

HOUSE BILL 950

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2001 Regular Session
11r1443
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By: **Delegates Cryor, Conway, Hixson, Howard, Rawlings, Healey, and
Carlson**

Introduced and read first time: February 9, 2001
Assigned to: Ways and Means and Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Education Finance, Equity, and Excellence Act of 2001**

3 FOR the purpose of modifying a certain State grant that is distributed to counties for
4 the transportation of handicapped students; modifying the Governor's Teacher
5 Salary Challenge Program to require that certain funds be distributed to certain
6 counties in a certain fiscal year; extending the termination date of a certain
7 management oversight panel in Prince George's County; extending certain
8 responsibilities of the management oversight panel for a certain period;
9 extending certain duties of the coordination office for the management oversight
10 panel for a certain period; establishing a funding program to support teacher
11 mentoring; modifying the Maryland Academic Intervention and Support
12 Program to require that funds that are allocated to the program be distributed
13 in a certain manner; stating that it is the intent of the General Assembly that
14 the Governor include certain appropriations in the State budget for a certain
15 fiscal year for certain educational programs; requiring the Governor to include
16 certain appropriations in the State budget for a certain fiscal year for certain
17 educational programs; providing for the distribution of certain appropriations;
18 extending the termination date of certain educational funding programs;
19 modifying certain educational programs to make them applicable in a certain
20 fiscal year; extending certain reporting deadlines relating to the Commission on
21 Education Finance, Equity, and Excellence; providing for the termination of a
22 certain Act relating to the Commission on Education Finance, Equity, and
23 Excellence; providing for the termination of certain modifications to a certain
24 State grant that is distributed to counties for the transportation of handicapped
25 students; providing for the termination of a funding program to support teacher
26 mentoring; defining certain terms; and generally relating to the funding of the
27 State's public schools.

28 BY repealing and reenacting, with amendments,
29 Article - Education
30 Section 5-205(c) and (e), 5-206(g)(6) and (8), 5-213, and 7-208(a) and (g)
31 Annotated Code of Maryland
32 (1999 Replacement Volume and 2000 Supplement)

- 1 BY repealing
- 2 Article - Education
- 3 Section 5-205(d)
- 4 Annotated Code of Maryland
- 5 (1999 Replacement Volume and 2000 Supplement)

- 6 BY adding to
- 7 Article - Education
- 8 Section 5-206.2
- 9 Annotated Code of Maryland
- 10 (1999 Replacement Volume and 2000 Supplement)

- 11 BY repealing and reenacting, without amendments,
- 12 Article - Education
- 13 Section 5-206(g)(7) and 7-208(b)
- 14 Annotated Code of Maryland
- 15 (1999 Replacement Volume and 2000 Supplement)

- 16 BY repealing and reenacting, with amendments,
- 17 Chapter 105 of the Acts of the General Assembly of 1997
- 18 Section 7 and 29-2(a)

- 19 BY repealing and reenacting, without amendments,
- 20 Chapter 105 of the Acts of the General Assembly of 1997
- 21 Section 24, 29-1, 29-2(b), and 29-3(e)

- 22 BY repealing and reenacting, with amendments,
- 23 Chapter 565 of the Acts of the General Assembly of 1998
- 24 Section 2 and 3

- 25 BY repealing and reenacting, with amendments,
- 26 Chapter 704 of the Acts of the General Assembly of 1998
- 27 Section 2, 3, 4, and 5

- 28 BY repealing and reenacting, with amendments,
- 29 Chapter 464 of the Acts of the General Assembly of 1999
- 30 Section 4

- 31 BY repealing and reenacting, with amendments,
- 32 Chapter 601 of the Acts of the General Assembly of 1999
- 33 Section 1(f) and 2

- 34 BY repealing and reenacting, with amendments,
- 35 Chapter 493 of the Acts of the General Assembly of 2000

1 Section 4 and 10

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

4 **Article - Education**

5 5-205.

6 (c) For each fiscal year, in addition to the grant provided under subsections (a)
7 and (b) of this section, a handicapped student transportation grant shall be
8 distributed to each county board. The amount of the grant to each board shall be
9 [\$500] \$1,000 times the number of handicapped students requiring special
10 transportation services who are transported by the county board [in excess of the
11 number transported during the 1980-1981 school year].

12 [(d) For the purposes of determining the amount of the grant provided under
13 subsection (c) of this section, the State Board shall develop a procedure and adopt
14 regulations for determining the number of handicapped students transported in each
15 jurisdiction in excess of the number transported in the 1980-1981 school year.]

16 [(e)] (D) The State Board shall adopt rules and regulations that provide for
17 the safe operation of the student transportation system of each county board of
18 education.

19 5-206.2.

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

22 (2) "ANNUAL ADJUSTMENT FACTOR" MEANS THE QUOTIENT RESULTING
23 FROM DIVIDING THE AMOUNT OF FUNDS APPROPRIATED TO THE STATEWIDE
24 TEACHER MENTORING PROGRAM IN THE APPLICABLE FISCAL YEAR MINUS, \$2.4
25 MILLION, BY THE SUM OF THE WEALTH ADJUSTED GRANT AMOUNTS FOR ALL
26 COUNTIES IN THE APPLICABLE FISCAL YEAR.

