

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL NO. 795

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 24, after “circumstances;” insert “providing for the payment of certain fees for certain employee organizations for certain representation; repealing certain exemptions of Baltimore City from certain provisions of the Education Article;”; and in line 29, after “date” insert “and subject to certain restrictions; providing for the continuation of certain services provided to the Baltimore City Public School System by other units of the Baltimore City Government; prohibiting the Baltimore City Council from restoring or denying certain budget items under certain circumstances; requiring the Board to submit to the Mayor and City Council of Baltimore City and the Baltimore City Board of Estimates a certain report on expenditures in its budget; repealing certain provisions relating to the budget of the Board of School Commissioners of Baltimore City”.

On page 2, in line 9, after “agreements;” insert “requiring the Board to recognize and bargain with certain employee organizations; requiring certain collective bargaining agreements for certain employees to be separate agreements from the collective bargaining agreements for the employees of the City of Baltimore; providing for the rights of certain employees to be dismissed only for cause; providing for certain rights and benefits of certain employees through a certain date; providing for the retention of sick leave for certain employees; providing for certain health and retirement benefits for certain employees; providing for the retention and assumption of certain liabilities; requiring a certain agreement to be submitted to certain committees of the General Assembly; providing for payment of certain employer and employee contributions to certain pension and retirement systems; providing for disbursement of certain funds in a certain manner; requiring the Board to initiate a certain search process by a certain date;”; strike beginning with “requiring” in line 9 down through “Appeals;” in line 10; in line 11, after “contingency;” insert “requiring the Board to establish a certain system of financial reporting by a certain date; requiring a certain financial audit by a certain date; providing for the appointment of members to a certain advisory board; requiring the Board to submit a certain report in a certain manner; providing for the repeal of law inconsistent with this Act;”; in line 22, after “(e),” insert “2-205(m)(1), 2-303(f), 3-101, 3-108(a),”; in line 22, after

(Over)

“4-103,” insert “4-104(a), 4-107, 4-114 through 4-119,”; in line 22, after “4-205(c)” insert “and (d)”;
in line 22, after “4-307,” insert “5-102 through 5-107,”; in the same line, after “5-112(a),” insert
“6-109,”; in line 23, strike “6-501(g),” and substitute “6-501(f) and (g),”; in line 33, after “Section”
insert “3-108.1,”; in line 33, strike “and” and substitute a comma; in the same line strike “4-317” and
substitute “4-313, and 6-504(e)”;

“BY repealing

Article - Education

Section 5-108

Annotated Code of Maryland
(1997 Replacement Volume)”.

AMENDMENT NO. 2

On page 3, after line 18, insert:

2-205.

(m) (1) In this subsection, “professional employee” means an employee:

(i) For whom a certificate has been issued by the State Superintendent [or, in Baltimore City, who has equivalent status as determined by the Department]; and

(ii) For whom a salary scale has been established by law for the position or who meets or exceeds the qualifications required for an established salary scale.

2-303.

(f) (1) [This subsection does not apply to Baltimore City.

(2)] Subject to the bylaws, rules, and regulations of the State Board, the State Superintendent shall approve or disapprove each:

(i) Proposal for the purchase or sale of any ground, school site, or building;

(ii) Plan or specification for the remodeling of a school building if the

remodeling costs more than \$350,000;

(iii) Plan or specification for the construction of a new school building; and

(iv) Change order that costs more than \$25,000 for the remodeling, restoration, or construction of a school building.

[(3)] (2) If the State Superintendent disapproves any plan, specification, proposal, or change order, he shall state in writing the reasons for his disapproval.

[(4)] (3) If the construction is to be done by a county board, the board may not begin until the plans and specifications are approved in writing by the State Superintendent.

[(5)] (4) If the construction is to be done by contract, the contract is invalid without the written approval of the State Superintendent.

3-101.

This title [does not apply to] APPLIES TO ALL COUNTY BOARDS INCLUDING Baltimore City.

3-108.

(a) Except for the NEW BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS ESTABLISHED UNDER § 3-108.1 OF THIS SUBTITLE AND counties listed in § 3-114 of this subtitle, the Governor shall appoint the members of each county board from the residents of that county.

3-108.1.

(A) IN THIS SECTION "BOARD" MEANS THE NEW BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS OF THE BALTIMORE CITY PUBLIC SCHOOL SYSTEM.

(B) THERE IS A NEW BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS OF

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THE BALTIMORE CITY PUBLIC SCHOOL SYSTEM.

(C) THE BOARD CONSISTS OF:

(1) NINE VOTING MEMBERS JOINTLY APPOINTED BY THE MAYOR OF BALTIMORE CITY AND THE GOVERNOR FROM A LIST OF QUALIFIED INDIVIDUALS SUBMITTED TO THE MAYOR AND THE GOVERNOR BY THE STATE BOARD; AND

(2) ONE VOTING STUDENT MEMBER APPOINTED AS PROVIDED IN SUBSECTION (O) OF THIS SECTION.

(D) EACH MEMBER OF THE BOARD SHALL BE A RESIDENT OF BALTIMORE CITY.

(E) TO THE EXTENT PRACTICABLE, THE MEMBERSHIP OF THE BOARD SHALL REFLECT THE DEMOGRAPHIC COMPOSITION OF BALTIMORE CITY.

(F) AT LEAST FOUR OF THE VOTING MEMBERS SHALL POSSESS A HIGH LEVEL OF KNOWLEDGE AND EXPERTISE CONCERNING THE SUCCESSFUL ADMINISTRATION OF A LARGE BUSINESS, NONPROFIT, OR GOVERNMENTAL ENTITY AND SHALL HAVE SERVED IN A HIGH LEVEL MANAGEMENT POSITION WITHIN SUCH AN ENTITY.

(G) AT LEAST THREE OF THE VOTING MEMBERS SHALL POSSESS A HIGH LEVEL OF KNOWLEDGE AND EXPERTISE CONCERNING EDUCATION.

(H) AT LEAST ONE VOTING MEMBER SHALL BE A PARENT OF A STUDENT ENROLLED IN THE BALTIMORE CITY PUBLIC SCHOOL SYSTEM AS OF THE DATE OF APPOINTMENT OF THE MEMBER.

(I) (1) AMONG THE NINE VOTING MEMBERS, AT LEAST ONE MEMBER SHALL ALSO POSSESS KNOWLEDGE OR EXPERIENCE IN THE EDUCATION OF CHILDREN WITH DISABILITIES.

