oversight Panel for the duration of the [four-year]  
16 FIVE-YEAR period.

17 (iii) The State shall fund the total operating costs of the  
18 coordination office.

19 5-213.

20 (a) (1) In this section the following words have the meanings indicated.

21 (2) (i) "Cost of living adjustment" means a percentage increase in  
22 salaries that applies among all grades and steps.

23 (ii) "Cost of living adjustment" does not include salary increases for  
24 promotions, increments, or step increases, or similar salary increases received by  
25 employees as a regular part of the operation of a personnel system.

26 (3) "Full-time equivalent enrollment" has the meaning indicated in §  
27 5-202 of this subtitle.

28 (4) "State share" means the State share of basic current expenses  
29 provided under § 5-202 of this subtitle divided by the amount of the basic current  
30 expenses to be shared for that county.

31 (5) "Teacher salary base" means the total salaries and wages of teachers  
32 employed by a county board for the fiscal year preceding the fiscal year for which the  
33 Governor's Challenge Grant is calculated, as determined by the Department of  
34 Budget and Management and the State Superintendent.

35 (6) "Teacher" means any certificated professional public school employee  
36 who is not an administrator.

1 (7) "Wealth" has the meaning stated in § 5-202 of this subtitle.

2 (8) "Wealth per pupil" means wealth divided by full-time equivalent  
3 enrollment.

4 (b) There is a Governor's Teacher Salary Challenge Program.

5 (c) The Governor's Teacher Salary Challenge Program shall provide grants to  
6 county boards for the purpose of increasing teacher salaries in order to improve  
7 recruitment and retention of well qualified teachers.

8 (d) (1) Each grant made to a county board shall be calculated based on:

9 (i) A percentage component;

10 (ii) A wealth adjusted component;

11 (iii) A hold harmless component;

12 (iv) A targeted component; and

13 (v) A transitional component.

14 (2) The percentage component shall be calculated as follows:

15 (i) For fiscal year 2001, multiply the teacher salary base for the  
16 county board by 0.01; [and]

17 (ii) For fiscal year 2002:

18 1. If the county board meets the local match requirement  
19 established under subsection (f)(2) of this section in fiscal year 2001 and meets the  
20 local match requirement for fiscal year 2002, multiply the teacher salary base for the  
21 county board by 0.02;

22 2. If the county board does not meet the local match  
23 requirement established under subsection (f)(2) of this section in fiscal year 2001 and  
24 meets the local match requirement in fiscal year 2002, multiply the teacher salary  
25 base for the county board by 0.01; and

26 3. If the county board meets the local match requirement  
27 established under subsection (f)(2) of this section in fiscal year 2001 and does not  
28 meet the local match requirement in fiscal year 2002, multiply the teacher salary  
29 base for the county board by 0.01; AND

30 (III) FOR FISCAL YEAR 2003, THE COUNTY BOARD SHALL RECEIVE  
31 AN AMOUNT THAT IS EQUAL TO THE PERCENTAGE COMPONENT RECEIVED BY THE  
32 COUNTY BOARD IN FISCAL YEAR 2002.

33 (3) (I) For [each] fiscal [year] YEARS 2001 AND 2002, the wealth  
34 adjusted component shall be calculated as follows:

1 [(i)] 1. A. Multiply the percentage component for the county  
2 board by 2; and

3 [2.] B. Multiply the product calculated in item 1 of this item  
4 for that fiscal year by the State share for the county board; and

5 [(ii)1. ] 2. A. If the product calculated in item (i) of this paragraph  
6 is greater than the percentage component for the county board, the wealth adjusted  
7 component shall be the amount of the difference.

8 [2.] B. If the product calculated in item (i) of this paragraph  
9 is less than the percentage component for the county board, the wealth adjusted  
10 component shall be zero.

11 (II) FOR FISCAL YEAR 2003, THE COUNTY BOARD SHALL RECEIVE  
12 AN AMOUNT THAT IS EQUAL TO THE WEALTH ADJUSTED COMPONENT RECEIVED BY  
13 THE COUNTY BOARD IN FISCAL YEAR 2002.

