Unofficial Copy F1 1998 Regular Session 8lr6182 CF 8lr1063

By: The President (Administration) and Senators Collins, Hogan, Fry, Neall,
Van Hollen, Hollinger, Astle, Green, Pinsky, Jimeno, Derr, Bromwell,
Currie, McFadden, Ruben, Dorman, Dyson, Teitelbaum, Blount, Frosh,
Munson, Della, Kelley, Middlebrooks, Sfikas, Forehand, Stone, Roesser,
Kasemeyer, Boozer, Lawlah, and Hafer

Introduced and read first time: January 23, 1998

Assigned to: Budget and Taxation and Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

_	School Accountability	r unaing 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
- formulas; providing certain funds and establishing certain requirements for
- 8 professional development programs in certain schools; providing certain
- o 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
- 11 the Early Elementary Education Program; providing certain funding, subject to
- 12 certain conditions, for certain prekindergarten early intervention; providing
- 13 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
- 17 certain funds; prohibiting the use of certain State funds provided under this Act
- 18 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
- 25 (1997 Replacement Volume and 1997 Supplement)

1	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				
13	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				
15 16	WHEREAS, The number of limited-English proficient students has increased during this same period by over 31 percent; and				
19 20	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,				
22 23	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:				
24	Article - Education				
25	5-206.				
26 27	(a) THIS SECTION MAY BE CITED AS THE SCHOOL ACCOUNTABILITY FUNDING FOR EXCELLENCE PROGRAM.				
28	(B) (1) [(i)] In this section the following words have the meanings indicated.				
29 30	(2) "FULL-TIME EQUIVALENT ENROLLMENT" HAS THE MEANING PROVIDED IN § 5-202 OF THIS SUBTITLE.				
33 34 35 36	[(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 criteria: the student was born outside of the United States or whose native language is not English; the student comes from an environment where a language other than				

1 English is dominant; or the student is an American Indian or Alaskan native and 2 comes from an environment where a language other than English has had a 3 significant impact on his/her level of English language proficiency. 4 [(iii)] (4)"Non- and limited-English proficient student count" 5 means the number of non- and limited-English proficient students as of May 15 of a 6 school year. "WEALTH" HAS THE MEANING PROVIDED IN § 5-202 OF THIS 7 8 SUBTITLE. 9 Except as provided under regulations adopted by the State Board of [(2)]10 Education, a student may not be included in the non- and limited-English 11 proficiency student count for more than 2 school years.] 12 [(b)](C)(1)Beginning in Fiscal Year 1995, the Department shall distribute 13 annually to each county board a grant for the purpose of providing instruction and 14 services to non- and limited-English proficient students. 15 In Fiscal Year 1995, the amount of the grant shall be distributed (i) 16 on the basis of the non- and limited-English proficient student count for the school year prior to the fiscal year for which the appropriation is provided. 18 For Fiscal Year 1996 [and every year thereafter] THROUGH (ii) 19 FISCAL YEAR 1998, the Governor shall include in the State budget funding for the 20 grant, in an amount at least equal to \$500 times the non- and limited-English 21 proficient student count for the second preceding school year prior to the fiscal year 22 for which the appropriation is provided. FOR FISCAL YEAR 1999 AND EVERY FISCAL YEAR THEREAFTER, 23 (III)24 THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET FUNDING FOR THE GRANT 25 IN AN AMOUNT AT LEAST EQUAL TO \$1,350 TIMES THE NON- AND LIMITED-ENGLISH 26 PROFICIENT STUDENT COUNT FOR THE SECOND PRECEDING SCHOOL YEAR PRIOR 27 TO THE FISCAL YEAR FOR WHICH THE APPROPRIATION IS PROVIDED. 28 To be eligible to receive the grants provided under paragraph (2) of 29 this subsection, a county board shall have programs for providing instruction and 30 services to non- and limited-English proficient students that are approved by the 31 Department. 32 (1)] (4) The Department shall establish guidelines for programs for 33 non- and limited-English proficient students. 34 [(2)] (5) A county board shall expend the State funds received under this 35 [section] SUBSECTION for programs for non- and limited-English proficient 36 students and shall report annually to the Department on the actual expenditures of 37 the State funds received under this section. EACH COUNTY BOARD SHALL RECEIVE FROM THE STATE, IN THE