(2) THE KNOWLEDGE OR EXPERIENCE MAY BE DERIVED FROM BEING

THE PARENT OF A CHILD WITH A DISABILITY.

(J) (1) THE TERM OF A VOTING MEMBER IS 3 YEARS.

(2) THE TERMS OF THE VOTING MEMBERS ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE BOARD ON THE EFFECTIVE DATE OF THIS ACT.

(3) AT THE END OF A TERM, A VOTING MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(4) A VOTING MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REMAINDER OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(5) A VOTING MEMBER MAY NOT SERVE MORE THAN TWO CONSECUTIVE FULL TERMS.

(6) TO THE EXTENT PRACTICABLE, THE GOVERNOR AND THE MAYOR SHALL FILL ANY VACANCY ON THE BOARD WITHIN 60 DAYS OF THE DATE OF THE VACANCY FROM A LIST OF QUALIFIED INDIVIDUALS SUBMITTED TO THE MAYOR AND THE GOVERNOR BY THE STATE BOARD.

(K) ON THE JOINT APPROVAL OF THE MAYOR OF BALTIMORE CITY AND THE GOVERNOR, A MEMBER MAY BE REMOVED ONLY FOR CAUSE IN ACCORDANCE WITH § 3-108 OF THIS SUBTITLE.

(L) EACH MEMBER OF THE BOARD SERVES WITHOUT COMPENSATION.

(M) ON APPOINTMENT OF THE BOARD, THE GOVERNOR AND THE MAYOR SHALL JOINTLY SELECT ONE OF THE VOTING MEMBERS TO SERVE AS THE CHAIRMAN OF THE BOARD WHO SHALL SERVE THROUGH JUNE 30, 1999.

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(N) BEGINNING ON JULY 1, 1999 AND EVERY 2 YEARS THEREAFTER, FROM AMONG ITS VOTING MEMBERS THE BOARD SHALL ELECT A CHAIRMAN.

(O) (1) ONE STUDENT MEMBER SHALL BE A STUDENT ENROLLED IN THE BALTIMORE CITY PUBLIC SCHOOL SYSTEM WHO SHALL BE SELECTED BY THE ASSOCIATED STUDENT CONGRESS OF BALTIMORE CITY.

(2) THE TERM OF A STUDENT MEMBER IS 1 YEAR.

(3) A STUDENT MEMBER MAY NOT SERVE MORE THAN TWO CONSECUTIVE FULL TERMS.

(4) THE STUDENT MEMBER MAY NOT VOTE ON ANY MATTER THAT RELATES TO:

(I) THE DISMISSAL OF OR OTHER DISCIPLINARY ACTION INVOLVING PERSONNEL;

(II) BUDGET, INCLUDING ALL PROCUREMENT;

(III) ALL COLLECTIVE BARGAINING MATTERS; AND

(IV) APPEALS TO THE NEW BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS.

(P) ANY ACTION BY THE BOARD SHALL REQUIRE:

(1) A QUORUM OF A MAJORITY OF THE VOTING MEMBERS THEN SERVING; AND

(2) THE AFFIRMATIVE VOTE OF A MAJORITY OF THE VOTING MEMBERS THEN SERVING.”;

in line 24, strike “and” and substitute a comma; in the same line, after “secretary” insert “, AND TREASURER”; and in the same line after the second “the” insert “NEW”.

On page 4, after line 10, insert:

“4-104.

(a) (1) Except in Baltimore County [and Baltimore City], each county board may:

(i) Retain counsel to represent it in legal matters that affect the board; and

(ii) Contract for the payment of a reasonable fee to the counsel.

(2) Funds for these fees shall be included in the annual budget.

4-107.

(a) [This section does not apply to Baltimore City.

(b) Each county board shall hold an annual meeting on or as near as possible to the second Tuesday in July, except that:

(1) In Allegany County, the annual meeting shall be held on the second Tuesday of January;

(2) In Montgomery County, the annual meeting shall be held on or before January 10;

(3) In Prince George’s County, the annual meeting shall be held on the first Monday in December;

(4) In St. Mary’s County, the annual meeting shall be held following the first Monday in December; and

(5) In Washington County, the annual meeting shall be held in December, on or before the 16th day.

[(c)] (B) A county board may hold any other meetings that its duties and business require.

(Over)

[(d)] (C) Except as provided in Title 3 of this article, each county board, at its annual meeting, shall elect a president and a vice-president from among its members by means of an individually recorded vote.

[(e)] (D) (1) All final actions of a county board shall be taken at a public meeting. The minutes of the meeting shall be available to the public.

(2) A county board may meet and deliberate in executive session if the matter under consideration is:

(i) Land and site acquisitions; or

(ii) Personnel and labor relations.

[(f)] (E) (1) Except as otherwise provided in this article, a member of a county board may not receive compensation.

(2) Each member shall be reimbursed for traveling and other expenses incurred in the performance of his duties.

(3) Each member of the county board of the counties specified in this paragraph shall receive the enumerated amounts annually for traveling and other expenses.

(i) Calvert County:

1. Member \$2,000; and

2. President \$2,200.

(ii) Caroline County:

1. Member \$3,000; and

2. President \$3,500.

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(iii) Cecil County:

- 1. Member \$1,400; and
- 2. Chairman \$1,600.

(iv) Charles County:

- 1. Member \$600;
- 2. Vice-chairman \$600; and
- 3. Chairman \$800.

(v) Dorchester County:

- 1. Member \$3,000; and
- 2. Chairman \$3,200.

(vi) Frederick County:

- 1. Member \$2,500; and
- 2. President \$2,500.

(vii) Queen Anne's County:

- 1. Member \$1,000; and
- 2. Chairman \$1,200.

(viii) Talbot County:

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1. Member	\$1,200;
2. Chairman	\$1,500;
3. Travel	\$300; and
4. Other expenses for each meeting, other than the annual meeting attended on behalf of the County	\$25.

(4) Each member of the Charles County Board shall receive the following amounts annually as compensation:

(i) Member:

1. \$3,090 for the calendar year 1995; and
2. \$3,185 for the calendar years 1996, 1997, and 1998;

(ii) Vice-chairman:

1. \$3,400 for the calendar year 1995; and
2. \$3,500 for the calendar years 1996, 1997, and 1998; and

(iii) Chairman:

1. \$3,710 for the calendar year 1995; and
2. \$3,820 for calendar years 1996, 1997, and 1998.

(5) Each member of the St. Mary's County Board shall receive the following amounts annually as compensation:

- (i) Member \$4,000; and
- (ii) Chairman \$4,300.

