
By: **Delegates Shriver and Klausmeier**
Introduced and read first time: February 7, 2000
Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Alternative Learning Program**

3 FOR the purpose of authorizing the use of certain funds for alternative learning
4 programs for certain students under certain circumstances; authorizing the
5 granting of a Maryland high school diploma to students who attend certain
6 alternative learning programs; establishing a minimum enrollment requirement
7 for a regional career training center; establishing a certain limitation on
8 alternative placements for each school system; authorizing a certain waiver
9 under certain circumstances; defining certain terms; requiring the State
10 Superintendent of Schools to report annually to the Governor and General
11 Assembly on alternative learning programs; providing for the termination of
12 this Act; and generally relating to alternative learning programs.

13 BY repealing and reenacting, without amendments,
14 Article - Education
15 Section 1-101
16 Annotated Code of Maryland
17 (1999 Replacement Volume)

18 BY adding to
19 Article - Education
20 Section 5-202.1
21 Annotated Code of Maryland
22 (1999 Replacement Volume)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
24 MARYLAND, That the Laws of Maryland read as follows:

25 **Article - Education**

26 1-101.

27 (a) In this article, unless the context requires otherwise, the following words
28 have the meanings indicated.

1 (b) "Any state" means:

2 (1) Any state, possession, or territory of the United States;

3 (2) The District of Columbia; and

4 (3) The Commonwealth of Puerto Rico.

5 (c) "County" means a county of this State and includes Baltimore City.

6 (d) "County board" means the board of education of a county and includes the
7 New Baltimore City Board of School Commissioners.

8 (e) "County superintendent" means the county superintendent of schools of a
9 county and includes the Chief Executive Officer of the New Baltimore City Board of
10 School Commissioners.

11 (f) "Department" means the State Department of Education.

12 (g) "Elementary and secondary education" means education and programs of
13 education from and including preschool through the end of high school and their
14 equivalent.

15 (h) "Includes" or "including" means includes or including by way of illustration
16 and not by way of limitation.

17 (i) "Person" includes:

18 (1) An individual, receiver, trustee, guardian, executor, administrator,
19 fiduciary, or representative of any kind and any partnership, firm, association, public
20 or private corporation, or other entity; and

21 (2) The State, any county, municipal corporation, or other political
22 subdivision of this State, and any of their agencies or units.

23 (j) "Property" means any real or personal property or any interest in real or
24 personal property.

25 (k) "Public schools" means the schools in the public elementary and secondary
26 education system of this State.

27 (l) "State Board" means the State Board of Education.

28 (m) "State Superintendent" means the State Superintendent of Schools.

29 5-202.1.

30 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
31 INDICATED.

1 (2) "ALTERNATIVE LEARNING PROGRAM" MEANS AN ALTERNATIVE
2 EDUCATION PROGRAM FOR STUDENTS ENROLLED IN PUBLIC SCHOOLS IN THIS
3 STATE DELIVERED BY A PROVIDER.

4 (3) (I) "PROVIDER" MEANS A NONPROFIT, NONSECTARIAN
5 ORGANIZATION.

6 (II) "PROVIDER" INCLUDES A SPECIALIZED REGIONAL TRAINING
7 CENTER.

8 (III) "PROVIDER" DOES NOT INCLUDE A PRIVATE SCHOOL.

9 (B) THE STATE AND LOCAL SHARE OF BASIC CURRENT EXPENSE FUNDING
10 PER PUPIL MAY BE USED TO FUND THE PLACEMENT OF A STUDENT IN AN
11 ALTERNATIVE LEARNING PROGRAM UNDER THE FOLLOWING CONDITIONS:

12 (1) THE ALTERNATIVE LEARNING PROGRAM HAS BEEN APPROVED BY
13 THE STATE SUPERINTENDENT IN ACCORDANCE WITH CRITERIA ESTABLISHED BY
14 THE STATE BOARD;

