

HOUSE BILL 428

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2001 Regular Session
11r0693

By: **Delegates D'Amato, R. Baker, W. Baker, Barkley, Boschert, Bozman, Boutin, Burns, Cadden, Clagett, Conway, DeCarlo, Dewberry, Dypski, Franchot, Giannetti, Gordon, Hubbard, Hubers, James, V. Jones, Kopp, Leopold, Love, Menes, Pitkin, Rosso, Sophocleus, Stocksdales, and Turner**

Introduced and read first time: February 1, 2001
Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Maryland Extended Learning Pilot Program**

3 FOR the purpose of establishing the Maryland Extended Learning Pilot Program;
4 stating the purpose of the Pilot Program; authorizing county boards of education
5 to develop a certain educational curriculum proposal; requiring the State Board
6 of Education to review and select certain county board proposals for
7 implementation; requiring the State Board to solicit certain proposals, develop
8 and distribute a list of certain instructional providers, establish certain criteria
9 to implement the Pilot Program, establish certain reporting criteria, and adopt
10 certain regulations; requiring a participating county board to select schools to
11 participate in the Pilot Program based on certain criteria; requiring a
12 participating county board to provide certain services and to develop a certain
13 parent consent form; authorizing a participating school to use certain personnel;
14 requiring a participating school to select participating students based on certain
15 criteria; providing that certain funding for the Pilot Program may not supplant
16 certain other existing funding; exempting a participating school from certain
17 requirements; requiring a participating county board to submit certain reports
18 to the State Board; requiring the State Board to submit certain reports to the
19 Governor and the General Assembly; requiring the Governor to include certain
20 funds in certain State budgets; defining certain terms; providing for a delayed
21 effective date; providing for the termination of this Act; and generally relating to
22 the Maryland Extended Learning Pilot Program.

23 BY adding to
24 Article - Education
25 Section 7-209
26 Annotated Code of Maryland
27 (1999 Replacement Volume and 2000 Supplement)

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

Article - Education

7-209.

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

(2) "MARYLAND EXTENDED LEARNING PILOT PROGRAM" MEANS A STATEWIDE ACADEMIC PILOT PROGRAM WITH CURRICULUM-BASED INSTRUCTION TAKEN FROM CURRICULUM GUIDES AND COURSES OF STUDY DEVELOPED BY A PARTICIPATING COUNTY BOARD UNDER § 4-111 OF THIS ARTICLE THAT TAKES PLACE AFTER SCHOOL AND DURING SUMMER VACATION.

(3) "INSTRUCTIONAL PROVIDER" MEANS AN ORGANIZATION APPROVED BY THE STATE BOARD THAT PROVIDES STAFF AND MATERIALS FOR THE PILOT PROGRAM.

(B) THERE IS A MARYLAND EXTENDED LEARNING PILOT PROGRAM.

(C) THE PURPOSE OF THE PILOT PROGRAM IS TO PROVIDE ACADEMIC INSTRUCTION AFTER SCHOOL AND IN SUMMER SCHOOL TO STUDENTS WHO HAVE DEMONSTRATED DEFICIENCIES IN READING, WRITING, OR MATHEMATICS.

(D) (1) THE PILOT PROGRAM SHALL BE ADMINISTERED AS PROVIDED IN THIS SUBSECTION.

(2) A COUNTY BOARD MAY:

(I) DEVELOP A PROPOSAL FOR AN EDUCATIONAL CURRICULUM IN READING, WRITING, OR MATHEMATICS FOR AFTER SCHOOL OR DURING THE SUMMER MONTHS; AND

(II) FORWARD THE PROPOSAL TO THE STATE BOARD BY AUGUST 15 OF EACH YEAR.

(3) THE STATE BOARD:

(I) SHALL REVIEW A PROPOSAL OF A COUNTY BOARD BY OCTOBER 15 OF EACH YEAR;

(II) MAY MAKE RECOMMENDATIONS THAT IT DEEMS NECESSARY; AND

(III) SHALL SELECT A PROPOSAL FOR IMPLEMENTATION BY NOVEMBER 15 OF EACH YEAR BASED ON ELIGIBILITY CRITERIA ESTABLISHED BY THE STATE BOARD.

