

# HOUSE BILL 722

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4r1469

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By: **Delegate Cluster**

Introduced and read first time: January 31, 2014

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County – Education – Advancement Via Individual Determination**  
3 **Pilot Program**

4 FOR the purpose of establishing the Advancement Via Individual Determination Pilot  
5 Program in Baltimore County; establishing the purpose of the Program;  
6 requiring the Baltimore County Board of Education to develop and implement  
7 the Program; requiring the Program to require a certain minimum number of  
8 certain teachers in each Tier 3 high school; requiring that funds for the Program  
9 be provided from the Education Trust Fund; requiring that money in the  
10 Education Trust Fund be used to provide funds for the Program; defining a  
11 certain term; requiring the Baltimore County Superintendent of Schools to  
12 report to certain committees of the General Assembly on or before a certain  
13 date; providing for the termination of this Act; and generally relating to the  
14 Advancement Via Individual Determination Pilot Program in Baltimore County.

15 BY adding to

16 Article – Education  
17 Section 4–131  
18 Annotated Code of Maryland  
19 (2008 Replacement Volume and 2013 Supplement)

20 BY repealing and reenacting, with amendments,

21 Article – State Government  
22 Section 9–1A–30  
23 Annotated Code of Maryland  
24 (2009 Replacement Volume and 2013 Supplement)

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

27 **Article – Education**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 4-131.

2 (A) IN THIS SECTION, "PROGRAM" MEANS THE ADVANCEMENT VIA  
3 INDIVIDUAL DETERMINATION PILOT PROGRAM IN BALTIMORE COUNTY.

4 (B) THIS SECTION APPLIES ONLY IN BALTIMORE COUNTY.

5 (C) THERE IS AN ADVANCEMENT VIA INDIVIDUAL DETERMINATION  
6 PILOT PROGRAM IN BALTIMORE COUNTY.

7 (D) THE PURPOSE OF THE PROGRAM IS TO ASSIST A STUDENT WITH  
8 LESS THAN AN UNWEIGHTED GRADE POINT AVERAGE OF 2.0 PER QUARTER TO  
9 BECOME AN EFFECTIVE STUDENT AS EVIDENCED BY AN UNWEIGHTED GRADE  
10 POINT AVERAGE OF 2.5 OR HIGHER PER QUARTER WITHOUT A LETTER GRADE  
11 OF D OR E.

12 (E) THE BALTIMORE COUNTY BOARD OF EDUCATION SHALL DEVELOP  
13 AND IMPLEMENT THE PROGRAM.

14 (F) THE PROGRAM SHALL REQUIRE A MINIMUM OF TWO TEACHERS  
15 CERTIFIED IN THE ADVANCEMENT VIA INDIVIDUAL DETERMINATION PROGRAM  
16 IN EACH TIER 3 HIGH SCHOOL AS DESCRIBED IN BALTIMORE COUNTY PUBLIC  
17 SCHOOLS BLUEPRINT 2.0: OUR WAY FORWARD.

18 (G) FUNDS FOR THE PROGRAM SHALL BE PROVIDED FROM THE  
19 EDUCATION TRUST FUND ESTABLISHED UNDER § 9-1A-30 OF THE STATE  
20 GOVERNMENT ARTICLE.

21 **Article – State Government**

22 9-1A-30.

23 (a) There is an Education Trust Fund which is a special, nonlapsing fund  
24 that is not subject to § 7-302 of the State Finance and Procurement Article.

25 (b) (1) There shall be credited to the Education Trust Fund all proceeds  
26 allocated to the Fund under § 9-1A-27 of this subtitle.

27 (2) Money in the Education Trust Fund shall be invested and  
28 reinvested by the Treasurer, and interest and earnings shall accrue to the Fund.

29 (c) Money in the Education Trust Fund shall be used to:

1 (1) provide funding for public elementary and secondary education,  
2 through continuation of the funding and formulas established under the programs  
3 commonly known as the Bridge to Excellence in Public Schools Act, first enacted by  
4 Chapter 288 of the Acts of the General Assembly of 2002, including the funding for  
5 regional differences in the cost of education under § 5–202(f) of the Education Article;

6 (2) provide funds to construct public school buildings and provide  
7 public school capital improvements in accordance with §§ 5–301 through 5–303 of the  
8 Education Article;

9 (3) provide funds for capital projects at community colleges and public  
10 senior higher education institutions; [and]

11 (4) provide funds to expand public early childhood education programs  
12 in the State; AND

13 **(5) PROVIDE FUNDS FOR THE ADVANCEMENT VIA INDIVIDUAL**  
14 **DETERMINATION PILOT PROGRAM IN BALTIMORE COUNTY.**

15 (d) Expenditures from the Education Trust Fund shall be made each fiscal  
16 year in accordance with the State budget.

17 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1,  
18 2016, the Baltimore County Superintendent of Schools shall report, in accordance with  
19 § 2–1246 of the State Government Article, to the Senate Education, Health, and  
20 Environmental Affairs Committee and the House Committee on Ways and Means on  
21 the impact of the Advancement Via Individual Determination Pilot Program, including  
22 the number of students who increase their grade point averages from less than a 2.0  
23 per quarter unweighted grade point average to a 2.5 or higher per quarter unweighted  
24 grade point average without a letter grade of D or E during each school year.

25 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 July 1, 2014. It shall remain effective for a period of 3 years and, at the end of June 30,  
27 2017, with no further action required by the General Assembly, this Act shall be  
28 abrogated and of no further force and effect.