27 (3) "BASIC CURRENT EXPENSES TO BE SHARED" MEANS THE TOTAL
28 AMOUNT OF BASIC CURRENT EXPENSES TO BE SHARED BY THE STATE AND A
29 COUNTY UNDER § 5-202(B) OF THE EDUCATION ARTICLE.

30 (4) "NEW HIRE" MEANS A TEACHER WITH NO PRIOR TEACHING
31 EXPERIENCE HIRED BY A COUNTY BOARD IN THE ACADEMIC YEAR THAT PRECEDES
32 THE APPLICABLE FISCAL YEAR.

33 (5) "NEW HIRE RATE" MEANS THE QUOTIENT RESULTING FROM
34 DIVIDING THE AMOUNT OF FUNDS APPROPRIATED TO THE STATEWIDE TEACHER
35 MENTORING PROGRAM FOR THE APPLICABLE FISCAL YEAR MINUS, \$2.4 MILLION, BY
36 THE TOTAL NUMBER OF NEW HIRES FOR ALL COUNTY BOARDS.

1 (6) "STATE'S PROPORTIONATE SHARE" MEANS THE STATE SHARE OF
2 BASIC CURRENT EXPENSES PROVIDED TO A COUNTY DIVIDED BY THE BASIC
3 CURRENT EXPENSES TO BE SHARED FOR THAT COUNTY.

4 (7) "STATE SHARE OF BASIC CURRENT EXPENSES" HAS THE MEANING
5 STATED IN §5-202(B) OF THE EDUCATION ARTICLE.

6 (8) "UNADJUSTED GRANT AMOUNT" MEANS THE PRODUCT OF THE
7 NUMBER OF NEW HIRES IN A COUNTY AND THE NEW HIRE RATE.

8 (9) "WEALTH ADJUSTED GRANT AMOUNT" MEANS THE PRODUCT OF THE
9 UNADJUSTED GRANT AMOUNT AND THE STATE'S PROPORTIONATE SHARE.

10 (B) THERE IS A STATEWIDE TEACHER MENTORING PROGRAM IN THE
11 DEPARTMENT.

12 (C) SUBJECT TO SUBSECTIONS (E) AND (F) OF THIS SECTION, IN FISCAL YEARS
13 2002 AND 2003, A COUNTY SHALL RECEIVE A BASE GRANT OF \$100,000 UNDER THE
14 STATEWIDE TEACHER MENTORING PROGRAM.

15 (D) IN ADDITION TO THE BASE GRANT AUTHORIZED UNDER SUBSECTION (C)
16 OF THIS SECTION, AND SUBJECT TO SUBSECTIONS (E) AND (F) OF THIS SECTION, IN
17 FISCAL YEARS 2002 AND 2003, A COUNTY SHALL RECEIVE A GRANT UNDER THE
18 STATEWIDE TEACHER MENTORING PROGRAM THAT IS EQUAL TO THE PRODUCT OF
19 THE COUNTY'S WEALTH ADJUSTED GRANT AMOUNT AND THE ANNUAL ADJUSTMENT
20 FACTOR.

21 (E) A COUNTY SHALL USE GRANT FUNDS DISTRIBUTED UNDER THIS SECTION
22 TO PROVIDE TEACHER MENTORING SERVICES TO TEACHERS WITH LESS THAN FIVE
23 YEARS EXPERIENCE IN CLASSROOM MANAGEMENT, PEDAGOGY, CURRICULUM, AND
24 SCHOOL AGENDAS.

25 (F) A COUNTY MAY NOT RECEIVE A GRANT UNDER THIS SECTION UNLESS THE
26 COUNTY SUBMITS TO THE DEPARTMENT A PLAN REGARDING THE USE OF THE
27 GRANT.

28 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
29 read as follows:

30 **Article - Education**

31 5-206.

32 (g) (6) (i) There shall be a Management Oversight Panel which shall
33 assist in developing the scope of the performance audit, meet periodically with the
34 auditors to monitor the progress of the performance audit and of the financial audit,
35 review the findings and recommendations of both audits, and monitor
36 implementation of the audits' recommendations for a [four-year] FIVE-YEAR period.

1 (ii) The Management Oversight Panel shall consist of nine
2 members jointly appointed by the Governor, the Prince George's County Executive,
3 and the Chairperson of the Prince George's County Board of Education from a list of
4 nominations submitted by the State Board of Education.

5 (iii) The Management Oversight Panel shall be comprised of:

6 1. Four individuals who have extensive expertise in
7 management or business enterprises;

8 2. Three individuals who have extensive expertise in the
9 education field; and

10 3. Two individuals who are parents of students in the Prince
11 George's County public schools, at least one of whom has a child in special education.

12 (iv) A majority of the members of the Management Oversight Panel
13 shall be residents of Prince George's County.

14 (v) The Governor, the Prince George's County Executive, and the
15 Chairman of the Prince George's County Board of Education jointly shall designate a
16 Chairman of the Management Oversight Panel.

17 (vi) The Management Oversight Panel shall assist in developing the
18 scope of a performance audit and shall meet periodically with the Board Chairperson,
19 the County Executive, and the County Council Chairperson to monitor the progress of
20 the audit.

21 (vii) At the conclusion of the performance audit and the financial
22 audit, the Management Oversight Panel shall review the findings and
23 recommendations of the audits and report to the Governor, General Assembly, Prince
24 George's County Council, Prince George's County Executive, and Prince George's
25 County Board of Education:

26 1. On the audits' findings and recommendations; and

27 2. Annually on implementation of the audits'
28 recommendations.

