Unofficial Copy F1 1998 Regular Session 8lr1063

(PRE-FILED)

By: Delegate Taylor and The Speaker (Administration) and Delegates

Campbell, Conway, Cryor, Finifter, Hixson, Holt, Kopp, Proctor, Rawlings, Workman, Dewberry, Hurson, Curran, Busch, Guns, Vallario, Harrison, Menes, Arnick, Owings, W. Baker, Barve, Benson, Billings, E. Burns, Cadden, Clagett, Conroy, C. Davis, Dembrow, Doory, Dypski, Franchot, Frank, Frush, Fulton, Genn, Goldwater, Gordon, Grosfeld, Healey, Hecht, Heller, Howard, Jones, Kagan, Krysiak, Linton, Love, Malone, Mandel, Marriott, McIntosh, Minnick, V. Mitchell, Morhaim, Nathan-Pulliam, Palumbo, Perry, Petzold, Pitkin, Preis, Rudolph, Shriver, Slade, Turner, Weir, and Wood

Requested: November 15, 1997

Introduced and read first time: January 14, 1998

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2

School Accountability Funding for Excellence

- 3 FOR the purpose of establishing a School Accountability Funding for Excellence
- 4 Program for public school systems of the State; revising the funding and certain
- 5 requirements for programs for non- and limited-English proficient students;
- 6 providing certain funds to certain public school systems pursuant to certain
- 7 formulas; providing certain funds and establishing certain requirements for
- 8 professional development programs in certain schools; providing certain
- 9 funding, subject to certain conditions, for the Baltimore County Teacher
- 10 Mentoring Program; providing certain funding, subject to certain conditions, for
- the Early Elementary Education Program; providing certain funding, subject to
- certain conditions, for certain prekindergarten early intervention; providing
- certain funding, subject to certain conditions, for certain programs in Prince
- 14 George's County and certain statewide teacher certification and development
- initiatives; providing certain funding, subject to certain conditions, for school
- library programs; mandating certain accountability provisions for receipt of
- certain funds; prohibiting the use of certain State funds provided under this Act
- to supplant certain funds under certain circumstances; providing certain
- 19 funding for the Aging School Program; providing for the termination of this Act;
- and generally relating to State aid for public education.
- 21 BY repealing and reenacting, with amendments,
- 22 Article Education
- 23 Section 5-206
- 24 Annotated Code of Maryland

1	(1997 Replacement volume and 1997 Supplement)					
2	Preamble					
	WHEREAS, The Maryland General Assembly recognizes that a large portion of the nearly 1,000,000 students who attend public schools across the State are at risk of not performing at high academic levels; and					
	WHEREAS, The 1993 Governor's Commission on School Funding found that the single best predictor of school performance is the percentage of students approved for free or reduced price meals; and					
	WHEREAS, In the last 5 years the number of students receiving free and reduced price meals has increased by over 35 percent while student enrollment has increased by only 12 percent; and					
4	WHEREAS, Other factors contributing to the lower academic achievements of at-risk students include possessing limited English proficiency skills, attending schools that have a large portion of inexperienced teachers, and being from highly mobile families that move several times during a school year; and					
6	WHEREAS, The number of limited-English proficient students has increased during this same period by over 31 percent; and					
20 21	WHEREAS, The 1997 Task Force on Education Funding Equity, Accountability, and Partnerships examined the educational needs of all public school students in Maryland, particularly the needs of at-risk students, and determined that additional State funding is necessary to fill gaps in programs serving at-risk students; now, therefore,					
23 24	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:					
25	Article - Education					
26	5-206.					
27 28	(a) THIS SECTION MAY BE CITED AS THE SCHOOL ACCOUNTABILITY FUNDING FOR EXCELLENCE PROGRAM.					
29	(B) (1) [(i)] In this section the following words have the meanings indicated.					
30 31	(2) "FULL-TIME EQUIVALENT ENROLLMENT" HAS THE MEANING PROVIDED IN § 5-202 OF THIS SUBTITLE.					
34 35	[(ii)] (3) "Non- and limited-English proficient student" means a student identified as non- or limited-English proficient under the Maryland State Department of Education's Maryland School Performance Program reporting requirements. This definition should be consistent with federal guidelines for the identification of students with limited English proficiency, as defined by the following					

