

SENATE BILL 907

F1, B1

71r3152

By: **Senators Currie, Hogan, and McFadden**
Introduced and read first time: February 22, 2007
Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Budget Accountability – Master Plans – Submission**

3 FOR the purpose of requiring county boards of education to submit comprehensive
4 master plans to the State Department of Education on or before a certain date
5 and at a certain time thereafter; clarifying that comprehensive master plans
6 extend for a certain period of time; and generally relating to the submission of
7 comprehensive master plans by county boards of education.

8 BY repealing and reenacting, with amendments,
9 Article – Education
10 Section 5–401
11 Annotated Code of Maryland
12 (2006 Replacement Volume)

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

15 **Article – Education**

16 5–401.

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

18 (2) “Local performance standards” means standards for student and
19 school performance developed by a county board.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) “Plan” means a comprehensive master plan.

2 (4) “State performance standards” means standards for student and
3 school performance approved by the State Board.

4 (b) (1) Each county board shall develop and implement a comprehensive
5 master plan that describes the goals, objectives, and strategies that will be used to
6 improve student achievement and meet State performance standards and local
7 performance standards in each segment of the student population.

8 (2) (i) [Each] **ON OR BEFORE OCTOBER 1, 2008, AND EVERY**
9 **5 YEARS THEREAFTER, EACH** county board shall submit a plan to the Department
10 [on or before October 1, 2003].

11 (ii) At least 60 days before submitting a plan to the Department,
12 a county board shall provide a copy of the plan to the:

13 1. County council and if applicable, county executive; or

14 2. County commissioners.

15 (3) Subject to subsection (i) of this section, the plan shall:

16 (i) Extend for a 5–year period [beginning with the 2003–2004
17 school year]; and

18 (ii) Be updated annually by the county board and submitted for
19 review and approval by the State Superintendent of Schools on or before October 15 of
20 each year.

21 (4) Each county board shall submit with the update required under
22 paragraph (3)(ii) of this subsection:

23 (i) A detailed summary of how the board’s current year
24 approved budget and increases in expenditures over the prior year are consistent with
25 the master plan; and

26 (ii) A summary of how the board’s actual prior year budget and
27 additional expenditures in the prior year’s budget aligned with the master plan.

28 (c) The plan shall include:

- 1 (1) Goals and objectives as required under subsections (d) through (f)
2 of this section that are aligned with State performance standards and local
3 performance standards;
- 4 (2) Implementation strategies for meeting goals and objectives;
- 5 (3) Methods for measuring progress toward meeting goals and
6 objectives;
- 7 (4) Time lines for implementation of the strategies for meeting goals
8 and objectives;
- 9 (5) Time lines for meeting goals and objectives;
- 10 (6) A description of the alignment of the county board's budget with
11 goals, objectives, and strategies for improving student achievement;
- 12 (7) The impact of the proposed goals, objectives, and implementation
13 strategies on public school facilities and capital improvements that may be needed to
14 implement the plan; and
- 15 (8) Any other information required by the State Superintendent.
- 16 (d) The plan shall include goals, objectives, and strategies regarding the
17 performance of:
- 18 (1) Students requiring special education, as defined in § 5–209 of this
19 title;
- 20 (2) Students with limited–English proficiency, as defined in § 5–208 of
21 this title;
- 22 (3) Prekindergarten students;
- 23 (4) Kindergarten students;
- 24 (5) Gifted and talented students, as defined in § 8–201 of this article;
- 25 (6) Students enrolled in career and technology courses;
- 26 (7) Students failing to meet, or failing to make progress toward
27 meeting, State performance standards, including any segment of the student

1 population that is, on average, performing at a lower achievement level than the
2 student population as a whole; and

3 (8) Any other segment of the student population identified by the
4 State Superintendent.

5 (e) With regard to subsection (d)(7) of this section, the plan shall include
6 strategies to address any disparities in achievement identified for any segment of the
7 student population.

8 (f) (1) (i) The State Superintendent shall review each plan to
9 determine whether the plan complies with the requirements of subsections (b) through
10 (e) of this section.

11 (ii) If the State Superintendent determines that a plan does not
12 comply with the requirements of subsections (b) through (e) of this section, the State
13 Superintendent may require specific revisions to the plan.

14 (2) (i) The State Superintendent may review the content of each
15 plan to assess whether the plan will have the effect of improving student achievement
16 and increasing progress toward meeting State performance standards.

17 (ii) If the State Superintendent determines that a plan will not
18 have the effect of improving student achievement and increasing progress toward
19 meeting State performance standards, the State Superintendent may require specific
20 revisions to the plan.

21 (3) A county board may not implement a plan unless it has been
22 approved by the State Superintendent.

23 (g) (1) A county board may submit a preexisting management plan to the
24 Department as the county board's plan under subsection (b) of this section.

25 (2) If the State Superintendent determines that the preexisting
26 management plan meets the requirements set forth in this section, the State
27 Superintendent shall approve the preexisting management plan as the county board's
28 plan.

29 (h) (1) The State Superintendent annually shall review how each county
30 board's current year approved budget and actual prior year budget align with the
31 master plan and any updates to the master plan. This review may be based on the
32 information required to be submitted by the county board under subsection (b)(4) of
33 this section and any other information required by the State Superintendent.

1 (2) The State Superintendent annually shall report the results of the
2 budget review by December 31 to the Governor, the county governing body, and,
3 subject to § 2–1246 of the State Government Article, the General Assembly.

4 (i) (1) If a school system fails to demonstrate progress toward improving
5 student achievement and meeting State performance standards in each segment of the
6 student population during a school year, the State Superintendent shall review the
7 content of the plan, any updates to the plan, and the results of the annual review
8 required under subsection (h)(1) of this section to assess whether the plan will have
9 the effect of improving student achievement and increasing progress toward meeting
10 State performance standards.

11 (2) If the State Superintendent determines that a plan will not have
12 the effect of improving student achievement and increasing progress toward meeting
13 State performance standards, the State Superintendent shall require specific revisions
14 to the plan.

15 (j) The State Superintendent shall advise the Governor and the General
16 Assembly concerning the distribution of State funds to a county that fails to make
17 progress toward improving student achievement and meeting State performance
18 standards in each segment of the student population.

19 (k) The State Board may withhold State funds from a county board if:

20 (1) A school system fails to demonstrate annual progress toward
21 improving student achievement and meeting State performance standards in each
22 segment of the student population; and

23 (2) Fails to develop a plan that meets the requirements of subsections
24 (b) through (g) of this section or take any action required by the State Superintendent
25 under this section.

26 (1) (1) The State Superintendent shall review academic intervention
27 programs and behavior modification programs to identify best practices.

28 (2) The State Superintendent shall periodically report on the best
29 practices to the State Board, the county boards, the Governor, and, subject to § 2–1246
30 of the State Government Article, the General Assembly.

31 (m) (1) Subject to paragraph (2) of this subsection, the Department shall
32 adopt regulations as necessary to implement this section.

1 (2) The Department shall consult with county superintendents and
2 county boards before promulgating proposed regulations to implement this section.

3 (n) The Department may provide technical assistance to county boards in
4 developing and implementing a plan.

5 (o) The Governor shall include an appropriation for the Department in the
6 State budget for each fiscal year in amount sufficient to cover the costs associated with
7 implementing this section.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2007.