29 (viii) The Management Oversight Panel and the county board shall
30 promulgate and publish a protocol for joint communications with, and requests for,
31 information to the County Board and the County Superintendent and shall notify the
32 Prince George's County Senators and the Prince George's County Delegation, the
33 County Executive, the County Council and the State Superintendent of any breaches
34 of that protocol by the Management Oversight Panel, the County Board, or the
35 County Superintendent.

36 (ix) The Management Oversight Panel may meet and deliberate in
37 executive session with the County Board, the County Superintendent, and employees

1 of the County Board to discuss any matter which the Management Oversight Panel
2 and the County Board may separately discuss in executive session.

3 (x) The affirmative vote of the members of the Management
4 Oversight Panel for the passage of a motion by the Management Oversight Panel
5 shall be a majority of the members presently authorized to serve.

6 (7) The State shall provide one-third of the total cost of the performance
7 audit up to \$200,000, with release of the funds contingent on appointment of the
8 Management Oversight Panel.

9 (8) (i) There shall be a coordination office with staff appointed by the
10 Management Oversight Panel.

11 (ii) The coordination office shall provide support to the
12 Management Oversight Panel and serve as liaison between the State, Prince George's
13 County, and the Management Oversight Panel for the duration of the [four-year]
14 FIVE-YEAR period.

15 (iii) The State shall fund the total operating costs of the
16 coordination office.

17 5-213.

18 (a) (1) In this section the following words have the meanings indicated.

19 (2) (i) "Cost of living adjustment" means a percentage increase in
20 salaries that applies among all grades and steps.

21 (ii) "Cost of living adjustment" does not include salary increases for
22 promotions, increments, or step increases, or similar salary increases received by
23 employees as a regular part of the operation of a personnel system.

24 (3) "Full-time equivalent enrollment" has the meaning indicated in §
25 5-202 of this subtitle.

26 (4) "State share" means the State share of basic current expenses
27 provided under § 5-202 of this subtitle divided by the amount of the basic current
28 expenses to be shared for that county.

29 (5) "Teacher salary base" means the total salaries and wages of teachers
30 employed by a county board for the fiscal year preceding the fiscal year for which the
31 Governor's Challenge Grant is calculated, as determined by the Department of
32 Budget and Management and the State Superintendent.

33 (6) "Teacher" means any certificated professional public school employee
34 who is not an administrator.

35 (7) "Wealth" has the meaning stated in § 5-202 of this subtitle.

1 (8) "Wealth per pupil" means wealth divided by full-time equivalent
2 enrollment.

3 (b) There is a Governor's Teacher Salary Challenge Program.

4 (c) The Governor's Teacher Salary Challenge Program shall provide grants to
5 county boards for the purpose of increasing teacher salaries in order to improve
6 recruitment and retention of well qualified teachers.

7 (d) (1) Each grant made to a county board shall be calculated based on:

8 (i) A percentage component;

9 (ii) A wealth adjusted component;

10 (iii) A hold harmless component;

11 (iv) A targeted component; and

12 (v) A transitional component.

13 (2) The percentage component shall be calculated as follows:

14 (i) For fiscal year 2001, multiply the teacher salary base for the
15 county board by 0.01; [and]

16 (ii) For fiscal year 2002:

17 1. If the county board meets the local match requirement
18 established under subsection (f)(2) of this section in fiscal year 2001 and meets the
19 local match requirement for fiscal year 2002, multiply the teacher salary base for the
20 county board by 0.02;

21 2. If the county board does not meet the local match
22 requirement established under subsection (f)(2) of this section in fiscal year 2001 and
23 meets the local match requirement in fiscal year 2002, multiply the teacher salary
24 base for the county board by 0.01; and

25 3. If the county board meets the local match requirement
26 established under subsection (f)(2) of this section in fiscal year 2001 and does not
27 meet the local match requirement in fiscal year 2002, multiply the teacher salary
28 base for the county board by 0.01; AND

29 (III) FOR FISCAL YEAR 2003, THE COUNTY BOARD SHALL RECEIVE
30 AN AMOUNT THAT IS EQUAL TO THE PERCENTAGE COMPONENT RECEIVED BY THE
31 COUNTY BOARD IN FISCAL YEAR 2002.

32 (3) (I) For [each] fiscal [year] YEARS 2001 AND 2002, the wealth
33 adjusted component shall be calculated as follows:

1 [(i)] 1. A. Multiply the percentage component for the county
2 board by 2; and

3 [2.] B. Multiply the product calculated in item 1 of this item
4 for that fiscal year by the State share for the county board; and

5 [(ii)1.] 2. A. If the product calculated in item (i) of this paragraph
6 is greater than the percentage component for the county board, the wealth adjusted
7 component shall be the amount of the difference.

8 [2.] B. If the product calculated in item (i) of this paragraph
9 is less than the percentage component for the county board, the wealth adjusted
10 component shall be zero.

11 (II) FOR FISCAL YEAR 2003, THE COUNTY BOARD SHALL RECEIVE
12 AN AMOUNT THAT IS EQUAL TO THE WEALTH ADJUSTED COMPONENT RECEIVED BY
13 THE COUNTY BOARD IN FISCAL YEAR 2002.