14 (4) (i) The Governor's Teacher Salary Challenge Grant to a county  
15 board shall contain a hold harmless component equal to the amount, if any, by which  
16 the county board's State share of basic current expense calculated under § 5-202 of  
17 this subtitle for the year of the Governor's Teacher Salary Challenge Grant is less  
18 than the county board's State share of basic current expense calculated under § 5-202  
19 of this subtitle for the previous year.

20 (ii) A county board shall receive its hold harmless component  
21 regardless of whether it meets the local match requirement established under  
22 subsection (f)(2) of this section.

23 (5) (i) The Governor's Teacher Salary Challenge Grant to a county  
24 board shall contain a targeted component as provided in subparagraphs (ii) through  
25 [(v)] (VI) of this paragraph.

26 (ii) For fiscal year 2001, the Governor shall include in the annual  
27 budget bill an appropriation of at least \$5,300,000 for the targeted component.

28 (iii) For fiscal year 2002, the Governor shall include in the annual  
29 budget bill an appropriation of at least \$10,600,000 for the targeted component.

30 (iv) [The] FOR FISCAL YEARS 2001 AND 2002, THE county board in  
31 each county that has a wealth per pupil that is less than 75 percent of the statewide  
32 wealth per pupil shall receive a proportionate share of the targeted component that is  
33 equal to the county board's proportionate share of the total full-time equivalent  
34 enrollment for all counties with a wealth per pupil that is less than 75 percent of the  
35 statewide wealth per pupil.

36 (v) [A] FOR FISCAL YEARS 2001 AND 2002, THE county board shall  
37 receive its proportionate share of the targeted component regardless of whether it  
38 meets the local match requirement established under subsection (f)(2) of this section.

1 (VI) FOR FISCAL YEAR 2003, THE COUNTY BOARD SHALL RECEIVE  
2 AN AMOUNT THAT IS EQUAL TO THE TARGETED COMPONENT RECEIVED BY THE  
3 COUNTY BOARD IN FISCAL YEAR 2002.

4 (6) (i) The Governor's Teacher Salary Challenge Grant shall contain a  
5 transitional component as provided in subparagraphs (ii) and (iii) of this paragraph.

6 (ii) For fiscal year 2001, the Governor shall include in the State  
7 budget an appropriation of at least \$9 million for the transitional component.

8 (iii) A county board shall receive a proportionate share of the  
9 transitional component that is equal to the county board's proportionate share of all  
10 reimbursements received by the State from the county board that:

11 1. Are for retirement contributions received after June 30,  
12 1999 but before July 1, 2000; and

13 2. Are sought by the State Retirement Agency on the basis  
14 that the salary of an eligible member of the Teachers' Retirement System or Teachers'  
15 Pension System is paid in whole or in part from:

16 A. State aid, whether general or categorical in nature; or

17 B. Federal funds, whether the funds are paid directly to a  
18 county board or are passed through from a unit of State government.

19 (iv) A county board shall receive its proportionate share of the  
20 transitional component regardless of whether it meets the local match requirement  
21 established under subsection (f)(2) of this section.

22 (e) (1) On or before June 1, 2000, and on or before June 1, 2001, each county  
23 board may submit a Governor's Teacher Salary Challenge Grant application to the  
24 Department of Budget and Management and the State Superintendent for the  
25 percentage component and the wealth adjusted component of the Governor's Teacher  
26 Salary Challenge Program.

27 (2) The application shall include:

28 (i) The estimated teacher salary base for the county board for the  
29 current fiscal year;

30 (ii) For the next fiscal year, the negotiated and funded cost of living  
31 adjustment for teachers and the aggregate cost of negotiated and funded changes to  
32 the teacher salary schedules, to be funded from sources other than the percentage  
33 component of the Governor's Teacher Salary Challenge Grant, expressed in total  
34 dollars and as a percentage; and

35 (iii) Any other information necessary to determine eligibility for the  
36 Governor's Teacher Salary Challenge Grant.

1 (3) The application shall be in a form and format specified by the  
2 Department of Budget and Management and the State Superintendent.

3 (f) (1) [The] FOR FISCAL YEARS 2001 AND 2002, THE percentage component  
4 and the wealth adjusted component of a Governor's Teacher Salary Challenge Grant  
5 shall be awarded to each county board that submits an application and that meets the  
6 requirements of this section, as determined by the Department of Budget and  
7 Management and the State Superintendent.