(6) Each member of the Wicomico County Board shall receive the following amounts annually as compensation:

- (i) Member \$3,700; and
- (ii) Chairman \$4,000.

(7) Each member of the Worcester County Board shall receive an amount annually for traveling and other expenses as determined by the County Commissioners, but in the amount of at least:

- (i) Member \$2,000; and
- (ii) Chairman \$2,400.

4-114.

(a) All property granted, conveyed, devised, or bequeathed for the use of a particular public school or school system:

(1) Shall be held in trust for the benefit of the school or school system by the appropriate county board [or, in Baltimore City, by the Mayor and City Council]; and

(2) Is exempt from all State and local taxes.

(b) Money invested in trust for the benefit of the public schools for any county or city is exempt from all State and local taxes.

4-115.

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(a) [This section does not apply to Baltimore City.] IN THIS SUBTITLE, “COUNTY COUNCIL” MEANS, IN BALTIMORE CITY, THE MAYOR AND CITY COUNCIL OF BALTIMORE.

(b) With the approval of the State Superintendent, each county board may:

(1) Buy or otherwise acquire land, school sites, or buildings; and

(2) Rent, repair, improve, and build school buildings or approve contracts for doing so, if the plans conform to the bylaws, rules, and regulations of the State Board.

(c) (1) If, with the approval of the State Superintendent, a county board finds that any land, school site, or building no longer is needed for school purposes, it shall be transferred by the county board to the county commissioners or county council and may be used, sold, leased, or otherwise disposed of, except by gift, by the county commissioners or county council.

(2) With the approval of the State Superintendent, the Cecil County Board may transfer, with or without charge, any of its property to the board of trustees of a public community college.

(d) In Baltimore County, the Baltimore County Board of Education must notify the Baltimore County Office of Planning and Zoning of any schools it is considering for closure and request from that Office a written recommendation on the proposed action. If the Office of Planning and Zoning wishes to make a recommendation, it must be submitted to the Board no later than November 1 of the calendar year preceding the proposed closure. The Board of Education shall consider these recommendations at least 3 months before taking final action. These provisions may be waived by mutual agreement.

4-116.

(a) [This section does not apply to Baltimore City.

(b)] (1) If there is a commission or agency with legal responsibility for county planning for land use, the county board shall:

(i) Consult with the commission or agency; and

(ii) Ask its advice in choosing land for a school site.

(2) The site shall conform as far as practicable to development plans for land use in the county.

[(c)] (B) (1) If a county board gives preliminary approval of a school site, the county board shall hold a public hearing if:

(i) It considers it desirable;

(ii) 100 or more adult residents of the county petition in writing for a hearing;

or

(iii) The county commissioners or county council asks for a hearing.

(2) The hearing shall be held on at least 10 [days] DAYS' notice, published at least once in a newspaper of general circulation in the county, to give all interested persons an opportunity to present their views.

(3) Any petition by residents of the county shall be filed at the office of the county board within 15 days after the board gives preliminary approval of the site.

(4) If a hearing is held, minutes shall be kept and, after deliberation, the county board shall send the minutes of the hearing and its recommendation to the State Superintendent for use in making a decision on his approval of the site.

(5) A request for site approval may not be made to the State Superintendent by a county board until 15 days pass after its action recommending the site or, if a hearing is held, until after the hearing, whichever occurs last.

(a) [This section does not apply to Baltimore City.

(b) On the recommendation of the county superintendent, a county board may employ architects to assist in preparing plans and specifications for constructing or remodeling a building.

[(c)] (B) The construction or remodeling of a building shall conform to all applicable State and county building, electrical, fire, and plumbing regulations and codes. A fee may not be charged for any permit required pursuant to these regulations or codes for construction or remodeling, but a fee may be charged for water or sewer permits, or for connection and service charges for water and sewerage.

4-118.

(a) [This section does not apply to Baltimore City.

(b) Each county board may receive a donation of any:

(1) School land;

(2) School site; or

(3) Suitably located house adapted to school purposes.

[(c)] (B) A county board may not improve any site or occupy any house donated under this section until it has acquired either a valid title to the property or a leasehold interest in it for a term longer than the probable useful life of the proposed improvement to the site or of the house donated.

4-119.

(a) [This section does not apply to Baltimore City.

(b) A county board may bring condemnation proceedings to acquire land under Title 12 of the Real Property Article if:

(1) Land is required for any school purpose; and

(2) The county board is unable to contract with the owner of the land for what the board considers to be a fair valuation.

[(c)] (B) The county board may ask the county commissioners or county council to assist it in bringing condemnation proceedings.”;

and after line 25, insert:

“(d) [(1) This subsection does not apply to Baltimore City.

(2)] A contract made by a county board is not valid without the written approval of the county superintendent.”.

AMENDMENT NO. 3

On page 4, in line 35, strike “§ 4-311” and substitute “§ 4-309”.

On page 5, in line 4, before “PARTNERSHIP” insert “NEW”; in line 6, strike the first “THE” and substitute “MORE”; and in line 17, after “SHALL” insert “HAVE THE AUTHORITY AND”.

On pages 5 through 7, strike in their entirety the lines beginning with line 30 on page 5 through line 18 on page 7, inclusive.

On page 7, in line 23, after “BOARD;” insert “AND”; strike in its entirety line 24; and in line 25, strike “(4)” and substitute “(3)”.

On page 8, in line 9, after “PROVIDE” insert “, AT A MINIMUM,”; after line 12, insert:

“(F) THE INITIAL CONTRACT AND ANY RENEWAL MAY NOT EXCEED 4 YEARS.”;

in line 13, strike “4-307.” and substitute “4-305.”; in line 25, after “PROVIDE” insert “, AT A

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MINIMUM.”; in line 30, strike “4-308.” and substitute “4-306.”; and in line 33, after the first “THE” insert “DAY-TO-DAY MANAGEMENT AND”.

On page 9, in line 7, strike “4-309.” and substitute “4-307.”; in line 13, after “OFFICER” insert “AND SHALL BE HELD ACCOUNTABLE FOR THE EFFECTIVE AND EFFICIENT MANAGEMENT OF THE UNIT”; in line 18, strike “4-310.” and substitute “4-308.”; in line 21, strike “(I)”; in line 22, strike “A PARENT OF A STUDENT” and substitute “PARENTS OF STUDENTS”; in the same line, strike the third “A” and substitute “THE”; and in line 23, strike “SCHOOL” and substitute “SCHOOLS”.