15 (2) THE ALTERNATIVE LEARNING PROGRAM PROVIDER HAS ENTERED
16 INTO AN AGREEMENT WITH THE COUNTY BOARD IN THE COUNTY WHERE THE
17 STUDENT IS ENROLLED THAT INCLUDES AN ARTICULATION ARRANGEMENT WITH
18 THE LOCAL SCHOOL CURRICULUM TO INSURE CONTINUITY IN THE EDUCATIONAL
19 PROGRESS OF THE STUDENT;

20 (3) THE STUDENT IS:

21 (I) ENROLLED IN AND ATTENDING A PUBLIC SECONDARY SCHOOL
22 AS SPECIFIED FOR THE CALCULATION OF FULL-TIME EQUIVALENT ENROLLMENT
23 UNDER § 5-202 OF THIS SUBTITLE; AND

24 (II) AT RISK OF DROPPING OUT OF HIGH SCHOOL OR ELIGIBLE FOR
25 ADMISSION TO A SPECIALIZED REGIONAL CAREER TRAINING CENTER OR BOTH;

26 (4) THE PRINCIPAL OR THE DESIGNEE OF THE SCHOOL IN WHICH THE
27 STUDENT IS ENROLLED DEVELOPS AN INDIVIDUAL STUDY PLAN FOR THE STUDENT
28 IN ACCORDANCE WITH CRITERIA ESTABLISHED BY THE DEPARTMENT;

29 (5) THE PRINCIPAL OF THE SCHOOL IN WHICH THE STUDENT IS
30 ENROLLED APPROVES THE PLACEMENT IN THE ALTERNATIVE LEARNING PROGRAM;
31 AND

32 (6) THE ALTERNATIVE LEARNING PROGRAM IS LOCATED WITHIN THE
33 GEOGRAPHICAL BOUNDARY UNDER THE JURISDICTION OF THE COUNTY BOARD OR
34 IS SERVING TWO OR MORE COUNTY BOARDS THAT ARE IN CLOSE GEOGRAPHIC
35 PROXIMITY.

36 (C) A STUDENT WHO ATTENDS AN ALTERNATIVE LEARNING PROGRAM AS
37 SPECIFIED IN SUBSECTION (B) OF THIS SECTION AND WHO SATISFIES THE

1 REQUIREMENTS FOR GRADUATION AS ESTABLISHED BY THE STATE BOARD AND THE
2 COUNTY BOARD SHALL RECEIVE A MARYLAND HIGH SCHOOL DIPLOMA ISSUED BY
3 THE PUBLIC SECONDARY SCHOOL IN WHICH THE STUDENT IS ENROLLED.

4 (D) IN ORDER TO QUALIFY FOR THE FUNDING DESCRIBED IN THIS SECTION, A
5 REGIONAL CAREER TRAINING CENTER SHALL ENROLL A MINIMUM OF 75 STUDENTS.

6 (E) (1) A COUNTY BOARD MAY NOT PLACE MORE THAN 1% OF THE HIGH
7 SCHOOL ENROLLMENT UNDER ITS JURISDICTION AT AN ALTERNATIVE LEARNING
8 PROGRAM IN A SCHOOL YEAR.

9 (2) THE STATE SUPERINTENDENT MAY WAIVE THE ENROLLMENT
10 LIMITATION UPON WRITTEN REQUEST OF A COUNTY SUPERINTENDENT FOR GOOD
11 CAUSE SHOWN.

12 (F) THE STATE BOARD SHALL ADOPT REGULATIONS TO IMPLEMENT THE
13 PROVISIONS OF THIS SECTION.

14 SECTION 2. AND BE IT FURTHER ENACTED, That on or before September
15 1 each year, beginning on September 1, 2001, the State Superintendent of Schools
16 shall issue a report on alternative learning programs to the Governor, and as provided
17 in § 2-1246 of the State Government Article, to the General Assembly.

18 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take
19 effect July 1, 2000. It shall remain effective for a period of 3 years and, at the end of
20 June 30, 2003, with no further action required by the General Assembly, this Act shall
21 be abrogated and of no further force and effect.