8 (2) (i) Subject to subparagraph (ii) of this paragraph and paragraph  
9 (3) of this subsection, a county board that provides a negotiated and funded cost of  
10 living adjustment for teachers of at least 4% or a negotiated and funded adjustment to  
11 the teacher salary schedules that has an aggregate cost that is at least equivalent to  
12 the cost of providing a 4% cost of living adjustment for teachers shall qualify for the  
13 percentage component and the wealth adjusted component of the Governor's Teacher  
14 Salary Challenge Program.

15 (ii) The funds provided by a county board for the purpose of  
16 meeting the local match requirement established under subparagraph (i) of this  
17 paragraph shall be:

18 1. In addition to any previously negotiated and funded step  
19 increases and stipends; and

20 2. Obtained from sources other than the percentage  
21 component of the Governor's Teacher Salary Challenge Program.

22 (3) If a county board meets the local match requirement established  
23 under paragraph (2) of this subsection in fiscal year 2001 and does not meet the local  
24 match requirement in fiscal year 2002, the county board shall receive:

25 (i) A percentage component in fiscal year 2002 as provided under  
26 subsection (d)(2)(ii)3 of this section; and

27 (ii) A wealth adjusted component in fiscal year 2002 as provided  
28 under subsection (d)(3) of this section.

29 (4) [The] IN FISCAL YEARS 2001 AND 2002, THE percentage component of  
30 the Governor's Teacher Salary Challenge Grant shall be used to provide an additional  
31 1% cost of living adjustment for teachers.

32 (g) The Governor shall include funds in the State budget to accomplish the  
33 purposes of this section.

34 (h) The Department of Budget and Management and the State  
35 Superintendent may establish guidelines or regulations to implement the Governor's  
36 Teacher Salary Challenge Program.

37 (i) (1) There is a Transitional Education Fund.

1 (2) The Fund consists of \$16,500,000 of reimbursements for fiscal year  
2 2000 and all reimbursements for fiscal years 2001 [and 2002], 2002, AND 2003  
3 received by the State from the county boards that:

4 (i) Are for retirement contributions made after June 30, 1999 but  
5 before [July 1, 2002] JULY 1, 2003; and

6 (ii) Are sought by the State on the basis that the salary of an  
7 eligible member of the Teachers' Retirement System or Teachers' Pension System is  
8 paid in part or in whole from:

9 1. State aid, whether general or categorical in nature; or

10 2. Federal funds, whether the funds are paid directly to a  
11 local school system or are passed through from a unit of State government.

12 (3) Notwithstanding § 5-203(d) of this subtitle, all reimbursements  
13 described in paragraph (2) of this subsection shall be credited to the Fund.

14 (4) (i) The State Treasurer shall hold the Fund and shall invest the  
15 money in the Fund in the same manner as other State money may be invested.

16 (ii) All interest earned on the Fund shall accrue to the General  
17 Fund.

18 (iii) The State Comptroller shall account for the Fund.

19 (5) The Fund shall be used to implement the Governor's Teacher Salary  
20 Challenge Program established under this section.

21 (6) Expenditures from the Fund may only be made pursuant to an  
22 appropriation approved by the General Assembly in the annual State budget or by  
23 approved budget amendment.

24 (7) Except as provided in paragraph (8) of this subsection, any Fund  
25 balance at the end of each fiscal year shall remain in the Fund and may not revert to  
26 the General Fund.

27 (8) The Fund shall terminate at the end of [June 30, 2002] JUNE 30, 2003  
28 and any Fund balance that remains at the end of [June 30, 2002] JUNE 30, 2003 shall  
29 revert to the General Fund.

30 7-208.

31 (a) (1) In this section the following words have the meanings indicated.

32 (2) "Academic intervention programs" means academic programs with  
33 curriculum-based instruction that may take place:

34 (i) Before school starts each day and after school ends each day;

1 (ii) During the regular school day, provided there is no continual  
2 conflict with curriculum-based instruction;

3 (iii) On weekends;

4 (iv) On holidays;

5 (v) During vacations; or

6 (vi) During summer break.

7 (3) "AMOUNT PER WEIGHTED PUPIL" MEANS THE TOTAL AMOUNT OF  
8 FUNDS IN EXCESS OF ~~\$12 MILLION~~ \$11,600,000 THAT ARE ALLOCATED FOR GRANTS  
9 UNDER SUBSECTION (B)(4)(II) OF THIS SECTION DIVIDED BY THE TOTAL WEIGHTED  
10 ENROLLMENT COUNT.