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- **HOUSE BILL 1** 1 criteria: the student was born outside of the United States or whose native language 2 is not English; the student comes from an environment where a language other than 3 English is dominant; or the student is an American Indian or Alaskan native and 4 comes from an environment where a language other than English has had a 5 significant impact on his/her level of English language proficiency. 6 [(iii)] (4)"Non- and limited-English proficient student count" 7 means the number of non- and limited-English proficient students as of May 15 of a 8 school year. "WEALTH" HAS THE MEANING PROVIDED IN § 5-202 OF THIS 10 SUBTITLE. 11 [(2)]Except as provided under regulations adopted by the State Board of 12 Education, a student may not be included in the non- and limited-English 13 proficiency student count for more than 2 school years.] 14 [(b)](C)(1)Beginning in Fiscal Year 1995, the Department shall distribute 15 annually to each county board a grant for the purpose of providing instruction and 16 services to non- and limited-English proficient students. 17 In Fiscal Year 1995, the amount of the grant shall be distributed (i) 18 on the basis of the non- and limited-English proficient student count for the school 19 year prior to the fiscal year for which the appropriation is provided. 20 (ii) For Fiscal Year 1996 [and every year thereafter] THROUGH 21 FISCAL YEAR 1998, the Governor shall include in the State budget funding for the 22 grant, in an amount at least equal to \$500 times the non- and limited-English 23 proficient student count for the second preceding school year prior to the fiscal year 24 for which the appropriation is provided. 25 FOR FISCAL YEAR 1999 AND EVERY FISCAL YEAR THEREAFTER, (III)26 THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET FUNDING FOR THE GRANT 27 IN AN AMOUNT AT LEAST EQUAL TO \$1,350 TIMES THE NON- AND LIMITED-ENGLISH 28 PROFICIENT STUDENT COUNT FOR THE SECOND PRECEDING SCHOOL YEAR PRIOR 29 TO THE FISCAL YEAR FOR WHICH THE APPROPRIATION IS PROVIDED.
- To be eligible to receive the grants provided under paragraph (2) of 30
- 31 this subsection, a county board shall have programs for providing instruction and
- 32 services to non- and limited-English proficient students that are approved by the
- 33 Department.
- (1)] (4) The Department shall establish guidelines for programs for 34
- 35 non- and limited-English proficient students.
- 36 [(2)] (5) A county board shall expend the State funds received under this
- 37 [section] SUBSECTION for programs for non- and limited-English proficient
- 38 students and shall report annually to the Department on the actual expenditures of
- 39 the State funds received under this section.