On pages 9 and 10, strike in their entirety the lines beginning with line 24 on page 9 through line 11 on page 10, inclusive.

AMENDMENT NO. 4

On page 10, in line 24, strike “4-311.” and substitute “4-309.”; in line 30, after the first “THE” insert “KEY”; in line 32, after “REPORTS” insert “, AS PROPOSED BY THE BOARD AND AGREED UPON BY THE STATE BOARD OF EDUCATION”; and after line 34, insert:

“(3) THE TRANSITION PLAN SHALL SPECIFY INDICATORS BY WHICH TO MEASURE PROGRESS IN ACHIEVING IMPLEMENTATION OF MANAGEMENT AND EDUCATIONAL REFORM INITIATIVES AND SHALL INCLUDE APPROPRIATE TIME LINES, INCLUDING PROGRESS EXPECTED TO BE ACHIEVED BY FEBRUARY 1, 1998.”.

On page 11, after line 2, insert:

“(3) FOLLOWING APPROVAL OF THE MASTER PLAN BY THE BOARD, OR BY FEBRUARY 15, 1998, WHICHEVER IS EARLIER, THE MASTER PLAN SHALL BE SUBMITTED TO THE MEMBERS OF THE STATE BOARD OF EDUCATION AND THE STATE SUPERINTENDENT OF SCHOOLS FOR THEIR REVIEW AND APPROVAL.

“(4) THE GENERAL ASSEMBLY SHALL RECEIVE AND CONSIDER BOTH THE TRANSITION PLAN AND THE MASTER PLAN, AND THE COMMENTS OF THE STATE BOARD OF EDUCATION AND STATE SUPERINTENDENT OF SCHOOLS REGARDING BOTH PLANS AND THE ACHIEVEMENTS OF THE BOARD TOWARDS MEETING THE

GOALS OF THIS ACT, BEFORE APPROVING THE FISCAL YEAR 1999 BUDGET.”;

in line 3, strike “(3)” and substitute “(5)”; in line 14, after the first “THE” insert “KEY”; in line 31, after “SYSTEM” insert “INCLUDING DEVELOPMENT AND IMPLEMENTATION OF A PERFORMANCE-BASED SYSTEM-WIDE PERSONNEL EVALUATION SYSTEM FOR TEACHERS, PRINCIPALS AND ADMINISTRATORS”.

On page 12, after line 10, insert:

“(11) DEVELOP AND IMPLEMENT A STUDENT CODE OF DISCIPLINE AS REQUIRED IN § 7-306 OF THIS ARTICLE.”;

in line 12, after “SERVICES” insert “FOR SCHOOL BUILDINGS WHICH SHALL INCLUDE A REVIEW BY THE BOARD TO ASSURE THE MOST EFFICIENT AND PRODUCTIVE USE OF THE SYSTEM’S RESOURCES, INCLUDING EXAMINATION AND REDUCTION OF THE COST OF UNDERUTILIZED SCHOOLS AND PROPOSALS FOR SCHOOL MERGERS OR CLOSURES IF APPROPRIATE”; in line 18, strike “AND”; in line 20, strike “NOTICE.” and substitute “NOTICE; AND”; in lines 11, 13, 14, and 19, strike “(11)”, “(12)”, “(13)”, and “(14)”, respectively, and substitute “(12)”, “(13)”, “(14)”, and “(15)”, respectively; after line 20, insert:

“(16) DEVELOP AN EFFECTIVE SYSTEM OF TEACHER INPUT REGARDING IMPLEMENTATION OF SCHOOL REFORM INITIATIVES, THAT INCLUDES ACTIVE AND ONGOING CONSULTATION WITH CLASSROOM TEACHERS AT THE ELEMENTARY, MIDDLE, AND HIGH SCHOOL LEVELS.”;

in line 30, after “LAW,” insert “ON OR BEFORE JANUARY 1, 1998.”; in lines 21 and 29, strike “4-312.” and “4-313.”, respectively, and substitute “4-310.” and “4-311.”, respectively; and strike beginning with “SYSTEM” in line 32 down through “WIDE” in line 33 and substitute “SYSTEM-WIDE”.

AMENDMENT NO. 5

On page 13, in lines 9, 24, and 31, strike “4-314.”, “4-317.”, and “4-318.”, respectively, and

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substitute “4-312.”, “4-313.”, and “4-314.”, respectively; strike in their entirety lines 13 through 23, inclusive; in line 25, before “BY” insert “(A)”; in line 26, after “REPORT” insert “COVERING THE PRIOR SCHOOL YEAR”; in line 27, strike “AND”; in line 29, after the second “PLAN” insert “INCLUDING:”

(I) ASSESSMENT OF STUDENT PERFORMANCE BY THE CATEGORIES REQUIRED BY THE MARYLAND SCHOOL PERFORMANCE PROGRAM STANDARDS; AND

(II) SPECIFIC ASSESSMENT OF THE EXTENT OF IMPLEMENTATION OF EACH ITEM INCLUDED IN § 4-309 OF THIS SUBTITLE, AND ANY CHANGES NECESSARY IN PREVIOUSLY ESTABLISHED TIME LINES”;

and after line 30, insert:

“(B) (1) THE STATE BOARD OF EDUCATION AND STATE SUPERINTENDENT OF SCHOOLS SHALL REVIEW EACH ANNUAL REPORT AND COMMENT ON THE PROGRESS MADE TOWARDS ACHIEVING BOTH MANAGERIAL AND EDUCATIONAL GOALS.

(2) THE GENERAL ASSEMBLY SHALL CONSIDER THE REPORTS AND THE COMMENTS OR RECOMMENDATIONS OF THE STATE BOARD AND SUPERINTENDENT BEFORE APPROVING THE STATE BUDGET EACH YEAR.”.

On page 14, in lines 1, 10, 26, and 33, strike “4-319.”, “4-320.”, “4-321.”, and “4-322.”, respectively, and substitute “4-315.”, “4-316.”, “4-317.”, and “4-318.”, respectively.

On page 16, in line 6, strike “4-323.” and substitute “4-319.”.

AMENDMENT NO. 6

On page 17, after line 7, insert:

“5-102.”

(a) [This section does not apply to Baltimore City.] IN THIS SUBTITLE, “COUNTY COUNCIL” MEANS, IN BALTIMORE CITY, THE MAYOR AND CITY COUNCIL OF BALTIMORE.

(b) (1) Each county board shall submit an annual school budget in writing to the county commissioners, county council, or the county executive.

