

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL NO. 171
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “Program;” insert “providing certain funding, subject to certain conditions, for a Prince George’s County teacher mentoring program;”; in line 15, after “initiatives;” insert “requiring a certain audit of the Prince George’s County public schools; establishing a certain management oversight panel; providing that certain existing funding for Prince George’s County schools may be directed to support certain programs; establishing a certain Coordination Office;”; in line 17, after “funds;” insert “requiring the State Board of Education to adopt certain regulations implementing certain plans; requiring certain annual reports to the General Assembly;”; and in line 19, after “Program;” insert “requiring the Prince George’s County government to provide certain funding for public school construction; requiring a certain State/local cost sharing for public school construction costs in Prince George’s County; stating the intent of the General Assembly concerning certain funding for the operating expenses of the Coordination Office;”.

AMENDMENT NO. 2

On page 3, strike beginning with “shall” in line 29 down through “Department” in line 31 and substitute “SHALL:”

(I) HAVE PROGRAMS FOR PROVIDING INSTRUCTION AND SERVICES TO NON- AND LIMITED-ENGLISH PROFICIENT STUDENTS THAT ARE APPROVED BY THE DEPARTMENT; AND

(II) IN ACCORDANCE WITH DEPARTMENT GUIDELINES, ANNUALLY EVALUATE NON- AND LIMITED-ENGLISH PROFICIENT STUDENTS IN LISTENING, SPEAKING, READING, AND WRITING ENGLISH TO DETERMINE ELIGIBILITY”.

On page 3, in line 32, after “(4)” insert “(I)”; in the same line, after “programs” insert “AND”

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GRANT ELIGIBILITY”; and after line 33, insert:

“(II) THE DEPARTMENT AND THE STATE BOARD SHALL REPORT ANNUALLY TO THE GENERAL ASSEMBLY, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON THE ASSESSMENT PROCESS AND EFFECTIVENESS OF PROGRAMS FOR NON- AND LIMITED-ENGLISH PROFICIENT STUDENTS.”.

AMENDMENT NO. 3

On page 4, in line 29, after “PLAN” insert “DESCRIBED IN SUBSECTION (I) OF THIS SECTION”.

AMENDMENT NO. 4

On page 4, in line 8, strike “EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION,”; strike in their entirety lines 21 through 23, inclusive; in line 25, strike “(5)” and substitute “(4)”; and in line 28, strike “MAY” and substitute “SHALL”.

AMENDMENT NO. 5

On page 5, after line 2, insert:

“(3) FOR FISCAL YEAR 1999 AND EVERY FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN EACH YEAR’S OPERATING BUDGET \$2 MILLION TO FUND A TEACHER MENTORING PROGRAM IN PRINCE GEORGE’S COUNTY WHICH SHALL BE MODELED AFTER THE BALTIMORE COUNTY TEACHER MENTORING PROGRAM.”;

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

AMENDMENT NO. 6

On page 5, in line 4, after “SOURCES” insert “FOR THIS PURPOSE”.

AMENDMENT NO. 7

On page 6, in line 8, strike “DISTRIBUTED” and substitute “PROVIDED ANNUALLY”; and in line 9, strike “OF” and substitute “FOR”.

AMENDMENT NO. 8

On page 7, in line 19, after “STATEWIDE” insert “EXCEPT IN PRINCE GEORGE’S COUNTY”; strike beginning with “PARAGRAPH” in line 21 down through “OF” in line 22; and after line 22, insert:

“(3) (I) THE PRINCE GEORGE’S COUNTY BOARD OF EDUCATION ANNUALLY SHALL SUBMIT TO THE DEPARTMENT A PLAN FOR THE EXPENDITURE OF FUNDS PROVIDED IN:

1. PARAGRAPH (1) OF THIS SUBSECTION FOR EFFECTIVE SCHOOLS PROGRAMS; AND

2. CHAPTER 105 OF THE ACTS OF THE GENERAL ASSEMBLY OF 1997 FOR THE MAGNET SCHOOLS PROGRAM, WHICH, NOTWITHSTANDING ANY OTHER PROVISION OF LAW, MAY BE DIRECTED TO SUPPORT MAGNET AND OTHER EFFECTIVE SCHOOLS PROGRAMS.

(II) THE PLAN SHALL INCLUDE:

1. FUNDS FOR ACADEMIC PROGRAMS TO SUPPORT RESEARCH-PROVEN STRATEGIES THAT ENHANCE INSTRUCTION AND STUDENT PERFORMANCE; AND

2. STRONG MONITORING AND EVALUATION COMPONENTS.

(III) THE STATE SUPERINTENDENT SHALL REVIEW THE PLAN AND APPROVE IT BEFORE RELEASING THE FUNDS EACH YEAR.

(4) THERE SHALL BE A PERFORMANCE AUDIT OF THE PRINCE GEORGE’S COUNTY PUBLIC SCHOOLS CONDUCTED BY AN INDEPENDENT AUDIT FIRM.