- 1 (D) (1) EACH COUNTY BOARD SHALL RECEIVE FROM THE STATE, IN THE
- 2 MANNER AND SUBJECT TO THE LIMITATIONS UNDER THIS SECTION, AN AMOUNT
- 3 FOR EACH SCHOOL YEAR TO BE KNOWN AS THE "TARGETED IMPROVEMENT GRANT",
- 4 WHICH SHALL BE CALCULATED AS PROVIDED IN THIS SUBSECTION.
- 5 (2) FOR EACH FISCAL YEAR, THE TARGETED IMPROVEMENT GRANT
- 6 FUNDING LEVEL SHALL BE THE PRODUCT OF 2.5 PERCENT OF THE PER PUPIL BASIC
- 7 CURRENT EXPENSE FIGURE FOR THE CURRENT FISCAL YEAR, ROUNDED TO THE
- 8 NEAREST DOLLAR, AND 85 PERCENT OF THE STATEWIDE FREE AND REDUCED PRICE
- 9 MEAL ELIGIBLE COUNT FOR THE SECOND PRIOR FISCAL YEAR.
- 10 (3) EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, THE
- 11 AMOUNT TO BE PROVIDED UNDER THIS PROGRAM TO A COUNTY IN A FISCAL YEAR
- 12 SHALL BE:
- 13 (I) 1. THE PRODUCT OF 85 PERCENT OF THE FREE AND REDUCED
- 14 PRICE MEAL ELIGIBLE COUNT FOR THE SECOND PRIOR FISCAL YEAR FOR EACH
- 15 COUNTY AND 2.5 PERCENT OF THE PER PUPIL BASIC CURRENT EXPENSE FIGURE FOR
- 16 THE CURRENT FISCAL YEAR ROUNDED TO THE NEAREST DOLLAR; DIVIDED BY
- 17 2. THE RATIO, ROUNDED TO SEVEN DECIMAL PLACES, OF
- 18 COUNTY WEALTH PER COUNTY FULL-TIME EQUIVALENT ENROLLMENT TO
- 19 STATEWIDE WEALTH PER FULL-TIME EQUIVALENT ENROLLMENT; MULTIPLIED BY
- 20 (II) A FACTOR, ROUNDED TO SEVEN DECIMAL PLACES,
- 21 CALCULATED BY DIVIDING THE TARGETED IMPROVEMENT GRANT FUNDING LEVEL
- 22 BY THE SUM OF QUOTIENTS DETERMINED IN ITEM (I)2 OF THIS PARAGRAPH.
- 23 (4) THE NEW BOARD OF SCHOOL COMMISSIONERS OF BALTIMORE CITY
- 24 SHALL RECEIVE 50 PERCENT OF ITS FORMULA ALLOCATION AS DETERMINED IN
- 25 PARAGRAPH (3) OF THIS SUBSECTION.
- 26 (5) (I) THE TARGETED IMPROVEMENT GRANT FUNDS SHALL BE USED
- 27 TO PROVIDE SUPPLEMENTAL FUNDS TO SCHOOLS OR SPECIFIC STRUCTURED
- 28 AFTER-SCHOOL OR SUMMER ACTIVITIES IN WHICH 25 PERCENT OR MORE OF THE
- 29 STUDENTS RECEIVE FREE AND REDUCED PRICE MEALS.
- 30 (II) A LOCAL SCHOOL SYSTEM MAY DISTRIBUTE FUNDS TO THESE
- 31 PRIORITY AREAS BASED ON ITS LOCAL COMPREHENSIVE PLAN TO INCREASE THE
- 32 PERFORMANCE OF STUDENTS AT RISK OF ACADEMIC FAILURE.
- 33 (E) (1) FOR FISCAL YEAR 1999 AND EVERY FISCAL YEAR THEREAFTER, EACH
- 34 SCHOOL WITH A FREE OR REDUCED PRICE STUDENT MEAL COUNT OF 25 PERCENT
- 35 OR MORE OF ITS STUDENT POPULATION SHALL RECEIVE AN \$8,000 GRANT TO
- 36 ENHANCE TEACHER DEVELOPMENT IN DEALING WITH AT-RISK STUDENTS.
- 37 (2) BEGINNING IN FISCAL YEAR 1999, THE GOVERNOR SHALL INCLUDE
- 38 IN EACH YEAR'S OPERATING BUDGET NOT LESS THAN THE AMOUNT APPROPRIATED
- 39 IN FISCAL YEAR 1998 FOR THE BALTIMORE COUNTY TEACHER MENTORING PROGRAM.
- 40 IN ADDITION TO THAT AMOUNT, THE BALTIMORE COUNTY TEACHER MENTORING