(2) The budget shall be submitted not less than 45 days before the date for levying local taxes or on an earlier date on or after March 1 as may be requested by the county fiscal authority.

(c) (1) This subsection applies only to a county that has a county governing body that consists of a county executive and county council.

(2) The county executive shall indicate in writing which major categories of the annual budget of the county board have been denied in whole or reduced in part and the reason for the denial or reduction.

(3) The county council may restore any denial or reduction made by the county executive in the annual budget submitted by the county board.

(4) In Baltimore County, the County Council may not restore any denial or reduction made by the County Executive.

(5) This item applies to Baltimore County and supersedes item (4) of this subsection only if the voters of Baltimore County approve an amendment to the Baltimore County charter that grants the County Council the authority to restore any denial or reduction made by the County Executive in the budget submitted by the county board. The Baltimore County Council may restore any denial or reduction made by the County Executive if it publicly states the amount the restoration represents in the county tax rate.

(D) (1) IN BALTIMORE CITY, THE CITY COUNCIL MAY NOT RESTORE ANY DENIAL OR REDUCTION MADE BY THE MAYOR.

(2) (I) THIS PARAGRAPH APPLIES TO BALTIMORE CITY AND SUPERSEDES PARAGRAPH (1) OF THIS SUBSECTION ONLY IF THE VOTERS OF BALTIMORE CITY APPROVE AN AMENDMENT TO THE BALTIMORE CITY CHARTER THAT GRANTS THE CITY COUNCIL THE AUTHORITY TO RESTORE ANY DENIAL OR REDUCTION MADE BY THE MAYOR IN THE BUDGET SUBMITTED BY THE COUNTY BOARD.

(II) THE BALTIMORE CITY COUNCIL MAY RESTORE ANY DENIAL OR REDUCTION MADE BY THE MAYOR IF IT PUBLICLY STATES THE AMOUNT THE RESTORATION REPRESENTS IN THE CITY TAX RATE.

[(d)] (E) (1) Copies of the budget shall be made available to the public, on request, at the time it is submitted by the county board.

(2) A copy of the budget as approved by the county commissioners or county council shall be sent to the State Superintendent within 30 days after approval.

5-103.

(a) [This section does not apply to Baltimore City.

(b) The amount requested in the annual budget of each county board for current expenses for the next school year and that is to be raised by revenue from local sources may not be less than the minimum amount required to be levied under § 5-202 of this title.

[(c)] (B) The county commissioners or county council may provide funds that are more than the amount required by § 5-202 of this title to support improved and additional programs.

[(d)] (C) If a county council or board of county commissioners does not approve the amount requested in the budget that is more than the amount required by § 5-202 of this title:

(1) The county council or board of county commissioners shall indicate in writing, within 15 days after the adoption of the budget, which major categories of the annual budget have been reduced and the reason for the reduction; and

(2) The county board shall submit to the county governing body, within 30 days after the adoption of the budget, a report indicating how the alterations to the budget will be implemented, accompanied by reasonable supporting detail and analysis.

5-104.

(a) [This section does not apply to Baltimore City.

(b) Each county council or board of county commissioners shall levy and collect a tax on the assessable property of the county which, together with other local revenue available, including income tax revenues and bond money, and together with estimated revenues and funds from all sources, will produce the amounts necessary to meet the appropriations made in the approved annual budget of the county board.

[(c)] (B) (1) Local funds provided for appropriations shall be paid in accordance with the expenditure requirements, as certified by the county board, to the treasurer of the county board on a monthly basis.

(2) Appropriations for school construction, permanent improvements, and repairs for special purposes may be required to be paid more frequently on the order of the president and secretary of the county board to the county commissioners, county council, or the county executive.

[(d)] (C) (1) Notwithstanding any other provision in this article, this subsection applies to Wicomico County.

(2) The Wicomico County Council annually shall pay to the Wicomico County Board the amount of the budget of the County Board that has been approved by the County Council:

(i) In 12 equal monthly installments; or

(ii) At the times on which the County Council and County Board mutually agree.

(3) Taxes levied under this section shall be retained by the county and any annual

(Over)

deficiencies in the tax are the responsibility of Wicomico County.

5-105.

(a) [This section does not apply to Baltimore City.

(b)] All revenues received by a county board shall be spent by the board in accordance with the major categories of its annual budget as provided under § 5-101 of this subtitle.

[(c)] (B) (1) (i) A transfer may be made within the major categories without recourse to the county commissioners or county council except that a report of the transfer shall be submitted to the county commissioners or county council within 15 days after the end of each month.

(ii) A report under subparagraph (i) of this paragraph shall include a narrative summary that clearly indicates each transfer.

(2) A transfer between major categories shall be made only with the approval of the county commissioners or county council.

(3) If the county commissioners or county council fail to take action on a request for transfer between major categories within 30 days after the receipt of a written request substantiating the transfer, the failure to take action constitutes approval.

(4) A county board shall submit to the county governing body a report within 15 days after the end of each month if during that month the county board takes any action that would commit the county board to spend more for the current fiscal year in any major category than the amount approved in the annual budget for that category.

(5) A report under paragraph (4) of this subsection shall include a narrative explanation of the action taken, indicating any request for transfer between categories that may become necessary for the fiscal year as a result of the action.

[(d)] (C) Nonlocal funds received by a county board after the adoption of the annual budget by the county fiscal authority may be spent by the county board if the county fiscal authority is

notified and approves of:

(1) The source and amount of the funds; and

(2) The manner of spending the funds.

5-106.

On or before November 1 and March 1 of each fiscal year, the Anne Arundel County Board shall submit to the Anne Arundel County Council, AND THE NEW BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS SHALL SUBMIT TO THE MAYOR AND CITY COUNCIL OF BALTIMORE AND TO THE BALTIMORE CITY BOARD OF ESTIMATES a report detailing all expenditures within the major categories of its annual budget. The report also shall detail any action of the County Board that would commit the County Board to spend more in any major category in the annual budget for the current fiscal year than the amount approved in the annual budget for that category.

5-107.

(a) [This section does not apply to Baltimore City.

(b)] If the county commissioners or county council does not appropriate the amount requested by the county board for capital projects, it shall indicate in writing which projects have been reduced, deferred, or eliminated and the reason for the reduction, deferral, or elimination.

[(c)] (B) (1) The expenditure for school building construction shall be made in accordance with the cost approved by the county commissioners or county council for each project.

(2) A transfer between major categories or of unexpended project balances is subject to the approval of the county commissioners or county council.

