

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL NO. 795

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 11, strike “and the Baltimore City Board of Estimates”; strike beginning with “requiring” in line 28 down through “Baltimore:” in line 31; in lines 42 and 43, in each instance, strike “by a certain date”; strike beginning with “providing” in line 43 down through “Act;” in line 45; in line 46, after “termination” insert “of certain provisions”; and strike beginning with “making” in line 46 down through “certain” in line 48.

On page 3, in line 1, strike “penalties;” and substitute “providing certain funds, subject to a certain contingency;”; and after line 31, insert:

“BY repealing and reenacting, with amendments,

Article - Education

Section 3-108.1

Annotated Code of Maryland

(1997 Replacement Volume)

(As enacted by Section 1 of this Act)”.

AMENDMENT NO. 2

On page 5, in line 23, strike “VOTING” and substitute “NONVOTING”.

On pages 6 and 7, strike in their entirety the lines beginning with line 36 on page 6 down through line 6 on page 7.

On page 16, in line 23, strike “AND”; after line 23, insert:

“(3) BE A MEMBER OF THE CABINET OF THE MAYOR; AND”;

and in line 25, strike “(3)” and substitute “(4)”.

AMENDMENT NO. 3

On page 18, after line 27, insert:

“(3) (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:

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.

(IV) THE CHIEF EXECUTIVE OFFICER SHALL APPOINT TWO MEMBERS OF THE ADVISORY BOARD FROM OTHER PARENT AND COMMUNITY GROUPS IN BALTIMORE CITY.

(4) IF ONE OF THE GROUPS SPECIFIED IN PARAGRAPH (3)(III) OF THIS SUBSECTION 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.”.

AMENDMENT NO. 4

On page 21, in line 13, after “ADMINISTRATORS;” insert “AND”; in line 15, strike “AND”; and strike in their entirety the lines beginning with line 16 down through line 19.

On page 22, in lines 24 and 25, strike “ON OR BEFORE JANUARY 1, 1998.”.

On page 23, in lines 20 and 21, strike “COVERING THE PRIOR SCHOOL YEAR”.

On page 30, in lines 10 and 11, strike “AND TO THE BALTIMORE CITY BOARD OF ESTIMATES”.

AMENDMENT NO. 5

On page 35, in line 16, strike “including but not limited to public works and transportation services.”; and in line 39, strike “the fifteen” and substitute “all nonprobationary”.

AMENDMENT NO. 6

On pages 36 and 37, strike beginning with “That,” in line 28 on page 36 through the period in line 1 on page 37 and substitute “That for the purposes of calculating “State aid” in § 5-202 (b) of the Education Article, the additional funds set forth in Section 7 of this Act shall not be considered State aid.”;

and strike beginning with “All” in line 39 down through “Baltimore.” in line 42.

On page 39, in line 30, strike “subject to Article 22, Section 9(a)(1) of the Baltimore City Code”.

On page 40, strike beginning with “(6) to” in line 30 down through “(7)” in line 33 and substitute “and (6)”.

On page 41, in line 16, strike “by November 1, 1997.”.

On page 41, strike in their entirety the lines beginning with line 28 down through line 41.

AMENDMENT NO. 7

On page 42, strike in their entirety the lines beginning with line 1 down through line 33.

On page 42, after line 33, insert:

“SECTION 28. AND BE IT FURTHER ENACTED, That 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 7 of this Act and shall conduct four public hearings throughout Baltimore City. On or before January 15, 2002, the New Board and the State Board of Education shall report to the General Assembly the results of the public hearings and the review of the final comprehensive review, and propose to the General Assembly any changes appropriate in the management structure and levels of funding of the Baltimore City Public Schools. During the 2002 regular legislative session, the General Assembly shall deliberate and determine whether certain provisions of § 3-108.1 of the Education Article, as amended by this Act, should be terminated, modified, or extended. If no further action is taken by the General Assembly, then at the end of June 30, 2002, § 3-108.1 of the Education Article shall read as follows:

Article - Education

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 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 nonvoting 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.

(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 nonvoting 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.

(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.”.

AMENDMENT NO. 8

On pages 42 and 43, strike in their entirety the lines beginning with line 34 on page 42 down through line 3 on page 43.

