

(PRE-FILED)

By: **Delegate Campbell**

Requested: September 20, 2001

Introduced and read first time: January 9, 2002

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education - School Reconstitution**

3 FOR the purpose of authorizing the State Board of Education to require the
4 reconstitution of certain schools under certain circumstances; requiring the
5 State Superintendent to notify county boards of education and county
6 superintendents of schools by certain dates when schools in their jurisdictions
7 are subject to recommendation for, recommended for, or placed under
8 reconstitution; requiring county boards to notify the local governing body and
9 the parents of students enrolled in a school placed under reconstitution;
10 requiring the State Department of Education to conduct an independent on-site
11 review of schools placed under reconstitution and to submit a report of its
12 findings to certain persons; requiring certain county boards to submit to the
13 State Board reconstitution proposals by a certain date; requiring the
14 Department to monitor the progress of each school placed under reconstitution
15 and each county board's evaluation of that progress and to submit a report of its
16 assessment by a certain date; requiring the State to pay certain funds to
17 reconstitution-eligible schools; defining certain terms; and generally relating to
18 the process for school reconstitution.

19 BY adding to
20 Article - Education
21 Section 7-203.1
22 Annotated Code of Maryland
23 (1999 Replacement Volume and 2001 Supplement)

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

26 **Article - Education**

27 7-203.1.

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

1 (2) "LOCAL RECONSTITUTION" MEANS A PROBATIONARY PERIOD WHEN
2 A PUBLIC SCHOOL AND THE PUBLIC SCHOOL SYSTEM ARE GIVEN THE OPPORTUNITY
3 AND STATE RESOURCES TO CHANGE THE ADMINISTRATION, STAFF ORGANIZATION,
4 OR INSTRUCTIONAL PROGRAM WHILE BEING MONITORED BY THE STATE BOARD TO
5 MEET THE STANDARD OF SATISFACTORY OR BETTER IN EACH STUDENT
6 PERFORMANCE AREA.

7 (3) "MARYLAND SCHOOL PERFORMANCE REPORT" MEANS A REPORT
8 PUBLISHED EACH NOVEMBER BY THE DEPARTMENT THAT INCLUDES SCHOOL AND
9 STUDENT PERFORMANCE DATA AND SUPPORTING INFORMATION FOR THE COUNTY
10 BOARDS.

11 (4) "RECONSTITUTION" MEANS A CHANGE IN THE ADMINISTRATION,
12 STAFF ORGANIZATION, OR INSTRUCTIONAL PROGRAM OF A PUBLIC SCHOOL AS A
13 RESULT OF THE STATE BOARD'S DETERMINATION THAT THE SCHOOL DOES NOT
14 MEET THE STANDARD OF SATISFACTORY OR BETTER IN EACH STUDENT
15 PERFORMANCE AREA.

16 (5) "STATE RECONSTITUTION" MEANS DIRECT STATE INTERVENTION IN
17 THE MANAGEMENT, ADMINISTRATION, STAFF ORGANIZATION, OR INSTRUCTIONAL
18 PROGRAM BY THE STATE BOARD AFTER LOCAL RECONSTITUTION FAILS TO HELP A
19 PUBLIC SCHOOL MAKE SATISFACTORY PROGRESS TOWARDS MEETING THE
20 STANDARDS OF EACH STUDENT PERFORMANCE AREA, WHICH MAY INCLUDE
21 CONTRACTING WITH OUTSIDE COMPANIES TO MANAGE OR OPERATE THE SCHOOLS.

22 (6) (I) "STUDENT PERFORMANCE AREA" MEANS A DATA-BASED AREA
23 THAT IS USED BY THE STATE BOARD TO ASSESS SCHOOL PERFORMANCE.

24 (II) "STUDENT PERFORMANCE AREA" INCLUDES:

25 1. THE MARYLAND FUNCTIONAL TEST RESULTS FOR
26 STUDENTS AT THE END OF GRADE 9 OR 10 IN READING, MATHEMATICS, AND
27 WRITING;

28 2. THE MARYLAND CRITERION-REFERENCED TEST RESULTS
29 FOR STUDENTS IN GRADES 3, 5, AND 8 IN READING, LANGUAGE USAGE,
30 MATHEMATICS, WRITING, SOCIAL STUDIES, AND SCIENCE;

31 3. AVERAGE DAILY ATTENDANCE FOR STUDENTS IN GRADES
32 ONE THROUGH 12; AND

33 4. THE YEARLY DROPOUT RATE FOR STUDENTS IN GRADES 9
34 THROUGH 12.