11 (4) "Curriculum-based instruction" means instruction based on  
12 curriculum guides and courses of study developed by each county in accordance with  
13 § 4-111 of this article.

14 (5) "INTENSITY FACTOR" MEANS 70% DIVIDED BY THE AVERAGE  
15 COMPOSITE SCORE ON THE MARYLAND SCHOOL PERFORMANCE ASSESSMENT  
16 PROGRAM TEST FOR EIGHTH GRADE STUDENTS ENROLLED IN A COUNTY'S PUBLIC  
17 SCHOOLS DURING THE SECOND FISCAL YEAR PRIOR TO THE FISCAL YEAR FOR  
18 WHICH THE APPROPRIATION WAS MADE.

19 [(4)] (6) "Program" means the Maryland Academic Intervention and  
20 Support Program established under this section.

21 (7) "TOTAL WEIGHTED ENROLLMENT COUNT" MEANS THE SUM OF THE  
22 WEIGHTED ENROLLMENT COUNTS FOR ALL COUNTIES IN THE STATE.

23 (8) "WEIGHTED ENROLLMENT COUNT" MEANS THE PRODUCT OF THE  
24 NUMBER OF EIGHTH GRADE STUDENTS ENROLLED IN A COUNTY'S PUBLIC SCHOOLS  
25 ON SEPTEMBER 30 OF THE SECOND FISCAL YEAR PRIOR TO THE FISCAL YEAR FOR  
26 WHICH THE APPROPRIATION WAS MADE AND THE COUNTY'S INTENSITY FACTOR.

27 (b) (1) There is a Maryland Academic Intervention and Support Program in  
28 the Department.

29 (2) The purpose of the Program is to provide academic intervention  
30 programs for students who have demonstrated deficiencies in reading or  
31 mathematics.

32 (3) The Program shall be funded as provided in the State budget.

33 (4) The funds that are allocated to the Program in the State budget shall  
34 be used to:

35 (i) Cover the costs incurred by the Department in implementing  
36 and administering the Program; and

1 (ii) Provide grants to county boards as authorized under subsection  
2 (g) of this section.

3 (g) (1) Of the [total amount] ~~FIRST \$11.6 MILLION~~ \$11,600,000 that is  
4 [allocated] USED for grants under subsection (b)(4)(ii) of this section, each county  
5 board shall receive a:

6 (I) BASE GRANT OF \$70,000; AND

7 (II) FOUNDATION GRANT THAT IS EQUAL TO A fraction OF  
8 \$9,920,000:

9 [(1)] 1. The numerator of which is the number of students in the county  
10 scoring less than ~~70%~~ SATISFACTORY on the reading or mathematics portion of the  
11 Maryland School Performance Assessment Program Test; and

12 [(2)] 2. The denominator of which is the number of students in the  
13 State scoring less than ~~70%~~ SATISFACTORY on the reading or mathematics portion of  
14 the Maryland School Performance Assessment Program Test.

15 (2) ~~OF THE FUNDS IN EXCESS OF \$11.6 MILLION~~ \$11,600,000 THAT ARE  
16 USED FOR GRANTS UNDER SUBSECTION (B)(4)(II) OF THIS SECTION, EACH COUNTY  
17 BOARD SHALL RECEIVE AN INTENSITY GRANT THAT IS EQUAL TO THE PRODUCT OF  
18 THE COUNTY'S WEIGHTED ENROLLMENT COUNT AND THE AMOUNT PER WEIGHTED  
19 PUPIL.