(3) If the county commissioners or county council does not take action on a transfer within 30 days after the receipt of a written request substantiating the transfer, the failure to take

(Over)

action constitutes approval.

[5-108.

(a) A copy of the budget as approved by the Mayor and City Council of Baltimore City shall be submitted to the State Superintendent within 30 days after approval.

(b) (1) The amount requested in the annual budget of the Board of School Commissioners of Baltimore City for current expenses for the next school year and that is to be raised by revenue from local sources may not be less than the minimum amount required to be levied under § 5-202 of this title.

(2) The Mayor and City Council of Baltimore City may provide funds that are more than the amount required by § 5-202 of this title to support improved and additional programs.

(c) The Mayor and City Council of Baltimore City shall levy and collect a tax on the assessable property of the city which, together with other local revenue available, including income tax revenues and local money, and together with estimated reserves and funds from all sources, will produce the amounts necessary to meet the appropriations made in the approved annual budget of the Board of School Commissioners.]”;

and after line 29, insert:

“6-109.

(a) [This section does not apply to Baltimore City.

(b)] A county superintendent and any other employee of a county board who handles funds of the school system shall give bond to secure the interests of the State and the county board as their interests may appear in the penal sum required by the county board.

[(c)] (B) (1) The bond shall have the security of any guaranty, deposit, trust, or other similar company authorized under the laws of this State to act in this capacity.

(2) The cost or fee for this security shall be paid by the county board.

(3) The executed bond shall be filed with the State Comptroller.

[(d)] (C) The bond shall contain provisions that the employee shall perform faithfully the duties of the employee's office and pay over and apply all money that comes into the employee's possession or control to the person and in the manner that the county board, under the provisions of this article, directs.

[(e)] (D) (1) The requirements in subsection [(b)] (A) of this section may be satisfied by the purchase of surety insurance or surety self-insurance provided by a pool established under Article 48A, § 482B of the Code.

(2) The surety insurance or self-insurance shall be in an amount required by the county board."

AMENDMENT NO. 7

On page 19, after line 16, insert:

"(f) (1) "Public school employee" means a noncertificated individual who is employed for at least 9 months a year on a full-time basis by a public school employer.

(2) "PUBLIC SCHOOL EMPLOYEE" INCLUDES A NONCERTIFICATED EMPLOYEE IN BALTIMORE CITY NOTWITHSTANDING THAT THE NONCERTIFICATED EMPLOYEE DOES NOT WORK FOR AT LEAST 9 MONTHS A YEAR ON A FULL-TIME BASIS.

(3) "Public school employee" does not include:

(i) Management personnel;

(ii) A confidential employee; or

(Over)

(iii) Any individual designated by the public school employer to act in a negotiating capacity as provided in § 6-510(b) of this subtitle.”;

and after line 23, insert:

“6-504.

(E) IN BALTIMORE CITY, THE PUBLIC SCHOOL EMPLOYER SHALL NEGOTIATE WITH THE EMPLOYEE ORGANIZATION DESIGNATED AS THE EXCLUSIVE REPRESENTATIVE FOR THE PUBLIC SCHOOL EMPLOYEES IN A UNIT, A REASONABLE SERVICE OR REPRESENTATION FEE TO BE CHARGED TO NONMEMBERS FOR REPRESENTING THEM IN NEGOTIATIONS IN THE SAME MANNER THAT ANY SUCH FEE WAS PERMITTED UNDER LAW AND BARGAINED FOR PRIOR TO JANUARY 1, 1997.”.

AMENDMENT NO. 8

On page 20, in line 8, after “Board.” insert “If assets are not sufficient to fund liabilities transferred, the liabilities shall be retained by the Mayor and City Council. Additionally, during any fiscal year after Fiscal Year 1997, liability for payments at separation or retirement of employees from the Board for leave accumulated and unused prior to June 30, 1997, on terms applicable as of that date, shall be shared as follows: (1) liability up to \$3,500,000 shall be borne by the New Baltimore City Board of School Commissioners provided that such amount is transferred annually to the Board as part of the Education Budget; (2) liability exceeding \$3,500,000 shall be shared equally by the New Baltimore City Board of School Commissioners and the Mayor and City Council, provided that the total aggregate liability of the Board under this subsection (2) for all fiscal years combined may not exceed \$10,500,000; and (3) liability in excess of \$10,500,000 shall be borne by the Mayor and City Council.”; after line 8, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That all services provided to the Baltimore City Public School System by other units of the Baltimore City Government as of the effective date of this Act that are not otherwise specifically altered by this Act, including but not limited to public works and transportation services, shall continue to be provided to the New Baltimore City Board of School Commissioners without diminution on the same basis and without an increase in any rate of compensation, unless and until otherwise provided by agreement between

the Mayor and City Council and the New Baltimore City Board of School Commissioners; however, any agreement shall be submitted for review and comment to the House Appropriations and Ways and Means Committees and the Senate Budget and Taxation and Economic and Environmental Affairs Committees of the General Assembly on or before March 1 of the calendar year in which the agreement would take effect.”.

AMENDMENT NO. 9

On page 20, in line 12, strike “§ 4-313” and substitute “§ 4-311”; strike beginning with the second comma in line 13, down through “reorganization” in line 15 and substitute “. Upon the reorganization, noninstructional supervisory personnel of the central administration, shall reapply to the Board for continued employment in positions in central administration. Such personnel include: Directors I, II, and III, Assistant Superintendents, Area Assistant Superintendents, Deputy Superintendents, and Chief Aides to the Superintendent, but exclude principals and school-based staff. All certificated employees who held tenure under §§ 6-201(f) and 6-202(b) of the Education Article before the effective date of this Act shall continue to hold tenure in the Baltimore City Public School System subject to removal as provided in § 6-202 of the Education Article. For the purposes of this section, the fifteen noninstructional supervisory noncertificated employees shall remain employed by the Board subject to removal for cause in accordance with the provisions of § 4-205(c) of the Education Article”.

AMENDMENT NO. 10

On page 20, in line 16, strike “April 30,” and substitute “February 1,”; in line 35, strike “may” and substitute “shall”; in line 36, after “recommendations” insert “, if any,”; in line 37, after “Commissioners” insert “and governance system established by this Act”; and in lines 9, 16, and 38, strike “4.”, “5.”, and “6.”, respectively, and substitute “5.”, “6.”, and “7.”, respectively.

On page 21, in lines 3, 4, 22, 23, 29, and 30, strike “7.”, “6”, “8.”, “6”, “6”, and “6” respectively, and substitute “8.”, “7”, “9.”, “7”, “7”, and “7” respectively; and in line 25, strike “new” and substitute “any new source of”.