14 (4) (i) The Governor's Teacher Salary Challenge Grant to a county
15 board shall contain a hold harmless component equal to the amount, if any, by which
16 the county board's State share of basic current expense calculated under § 5-202 of
17 this subtitle for the year of the Governor's Teacher Salary Challenge Grant is less
18 than the county board's State share of basic current expense calculated under § 5-202
19 of this subtitle for the previous year.

20 (ii) A county board shall receive its hold harmless component
21 regardless of whether it meets the local match requirement established under
22 subsection (f)(2) of this section.

23 (5) (i) The Governor's Teacher Salary Challenge Grant to a county
24 board shall contain a targeted component as provided in subparagraphs (ii) through
25 [(v)] (VI) of this paragraph.

26 (ii) For fiscal year 2001, the Governor shall include in the annual
27 budget bill an appropriation of at least \$5,300,000 for the targeted component.

28 (iii) For fiscal year 2002, the Governor shall include in the annual
29 budget bill an appropriation of at least \$10,600,000 for the targeted component.

30 (iv) [The] FOR FISCAL YEARS 2001 AND 2002, THE county board in
31 each county that has a wealth per pupil that is less than 75 percent of the statewide
32 wealth per pupil shall receive a proportionate share of the targeted component that is
33 equal to the county board's proportionate share of the total full-time equivalent
34 enrollment for all counties with a wealth per pupil that is less than 75 percent of the
35 statewide wealth per pupil.

36 (v) [A] FOR FISCAL YEARS 2001 AND 2002, THE county board shall
37 receive its proportionate share of the targeted component regardless of whether it
38 meets the local match requirement established under subsection (f)(2) of this section.

1 (VI) FOR FISCAL YEAR 2003, THE COUNTY BOARD SHALL RECEIVE
2 AN AMOUNT THAT IS EQUAL TO THE TARGETED COMPONENT RECEIVED BY THE
3 COUNTY BOARD IN FISCAL YEAR 2002.

4 (6) (i) The Governor's Teacher Salary Challenge Grant shall contain a
5 transitional component as provided in subparagraphs (ii) and (iii) of this paragraph.

6 (ii) For fiscal year 2001, the Governor shall include in the State
7 budget an appropriation of at least \$9 million for the transitional component.

8 (iii) A county board shall receive a proportionate share of the
9 transitional component that is equal to the county board's proportionate share of all
10 reimbursements received by the State from the county board that:

11 1. Are for retirement contributions received after June 30,
12 1999 but before July 1, 2000; and

13 2. Are sought by the State Retirement Agency on the basis
14 that the salary of an eligible member of the Teachers' Retirement System or Teachers'
15 Pension System is paid in whole or in part from:

16 A. State aid, whether general or categorical in nature; or

17 B. Federal funds, whether the funds are paid directly to a
18 county board or are passed through from a unit of State government.

19 (iv) A county board shall receive its proportionate share of the
20 transitional component regardless of whether it meets the local match requirement
21 established under subsection (f)(2) of this section.

22 (e) (1) On or before June 1, 2000, and on or before June 1, 2001, each county
23 board may submit a Governor's Teacher Salary Challenge Grant application to the
24 Department of Budget and Management and the State Superintendent for the
25 percentage component and the wealth adjusted component of the Governor's Teacher
26 Salary Challenge Program.

27 (2) The application shall include:

28 (i) The estimated teacher salary base for the county board for the
29 current fiscal year;

30 (ii) For the next fiscal year, the negotiated and funded cost of living
31 adjustment for teachers and the aggregate cost of negotiated and funded changes to
32 the teacher salary schedules, to be funded from sources other than the percentage
33 component of the Governor's Teacher Salary Challenge Grant, expressed in total
34 dollars and as a percentage; and

35 (iii) Any other information necessary to determine eligibility for the
36 Governor's Teacher Salary Challenge Grant.

1 (3) The application shall be in a form and format specified by the
2 Department of Budget and Management and the State Superintendent.

3 (f) (1) [The] FOR FISCAL YEARS 2001 AND 2002, THE percentage component
4 and the wealth adjusted component of a Governor's Teacher Salary Challenge Grant
5 shall be awarded to each county board that submits an application and that meets the
6 requirements of this section, as determined by the Department of Budget and
7 Management and the State Superintendent.

8 (2) (i) Subject to subparagraph (ii) of this paragraph and paragraph
9 (3) of this subsection, a county board that provides a negotiated and funded cost of
10 living adjustment for teachers of at least 4% or a negotiated and funded adjustment to
11 the teacher salary schedules that has an aggregate cost that is at least equivalent to
12 the cost of providing a 4% cost of living adjustment for teachers shall qualify for the
13 percentage component and the wealth adjusted component of the Governor's Teacher
14 Salary Challenge Program.

15 (ii) The funds provided by a county board for the purpose of
16 meeting the local match requirement established under subparagraph (i) of this
17 paragraph shall be:

18 1. In addition to any previously negotiated and funded step
19 increases and stipends; and

20 2. Obtained from sources other than the percentage
21 component of the Governor's Teacher Salary Challenge Program.

22 (3) If a county board meets the local match requirement established
23 under paragraph (2) of this subsection in fiscal year 2001 and does not meet the local
24 match requirement in fiscal year 2002, the county board shall receive:

25 (i) A percentage component in fiscal year 2002 as provided under
26 subsection (d)(2)(i)3 of this section; and

27 (ii) A wealth adjusted component in fiscal year 2002 as provided
28 under subsection (d)(3) of this section.

