

HOUSE BILL 853

Unofficial Copy  
F3

2002 Regular Session  
(2r2164)

**ENROLLED BILL**

-- *Ways and Means and Appropriations/Budget and Taxation  
and Education, Health, and Environmental Affairs* --

Introduced by **Delegates Rawlings, Branch, Burns, Campbell, Cole, Dobson,  
Doory, Dypski, Fulton, Gladden, Hammen, Harrison, A. Jones, V. Jones,  
Kirk, Klausmeier, Krysiak, Marriott, McHale, McIntosh, Montague,  
Nathan-Pulliam, Oaks, Paige, Phillips, Ports, Redmer, and Rosenberg**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this  
\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Primary and Secondary Education - Baltimore City-State Partnership**

3 FOR the purpose of altering the name of the New Baltimore City Board of School  
4 Commissioners to be the Baltimore City Board of School Commissioners;  
5 increasing a certain limit on the aggregate principal amount of certain bonds of  
6 the Baltimore City Board of School Commissioners; providing for increased  
7 community involvement and outreach in the Baltimore City Public School  
8 System; ~~establishing~~ requiring the Department and the Baltimore City Public  
9 School System to design a certain principal development initiative; altering  
10 certain required components of the Baltimore City Public School System Master  
11 Plan; requiring a certain evaluation within a certain period of time; requiring  
12 certain officials of the State Department of Education and the Baltimore City  
13 Public School System to meet with a certain federal court special master to

1 address certain special education and general education issues; requiring the  
 2 State Department of Education, the Interagency Committee on Public School  
 3 Construction, and the Baltimore City Public School System to develop a  
 4 mechanism for addressing certain facilities issues within a certain period of  
 5 time; requiring that Baltimore City complete the transfer of certain real  
 6 property assets including certain title transfers to the Board of School  
 7 Commissioners by certain dates; requiring Baltimore City and the Baltimore  
 8 City Public School System to prepare a plan for the transfer of certain real  
 9 property assets to be submitted to the State Department of Education for  
 10 approval by a certain date; requiring that a copy of a certain plan for the  
 11 transfer of certain real property assets be submitted to certain committees of the  
 12 General Assembly; providing that for a certain period of time the Board of Public  
 13 Works may approve funding for certain improvements on certain school  
 14 buildings and may only provide certain funds for the construction of certain  
 15 schools; requiring that the cost of certain title transfers be borne by Baltimore  
 16 City; requiring Baltimore City and the Baltimore City Public School System to  
 17 eliminate certain environmental hazards within the school system; requiring  
 18 the City and the Board to develop a certain memorandum of understanding;  
 19 authorizing the use of certain funds for a certain principal development  
 20 initiative; declaring the intent of the General Assembly that this Act constitutes  
 21 a certain further action for the purpose of meeting certain requirements;  
 22 altering certain definitions; declaring the intent of the General Assembly with  
 23 respect to certain educational funding; requiring the Governor to include certain  
 24 amounts in certain State budgets subject to a certain ~~contingency~~ *contingencies*;  
 25 and generally relating to the Baltimore City-State Partnership and the  
 26 management of the Baltimore City Public School System.

27 BY repealing and reenacting, with amendments,  
 28 Article - Education  
 29 Section 1-101(d) and (e), 3-108(a), 3-108.1(a) and (b), 4-102(a)(2)(i), 4-103(b),  
 30 4-301(b) and (d), 4-303(a), 4-306.2(b) and (m)(1), 4-308(b), 4-316(a) and  
 31 (b)(1), 4-317, 4-318(c), (d)(2)(i), (f), and (g), 4-319(c)(1), 5-106, 6-201(c)(3),  
 32 6-202(a)(5), 6-401(e), and 6-501(g)  
 33 Annotated Code of Maryland  
 34 (2001 Replacement Volume)

35 BY repealing and reenacting, without amendments,  
 36 Article - Education  
 37 Section 3-108.1(c)  
 38 Annotated Code of Maryland  
 39 (2001 Replacement Volume)

40 BY repealing  
 41 Article - Education  
 42 Section 4-309  
 43 Annotated Code of Maryland

1 (2001 Replacement Volume)

2 BY adding to

3 Article - Education

4 Section 4-309 and 4-309.1

5 Annotated Code of Maryland

6 (2001 Replacement Volume)

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 1-101.

11 (d) "County board" means the board of education of a county and includes the  
12 [New] Baltimore City Board of School Commissioners.

13 (e) "County superintendent" means the county superintendent of schools of a  
14 county and includes the Chief Executive Officer of the [New] Baltimore City Board of  
15 School Commissioners.

16 3-108.

17 (a) Except for the [New] Baltimore City Board of School Commissioners  
18 established under § 3-108.1 of this subtitle and counties listed in § 3-114 of this  
19 subtitle, the Governor shall appoint the members of each county board from the  
20 residents of that county.

21 3-108.1.

22 (a) In this section, "Board" means the [New] Baltimore City Board of School  
23 Commissioners of the Baltimore City Public School System.