35 (B) THE STATE BOARD MAY REQUIRE STATE RECONSTITUTION OR LOCAL
36 RECONSTITUTION OF A SCHOOL IF:

37 (1) A SCHOOL DOES NOT MEET A STANDARD OF SATISFACTORY OR
38 BETTER FOR EACH STUDENT PERFORMANCE AREA AND THE SCHOOL'S AVERAGE

1 RESULT IN EACH STUDENT PERFORMANCE AREA IS BELOW SATISFACTORY AND
2 DECLINING; OR

3 (2) AFTER IMPLEMENTATION OF A SCHOOL IMPROVEMENT PLAN, THE
4 SCHOOL DOES NOT MEET A STANDARD OF SATISFACTORY OR BETTER FOR EACH
5 STUDENT PERFORMANCE AREA AND ITS AVERAGE RESULTS IN THE STUDENT
6 PERFORMANCE AREA DO NOT DEMONSTRATE SUBSTANTIAL AND SUSTAINED
7 IMPROVEMENT.

8 (C) (1) ON OR BEFORE JANUARY 15 OF EACH YEAR, THE STATE
9 SUPERINTENDENT SHALL NOTIFY EACH COUNTY BOARD AND EACH COUNTY
10 SUPERINTENDENT OF THE NAMES OF THE SCHOOLS IN THAT JURISDICTION THAT
11 MAY BE SUBJECT TO A RECOMMENDATION FOR RECONSTITUTION.

12 (2) A COUNTY SUPERINTENDENT OR THE PRESIDENT OR CHAIRMAN OF
13 A COUNTY BOARD MAY REQUEST A MEETING WITH THE STATE SUPERINTENDENT TO
14 PRESENT EXTENUATING CIRCUMSTANCES REGARDING A SCHOOL IN THEIR
15 JURISDICTION THAT MAY AFFECT A STATE BOARD RECOMMENDATION FOR
16 RECONSTITUTION OF THAT SCHOOL.

17 (D) (1) ON OR BEFORE FEBRUARY 1 OF EACH YEAR, THE STATE
18 SUPERINTENDENT SHALL SEND WRITTEN NOTIFICATION TO EACH COUNTY BOARD
19 AND EACH COUNTY SUPERINTENDENT OF THE NAMES OF SCHOOLS IN THAT
20 JURISDICTION THAT HAVE BEEN PLACED UNDER LOCAL RECONSTITUTION.

21 (2) THE COUNTY BOARD SHALL NOTIFY THE LOCAL GOVERNING BODY
22 AND THE PARENTS OF THE STUDENTS ENROLLED IN THE SCHOOL THAT HAS BEEN
23 PLACED UNDER LOCAL RECONSTITUTION.

24 (E) (1) AFTER THE STATE SUPERINTENDENT HAS GIVEN NOTICE TO NEWLY
25 NAMED SCHOOLS PLACED UNDER LOCAL RECONSTITUTION, THE DEPARTMENT
26 SHALL:

27 (I) CONDUCT AN INDEPENDENT, ON-SITE REVIEW OF EACH
28 SCHOOL; AND

29 (II) SUBMIT ITS FINDINGS TO THE STATE BOARD, STATE
30 SUPERINTENDENT, COUNTY BOARD, COUNTY SUPERINTENDENT, AND THE
31 PRINCIPAL OF THE NEWLY NAMED SCHOOL.

32 (2) THE DEPARTMENT'S REPORT SHALL INCLUDE:

33 (I) RECOMMENDATIONS FOR ANNUAL GOALS AND QUARTERLY
34 ASSESSMENTS FOR EACH INDIVIDUAL SCHOOL;

35 (II) GUIDELINES FOR ACHIEVING THE ANNUAL GOALS; AND

36 (III) CRITERIA FOR THE APPROVAL OF TEACHERS, PRINCIPALS, AND
37 OTHER STAFF AT SCHOOLS RECOMMENDED FOR RECONSTITUTION.