39 MANNER AND SUBJECT TO THE LIMITATIONS UNDER THIS SECTION, AN AMOUNT

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

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

14	(I)	ALLEGANY COUNTY\$ 57,5	41
15	(II)	ANNE ARUNDEL COUNTY	41
16	(III)	BALTIMORE CITY 694,4	91
17	(IV)	BALTIMORE COUNTY	59
18	(V)	CALVERT COUNTY143,0	29
19	(VI)	CAROLINE COUNTY51,7	70
20	(VII)	CARROLL COUNTY14,2	70
21	(VIII)	CECIL COUNTY162,0	11
22	(IX)	CHARLES COUNTY	.39
23	(X)	DORCHESTER COUNTY70,0	36
24	(XI)	FREDERICK COUNTY	82
25	(XII)	GARRETT COUNTY	12
26	(XIII)	HARFORD COUNTY	11
27	(XIV)	HOWARD COUNTY72,5	00
28	(XV)	KENT COUNTY55,5	41
29	(XVI)	MONTGOMERY COUNTY313,7	59
30	(XVII)	PRINCE GEORGE'S COUNTY	26
31	(XVIII)	QUEEN ANNE'S COUNTY	26

6 171				••••••	SENATE BILL
1	((XIX)	ST. MARY'S COUNTY	. 261,134	
2	((XX)	SOMERSET COUNTY	39,729	
3	((XXI)	TALBOT COUNTY	20,541	
4	((XXII)	WASHINGTON COUNTY	. 103,416	
5	((XXIII)	WICOMICO COUNTY	22,541	
6	((XXIV)	WORCESTER COUNTY	51,656	
7 (2) IN ADDITION TO THE FUNDS PROVIDED IN PARAGRAPH (1) OF THIS 8 SUBSECTION, A TOTAL OF \$1,000,000 SHALL BE DISTRIBUTED TO LOCAL SCHOOL 9 SYSTEMS TO ADDRESS EARLY INTERVENTION OF TARGETED 4-YEAR-OLD 10 POPULATIONS WHOSE NEEDS ARE NOT FULLY MET BY THE EXISTING EXTENDED 11 ELEMENTARY EDUCATION PROGRAMS. THE STATE SUPERINTENDENT SHALL 12 RELEASE THESE FUNDS TO LOCAL SCHOOL SYSTEMS BASED ON THE SUBMISSION 13 AND APPROVAL OF COMPREHENSIVE PLANS DESCRIBED IN SUBSECTION (I) OF THIS 14 SECTION. FUNDS SHALL BE PROVIDED AS FOLLOWS:					
15	((I)	ALLEGANY	18,315	
16	((II)	ANNE ARUNDEL	67,765	
17	((III)	BALTIMORE CITY	. 219,779	
18	((IV)	BALTIMORE	62,270	
19	((V)	CALVERT	23,810	
20	((VI)	CAROLINE	16,484	
21	((VII)	CARROLL	9,158	
22	((VIII)	CECIL	42,125	
23	((IX)	CHARLES	54,945	
24	((X)	DORCHESTER	21,978	
25	((XI)	FREDERICK	42,125	
26	((XII)	GARRETT	16,484	
27	((XIII)	HARFORD	40,293	
28	((XIV)	HOWARD	12,821	
29	((XV)	KENT	14,652	
30	((XVI)	MONTGOMERY	65,933	