- 1 PROGRAM SHALL RECEIVE \$5,000,000 ANNUALLY TO ENHANCE ITS TEACHER
- 2 MENTORING PROGRAM AS A PILOT TO DETERMINE BEST PRACTICES FOR
- 3 MENTORING TEACHERS WORKING WITH AT-RISK STUDENTS AND ADDRESSING
- 4 TEACHER RETENTION IN SCHOOLS WITH HIGH AT-RISK STUDENT POPULATIONS.
- 5 (3) TO THE EXTENT FUNDS ARE PROVIDED IN THE STATE BUDGET OR
- 6 ARE AVAILABLE FROM OTHER SOURCES, THE DEPARTMENT AND EACH PUBLIC
- 7 SCHOOL SYSTEM SHALL EXPAND EXISTING PROFESSIONAL DEVELOPMENT
- 8 PROGRAMS FOR SCHOOL-BASED ADMINISTRATORS AND PRINCIPALS AND DEVELOP
- 9 NEW PROGRAMS TO ASSIST THESE INDIVIDUALS IN DEALING WITH AT-RISK
- 10 STUDENTS.
- 11 (F)(1) BEGINNING IN FISCAL YEAR 1999, THE GOVERNOR SHALL INCLUDE IN
- 12 EACH YEAR'S OPERATING BUDGET NOT LESS THAN THE AMOUNT APPROPRIATED IN
- 13 FISCAL YEAR 1998 FOR THE EXTENDED ELEMENTARY EDUCATION PROGRAM. IN
- 14 ADDITION TO THAT AMOUNT, THE FOLLOWING ADDITIONAL FUNDS SHALL BE
- 15 PROVIDED ANNUALLY TO COUNTY BOARDS AS FOLLOWS:

16	(I)	ALLEGANY COUNTY \$57,	,541
17	(II)	ANNE ARUNDEL COUNTY	,241
18	(III)	BALTIMORE CITY	,491
19	(IV)	BALTIMORE COUNTY	,759
20	(V)	CALVERT COUNTY	,029
21	(VI)	CAROLINE COUNTY51,	,770
22	(VII)	CARROLL COUNTY	,270
23	(VIII)	CECIL COUNTY	,011
24	(IX)	CHARLES COUNTY	,439
25	(X)	DORCHESTER COUNTY	,036
26	(XI)	FREDERICK COUNTY	,082
27	(XII)	GARRETT COUNTY	,312
28	(XIII)	HARFORD COUNTY	,311
29	(XIV)	HOWARD COUNTY	,500
30	(XV)	KENT COUNTY	,541
31	(XVI)	MONTGOMERY COUNTY	,759
32	(XVII)	PRINCE GEORGE'S COUNTY	,226

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1	(XVIII)	QUEEN ANNE'S COUNTY	. 59,426
2	(XIX)	ST. MARY'S COUNTY	261,134
3	(XX)	SOMERSET COUNTY	. 39,729
4	(XXI)	TALBOT COUNTY	. 20,541
5	(XXII)	WASHINGTON COUNTY	103,416
6	(XXIII)	WICOMICO COUNTY	. 22,541
7	(XXIV)	WORCESTER COUNTY	.51,656
10 SYSTEMS TO ADD 11 POPULATIONS WE 12 ELEMENTARY ED 13 RELEASE THESE F 14 AND APPROVAL C	OTAL OF PRESS EA HOSE NE UCATIO FUNDS T OF COME	OITION TO THE FUNDS PROVIDED IN PARAGRAPH (1) OF THIS F \$1,000,000 SHALL BE DISTRIBUTED TO LOCAL SCHOOL ARLY INTERVENTION OF TARGETED 4-YEAR-OLD EEDS ARE NOT FULLY MET BY THE EXISTING EXTENDED ON PROGRAMS. THE STATE SUPERINTENDENT SHALL TO LOCAL SCHOOL SYSTEMS BASED ON THE SUBMISSION PREHENSIVE PLANS DESCRIBED IN SUBSECTION (I) OF THIS BE PROVIDED AS FOLLOWS:	
16	(I)	ALLEGANY	. 18,315
17	(II)	ANNE ARUNDEL	. 67,765
18	(III)	BALTIMORE CITY	219,779
19	(IV)	BALTIMORE	. 62,270
20	(V)	CALVERT	. 23,810
21	(VI)	CAROLINE	. 16,484
22	(VII)	CARROLL	9,158
23	(VIII)	CECIL	. 42,125
24	(IX)	CHARLES	. 54,945
25	(X)	DORCHESTER	. 21,978
26	(XI)	FREDERICK	. 42,125
27	(XII)	GARRETT	. 16,484
28	(XIII)	HARFORD	. 40,293
29	(XIV)	HOWARD	. 12,821
30	(XV)	KENT	. 14,652