AMENDMENT NO. 9

On page 43, after line 3, insert:

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

29-1. Grants Contingent Upon Funding.

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

29-2. Abrogation Provisions.

(a) The provisions of this section shall remain in effect until June 30, 2002, after which they shall be abrogated and of no further force and effect without further action by the General Assembly.

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

29-3. Additional funding.

(a) New Targeted Poverty Program.

The following funds shall be provided for the New Targeted Poverty Program beginning with the Fiscal Year 1998 State budget:

(1) Allegany County..... \$ 484,128;

(2) Anne Arundel County..... 1,038,816;

(3) Baltimore County..... 2,446,368;

<u>(4) Calvert County.....</u>	<u>184,032;</u>
<u>(5) Caroline County.....</u>	<u>212,448;</u>
<u>(6) Carroll County.....</u>	<u>215,040;</u>
<u>(7) Cecil County.....</u>	<u>301,056;</u>
<u>(8) Charles County.....</u>	<u>455,424;</u>
<u>(9) Dorchester County.....</u>	<u>220,800;</u>
<u>(10) Frederick County.....</u>	<u>445,728;</u>
<u>(11) Garrett County.....</u>	<u>216,192;</u>
<u>(12) Harford County.....</u>	<u>612,960;</u>
<u>(13) Howard County.....</u>	<u>326,880;</u>
<u>(14) Kent County.....</u>	<u>95,616;</u>
<u>(15) Montgomery County.....</u>	<u>2,469,216;</u>
<u>(16) Prince George's County.....</u>	<u>4,840,416;</u>
<u>(17) Queen Anne's County.....</u>	<u>117,216;</u>
<u>(18) St. Mary's County.....</u>	<u>361,632;</u>
<u>(19) Somerset County.....</u>	<u>168,192;</u>
<u>(20) Talbot County.....</u>	<u>110,016;</u>

(21) Washington County..... 571,200;

(22) Wicomico County..... 443,808;

(23) Worcester County..... 226,176.

The total additional grant under this subsection is \$16,563,360.

(b) Limited English Proficiency Program.

The following additional funds shall be provided in addition to any funds appropriated for a county board of education pursuant to the Limited English Proficiency Program established in § 5-206 of the Education Article:

(1) Anne Arundel County..... \$ 40,500;

(2) Baltimore City..... 81,000;

(3) Baltimore County..... 45,000;

(4) Caroline County..... 4,000;

(5) Carroll County..... 11,000;

(6) Cecil County..... 2,500;

(7) Charles County..... 5,000;

(8) Dorchester County..... 5,500;

(9) Frederick County..... 2,500;

(10) Harford County..... 16,500;

<u>(11) Howard County.....</u>	<u>37,500;</u>
<u>(12) Kent County.....</u>	<u>3,500;</u>
<u>(13) Montgomery County.....</u>	<u>1,129,000;</u>
<u>(14) Prince George's County.....</u>	<u>465,500;</u>
<u>(15) Queen Anne's County.....</u>	<u>1,000;</u>
<u>(16) St. Mary's County.....</u>	<u>6,000;</u>
<u>(17) Somerset County.....</u>	<u>4,000;</u>
<u>(18) Talbot County.....</u>	<u>3,000;</u>
<u>(19) Washington County.....</u>	<u>15,000;</u>
<u>(20) Wicomico County.....</u>	<u>19,500;</u>
<u>(21) Worcester County.....</u>	<u>6,000.</u>

The total additional grant under this subsection is \$1,903,500.

(c) Aging School Program.