1 (F) (1) ON OR BEFORE APRIL 1 OF THE YEAR IN WHICH THE STATE
2 SUPERINTENDENT NOTIFIES A COUNTY BOARD AND COUNTY SUPERINTENDENT OF
3 THE NEED FOR RECONSTITUTION, AND AFTER CONSULTING WITH EACH SCHOOL
4 RECOMMENDED FOR RECONSTITUTION, EACH COUNTY BOARD SHALL SUBMIT TO
5 THE STATE BOARD A RECONSTITUTION PROPOSAL FOR EACH SCHOOL PLACED
6 UNDER RECONSTITUTION IN THE COUNTY BOARD'S JURISDICTION.

7 (2) THE COUNTY BOARD'S PROPOSAL SHALL INCLUDE:

8 (I) A SCHOOL-SPECIFIC NEEDS ASSESSMENT DERIVED FROM AN
9 ANALYSIS OF THE MARYLAND SCHOOL PERFORMANCE PROGRAM DATA OF THE
10 SCHOOL, DATA FROM THE ON-SITE REVIEW, AND A REVIEW OF THE SCHOOL
11 CURRICULUM, WITH AN INDICATION OF STRATEGIES TO ADDRESS THE CRITICAL
12 AREAS;

13 (II) A DESCRIPTION OF HOW THE COUNTY SCHOOL SYSTEM WILL
14 MANAGE THE RECONSTITUTION PROCESS FOR EACH IDENTIFIED SCHOOL;

15 (III) A DESCRIPTION OF HOW EACH IDENTIFIED SCHOOL WILL
16 ADDRESS THE PRIORITIES FOR RESTRUCTURING, BASED ON THE NEEDS
17 ASSESSMENT, WITH PROPOSED STEPS FOR IMPLEMENTATION;

18 (IV) THE IDENTIFICATION OF THE SCHOOL IMPROVEMENT TEAM
19 MEMBERS FOR EACH SCHOOL AND THEIR INVOLVEMENT WITH THE DEVELOPMENT
20 AND IMPLEMENTATION OF THE REVISED SCHOOL IMPROVEMENT PLAN; AND

21 (V) AN EXECUTIVE SUMMARY.

22 (G) (1) AFTER THE STATE BOARD HAS APPROVED A RECONSTITUTION
23 PROPOSAL, THE DEPARTMENT SHALL MONITOR THE IMPLEMENTATION OF THE
24 PROPOSAL AND THE COUNTY BOARD'S EVALUATION OF THE PROGRESS OF
25 RECONSTITUTION IN EACH SCHOOL.

26 (2) ON OR BEFORE JULY 1 OF THE CALENDAR YEAR FOLLOWING THE
27 IMPLEMENTATION OF THE RECONSTITUTION PROPOSAL AND EACH YEAR
28 THEREAFTER THAT THE SCHOOL REMAINS UNDER RECONSTITUTION, THE
29 DEPARTMENT SHALL SUBMIT ITS ASSESSMENT OF THAT SCHOOL'S PROGRESS TO
30 THE STATE BOARD, STATE SUPERINTENDENT, COUNTY BOARD, COUNTY
31 SUPERINTENDENT, AND THE PRINCIPAL OF EACH SCHOOL.

32 (3) THE DEPARTMENT'S ASSESSMENT SHALL INCLUDE AN EVALUATION
33 OF ANY ACTUAL GROWTH IN STUDENT ACHIEVEMENT AS MEASURED AGAINST THE
34 GROWTH IN STUDENT ACHIEVEMENT EXPECTED AT THE TIME THAT THE
35 RECONSTITUTION PROPOSAL WAS MADE AND APPROVED.

36 (H) BEGINNING IN FISCAL YEAR 2004 AND EACH YEAR THEREAFTER, THE
37 STATE SHALL PAY TO EACH PUBLIC SCHOOL RECOMMENDED BY THE STATE BOARD
38 FOR RECONSTITUTION UNDER THIS SECTION, THE SUM OF:

39 (1) \$ 60,000; AND

1 (2) \$ 200 PER PUPIL IN THE SCHOOL.

2 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
3 October 1, 2002.