20 SECTION ~~3- 2.~~ AND BE IT FURTHER ENACTED, That ~~it is the intent of the~~  
21 ~~General Assembly that~~, in addition to the appropriation required by § 8-414 of the  
22 Education Article, the Governor ~~shall~~ include in the ~~State budget for fiscal year 2002~~  
23 ~~Budget Bill submitted at the 2002 Session of the General Assembly~~ an appropriation  
24 of at least ~~\$53.55 million~~ \$11,250,000 for public special education that ~~includes: (1)~~  
25 ~~\$11.25 million that was appropriated in fiscal year 2001 for public special education~~  
26 ~~and distributed in accordance with the recommendations set forth in the November~~  
27 ~~1986 report of the Task Force to Study the Funding of Special Education; and (2) an~~  
28 ~~additional \$42.3 million that shall be distributed in the same manner. The Governor~~  
29 ~~shall include in the State budget for fiscal year 2003 an appropriation of at least~~  
30 ~~\$53.55 million for public special education that shall be distributed in accordance~~  
31 ~~with the recommendations set forth in the November 1986 report of the Task Force to~~  
32 ~~Study the Funding of Special Education.~~

33 SECTION ~~4.~~ AND BE IT FURTHER ENACTED, That ~~it is the intent of the~~  
34 ~~General Assembly that the Governor include in the State budget for fiscal year 2002~~  
35 ~~an appropriation that is sufficient to fund the grants required under § 5-205(e) of the~~  
36 ~~Education Article as amended by this Act.~~

37 SECTION ~~5- 3.~~ AND BE IT FURTHER ENACTED, That ~~it is the intent of the~~  
38 ~~General Assembly that~~, in addition to the ~~\$19.5 million appropriation required by~~  
39 ~~Section 5 of Chapter 493 of the Acts of 2000, the Governor include in the State budget~~  
40 ~~for fiscal year 2002 an appropriation of at least \$26 million to fund the Maryland~~  
41 ~~Academic and Intervention Support Program established under § 7-208 of the~~

1 ~~Education Article. The~~ the Governor shall include in the State budget for fiscal year  
 2 ~~2003~~ an appropriation of at least ~~\$45.5 million~~ \$19,500,000 to fund ~~this program~~ the  
 3 Maryland Academic Intervention and Support Program established under § 7-208 of  
 4 the Education Article.

5 SECTION ~~6. 4.~~ AND BE IT FURTHER ENACTED, That ~~it is the intent of the~~  
 6 ~~General Assembly that, in addition to the \$15.4 million that was appropriated in~~  
 7 ~~fiscal year 2001 for teacher mentoring programs, the Governor include in the State~~  
 8 ~~budget for fiscal year 2002 million to fund the Statewide Teacher Mentoring Program~~  
 9 ~~established under § 5 206.2 of the Education Article as enacted by this Act. In~~  
 10 ~~addition to the \$15.4 million that was appropriated in fiscal year 2001 for teacher~~  
 11 ~~mentoring programs, the Governor shall include in the State budget for fiscal 2003~~  
 12 Budget Bill submitted at the 2002 Session of the General Assembly an appropriation  
 13 of at least \$12.9 million \$15,900,000 for the Statewide Teacher Mentoring Program  
 14 teacher mentoring programs.

15 SECTION ~~7. 5.~~ AND BE IT FURTHER ENACTED, That ~~it is the intent of the~~  
 16 ~~General Assembly that, in addition to any funds appropriated in fiscal 2001 for~~  
 17 ~~full day kindergarten programs, the Governor include in the State budget for fiscal~~  
 18 ~~year 2002 an additional appropriation of at least \$15.8 million to fund full day~~  
 19 ~~kindergarten programs. In addition to any funds appropriated in fiscal 2001 for~~  
 20 ~~full day kindergarten programs, the Governor shall include in the State budget for~~  
 21 ~~fiscal year 2003 an appropriation of at least \$15.8 million to fund full day~~  
 22 ~~kindergarten programs~~ the Governor shall include in the Budget Bill submitted at the  
 23 2002 Session of the General Assembly an appropriation of at least \$19,000,000 to fund  
 24 programs that improve the academic achievement of students in pre-kindergarten  
 25 through third grade that shall be distributed in accordance with the  
 26 recommendations set forth in the November 1986 report of the Task Force to Study  
 27 the Funding of Special Education.