AMENDMENT NO. 11

On page 21, in line 8, strike “2002” and substitute “2001”; in line 19, after “aid;” insert “and”; in lines 20 and 21, strike beginning with the semicolon in line 20 through “aid” in line 21; and

(Over)

strike in their entirety lines 36 through 41, inclusive, and substitute:

“SECTION 10. AND BE IT FURTHER ENACTED, That each existing extended or continued collective bargaining agreement including all memoranda of understanding for Baltimore City public school employees that is in effect on the effective date of this Act shall remain in full force and effect through June 30, 1997. These agreements including memoranda of understanding shall remain in full force and effect thereafter, except as otherwise modified by this Act, until the New Baltimore City Board of School Commissioners negotiates changes to the agreements. Additionally, the New Baltimore City Board of School Commissioners shall review each of these agreements to determine if the provisions of the agreement are consistent with the purposes of the Master Plan and may negotiate changes to an agreement.

SECTION 11. AND BE IT FURTHER ENACTED, That the New Baltimore City Board of School Commissioners shall initially recognize and bargain with each employee organization that, prior to the effective date of this Act, was recognized as a bargaining agent for a unit that included any Baltimore City public school employee as defined by either § 6-501(f) of the Education Article, as amended by this Act, or the Baltimore City Municipal Employee Relations Ordinance. Subsequently, the designation of the exclusive representative employee organization and the determination of the composition of the units shall be in accordance with Title 6, Subtitles 4 and 5 of the Education Article. All collective bargaining agreements for the certificated and noncertificated employees of the New Baltimore City Board of School Commissioners shall be separate agreements from the collective bargaining agreements for the employees of the City of Baltimore.

SECTION 12. AND BE IT FURTHER ENACTED, That, pending establishment of the personnel system under § 4-311 of the Education Article, as enacted by this Act, all nonprobationary, noncertificated employees of the Baltimore City Public School System may be dismissed only for cause in accordance with the provisions of § 4-205(c) of the Education Article.

SECTION 13. AND BE IT FURTHER ENACTED, That the personnel system under § 4-311 of the Education Article, as enacted by this Act, shall include a cause standard for dismissal of noncertificated employees.

SECTION 14. AND BE IT FURTHER ENACTED, That the Chief Academic Officer shall develop a mechanism or plan for effective teacher participation in the development of the

curriculum, instruction, and professional staff development.

SECTION 15. AND BE IT FURTHER ENACTED, That as of the effective date of this Act, all noncertificated employees of the Baltimore City Public School System who are employed by the New Baltimore City Board of School Commissioners and who were covered as civil service employees under the Charter of Baltimore City shall through June 30, 1998:

- (1) Continue to be carried on the official roster of the City civil service;
- (2) Continue to hold and accrue service credit within the City civil service while employed by the Board as if the employee remained an employee of the Mayor and City Council;
- (3) Suffer no break in seniority or service for leaving City employment;
- (4) Remain fully qualified for placement on the reemployment list for his or her former classification and for any other classification for which the employee qualifies;
- (5) Remain eligible, to the extent qualified, to be placed on any promotion or transfer list issued or maintained under the Charter; and
- (6) Remain eligible for employment by the Mayor and City Council of Baltimore should the employee be displaced or laid off by the Board by no fault of the employee.

SECTION 16. AND BE IT FURTHER ENACTED, That, as of the effective date of this Act, all noncertificated employees of the Baltimore City Public School System who are employed by the New Baltimore City Board of School Commissioners and who were covered as civil service employees under the Baltimore City Charter shall retain, as long as the New Baltimore City Board of School Commissioners is in place, their eligibility, seniority, and continuous service status for the sole purpose of application for reemployment by the Mayor and City Council of Baltimore should the employee be displaced or laid off by the Board through no fault of the employee. This provision applies only to displacement of employees of the New Baltimore City Board of School Commissioners and does not provide for transfer rights of employees between the New Baltimore City Board of School Commissioners and City employment.

(Over)

SECTION 17. AND BE IT FURTHER ENACTED, That, as of the effective date of this Act, each employee of the Baltimore City Public School System shall retain all sick leave, personal leave, and vacation leave to the extent earned and unused as a City employee. Each employee of the Baltimore City Public School System shall retain the right, upon leaving employment with the New Baltimore City Board of School Commissioners, to convert to cash one day of unused sick leave for each 4 days of sick leave accrued prior to the effective date of this Act. Conversion of sick leave accrued after the effective date of this Act shall be subject to negotiation between the New Baltimore City Board of School Commissioners and the employee organization. For the purposes of this section, neither employment with the Board nor transfer between employment with Baltimore City and the Board constitutes separation from employment with Baltimore City.

SECTION 18. AND BE IT FURTHER ENACTED, That through December 31, 1998, the New Baltimore City Board of School Commissioners shall provide to each employee of the Baltimore City Public School System the same health care benefits at the same employee or participant costs as available through the Mayor and City Council of Baltimore to the civil service employees of the City under the health insurance program of Baltimore City. Thereafter, the Board may opt to continue with the Baltimore City health care benefits program or select another benefits program.

SECTION 19. AND BE IT FURTHER ENACTED, That:

(1) An individual who is an employee of the Baltimore City Public School System on or before the effective date of this Act shall continue as a member of the:

(i) Teachers' Retirement System or Teachers' Pension System as a condition of employment, if the individual is a member of the State system; and

(ii) Employees' Retirement System of Baltimore City as a condition of employment, if the individual is a member of the City system;

(2) Except as provided in paragraph (3) of this section, an individual who becomes an employee of the Baltimore City Public School System after the effective date of this Act shall become a member of the Teachers' Pension System as a condition of employment if the Board of Trustees of the State Retirement and Pension System determines that the individual is eligible for

membership in the State system by applying the criteria set forth in § 23-206 of the State Personnel and Pensions Article and COMAR 22.04.03; and

(3) An individual shall become a member of the Employees' Retirement System of Baltimore City subject to Article 22, Section 9(a)(1) of the Baltimore City Code if:

(i) The individual becomes an employee of the Baltimore Public School System after the effective date of this Act; and

(ii) The Board of Trustees of the State Retirement and Pension System determines that the individual is not eligible for membership in the Teachers' Pension System.

