Unofficial Copy F1 2001 Regular Session 1lr0658

D., C., 4., H.,

By: Senator Harris

Introduced and read first time: January 18, 2001

Assigned to: Economic and Environmental Affairs and Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 Education - Class Size Reduction - Maryland Learning Success Program

- 3 FOR the purpose of altering certain factors used in calculating the amount of the
- 4 reading component of a Maryland Learning Success Program grant; eliminating
- 5 a certain reduction of the grant because of the use of certain teachers; reducing
- 6 the class size ratio required in certain plans submitted by local education
- 7 agencies to the State Superintendent of Education; and generally relating to
- 8 grants for class size reduction assistance under the Maryland Learning Success
- 9 Program.
- 10 BY repealing and reenacting, with amendments,
- 11 Article Education
- 12 Section 5-212
- 13 Annotated Code of Maryland
- 14 (1999 Replacement Volume and 2000 Supplement)
- 15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 16 MARYLAND, That the Laws of Maryland read as follows:

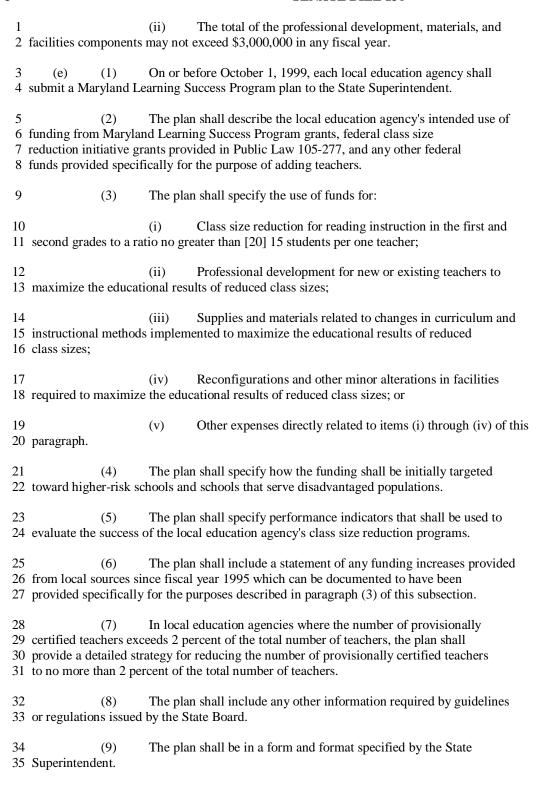
17 Article - Education

- 18 5-212.
- 19 (a) (1) In this section the following terms have the meanings indicated.
- 20 "FTE teacher amount" means for each local education agency, the
- 21 greater of:
- 22 (i) 130% of the standard salary for a 10-month, first-year teacher
- 23 with a bachelor's degree in the year preceding the year for which funds are provided
- 24 in that local education agency; or
- 25 (ii) \$39,000.
- 26 (3) "Reading factor" means the total enrollment in first grade and second
- 27 grade on September 30 of the previous fiscal year.

SENATE BILL 136

	(4) "Professional development, materials, and facilities component" means an amount intended to cover costs associated with class size reduction expenses other than personnel costs.				
4	(b)	There is	s a Maryla	and Learning Success Program.	
	(c) The purpose of the Maryland Learning Success Program is to provide grants that will assist local education agencies to reduce class sizes for reading instruction in the first and second grades.				
8 9	(d) local educati	(1) on agence		ximum Maryland Learning Success Program grant to each onsist of:	
10			(i)	A reading component; and	
11 12	developmen	t, materi	(ii) als, and fa	For fiscal years 2001, 2002, and 2003 only, a professional acilities component.	
15 16	[(2) For fiscal year 2003 and each subsequent fiscal year, the amount of the maximum Maryland Learning Success Program grant shall be reduced 5 percent for each 1 percent by which the percentage of total teachers in the local education agency who are provisionally certified exceeds 2 percent as of December 1 of the previous fiscal year.]				
18		[(3)]	(2)	The reading component shall be calculated as follows:	
	education ag			For fiscal year 2001, by dividing the reading factor for the local multiplying the result by the FTE teacher amount for	
	education ag			For fiscal year 2002, by dividing the reading factor for the local multiplying the result by the FTE teacher amount for	
	education ag			For fiscal year 2003, by dividing the reading factor for the local multiplying the result by the FTE teacher amount for	
				(I) For fiscal year [2004] 2002, by dividing the reading factor by 185 and multiplying the result by the FTE teacher agency; and	
				(II) For fiscal year [2005] 2003 and each succeeding fiscal factor for the local education agency by 150 and TE teacher amount for the local education agency.	
	component to Superintend		(3) local educ	(i) The professional development, materials, and facilities cation agency shall be determined each year by the State	