(5) THE FISCAL 1998 FINANCIAL AUDIT OF THE PRINCE GEORGE’S COUNTY SCHOOL SYSTEM SHALL BE PERFORMED BY AN INDEPENDENT AUDITOR

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AND SHALL INCLUDE A REVIEW OF INTERNAL FINANCIAL CONTROLS AND PROPER CLASSIFICATION OF EXPENDITURES.

(6) (I) THERE SHALL BE A MANAGEMENT OVERSIGHT PANEL WHICH SHALL ASSIST IN DEVELOPING THE SCOPE OF THE PERFORMANCE AUDIT, MEET PERIODICALLY WITH THE AUDITORS TO MONITOR THE PROGRESS OF THE PERFORMANCE AUDIT AND OF THE FINANCIAL AUDIT, REVIEW THE FINDINGS AND RECOMMENDATIONS OF BOTH AUDITS, AND MONITOR IMPLEMENTATION OF THE AUDITS' RECOMMENDATIONS FOR A FOUR-YEAR PERIOD.

(II) THE MANAGEMENT OVERSIGHT PANEL SHALL CONSIST OF NINE MEMBERS JOINTLY APPOINTED BY THE GOVERNOR, THE PRINCE GEORGE'S COUNTY EXECUTIVE, AND THE CHAIRPERSON OF THE PRINCE GEORGE'S COUNTY BOARD OF EDUCATION FROM A LIST OF NOMINATIONS SUBMITTED BY THE STATE BOARD OF EDUCATION.

(III) THE MANAGEMENT OVERSIGHT PANEL SHALL BE COMPRISED OF:

1. FOUR INDIVIDUALS WHO HAVE EXTENSIVE EXPERTISE IN MANAGEMENT OR BUSINESS ENTERPRISES;

2. THREE INDIVIDUALS WHO HAVE EXTENSIVE EXPERTISE IN THE EDUCATION FIELD; AND

3. TWO INDIVIDUALS WHO ARE PARENTS OF STUDENTS IN THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOLS, AT LEAST ONE OF WHOM HAS A CHILD IN SPECIAL EDUCATION.

(IV) A MAJORITY OF THE MEMBERS OF THE MANAGEMENT OVERSIGHT PANEL SHALL BE RESIDENTS OF PRINCE GEORGE'S COUNTY.

(V) THE GOVERNOR, THE PRINCE GEORGE'S COUNTY EXECUTIVE, AND THE CHAIRMAN OF THE PRINCE GEORGE'S COUNTY BOARD OF EDUCATION

JOINTLY SHALL DESIGNATE A CHAIRMAN OF THE MANAGEMENT OVERSIGHT PANEL.

(VI) THE MANAGEMENT OVERSIGHT PANEL SHALL ASSIST IN DEVELOPING THE SCOPE OF A PERFORMANCE AUDIT AND SHALL MEET PERIODICALLY WITH THE BOARD CHAIRPERSON, THE COUNTY EXECUTIVE, AND THE COUNTY COUNCIL CHAIRPERSON TO MONITOR THE PROGRESS OF THE AUDIT.

(VII) AT THE CONCLUSION OF THE PERFORMANCE AUDIT AND THE FINANCIAL AUDIT, THE MANAGEMENT OVERSIGHT PANEL SHALL REVIEW THE FINDINGS AND RECOMMENDATIONS OF THE AUDITS AND REPORT TO THE GOVERNOR, GENERAL ASSEMBLY, PRINCE GEORGE'S COUNTY COUNCIL, PRINCE GEORGE'S COUNTY EXECUTIVE, AND PRINCE GEORGE'S COUNTY BOARD OF EDUCATION:

1. ON THE AUDITS' FINDINGS AND RECOMMENDATIONS;

AND

2. ANNUALLY ON IMPLEMENTATION OF THE AUDITS' RECOMMENDATIONS.

(7) THE STATE SHALL PROVIDE ONE-THIRD OF THE TOTAL COST OF THE PERFORMANCE AUDIT UP TO \$200,000, WITH RELEASE OF THE FUNDS CONTINGENT ON APPOINTMENT OF THE MANAGEMENT OVERSIGHT PANEL.

(8) (I) THERE SHALL BE A COORDINATION OFFICE WITH STAFF APPOINTED BY THE MANAGEMENT OVERSIGHT PANEL.

(II) THE COORDINATION OFFICE SHALL PROVIDE SUPPORT TO THE MANAGEMENT OVERSIGHT PANEL AND SERVE AS LIAISON BETWEEN THE STATE, PRINCE GEORGE'S COUNTY, AND THE MANAGEMENT OVERSIGHT PANEL FOR THE DURATION OF THE FOUR-YEAR PERIOD.

(III) THE STATE SHALL FUND THE TOTAL OPERATING COSTS OF

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THE COORDINATION OFFICE.