28 SECTION ~~8. 6.~~ AND BE IT FURTHER ENACTED, That ~~it is the intent of the~~  
 29 ~~General Assembly that the Governor shall~~ include in the State budget for fiscal year  
 30 ~~2002~~ Budget Bill submitted at the 2002 Session of the General Assembly an  
 31 appropriation of at least \$15 million \$11,625,000 for the Judith P. Hoyer Early Child  
 32 Care and Education Enhancement Program established under § 5-215 of the  
 33 Education Article that includes: (1) \$7 million that was appropriated in fiscal year  
 34 2001 for this program; and (2) an additional \$8 million. The Governor shall include in  
 35 the State budget for fiscal year 2003 an appropriation of at least \$15 million for the  
 36 Judith P. Hoyer Early Child Care and Education Enhancement Program. The first  
 37 \$15 million that is allocated to the Judith P. Hoyer Early Child Care and Education  
 38 Enhancement Program in fiscal years 2002 and 2003 shall be allocated as follows: (1)  
 39 \$8,000,000 for Judy Center grants (2) \$2,300,000 for Early Child Care and Education  
 40 Enhancement Grants to be awarded to early child care and education programs that  
 41 have voluntarily obtained accreditation or have voluntarily initiated or are actively  
 42 pursuing accreditation; (3) \$1,600,000 for Early Child Care and Education  
 43 Enhancement Grants to be awarded to local school systems to purchase early child  
 44 care and education services, such as preschool for 3-year old children,  
 45 pre-kindergarten, or extended kindergarten; (4) \$1,300,000 for statewide  
 46 implementation of the Maryland State Department of Education early childhood

1 assessment system; (5) \$1,000,000 for early childhood professional preparation  
2 projects; and (6) \$800,000 to cover costs incurred by the Maryland State Department  
3 of Education in implementing the program.

4 SECTION ~~9.~~ 7. AND BE IT FURTHER ENACTED, That it is the intent of the  
5 General Assembly that the Governor shall include in the State budget for fiscal year  
6 2002 Budget Bill submitted at the 2002 Session of the General Assembly an  
7 appropriation of at least ~~\$14.8 million~~ \$9,800,000 to fund the program for  
8 reconstitution-eligible schools established under Title 13A, Subtitle 01, Chapter 04 of  
9 the Code of Maryland Regulations that includes: (1) \$9.8 million that was  
10 appropriated in fiscal year 2001 for this program; and (2) an additional \$5 million.  
11 The Governor shall include in the State budget for fiscal year 2003 an appropriation  
12 of at least \$14.8 million for this program.

13 SECTION 10. AND BE IT FURTHER ENACTED, That it is the intent of the  
14 General Assembly that the Governor include in the State budget for fiscal year 2002  
15 an additional appropriation of at least \$712,090 to fund a student support program  
16 aimed at providing positive behavioral interventions. The Governor shall include in  
17 the State budget for fiscal year 2003 an appropriation of at least \$712,090 for this  
18 program.

19 SECTION 11. AND BE IT FURTHER ENACTED, That it is the intent of the  
20 General Assembly that the Governor include in the State budget for fiscal year 2002  
21 an additional appropriation of at least \$750,000 to fund a program to create and  
22 deliver instructional leadership training for school principals. The Governor shall  
23 include in the State budget for fiscal year 2003 an appropriation of at least \$750,000  
24 for this program.

25 SECTION ~~12.~~ 8. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
26 read as follows:

27 **Chapter 105 of the Acts of 1997**

28 SECTION 7. AND BE IT FURTHER ENACTED, That the provisions of this Act  
29 reflect the terms of the consent decrees entered in the cases "Bradford, et al v.  
30 Maryland State Board of Education, et al", case no. 94340058/CE189672; "Board of  
31 School Commissioners, et al v. Maryland State Board of Education, et al", case no.  
32 9528055/CL2002151, Baltimore City Circuit Court; and "Vaughn G., et al v. Mayor  
33 and City Council, et al", case no. MJG-84-1911, United States District Court for the  
34 District of Maryland and reflect a commitment to appropriate additional funds for the  
35 Baltimore City public schools in the following amounts: \$30 million in Fiscal Year  
36 1998 and \$50 million in each of Fiscal Years 1999 through 2002, inclusive. FOR  
37 FISCAL YEAR 2003, THE GOVERNOR SHALL CONTINUE THE COMMITMENT TO  
38 APPROPRIATE \$50 MILLION IN ADDITIONAL FUNDS FOR THE BALTIMORE CITY  
39 PUBLIC SCHOOLS.

40 SECTION 24. AND BE IT FURTHER ENACTED, That, if the General Assembly  
41 fails to appropriate the funds for any of the fiscal years described in Section 7 of this

1 Act, this Act shall be abrogated effective on the last day of the last fiscal year for  
2 which funds were appropriated.