29 (4) [The] IN FISCAL YEARS 2001 AND 2002, THE percentage component of
30 the Governor's Teacher Salary Challenge Grant shall be used to provide an additional
31 1% cost of living adjustment for teachers.

32 (g) The Governor shall include funds in the State budget to accomplish the
33 purposes of this section.

34 (h) The Department of Budget and Management and the State
35 Superintendent may establish guidelines or regulations to implement the Governor's
36 Teacher Salary Challenge Program.

37 (i) (1) There is a Transitional Education Fund.

1 (2) The Fund consists of \$16,500,000 of reimbursements for fiscal year
2 2000 and all reimbursements for fiscal years 2001 [and 2002], 2002, AND 2003
3 received by the State from the county boards that:

4 (i) Are for retirement contributions made after June 30, 1999 but
5 before [July 1, 2002] JULY 1, 2003; and

6 (ii) Are sought by the State on the basis that the salary of an
7 eligible member of the Teachers' Retirement System or Teachers' Pension System is
8 paid in part or in whole from:

9 1. State aid, whether general or categorical in nature; or

10 2. Federal funds, whether the funds are paid directly to a
11 local school system or are passed through from a unit of State government.

12 (3) Notwithstanding § 5-203(d) of this subtitle, all reimbursements
13 described in paragraph (2) of this subsection shall be credited to the Fund.

14 (4) (i) The State Treasurer shall hold the Fund and shall invest the
15 money in the Fund in the same manner as other State money may be invested.

16 (ii) All interest earned on the Fund shall accrue to the General
17 Fund.

18 (iii) The State Comptroller shall account for the Fund.

19 (5) The Fund shall be used to implement the Governor's Teacher Salary
20 Challenge Program established under this section.

21 (6) Expenditures from the Fund may only be made pursuant to an
22 appropriation approved by the General Assembly in the annual State budget or by
23 approved budget amendment.

24 (7) Except as provided in paragraph (8) of this subsection, any Fund
25 balance at the end of each fiscal year shall remain in the Fund and may not revert to
26 the General Fund.

27 (8) The Fund shall terminate at the end of [June 30, 2002] JUNE 30, 2003
28 and any Fund balance that remains at the end of [June 30, 2002] JUNE 30, 2003 shall
29 revert to the General Fund.

30 7-208.

31 (a) (1) In this section the following words have the meanings indicated.

32 (2) "Academic intervention programs" means academic programs with
33 curriculum-based instruction that may take place:

34 (i) Before school starts each day and after school ends each day;

1 (ii) During the regular school day, provided there is no continual
2 conflict with curriculum-based instruction;

3 (iii) On weekends;

4 (iv) On holidays;

5 (v) During vacations; or

6 (vi) During summer break.

7 (3) "AMOUNT PER WEIGHTED PUPIL" MEANS THE TOTAL AMOUNT OF
8 FUNDS IN EXCESS OF \$12 MILLION THAT ARE ALLOCATED FOR GRANTS UNDER
9 SUBSECTION (B)(4)(II) OF THIS SECTION DIVIDED BY THE TOTAL WEIGHTED
10 ENROLLMENT COUNT.

11 (4) "Curriculum-based instruction" means instruction based on
12 curriculum guides and courses of study developed by each county in accordance with
13 § 4-111 of this article.

14 (5) "INTENSITY FACTOR" MEANS 70% DIVIDED BY THE AVERAGE
15 COMPOSITE SCORE ON THE MARYLAND SCHOOL PERFORMANCE ASSESSMENT
16 PROGRAM TEST FOR EIGHTH GRADE STUDENTS ENROLLED IN A COUNTY'S PUBLIC
17 SCHOOLS DURING THE SECOND FISCAL YEAR PRIOR TO THE FISCAL YEAR FOR
18 WHICH THE APPROPRIATION WAS MADE.

19 [(4)] (6) "Program" means the Maryland Academic Intervention and
20 Support Program established under this section.

21 (7) "TOTAL WEIGHTED ENROLLMENT COUNT" MEANS THE SUM OF THE
22 WEIGHTED ENROLLMENT COUNTS FOR ALL COUNTIES IN THE STATE.

23 (8) "WEIGHTED ENROLLMENT COUNT" MEANS THE PRODUCT OF THE
24 NUMBER OF EIGHTH GRADE STUDENTS ENROLLED IN A COUNTY'S PUBLIC SCHOOLS
25 ON SEPTEMBER 30 OF THE SECOND FISCAL YEAR PRIOR TO THE FISCAL YEAR FOR
26 WHICH THE APPROPRIATION WAS MADE AND THE COUNTY'S INTENSITY FACTOR.

27 (b) (1) There is a Maryland Academic Intervention and Support Program in
28 the Department.

29 (2) The purpose of the Program is to provide academic intervention
30 programs for students who have demonstrated deficiencies in reading or
31 mathematics.

32 (3) The Program shall be funded as provided in the State budget.

33 (4) The funds that are allocated to the Program in the State budget shall
34 be used to:

35 (i) Cover the costs incurred by the Department in implementing
36 and administering the Program; and

1 (ii) Provide grants to county boards as authorized under subsection
2 (g) of this section.