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1	(XVI)	MONTGOMERY	65,933
2	(XVII)	PRINCE GEORGE'S	91,575
3	(XVII	QUEEN ANNE'S	18,315
4	(XIX)	ST. MARY'S	45,788
5	(XX)	SOMERSET	14,652
6	(XXI)	TALBOT	14,652
7	(XXII)	WASHINGTON	31,136
8	(XXII) WICOMICO	40,293
9	(XXIV) WORCESTER	14,652
		ISCAL YEAR 1999 AND EVERY FISCAL YEAR THEREAFTER, THE UDE IN EACH YEAR'S OPERATING BUDGET FUNDING FOR THE	
13 14	3 4 - \$2,000,000;	EFFECTIVE SCHOOLS PROGRAMS IN PRINCE GEORGE'S COUN	ГҮ
15 16	(II) 5 PRINCE GEORGE'S COUN	PILOT INTEGRATED STUDENT SUPPORT SERVICES PROJECT IN TTY - \$1,000,000;	1
17 18	· /	PROVISIONAL TEACHER CERTIFICATION AND TEACHER IVES IN PRINCE GEORGE'S COUNTY - \$2,500,000; AND	
19 20	· /	PROVISIONAL TEACHER CERTIFICATION AND TEACHER IVES STATEWIDE - \$500,000.	
		TATE SUPERINTENDENT SHALL ESTABLISH GUIDELINES AND E USED TO DISTRIBUTE FUNDS PROVIDED IN PARAGRAPH (1) BSECTION.	
26 27	5 GOVERNOR SHALL INCL 5 \$3,000,000 IN GRANTS TO 7 BASED ON EACH COUNT	ISCAL YEAR 1999 AND EVERY FISCAL YEAR THEREAFTER, THE JUDE IN EACH YEAR'S OPERATING BUDGET A TOTAL OF LOCAL SCHOOL SYSTEMS FOR SCHOOL LIBRARY PROGRAMS Y'S PERCENT OF TOTAL FULL-TIME EQUIVALENT DE FOR THE PREVIOUS FISCAL YEAR.	
		DER TO RECEIVE FUNDS UNDER THIS SUBSECTION, EACH PROVIDE EQUAL MATCHING FUNDS TO BE USED FOR SCHOOL	
32 33	` /	TATE SUPERINTENDENT SHALL ESTABLISH GUIDELINES AND ENDITURE OF FUNDS UNDER THIS SUBSECTION. IN	

1 DEVELOPING GUIDELINES, PRIORITY SHALL BE GIVEN TO UPDATING LIBRARY BOOK

2 AND OTHER RESOURCE COLLECTIONS.

3 (4) FOR FISCAL YEAR 1999 AND SUBJECT TO THE PROVISIONS OF THIS

4 SUBSECTION, SCHOOL LIBRARY GRANTS SHALL BE PROVIDED TO COUNTY BOARDS

5 AS FOLLOWS:

6	(I)	ALLEGANY	40,266
7	(II)	ANNE ARUNDEL	268,456
8	(III)	BALTIMORE CITY	380,390
9	(IV)	BALTIMORE	376,316
10	(V)	CALVERT	53,740
11	(VI)	CAROLINE	20,218
12	(VII)	CARROLL	98,518
13	(VIII)	CECIL	55,039
14	(IX)	CHARLES	78,281
15	(X)	DORCHESTER	18,382
16	(XI)	FREDERICK	125,881
17	(XII)	GARRETT	19,170
18	(XIII)	HARFORD	139,416
19	(XIV)	HOWARD	147,977
20	(XV)	KENT	10,197
21	(XVI)	MONTGOMERY	453,584
22	(XVII)	PRINCE GEORGE'S	463,151
23	(XVIII)	QUEEN ANNE'S	23,544
24	(XIX)	ST. MARY'S	52,289
25	(XX)	SOMERSET	11,060
26	(XXI)	TALBOT	16,384
27	(XXII)	WASHINGTON	72,645
28	(XXIII)	WICOMICO	50,492

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²⁴ SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

²⁵ July 1, 1998. It shall remain effective for a period of 4 years and, at the end of June

^{26 30, 2002,} with no further action required by the General Assembly, this Act shall be

²⁷ abrogated and of no further force and effect.