7 171			SENATE BILL
1	(XVII)	PRINCE GEORGE'S91,5	75
2	(XVIII)	QUEEN ANNE'S	15
3	(XIX)	ST. MARY'S	88
4	(XX)	SOMERSET	52
5	(XXI)	TALBOT	52
6	(XXII)	WASHINGTON	36
7	(XXIII)	WICOMICO	93
8	(XXIV)	WORCESTER	52
		SCAL YEAR 1999 AND EVERY FISCAL YEAR THEREAFTER, THE JDE IN EACH YEAR'S OPERATING BUDGET FUNDING FOR THE	
12 13	- \$2,000,000;	EFFECTIVE SCHOOLS PROGRAMS IN PRINCE GEORGE'S COUNTY	
14 15	(II) PRINCE GEORGE'S COUNT	PILOT INTEGRATED STUDENT SUPPORT SERVICES PROJECT IN TY - \$1,000,000;	
16 17	(III) DEVELOPMENT INITIATIV	PROVISIONAL TEACHER CERTIFICATION AND TEACHER VES IN PRINCE GEORGE'S COUNTY - \$2,500,000; AND	
18 19	(IV) DEVELOPMENT INITIATIV	PROVISIONAL TEACHER CERTIFICATION AND TEACHER VES STATEWIDE - \$500,000.	
	` /	TATE SUPERINTENDENT SHALL ESTABLISH GUIDELINES AND USED TO DISTRIBUTE FUNDS PROVIDED IN PARAGRAPH (1) SSECTION.	
25 26	GOVERNOR SHALL INCLU \$3,000,000 IN GRANTS TO BASED ON EACH COUNTY	SCAL YEAR 1999 AND EVERY FISCAL YEAR THEREAFTER, THE UDE IN EACH YEAR'S OPERATING BUDGET A TOTAL OF LOCAL SCHOOL SYSTEMS FOR SCHOOL LIBRARY PROGRAMS IS PERCENT OF TOTAL FULL-TIME EQUIVALENT OF TOTAL FULL-TIME FOR THE PREVIOUS FISCAL YEAR.	
		DER TO RECEIVE FUNDS UNDER THIS SUBSECTION, EACH PROVIDE EQUAL MATCHING FUNDS TO BE USED FOR SCHOOL	
33	CRITERIA FOR THE EXPE	CATE SUPERINTENDENT SHALL ESTABLISH GUIDELINES AND NDITURE OF FUNDS UNDER THIS SUBSECTION. IN S, PRIORITY SHALL BE GIVEN TO UPDATING LIBRARY BOOK COLLECTIONS.	

1 (4 2 SUBSECTION 3 AS FOLLOWS	, SCHOOL LIB	SCAL YEAR 1999 AND SUBJECT TO THE RARY GRANTS SHALL BE PROVIDED '	
4	(I)	ALLEGANY	40,266
5	(II)	ANNE ARUNDEL	268,456
6	(III)	BALTIMORE CITY	
7	(IV)	BALTIMORE	
8	(V)	CALVERT	53,740
9	(VI)	CAROLINE	20,218
10	(VII)	CARROLL	98,518
11	(VIII)	CECIL	55,039
12	(IX)	CHARLES	78,281
13	(X)	DORCHESTER	
14	(XI)	FREDERICK	
15	(XII)	GARRETT	19,170
16	(XIII)	HARFORD	139,416
17	(XIV)	HOWARD	147,977
18	(XV)	KENT	10,197
19	(XVI)	MONTGOMERY	453,584
20	(XVII)	PRINCE GEORGE'S	463,151
21	(XVIII)	QUEEN ANNE'S	23,544
22	(XIX)	ST. MARY'S	52,289
23	(XX)	SOMERSET	11,060
24	(XXI)	TALBOT	16,384
25	(XXII)	WASHINGTON	72,645
26	(XXIII)	WICOMICO	50,492
27	(XXIV)	WORCESTER	24,604

(1)

(2)

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1	(3)	BALTIMORE CITY
2	(4)	BALTIMORE COUNTY
3	(5)	CALVERT COUNTY
4	(6)	CAROLINE COUNTY
5	(7)	CARROLL COUNTY
6	(8)	CECIL COUNTY
7	(9)	CHARLES COUNTY
8	(10)	DORCHESTER COUNTY
9	(11)	FREDERICK COUNTY
10	(12)	GARRETT COUNTY
11	(13)	HARFORD COUNTY
12	(14)	HOWARD COUNTY
13	(15)	KENT COUNTY
14	(16)	MONTGOMERY COUNTY
15	(17)	PRINCE GEORGE'S COUNTY
16	(18)	QUEEN ANNE'S COUNTY
17	(19)	ST. MARY'S COUNTY
18	(20)	SOMERSET COUNTY
19	(21)	TALBOT COUNTY95,000
20	(22)	WASHINGTON COUNTY
21	(23)	WICOMICO COUNTY
22	(24)	WORCESTER COUNTY

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 23

²⁴ July 1, 1998. It shall remain effective for a period of 4 years and, 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.