3 (g) (1) Of the [total amount] FIRST \$11.6 MILLION that is [allocated] USED
4 for grants under subsection (b)(4)(ii) of this section, each county board shall receive a:

5 (I) BASE GRANT OF \$70,000; AND

6 (II) FOUNDATION GRANT THAT IS EQUAL TO A fraction:

7 [(1)] 1. The numerator of which is the number of students in the county
8 scoring less than 70% on the reading or mathematics portion of the Maryland School
9 Performance Assessment Program Test; and

10 [(2)] 2. The denominator of which is the number of students in the
11 State scoring less than 70% on the reading or mathematics portion of the Maryland
12 School Performance Assessment Program Test.

13 (2) OF THE FUNDS IN EXCESS OF \$11.6 MILLION THAT ARE USED FOR
14 GRANTS UNDER SUBSECTION (B)(4)(II) OF THIS SECTION, EACH COUNTY BOARD
15 SHALL RECEIVE AN INTENSITY GRANT THAT IS EQUAL TO THE PRODUCT OF THE
16 COUNTY'S WEIGHTED ENROLLMENT COUNT AND THE AMOUNT PER WEIGHTED
17 PUPIL.

18 SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the
19 General Assembly that, in addition to the appropriation required by § 8-414 of the
20 Education Article, the Governor include in the State budget for fiscal year 2002 an
21 appropriation of at least \$53.55 million for public special education that includes: (1)
22 \$11.25 million that was appropriated in fiscal year 2001 for public special education
23 and distributed in accordance with the recommendations set forth in the November
24 1986 report of the Task Force to Study the Funding of Special Education; and (2) an
25 additional \$42.3 million that shall be distributed in the same manner. The Governor
26 shall include in the State budget for fiscal year 2003 an appropriation of at least
27 \$53.55 million for public special education that shall be distributed in accordance
28 with the recommendations set forth in the November 1986 report of the Task Force to
29 Study the Funding of Special Education.

30 SECTION 4. AND BE IT FURTHER ENACTED, That it is the intent of the
31 General Assembly that the Governor include in the State budget for fiscal year 2002
32 an appropriation that is sufficient to fund the grants required under § 5-205(c) of the
33 Education Article as amended by this Act.

34 SECTION 5. AND BE IT FURTHER ENACTED, That it is the intent of the
35 General Assembly that, in addition to the \$19.5 million appropriation required by
36 Section 5 of Chapter 493 of the Acts of 2000, the Governor include in the State budget
37 for fiscal year 2002 an appropriation of at least \$26 million to fund the Maryland
38 Academic and Intervention Support Program established under §7-208 of the
39 Education Article. The Governor shall include in the State budget for fiscal year 2003
40 an appropriation of at least \$45.5 million to fund this program.

1 SECTION 6. AND BE IT FURTHER ENACTED, That it is the intent of the
2 General Assembly that, in addition to the \$15.4 million that was appropriated in
3 fiscal year 2001 for teacher mentoring programs, the Governor include in the State
4 budget for fiscal year 2002 an appropriation of at least \$12.9 million to fund the
5 Statewide Teacher Mentoring Program established under § 5-206.2 of the Education
6 Article as enacted by this Act. In addition to the \$15.4 million that was appropriated
7 in fiscal year 2001 for teacher mentoring programs, the Governor shall include in the
8 State budget for fiscal 2003 an appropriation of at least \$12.9 million for the
9 Statewide Teacher Mentoring Program.

10 SECTION 7. AND BE IT FURTHER ENACTED, That it is the intent of the
11 General Assembly that, in addition to any funds appropriated in fiscal 2001 for
12 full-day kindergarten programs, the Governor include in the State budget for fiscal
13 year 2002 an additional appropriation of at least \$15.8 million to fund full-day
14 kindergarten programs. In addition to any funds appropriated in fiscal 2001 for
15 full-day kindergarten programs, the Governor shall include in the State budget for
16 fiscal year 2003 an appropriation of at least \$15.8 million to fund full-day
17 kindergarten programs.

18 SECTION 8. AND BE IT FURTHER ENACTED, That it is the intent of the
19 General Assembly that the Governor include in the State budget for fiscal year 2002
20 an appropriation of at least \$15 million for the Judith P. Hoyer Early Child Care and
21 Education Enhancement Program established under § 5-215 of the Education Article
22 that includes: (1) \$7 million that was appropriated in fiscal year 2001 for this
23 program; and (2) an additional \$8 million. The Governor shall include in the State
24 budget for fiscal year 2003 an appropriation of at least \$15 million for the Judith P.
25 Hoyer Early Child Care and Education Enhancement Program. The first \$15 million
26 that is allocated to the Judith P. Hoyer Early Child Care and Education Enhancement
27 Program in fiscal years 2002 and 2003 shall be allocated as follows: (1) \$8,000,000 for
28 Judy Center grants (2) \$2,300,000 for Early Child Care and Education Enhancement
29 Grants to be awarded to early child care and education programs that have
30 voluntarily obtained accreditation or have voluntarily initiated or are actively
31 pursuing accreditation; (3) \$1,600,000 for Early Child Care and Education
32 Enhancement Grants to be awarded to local school systems to purchase early child
33 care and education services, such as preschool for 3- year old children,
34 pre-kindergarten, or extended kindergarten; (4) \$1,300,000 for statewide
35 implementation of the Maryland State Department of Education early childhood
36 assessment system; (5) \$1,000,000 for early childhood professional preparation
37 projects; and (6) \$800,000 to cover costs incurred by the Maryland State Department
38 of Education in implementing the program.