(E) THE STATE BOARD SHALL:

(1) SOLICIT PROPOSALS FROM COUNTY BOARDS TO PARTICIPATE IN THE PILOT PROGRAM;

1 (2) DEVELOP A LIST OF APPROVED INSTRUCTIONAL PROVIDERS AND
2 DISTRIBUTE THAT LIST TO THE COUNTY BOARDS;

3 (3) ESTABLISH ELIGIBILITY CRITERIA UNDER WHICH A COUNTY BOARD
4 MAY SELECT PARTICIPATING SCHOOLS;

5 (4) ESTABLISH CRITERIA THAT A COUNTY BOARD MUST USE TO
6 EVALUATE THE PILOT PROGRAM IN REPORTS SUBMITTED TO THE STATE BOARD
7 UNDER THIS SECTION; AND

8 (5) ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.

9 (F) A PARTICIPATING COUNTY BOARD SHALL:

10 (1) SELECT SCHOOLS IN THE COUNTY TO PARTICIPATE IN THE PILOT
11 PROGRAM BASED ON ELIGIBILITY CRITERIA ESTABLISHED BY THE STATE BOARD;

12 (2) PROVIDE AT NO CHARGE TO AN INSTRUCTIONAL PROVIDER OR
13 STUDENTS:

14 (I) TRANSPORTATION FOR STUDENTS, WHERE APPROPRIATE;

15 (II) USE OF SCHOOL FACILITIES; AND

16 (III) ANY SERVICE DEEMED APPROPRIATE BY THE STATE BOARD;
17 AND

18 (3) (I) DEVELOP A PARENT OR GUARDIAN CONSENT FORM FOR
19 STUDENT PARTICIPATION IN THE PILOT PROGRAM; AND

20 (II) REQUIRE THE WRITTEN CONSENT OF THE PARENT OR
21 GUARDIAN BEFORE THE STUDENT MAY PARTICIPATE IN THE PILOT PROGRAM.

22 (G) (1) A SELECTED SCHOOL MAY:

23 (I) USE AN INSTRUCTIONAL PROVIDER FROM THE LIST OF
24 APPROVED INSTRUCTIONAL PROVIDERS DEVELOPED BY THE STATE BOARD; OR

25 (II) PROVIDE INSTRUCTION USING CURRENT SCHOOL STAFF AND
26 MATERIALS.

27 (2) A SELECTED SCHOOL SHALL DETERMINE THE ELIGIBILITY OF A
28 STUDENT FOR THE PILOT PROGRAM BASED ON A STUDENT'S PERFORMANCE ON THE
29 MARYLAND SCHOOL PERFORMANCE PROGRAM TESTS, STANDARDIZED TESTS,
30 CLASSROOM TEST PERFORMANCE, OR ANY OTHER CRITERIA THAT THE SCHOOL AND
31 THE STATE BOARD DEEM APPROPRIATE.

32 (H) APPROPRIATIONS MADE UNDER THIS SECTION MAY NOT BE USED TO
33 SUPPLANT THE EXISTING STATE SHARE OF BASIC CURRENT EXPENSES UNDER §
34 5-202 OF THIS ARTICLE.

1 (I) A PARTICIPATING SCHOOL UNDER THE PILOT PROGRAM IS EXEMPT FROM
2 PROVISIONS RELATING TO CHILD CARE CENTERS UNDER §§ 5-570 THROUGH 5-585.1
3 OF THE FAMILY LAW ARTICLE.

4 (J) A PARTICIPATING COUNTY BOARD SHALL SUBMIT TO THE STATE BOARD
5 REPORTS EVALUATING, UNDER CRITERIA ESTABLISHED BY THE STATE BOARD, THE
6 STATUS OF THE PILOT PROGRAM BY JUNE 30, 2003, JUNE 30, 2004, AND JUNE 30, 2005.

7 (K) THE STATE BOARD SHALL SUBMIT REPORTS EVALUATING THE PILOT
8 PROGRAM TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE
9 GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY, ON OR BEFORE SEPTEMBER 30,
10 2003, SEPTEMBER 30, 2004, AND SEPTEMBER 30, 2005.

11 SECTION 2. AND BE IT FURTHER ENACTED, That the Governor shall
12 include \$2,000,000 in each of the State budgets for fiscal years 2003, 2004, and 2005,
13 for the Maryland Extended Learning Pilot Program established under this Act, and
14 that these funds shall be in addition to funds provided in the State budgets for child
15 care and after school programs.

16 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 June 1, 2002. It shall remain effective for a period of 3 years and 4 months and, at the
18 end of September 30, 2005, with no further action required by the General Assembly,
19 this Act shall be abrogated and of no further force and effect.