SECTION 20. AND BE IT FURTHER ENACTED, That on or after the effective date of this Act, the New Baltimore City Board of School Commissioners shall pay:

(1) To the Board of Trustees of the State Retirement and Pension System, for each employee of the Baltimore City Public School System who is a member of the Teachers' Retirement System or Teachers' Pension System, any penalty or interest as prescribed by law if member contributions are not paid when and as due; and

(2) To the Board of Trustees of the Employees' Retirement System of Baltimore City, for each employee who is a member of the Employees' Retirement System of Baltimore City, employer and employee contributions at the rate and in the manner required by the Board of Trustees.”.

AMENDMENT NO. 12

On pages 21 and 22, strike in their entirety the lines beginning with line 42 on page 21 through line 4 on page 22, inclusive.

On page 22, after line 4, insert:

“SECTION 21. AND BE IT FURTHER ENACTED, That the General Assembly does not concede that the students of the Baltimore City Public School System were receiving a

(Over)

constitutionally inadequate education, but does wish to improve the educational achievements of students in Baltimore City by reforming the management of the Baltimore City Public School System and assuring available funds to implement this management reform and to improve student achievement.”.

AMENDMENT NO. 13

On page 22, in line 13, after “standards;” insert “(4) to begin implementation of a new performance-based system-wide evaluation system for teachers, principals, and administrators;”; in line 14, after “County;” insert “(6) to begin implementation of a comprehensive system for accurately tracking student enrollment and attendance in accordance with the requirements of the Maryland Student Records System Manual with full implementation by January 1, 1999;”; in line 16, after the second “development” insert “; except that no portion of the \$30 million may be spent to make progress toward teacher salary parity with Baltimore County until a performance-based system-wide personnel evaluation system has been developed by the New Baltimore City Board of School Commissioners and reviewed and commented on by the State Board of Education.”;

in lines 5, 7, 13, 14, 17, 18, 21, and 26, strike “11.”, “6”, “(4)”, “(5)”, “12.”, “6”, “13.”, and “14.” respectively, and substitute “22.”, “7”, “(5)”, “(7)”, “24.”, “7”, “31.”, and “32.”, respectively;

after line 16, insert:

“SECTION 23. AND BE IT FURTHER ENACTED, That the \$30 million appropriation in Fiscal Year 1998 as described in Section 7 of this Act shall be disbursed to the New Baltimore City Board of School Commissioners as follows: (1) \$15 million on July 1, 1997; and (2) \$15 million after adoption by the Board of the Transition Plan as required by § 4-311 of the Education Article as amended by this Act, which includes the specific purposes for which the \$30 million will be used, as described in Section 22 of this Act.”;

after line 20, insert:

“SECTION 25. AND BE IT FURTHER ENACTED, That upon appointment, the New Baltimore City Board of School Commissioners shall expeditiously establish a new financial reporting system which adequately tracks and reports school and system expenditures by function and by program for each school site and for the total system using an established financial model that

can apply to all school systems. The financial reporting system should enhance the Board's ability to make informed decisions and the public's awareness of how public funds are spent. Reports using this model should be in place by July 1, 1998, in order to provide for public reporting of Fiscal Year 1999 expenditures.

SECTION 26. AND BE IT FURTHER ENACTED, That by November 1, 1997, a financial audit of the Baltimore City Public School System shall be performed by an independent auditor to reconcile the financial accounts of the school system.

SECTION 27. AND BE IT FURTHER ENACTED, That the New Baltimore City Board of School Commissioners shall initiate a search process for a permanent Chief Executive Officer (CEO) no later than 30 days after appointment. The Board may appoint an interim CEO if it is not feasible to hire a permanent CEO immediately, and must appoint an interim CEO no later than June 15, 1997. The interim CEO shall not be eligible for appointment as the permanent CEO. The Board must appoint a permanent CEO no later than October 30, 1997, unless extenuating circumstances exist as determined by the Board, in consultation with the State Board of Education. In this event, the Board must appoint a permanent CEO no later than December 31, 1997.

SECTION 28. AND BE IT FURTHER ENACTED, That:

(1) The appointment of the members of the Parent and Community Advisory Board described in § 4-308 of the Education Article, as enacted by this Act, shall be as follows:

(i) The Plaintiffs (parents of students with disabilities) in Vaughn G., et al v. Mayor and City Council, et al Case No. MJG-84-1911, United States District Court for the District of Maryland shall appoint three members of the Advisory Board;

(ii) The Plaintiffs (parents of students in general education) in Bradford, et al v. Maryland State Board of Education, et al, Case No. 94340058/CE189672, Circuit Court for Baltimore City shall appoint two members of the advisory board;

(iii) Subject to the approval of the Board, the Chief Executive Officer shall appoint seven members of the Advisory Board as follows:

(Over)

1. Three shall be appointed from a list submitted by the Baltimore City Council of Parent-Teacher Associations;

2. Two shall be appointed from a list submitted by Area-Based Parent Networks; and

3. Two shall be appointed from a list submitted by the Title I liaisons; and

(iv) The Chief Executive Officer shall appoint two members of the Advisory Board from other parent and community groups in Baltimore City; and

(2) If one of the groups specified in paragraph (1)(iii) of this section fails to submit a list with a sufficient number of nominees to fill a position, the Board shall appoint an individual from other parent and community groups in Baltimore City.

SECTION 29. AND BE IT FURTHER ENACTED, That the New Baltimore City Board of School Commissioners shall submit the Annual Report required under § 4-313 of the Education Article, as enacted by this Act, to the Governor, the Mayor of Baltimore City, the plaintiffs in Bradford, et al v. Maryland State Board of Education, et al and Vaughn G., et al v. Mayor and City Council, et al, and, in accordance with § 2-1312 of the State Government Article, the General Assembly.

SECTION 30. AND BE IT FURTHER ENACTED, That all laws or parts of laws, public general or public local, inconsistent with this Act, are repealed to the extent of the inconsistency.”.

AMENDMENT NO. 14

On page 22, in lines 21 and 22, strike “11” and “12”, respectively, and substitute “22” and “24” respectively; strike beginning with “It” in line 23 down through “effect.” in line 25, and substitute “At the end of June 30, 2002, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect. During the regular legislative session in 2002, the General Assembly shall deliberate and determine whether the provisions of this Act should be terminated, modified, or extended. The New Baltimore City Board of School Commissioners and the State Board of Education shall review the findings of the final comprehensive review set forth in Section 6 of this Act and shall conduct four public hearings

throughout Baltimore City. On or before January 15, 2002, the Board and the State Board of Education shall report the results of the public hearings and propose to the General Assembly any changes appropriate in the management structure and levels of funding of the Baltimore City Public Schools.”.