SENATE BILL 136



SENATE BILL 136

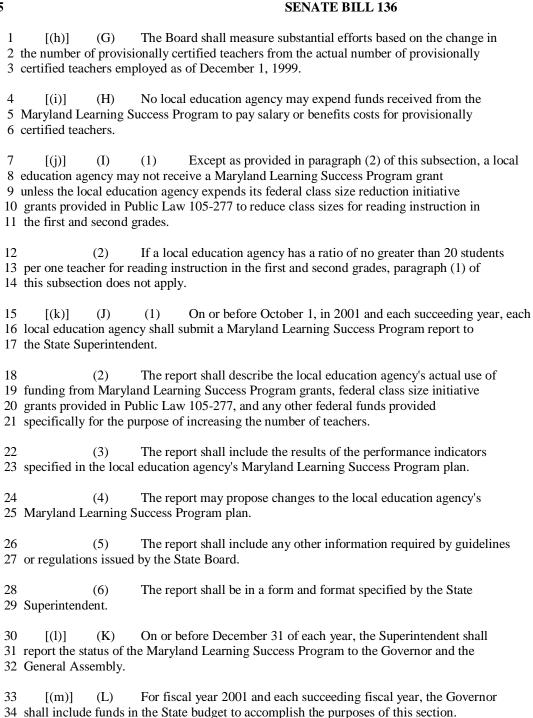
3 4 5	(f) Except as provided in paragraph (5) of this subsection, in fiscal year 2001 and each succeeding fiscal year, the State Superintendent shall evaluate each plan and the local education agency's progress in achieving the goals of this section and award to each local education agency a grant that does not exceed the maximum Maryland Learning Success Program grant. The State Superintendent may grant an award which is less than the maximum Maryland Learning Success Program grant:
	(1) If the local education agency's Maryland Learning Success Program blan does not require the full amount of the maximum Maryland Learning Success Program grant;
	(2) If in the judgment of the State Superintendent, the local education agency's Maryland Learning Success Program plan will not effectively maximize the educational results of reduced class sizes;
15 16 17	(3) If in the State Superintendent's judgment, the local education agency's implementation of the Maryland Learning Success Program grants, federal class size reduction initiative grants provided under Public Law 105-277, and any other federal funds provided specifically for the purpose of adding teachers has not been expended efficiently, effectively, and in accordance with the local education agency's Maryland Learning Success Program plan;
21	(4) If the local education agency's Maryland Learning Success Program plan or Maryland Learning Success Program report do not meet the criteria set forth in this section and in any guidelines or regulations established pursuant to this section; or
25 26	(5) For fiscal years 2001 and 2002, in local education agencies where the number of provisionally certified teachers exceeds 2 percent of the total number of teachers, if, in the judgment of the State Superintendent, the plan does not provide an effective strategy for reducing the number of provisionally certified teachers to 2 percent of the total number of teachers.
30	[(g) Notwithstanding the provisions of subsection (d)(2) of this section, the State Superintendent may annually waive or modify the grant reduction penalty in subsection (d)(2) of this section, if the local education agency has demonstrated in writing that it has made:
32 33	(1) Substantial efforts towards reducing the number of provisionally certified teachers;
34	(2) Significant attempts to recruit and hire certified teachers;
35 36	(3) Significant attempts to assist provisionally certified teachers in becoming certified in this State; and
37	(4) Significant attempts to rehire retired certified teachers.]

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[(n)]

(M)

36 determines are necessary to implement the purposes of this section.



The State Board may establish any guidelines or regulations that it

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 2 July 1, 2001.