AMENDMENT NO. 9

On page 7, in line 23, after “(1)” insert “IN THIS SUBSECTION, “NEW LOCAL SCHOOL BOARD FUNDS” MEANS ADDITIONAL FUNDING PROVIDED BY THE LOCAL SCHOOL BOARDS FOR ELEMENTARY SCHOOL LIBRARIES IN EXCESS OF THE FISCAL 1998 FUNDING PROVIDED BY THE LOCAL SCHOOL BOARDS FOR ELEMENTARY SCHOOL LIBRARIES.”

(2)”;

in line 25, after “FOR” insert “THE PURPOSE OF ENHANCING ELEMENTARY”; strike beginning with “BASED” in line 26 down through “YEAR” in line 27; in line 28, strike “(2)” and substitute “(3)”; strike beginning with “PROVIDE” in line 29 down through “PROGRAMS” in line 30 and substitute “MATCH THE STATE GRANT DOLLAR FOR DOLLAR WITH NEW LOCAL SCHOOL BOARD FUNDS”; and in line 31, strike “(3)” and substitute:

“(4) TO THE EXTENT THAT A LOCAL SCHOOL BOARD DOES NOT PROVIDE NEW LOCAL SCHOOL BOARD FUNDS TO MEET THE LOCAL MATCH REQUIRED IN PARAGRAPH (3) OF THIS SUBSECTION, THE STATE GRANT SHALL REVERT TO THE GENERAL FUND.”

(5)”.

On page 8, in line 1, after “1999” insert “AND EVERY FISCAL YEAR THEREAFTER.”.

AMENDMENT NO. 10

On page 9, strike beginning with “TARGETED” in line 13 down through “GRANT” in line 14 and substitute “SCHOOL ACCOUNTABILITY FUNDING FOR EXCELLENCE”; in line 20, strike “TARGETED IMPROVEMENT GRANT” and substitute “SCHOOL ACCOUNTABILITY FUNDING FOR EXCELLENCE”; and strike beginning with “TARGETED” in line 30 down through “PROGRAM” in line 31.

AMENDMENT NO. 11

On page 9, in line 2, strike “(H)” and substitute “(G)”; in the same line, strike “EACH” and substitute “A”; in line 3, strike “FOR APPROVAL” and substitute “AND THE DEPARTMENT SHALL HAVE APPROVED”; strike in their entirety lines 15 and 16 and substitute:

“(4) THE STATE BOARD SHALL ADOPT REGULATIONS REGARDING THE INFORMATION REQUIREMENTS OF AND THE APPROVAL PROCESS FOR THE COMPREHENSIVE PLANS. THESE REGULATIONS SHALL INCLUDE DETAILED TIME LINES FOR APPROVAL OF THE COMPREHENSIVE PLANS BY THE DEPARTMENT.”;

and after line 23, insert:

“(6) THE DEPARTMENT SHALL REPORT ANNUALLY TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON THE LOCAL COMPREHENSIVE PLANS AND THE EFFECTIVENESS OF THE PROGRAMS IN INCREASING THE PERFORMANCE OF AT-RISK STUDENTS.”.

AMENDMENT NO. 12

On page 9, strike beginning with “ENHANCE” in line 22 down through “STUDENTS” in line 23 and substitute “IMPLEMENT STUDENT PERFORMANCE STRATEGIES. EACH PROGRESS REPORT SUBMITTED UNDER THIS PARAGRAPH SHALL INCLUDE AN ASSESSMENT OF STUDENT PERFORMANCE USING THE CATEGORIES REQUIRED BY THE MARYLAND SCHOOL PERFORMANCE PROGRAM STANDARDS”.

AMENDMENT NO. 13

On page 10, after line 22, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That for fiscal year 1999 and every fiscal year thereafter, the State shall provide \$35 million for public school construction projects in Prince George’s County and the Prince George’s County government shall provide a minimum of \$32 million for public school construction projects, and such additional funds as may be necessary to match the annual State appropriation for public school construction projects in Prince George’s County.

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SECTION 3. AND BE IT FURTHER ENACTED, That for fiscal year 1999, the State shall provide 80 percent of the eligible costs for the first \$20 million in public school construction costs related to neighborhood school projects. Neighborhood school projects shall be identified by the Interagency Committee on Public School Construction and shall include new public schools and additions or improvements to existing public schools which serve students reassigned to their local communities based upon the Community Schools Education Plan developed by the Prince George's County Board of Education.

For fiscal years 2000 through 2002, the General Assembly shall determine the State/local cost share formula for public school construction in Prince George's County for the purpose of assisting the county in building neighborhood schools to accommodate students reassigned to their local communities based upon the Community Schools Education Plan."

AMENDMENT NO. 14

On page 10, in line 23, strike "2." and substitute "4."; in the same line, after "That" insert "it is the intent of the General Assembly that the Governor provide a maximum of \$210,000 annually in fiscal years 1999 through 2002 for the operating expenses of the Coordination Office established by this Act.

SECTION 5. AND BE IT FURTHER ENACTED, That".