39 SECTION 9. AND BE IT FURTHER ENACTED, That it is the intent of the
40 General Assembly that the Governor include in the State budget for fiscal year 2002
41 an appropriation of at least \$14.8 million to fund the program for
42 reconstitution-eligible schools established under Title 13A, Subtitle 01, Chapter 04 of
43 the Code of Maryland Regulations that includes: (1) \$9.8 million that was
44 appropriated in fiscal year 2001 for this program; and (2) an additional \$5 million.
45 The Governor shall include in the State budget for fiscal year 2003 an appropriation
46 of at least \$14.8 million for this program.

1 SECTION 10. AND BE IT FURTHER ENACTED, That it is the intent of the
2 General Assembly that the Governor include in the State budget for fiscal year 2002
3 an additional appropriation of at least \$712,090 to fund a student support program
4 aimed at providing positive behavioral interventions. The Governor shall include in
5 the State budget for fiscal year 2003 an appropriation of at least \$712,090 for this
6 program.

7 SECTION 11. AND BE IT FURTHER ENACTED, That it is the intent of the
8 General Assembly that the Governor include in the State budget for fiscal year 2002
9 an additional appropriation of at least \$750,000 to fund a program to create and
10 deliver instructional leadership training for school principals. The Governor shall
11 include in the State budget for fiscal year 2003 an appropriation of at least \$750,000
12 for this program.

13 SECTION 12. AND BE IT FURTHER ENACTED, That the Laws of Maryland
14 read as follows:

15 **Chapter 105 of the Acts of 1997**

16 SECTION 7. AND BE IT FURTHER ENACTED, That the provisions of this Act
17 reflect the terms of the consent decrees entered in the cases "Bradford, et al v.
18 Maryland State Board of Education, et al", case no. 94340058/CE189672; "Board of
19 School Commissioners, et al v. Maryland State Board of Education, et al", case no.
20 9528055/CL2002151, Baltimore City Circuit Court; and "Vaughn G., et al v. Mayor
21 and City Council, et al", case no. MJG-84-1911, United States District Court for the
22 District of Maryland and reflect a commitment to appropriate additional funds for the
23 Baltimore City public schools in the following amounts: \$30 million in Fiscal Year
24 1998 and \$50 million in each of Fiscal Years 1999 through 2002, inclusive. FOR
25 FISCAL YEAR 2003, THE GOVERNOR SHALL CONTINUE THE COMMITMENT TO
26 APPROPRIATE \$50 MILLION IN ADDITIONAL FUNDS FOR THE BALTIMORE CITY
27 PUBLIC SCHOOLS.

28 SECTION 24. AND BE IT FURTHER ENACTED, That, if the General Assembly
29 fails to appropriate the funds for any of the fiscal years described in Section 7 of this
30 Act, this Act shall be abrogated effective on the last day of the last fiscal year for
31 which funds were appropriated.

32 SECTION 29. AND BE IT FURTHER ENACTED, That:

33 29-1. Grants Contingent Upon Funding.

34 In each year in which funds are provided to Baltimore City pursuant to Section
35 7 of this Act, subject to approval of the General Assembly, the Governor shall provide
36 in the State budget the amounts provided in this section for the jurisdictions
37 indicated.

38 29-2. Abrogation Provisions.

1 (a) (1) [The provisions] SUBSECTION (E) of this section shall remain in
2 effect until June 30, 2002, after which [they] IT shall be abrogated and of no further
3 force and effect without further action by the General Assembly.

4 (2) Except as provided in paragraph (1) of this subsection, this section
5 shall remain in effect until June 30, 2003, after which it shall be abrogated and of no
6 further force and effect with no further action required by the General Assembly.

7 (b) If the General Assembly fails to appropriate the funds described in this
8 section for any of the fiscal years, this Act shall be abrogated effective on the last day
9 of the last fiscal year for which funds were appropriated.

10 29-3.

11 (e) State Aid for Community Colleges.

12 The following additional funds shall be provided in addition to any funds
13 appropriated for a community college board pursuant to the State Aid for Community
14 Colleges Program established in § 16-305 of the Education Article:

- 15 (1) Allegany Community College \$160,861;
- 16 (2) Cecil Community College \$74,121;
- 17 (3) Chesapeake Community College \$4,909;
- 18 (4) Frederick Community College \$97,133;
- 19 (5) Garrett Community College \$91,445;
- 20 (6) Harford Community College \$145,848;
- 21 (7) Hagerstown Community College\$165,181.

22 The total additional grant under this subsection is \$739,498.

23 **Chapter 565 of the Acts of 1998**

24 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the
25 General Assembly that the Governor provide a maximum of \$210,000 annually in
26 Fiscal Years 1999 through [2002] 2003 for the operating expenses of the Coordination
27 Office established by this Act.

28 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 July 1, 1998. It shall remain effective for a period of [4] 5 years and, at the end of
30 [June 30, 2002] JUNE 30, 2003, with no further action required by the General
31 Assembly, this Act shall be abrogated and of no further force and effect.