3 SECTION 29. AND BE IT FURTHER ENACTED, That:

4 29-1. Grants Contingent Upon Funding.

5 In each year in which funds are provided to Baltimore City pursuant to Section  
6 7 of this Act, subject to approval of the General Assembly, the Governor shall provide  
7 in the State budget the amounts provided in this section for the jurisdictions  
8 indicated.

9 29-2. Abrogation Provisions.

10 (a) (1) [The provisions] SUBSECTION (E) of this section shall remain in  
11 effect until June 30, 2002, after which [they] IT shall be abrogated and of no further  
12 force and effect without further action by the General Assembly.

13 ~~(2) Except as provided in paragraph (1) of this subsection, this section~~  
14 ~~shall remain in effect until June 30, 2003, after which it shall be abrogated and of no~~  
15 ~~further force and effect with no further action required by the General Assembly.~~

16 (2) EXCEPT AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION, THIS  
17 SECTION SHALL REMAIN IN EFFECT UNTIL JUNE 30, 2003, AFTER WHICH IT SHALL BE  
18 ABROGATED AND OF NO FURTHER FORCE AND EFFECT WITH NO FURTHER ACTION  
19 REQUIRED BY THE GENERAL ASSEMBLY.

20 (b) If the General Assembly fails to appropriate the funds described in this  
21 section for any of the fiscal years, this Act shall be abrogated effective on the last day  
22 of the last fiscal year for which funds were appropriated.

23 29-3.

24 (e) State Aid for Community Colleges.

25 The following additional funds shall be provided in addition to any funds  
26 appropriated for a community college board pursuant to the State Aid for Community  
27 Colleges Program established in § 16-305 of the Education Article:

- 28 (1) Allegany Community College ..... \$160,861;
- 29 (2) Cecil Community College ..... \$74,121;
- 30 (3) Chesapeake Community College ..... \$4,909;
- 31 (4) Frederick Community College ..... \$97,133;
- 32 (5) Garrett Community College ..... \$91,445;
- 33 (6) Harford Community College ..... \$145,848;

1 (7) Hagerstown Community College \$165,181.

2 The total additional grant under this subsection is \$739,498.

3 **Chapter 565 of the Acts of 1998**

4 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the  
5 General Assembly that the Governor provide a maximum of ~~\$210,000~~ \$310,000  
6 annually in Fiscal Years 1999 through [2002] 2003 for the operating expenses of the  
7 Coordination Office established by this Act.

8 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 July 1, 1998. It shall remain effective for a period of [4] 5 years and, at the end of  
10 [June 30, 2002] JUNE 30, 2003, with no further action required by the General  
11 Assembly, this Act shall be abrogated and of no further force and effect.

12 **Chapter 704 of the Acts of 1998**

13 SECTION 2. AND BE IT FURTHER ENACTED, That for fiscal years 1999  
14 through [2002] 2003, in each year, the State shall provide \$35 million for public  
15 school construction projects in Prince George's County and the Prince George's  
16 County government shall provide a minimum of \$32 million for public school  
17 construction projects, and such additional funds as may be necessary to match the  
18 annual State appropriation for public school construction projects in Prince George's  
19 County. For fiscal years 2000 through [2002] 2003, the full level of State funding shall  
20 be contingent on future economic conditions and review and approval by the State  
21 Superintendent of Schools of the Prince George's County Board of Education's  
22 Comprehensive Plan described in the 1998 Memorandum of Understanding signed by  
23 the parties to Vaughns, et al. v. Board of Education of Prince George's County, et al.  
24 and submitted to the United States District Court.

25 SECTION 3. AND BE IT FURTHER ENACTED, That for fiscal years 1999  
26 through [2002] 2003, in each year, the State shall provide 75 percent of the eligible  
27 costs for up to \$35 million in public school construction costs in Prince George's  
28 County. At least \$20 million of the State funds must be spent each year on  
29 neighborhood school projects. For funding above \$35 million, the State shall provide  
30 60 percent of the eligible costs. Neighborhood school projects shall be identified by the  
31 Interagency Committee on Public School Construction and shall include new public  
32 schools and additions or improvements to existing public schools which serve students  
33 reassigned to their local communities based upon the Community Schools Education  
34 Plan developed by the Prince George's County Board of Education.

