
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**

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Assigned to: Ways and Means

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 21, 2001

CHAPTER _____

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~~ State Department
20 of Education to include certain funds identify certain funding up to a certain
21 maximum amount for the Pilot Program in certain State budgets appropriations
22 under certain circumstances; defining certain terms; providing for a delayed
23 effective date; making this Act subject to a certain contingency; providing for the
24 termination of this Act; and generally relating to the Maryland Extended

1 Learning Pilot Program.

2 BY adding to

3 Article - Education

4 Section 7-209

5 Annotated Code of Maryland

6 (1999 Replacement Volume and 2000 Supplement)

7 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

8 MARYLAND, That the Laws of Maryland read as follows:

9 **Article - Education**

10 7-209.

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

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

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

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

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

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

27 (2) A COUNTY BOARD MAY:

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

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

33 (3) THE STATE BOARD:

1 (I) SHALL REVIEW A PROPOSAL OF A COUNTY BOARD BY OCTOBER
2 15 OF EACH YEAR;

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

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

8 (E) THE STATE BOARD SHALL:

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

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

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

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

18 (5) ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.

19 (F) A PARTICIPATING COUNTY BOARD SHALL:

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

22 ~~(2) PROVIDE AT NO CHARGE TO AN INSTRUCTIONAL PROVIDER OR~~
23 ~~STUDENTS;~~

24 ~~(I) TRANSPORTATION FOR STUDENTS, WHERE APPROPRIATE;~~

25 ~~(II) USE OF SCHOOL FACILITIES; AND~~

26 ~~(III) ANY SERVICE DEEMED APPROPRIATE BY THE STATE BOARD;~~
27 AND

28 ~~(3)~~ (2) (I) DEVELOP A PARENT OR GUARDIAN CONSENT FORM FOR
29 STUDENT PARTICIPATION IN THE PILOT PROGRAM; AND

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

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

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

3 (II) PROVIDE INSTRUCTION USING CURRENT SCHOOL STAFF AND
4 MATERIALS.

5 (2) A SELECTED SCHOOL SHALL DETERMINE THE ELIGIBILITY OF A
6 STUDENT FOR THE PILOT PROGRAM BASED ON A STUDENT'S PERFORMANCE ON THE
7 MARYLAND SCHOOL PERFORMANCE PROGRAM TESTS, STANDARDIZED TESTS,
8 CLASSROOM TEST PERFORMANCE, OR ANY OTHER CRITERIA THAT THE SCHOOL AND
9 THE STATE BOARD DEEM APPROPRIATE.

10 (H) APPROPRIATIONS MADE UNDER THIS SECTION MAY NOT BE USED TO
11 SUPPLANT THE EXISTING STATE SHARE OF BASIC CURRENT EXPENSES UNDER §
12 5-202 OF THIS ARTICLE.

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

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

19 (K) THE STATE BOARD SHALL SUBMIT REPORTS EVALUATING THE PILOT
20 PROGRAM TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE
21 GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY, ON OR BEFORE SEPTEMBER 30,
22 2003, SEPTEMBER 30, 2004, AND SEPTEMBER 30, 2005.

23 SECTION 2. AND BE IT FURTHER ENACTED, ~~That the Governor shall~~
24 ~~include \$2,000,000 in each of the State budgets for fiscal years 2003, 2004, and 2005,~~
25 ~~for the Maryland Extended Learning Pilot Program established under this Act, and~~
26 ~~that these funds shall be in addition to funds provided in the State budgets for child~~
27 ~~care and after school programs. That, contingent on federal funding being made~~
28 ~~available for the Maryland Extended Learning Pilot Program, the Maryland State~~
29 ~~Department of Education shall identify funding, for the purpose of matching available~~
30 ~~federal funds, up to a maximum of \$2,000,000 in each fiscal year from the State~~
31 ~~appropriation for the Academic and Intervention Support Program for fiscal years~~
32 ~~2003 through 2005, for the Pilot Program established under this Act.~~

33 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 June 1, 2002, contingent on the securing of matching funding by the State
35 Department of Education from the federal government for the Maryland Extended
36 Learning Pilot Program established under this Act, and if federal funding is not
37 secured by September 1, 2002, this Act shall be null and void without the necessity of
38 further action by the General Assembly. It shall remain effective for a period of 3
39 years and 4 months and, at the end of September 30, 2005, with no further action
40 required by the General Assembly, this Act shall be abrogated and of no further force
41 and effect.