1

Chapter 704 of the Acts of 1998

2 SECTION 2. AND BE IT FURTHER ENACTED, That for fiscal years 1999
3 through [2002] 2003, in each year, the State shall provide \$35 million for public
4 school construction projects in Prince George's County and the Prince George's
5 County government shall provide a minimum of \$32 million for public school
6 construction projects, and such additional funds as may be necessary to match the
7 annual State appropriation for public school construction projects in Prince George's
8 County. For fiscal years 2000 through [2002] 2003, the full level of State funding shall
9 be contingent on future economic conditions and review and approval by the State
10 Superintendent of Schools of the Prince George's County Board of Education's
11 Comprehensive Plan described in the 1998 Memorandum of Understanding signed by
12 the parties to Vaughns, et al. v. Board of Education of Prince George's County, et al.
13 and submitted to the United States District Court.

14 SECTION 3. AND BE IT FURTHER ENACTED, That for fiscal years 1999
15 through [2002] 2003, in each year, the State shall provide 75 percent of the eligible
16 costs for up to \$35 million in public school construction costs in Prince George's
17 County. At least \$20 million of the State funds must be spent each year on
18 neighborhood school projects. For funding above \$35 million, the State shall provide
19 60 percent of the eligible costs. Neighborhood school projects shall be identified by the
20 Interagency Committee on Public School Construction and shall include new public
21 schools and additions or improvements to existing public schools which serve students
22 reassigned to their local communities based upon the Community Schools Education
23 Plan developed by the Prince George's County Board of Education.

24 SECTION 4. AND BE IT FURTHER ENACTED, That prior to any school
25 construction projects being released for bidding as a result of State funding in fiscal
26 years 1999 through [2002] 2003, the Prince George's County Board of Education, the
27 County Executive, and the County Council shall submit to the Interagency
28 Committee on School Construction the most recent Community Schools Education
29 Plan and the Prince George's County Board of Education Capital Improvement
30 Program and a letter of endorsement of the plan and program. The Interagency
31 Committee shall review the information submitted and determine which projects or
32 portions thereof are justified and which qualify as neighborhood school projects. Prior
33 to any approval from the Interagency Committee to release any projects for bidding,
34 the educational programs and services proposed for each project shall be reviewed
35 and approved by the State Superintendent of Schools for consistency with practices
36 and strategies that result in improved student achievement and academic and social
37 success.

38 SECTION 5. AND BE IT FURTHER ENACTED, That:

39 (a) Except as provided in subsection (b) of this section and Section 6 of this
40 Act, this Act shall remain effective until June 30, [2002] 2003, and, at the end of June
41 30, [2002] 2003, with no further action required by the General Assembly, this Act
42 shall be abrogated and of no further force and effect.

1 (b) Notwithstanding any other provision of this Act, § 5-307(d) of the
2 Education Article as enacted by this Act shall remain in effect and shall not terminate
3 without further action by the General Assembly.

4 **Chapter 464 of the Acts of 1999**

5 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall remain
6 effective until [June 30, 2002] JUNE 30, 2003, and, at the end of [June 30, 2002] JUNE
7 30, 2003, with no further action required by the General Assembly, this Act shall be
8 abrogated and of no further force and effect.

9 **Chapter 601 of the Acts of 1999**

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
11 MARYLAND, That:

12 (f) (1) The Commission shall provide [an] interim [report] REPORTS of its
13 findings and recommendations to the Governor and, in accordance with § 2-1246 of
14 the State Government Article, to the General Assembly by January 1, 2000 AND
15 JANUARY 1, 2001, RESPECTIVELY.

16 (2) The Commission shall provide a final report of its findings and
17 recommendations to the Governor and, in accordance with § 2-1246 of the State
18 Government Article, to the General Assembly by [October 15, 2000] OCTOBER 15,
19 2001.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 June 1, 1999. IT SHALL REMAIN EFFECTIVE FOR A PERIOD OF 3 YEARS AND, AT THE
22 END OF MAY 31, 2002, WITH NO FURTHER ACTION REQUIRED BY THE GENERAL
23 ASSEMBLY, THIS ACT SHALL BE ABROGATED AND OF NO FURTHER FORCE AND
24 EFFECT.

25 **Chapter 493 of the Acts of 2000**

26 SECTION 4. AND BE IT FURTHER ENACTED, That the Governor shall
27 include in the State budget for each of fiscal years 2001 [and 2002], 2002, AND 2003 an
28 appropriation of at least \$8,000,000 to meet the State's existing legal obligations for
29 educational funding and avoid future litigation.

30 SECTION 10. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 June 1, 2000. Section 1 of this Act shall remain effective for a period of [2]3 years and
32 1 month and, at the end of [June 30, 2002] JUNE 30, 2003, with no further action
33 required by the General Assembly, Section 1 of this Act shall be abrogated and of no
34 further force and effect.

35 SECTION 13. AND BE IT FURTHER ENACTED, That Section 1 of this Act
36 shall take effect June 1, 2001. It shall remain effective for a period of 2 years and 1
37 month and, at the end of June 30, 2003, with no further action required by the

1 General Assembly, Section 1 of this Act shall be abrogated and of no further force and
2 effect.

3 SECTION 14. AND BE IT FURTHER ENACTED, That, except as provided in
4 Section 13 of this Act, this Act shall take effect June 1, 2001.