The following funds shall be provided for the Aging School Program, which shall be administered by the Interagency Committee on Public School Construction, beginning with the Fiscal Year 1998 State budget:

<u>(1) Allegany County.....</u>	<u>\$ 150,000;</u>
<u>(2) Anne Arundel County.....</u>	<u>240,000;</u>

<u>(3) Baltimore City.....</u>	<u>120,000;</u>
<u>(4) Baltimore County.....</u>	<u>1,750,000;</u>
<u>(5) Calvert County.....</u>	<u>25,000;</u>
<u>(6) Caroline County.....</u>	<u>35,000;</u>
<u>(7) Carroll County.....</u>	<u>180,000;</u>
<u>(8) Cecil County.....</u>	<u>150,000;</u>
<u>(9) Charles County.....</u>	<u>25,000;</u>
<u>(10) Dorchester County.....</u>	<u>25,000;</u>
<u>(11) Frederick County.....</u>	<u>35,000;</u>
<u>(12) Garrett County.....</u>	<u>35,000;</u>
<u>(13) Harford County.....</u>	<u>180,000;</u>
<u>(14) Howard County.....</u>	<u>25,000;</u>
<u>(15) Kent County.....</u>	<u>25,000;</u>
<u>(16) Montgomery County.....</u>	<u>510,000;</u>
<u>(17) Prince George's County.....</u>	<u>420,000;</u>
<u>(18) Queen Anne's County.....</u>	<u>35,000;</u>
<u>(19) St. Mary's County.....</u>	<u>35,000;</u>

<u>(20) Somerset County.....</u>	<u>25,000;</u>
<u>(21) Talbot County.....</u>	<u>60,000;</u>
<u>(22) Washington County.....</u>	<u>90,000;</u>
<u>(23) Wicomico County.....</u>	<u>150,000;</u>
<u>(24) Worcester County.....</u>	<u>25,000.</u>

The total grant under this subsection is \$4,350,000.

(d) Extended Elementary Education Program.

Beginning with Fiscal Year 1998, the Governor shall include in each year's operating budget no less than the amount appropriated in Fiscal Year 1997 for the Extended Elementary Education Program. In addition to that amount, the following additional funds shall be provided to each county board of education.

<u>(1) Allegany County.....</u>	<u>\$ 35,000;</u>
<u>(2) Anne Arundel County.....</u>	<u>245,000;</u>
<u>(3) Baltimore City.....</u>	<u>105,000;</u>
<u>(4) Baltimore County.....</u>	<u>210,000;</u>
<u>(5) Caroline County.....</u>	<u>105,000;</u>
<u>(6) Cecil County.....</u>	<u>175,000;</u>
<u>(7) Charles County.....</u>	<u>490,000;</u>
<u>(8) Frederick County.....</u>	<u>175,000;</u>

(9) Garrett County.....	35,000;
(10) Harford County.....	280,000;
(11) Howard County.....	140,000;
(12) Kent County.....	35,000;
(13) Montgomery County.....	210,000;
(14) Queen Anne's County.....	70,000;
(15) St. Mary's County.....	140,000;
(16) Somerset County.....	35,000;
(17) Talbot County.....	105,000;
(18) Washington County.....	140,000;
(19) Wicomico County.....	490,000;
(20) Worcester County.....	70,000.

The total additional grant under this subsection is \$3,290,000.

(e) State Aid for Community Colleges.

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

<u>(1) Allegany Community College.....</u>	<u>\$ 160,861;</u>
<u>(2) Cecil Community College.....</u>	<u>74,121;</u>
<u>(3) Chesapeake Community College.....</u>	<u>4,909;</u>
<u>(4) Frederick Community College.....</u>	<u>97,133;</u>
<u>(5) Garrett Community College.....</u>	<u>91,445;</u>
<u>(6) Harford Community College.....</u>	<u>145,848;</u>
<u>(7) Hagerstown Community College.....</u>	<u>165,181.</u>

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

(f) Mentoring Program Grants - Baltimore County.

Beginning with Fiscal Year 1998, the Baltimore County Board of Education shall receive a grant for the Teacher Mentoring Program in an amount not less than the amount received in Fiscal Year 1997, increased by \$2,400,000.

(g) Gifted and Talented Programs - Montgomery County.

Beginning with Fiscal Year 1998, the Montgomery County Board of Education shall receive a grant to support Gifted and Talented Programs in the amount of \$2,000,000.

(h) Magnet Schools Program - Prince George's County.

Beginning with Fiscal Year 1998, the Prince George's County Board of Education shall receive a grant for the Magnet Schools Program in an amount not less than the amount received in Fiscal Year 1997, increased by \$1,100,000.”;

and in line 4, strike “33.” and substitute “30.”.

