

SENATE BILL 65

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HB 535/00 - W&M

2001 Regular Session
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(PRE-FILED)

By: **Chairman, Budget and Taxation Committee and Chairman, Economic and Environmental Affairs Committee (Departmental - Education)**

Requested: November 14, 2000

Introduced and read first time: January 10, 2001

Assigned to: Budget and Taxation and Economic and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 14, 2001

CHAPTER _____

1 AN ACT concerning

2 **Education - Task Force on Alternative Learning Programs**

3 FOR the purpose of ~~authorizing the use of certain funds for certain alternative~~
4 ~~learning programs for certain students under certain circumstances;~~
5 ~~authorizing the granting of a Maryland high school diploma to students who~~
6 ~~attend certain alternative learning programs; establishing a certain limitation~~
7 ~~on certain alternative placements for each public school system; authorizing a~~
8 ~~certain waiver under certain circumstances; defining a certain term; requiring~~
9 ~~the State Superintendent of Schools to report annually to the Governor and~~
10 ~~General Assembly on alternative learning programs; providing for the~~
11 ~~termination of this Act~~ establishing a Task Force on Alternative Learning
12 Programs; establishing the membership of the Task Force; imposing certain
13 duties on the Task Force; requiring the submission of a certain report; requiring
14 the Task Force to make certain findings and recommendations; requiring the
15 Maryland State Department of Education to provide staff support to the Task
16 Force; providing for the termination of the Task Force; providing for the
17 termination of this Act; and generally relating to alternative learning programs.

18 ~~BY adding to~~
19 ~~Article Education~~
20 ~~Section 5-202.1~~
21 ~~Annotated Code of Maryland~~
22 ~~(1999 Replacement Volume and 2000 Supplement)~~

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

1 ~~Article—Education~~

2 ~~§ 5-202.1.~~

3 (A) ~~IN THIS SECTION, "ALTERNATIVE LEARNING PROGRAM" MEANS AN~~
4 ~~ALTERNATIVE EDUCATION PROGRAM FOR STUDENTS ENROLLED IN PUBLIC~~
5 ~~SCHOOLS IN THIS STATE DELIVERED BY:~~

6 (1) ~~THE LIVING CLASSROOMS FOUNDATION, INC.; OR~~

7 (2) ~~NONPROFIT, NONSECTARIAN SPECIALIZED REGIONAL TRAINING~~
8 ~~CENTERS.~~

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.~~

~~(C) A STUDENT WHO ATTENDS AN ALTERNATIVE LEARNING PROGRAM UNDER THE CONDITIONS SPECIFIED IN SUBSECTION (B) OF THIS SECTION AND WHO SATISFIES THE REQUIREMENTS FOR GRADUATION AS ESTABLISHED BY THE STATE BOARD AND THE COUNTY BOARD SHALL RECEIVE A MARYLAND HIGH SCHOOL DIPLOMA ISSUED BY THE PUBLIC SECONDARY SCHOOL IN WHICH THE STUDENT IS ENROLLED.~~

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

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

~~(E) THE STATE BOARD SHALL ADOPT REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SECTION.~~

~~SECTION 2. AND BE IT FURTHER ENACTED, That, on or before September 1 each year, beginning on September 1, 2002, the State Superintendent of Schools shall issue a report on alternative learning programs to the Governor, and as provided in § 2-1246 of the State Government Article, to the General Assembly.~~

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

(2) "Alternative learning program" means a program conducted by a nonprofit, nonsectarian organization or entity that provides instructional services, academic instruction, technical skills training, and support services that:

(i) are different from those offered by a county board; and

(ii) allow currently enrolled high school students to fulfill the State's public high school graduation requirements.

(3) "Governor's Workforce Investment Board" means the Governor's Workforce Investment Board established to assist in implementing Title 11, Subtitle 5 of the Labor and Employment Article.

(4) "Local workforce investment board" means a local workforce investment board established to administer services in a workforce investment area established under Title 11, Subtitle 5 of the Labor and Employment Article.

(b) There is a Task Force to Study Alternative Learning Programs.

(c) The Task Force consists of the following 13 members:

(1) two members of the Senate of Maryland, appointed by the President of the Senate;

1 (2) two members of the House of Delegates, appointed by the Speaker of
2 the House of Delegates;

3 (3) the State Superintendent of Schools or the State Superintendent's
4 designee;

5 (4) the Secretary of the Department of Business and Economic
6 Development or the Secretary's designee;

7 (5) a superintendent of a local school system, appointed by the Governor;

8 (6) a representative of the Maryland State Teachers Association,
9 appointed by the Governor;

10 (7) a student who is enrolled in a public high school, appointed by the
11 Governor;

12 (8) a representative of a business that could benefit from hiring students
13 who participate in alternative learning programs, appointed by the Governor;

14 (9) a representative of the Youth Council established by the Governor's
15 Workforce Investment Board, appointed by the Governor;

16 (10) a representative of a local workforce investment board, appointed by
17 the Governor; and

18 (11) a representative of a community based organization that provides an
19 alternative learning program.

20 (d) The members of the Task Force shall be appointed on or before June 30,
21 2001, and serve for the duration of the Task Force.

22 (e) The Governor, President of the Senate, and Speaker of the House of
23 Delegates, shall jointly designate the chairperson of the Task Force.

24 (f) The Task Force shall study the costs and benefits of using state funds to
25 support alternative learning programs.

26 (g) (1) The Task Force shall report its findings and recommendations to the
27 Governor and, subject to § 2-1246 of the State Government Article, the General
28 Assembly by December 15, 2001.

29 (2) The Task Force report shall include recommendations regarding:

30 (i) the specific types of students who could benefit from alternative
31 learning programs;

32 (ii) the manner in which alternative learning programs should be
33 administered;

1 (iii) the manner in which alternative learning programs should be
2 funded;

3 (iv) ways to insure accountability in the use of state funds to
4 support alternative learning programs, including expected outcomes and performance
5 measures; and

6 (v) ways in which alternative learning programs may be used to
7 enhance community involvement in the education of students enrolled in public
8 secondary schools.

9 (h) The Department shall provide staff support to the Task Force.

10 (i) (1) A member of the Task Force may not receive compensation; but

11 (2) is entitled to reimbursement for expenses under the Standard State
12 Travel Regulations as provided in the State budget.

13 (j) The Task Force shall terminate on December 31, 2001.

14 SECTION ~~3.~~ 2. AND BE IT FURTHER ENACTED, That this Act shall take
15 effect July 1, 2001. It shall remain effective for a period of ~~3 years~~ 6 months and, at
16 the end of ~~June 30, 2004~~ December 31, 2001, with no further action required by the
17 General Assembly, this Act shall be abrogated and of no further force and effect.