35 SECTION 4. AND BE IT FURTHER ENACTED, That prior to any school  
36 construction projects being released for bidding as a result of State funding in fiscal  
37 years 1999 through [2002] 2003, the Prince George's County Board of Education, the  
38 County Executive, and the County Council shall submit to the Interagency  
39 Committee on School Construction the most recent Community Schools Education

1 Plan and the Prince George's County Board of Education Capital Improvement  
2 Program and a letter of endorsement of the plan and program. The Interagency  
3 Committee shall review the information submitted and determine which projects or  
4 portions thereof are justified and which qualify as neighborhood school projects. Prior  
5 to any approval from the Interagency Committee to release any projects for bidding,  
6 the educational programs and services proposed for each project shall be reviewed  
7 and approved by the State Superintendent of Schools for consistency with practices  
8 and strategies that result in improved student achievement and academic and social  
9 success.

10 SECTION 5. AND BE IT FURTHER ENACTED, That:

11 (a) Except as provided in subsection (b) of this section and Section 6 of this  
12 Act, this Act shall remain effective until June 30, [2002] 2003, and, at the end of June  
13 30, [2002] 2003, with no further action required by the General Assembly, this Act  
14 shall be abrogated and of no further force and effect.

15 (b) Notwithstanding any other provision of this Act, § 5-307(d) of the  
16 Education Article as enacted by this Act shall remain in effect and shall not terminate  
17 without further action by the General Assembly.

18 **Chapter 464 of the Acts of 1999**

19 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall remain  
20 effective until [June 30, 2002] JUNE 30, 2003, and, at the end of [June 30, 2002] JUNE  
21 30, 2003, with no further action required by the General Assembly, this Act shall be  
22 abrogated and of no further force and effect.

23 **Chapter 601 of the Acts of 1999**

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
25 MARYLAND, That:

26 (f) (1) The Commission shall provide [an] interim [report] REPORTS of its  
27 findings and recommendations to the Governor and, in accordance with § 2-1246 of  
28 the State Government Article, to the General Assembly by January 1, 2000 AND  
29 JANUARY 1, 2001, RESPECTIVELY.

30 (2) The Commission shall provide a final report of its findings and  
31 recommendations to the Governor and, in accordance with § 2-1246 of the State  
32 Government Article, to the General Assembly by [October 15, 2000] OCTOBER 15,  
33 2001.

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
35 June 1, 1999. IT SHALL REMAIN EFFECTIVE FOR A PERIOD OF 3 YEARS AND, AT THE  
36 END OF MAY 31, 2002, WITH NO FURTHER ACTION REQUIRED BY THE GENERAL  
37 ASSEMBLY, THIS ACT SHALL BE ABROGATED AND OF NO FURTHER FORCE AND  
38 EFFECT.

1

**Chapter 493 of the Acts of 2000**

2 SECTION 4. AND BE IT FURTHER ENACTED, That the Governor shall  
3 include in the State budget for each of fiscal years 2001 [and 2002], 2002, AND 2003 an  
4 appropriation of at least ~~\$8,000,000~~ \$20,465,079 to meet the State's existing legal  
5 obligations for educational funding and avoid future litigation.

6 SECTION 10. AND BE IT FURTHER ENACTED, That this Act shall take effect  
7 June 1, 2000. Section 1 of this Act shall remain effective for a period of [2]3 years and  
8 1 month and, at the end of [June 30, 2002] JUNE 30, 2003, with no further action  
9 required by the General Assembly, Section 1 of this Act shall be abrogated and of no  
10 further force and effect.

11 ~~SECTION 13. AND BE IT FURTHER ENACTED, That Section 1 of this Act~~  
12 ~~shall take effect June 1, 2001. It shall remain effective for a period of 2 years and 1~~  
13 ~~month and, at the end of June 30, 2003, with no further action required by the~~  
14 ~~General Assembly, Section 1 of this Act shall be abrogated and of no further force and~~  
15 ~~effect.~~

16 SECTION ~~14. 9.~~ AND BE IT FURTHER ENACTED, That, ~~except as provided~~  
17 ~~in Section 13 of this Act,~~ this Act shall take effect June 1, 2001.