24 (b) There is a [New] Baltimore City Board of School Commissioners of the  
25 Baltimore City Public School System.

26 (c) The Board consists of:

27 (1) Nine voting members jointly appointed by the Mayor of Baltimore  
28 City and the Governor from a list of qualified individuals submitted to the Mayor and  
29 the Governor by the State Board; and

30 (2) One voting student member appointed as provided in subsection (o) of  
31 this section.

1 4-102.

2 (a) (2) (i) In Baltimore City, the Chief Executive Officer of the [New]  
3 Baltimore City Board of School Commissioners is the executive officer, secretary, and  
4 treasurer of the [New] Board of School Commissioners.

5 4-103.

6 (b) In Baltimore City, the [New] Board of School Commissioners shall  
7 exercise the authority granted in this section.

8 4-301.

9 (b) "Board" means the [New] Baltimore City Board of School Commissioners  
10 of the Baltimore City Public School System.

11 (d) "Chief Executive Officer" means the Chief Executive Officer of the [New]  
12 Baltimore City Board of School Commissioners.

13 4-303.

14 (a) In order to establish a new partnership between the City of Baltimore and  
15 the State to improve the quality of public education in Baltimore City and to  
16 encourage more efficient use of the resources of the State and Baltimore City, the  
17 [New] Baltimore City Board of School Commissioners is established in accordance  
18 with the provisions of this subtitle.

19 4-306.2.

20 (b) The aggregate principal amount of bonds outstanding, including the  
21 amount of any reserve fund requirement established for the bonds, may not exceed, as  
22 of the date that the bonds are issued, [~~\$25,000,000~~]~~\$75,000,000~~.

23 (m) (1) Any bond issued under this subtitle shall state on its face that the  
24 bond does not create or constitute any indebtedness or obligation of the State, of the  
25 Mayor and City Council of Baltimore, or of any other political subdivision of the State,  
26 except the [New] Baltimore City Board of School Commissioners.

27 4-308.

28 (b) The Board and the Chief Executive Officer shall:

29 (1) Regularly consult with the Advisory Board; [and]

30 (2) Ensure parental involvement in the development and  
31 implementation of the education policies and procedures in the Baltimore City Public  
32 School System; AND

33 (3) ENSURE INCREASED COMMUNITY INVOLVEMENT AND OUTREACH IN  
34 SUPPORT OF THE PUBLIC SCHOOLS IN THE CITY.

1 [4-309.

2 (a) (1) On or before September 1, 1997, after opportunity for public  
3 comment, the Board shall adopt and commence implementation of a transition plan.

4 (2) The transition plan shall identify the actions needed to implement:

5 (i) The key recommendations of the 1992 Towers Perrin/Cresap  
6 Management Study report and the 1994 and 1995 MGT of America, Inc. reports, as  
7 proposed by the Board and agreed upon by the State Board of Education; and

8 (ii) Any educational reform initiatives to be undertaken during the  
9 first year.

10 (3) The transition plan shall specify indicators by which to measure  
11 progress in achieving implementation of management and educational reform  
12 initiatives and shall include appropriate time lines, including progress expected to be  
13 achieved by February 1, 1998.

14 (b) (1) On or before March 1, 1998, the Chief Executive Officer shall develop  
15 a comprehensive master plan and submit the plan to the Board for its review,  
16 modification, and final approval.

17 (2) On or before May 1, 1998, the Board shall approve and commence  
18 implementation of the master plan.

19 (3) Following approval of the master plan by the Board, or by March 15,  
20 1998, whichever is earlier, the master plan shall be submitted to the members of the  
21 State Board of Education and the State Superintendent of Schools for their review  
22 and approval.

23 (4) The General Assembly shall receive and consider both the transition  
24 plan and the master plan, and the comments of the State Board of Education and  
25 State Superintendent of Schools regarding both plans and the achievements of the  
26 Board towards meeting the goals of this Act, before approving the fiscal year 1999  
27 budget.

28 (5) The Chief Executive Officer or a designee of the Chief Executive  
29 Officer may consult with parents, teachers, students, representatives of the business  
30 community, and educational instruction and administration experts during the course  
31 of development of the master plan.

32 (c) The master plan shall provide for the improvement of:

33 (1) Student achievement in the Baltimore City public schools; and

34 (2) The management and accountability of the Baltimore City Public  
35 School System.

36 (d) The master plan shall identify the actions necessary to:

- 1                   (1)     Complete incorporation of the key recommendations of the 1992  
2 Towers Perrin/Cresap Management Study report and the 1994 and 1995 MGT of  
3 America, Inc. reports;
- 4                   (2)     Incorporate the requirements of the long-term compliance plan and  
5 goals in Vaughn G. v. Amprey, et al, case no. MJG-84-1911, United States District  
6 Court for the District of Maryland, concerning the delivery of education services to  
7 students with disabilities;
- 8                   (3)     Provide for the reorganization of the central office of the Baltimore  
9 City Public School System;
- 10                  (4)     Provide effective curriculum and instructional programs for the  
11 Baltimore City Public School System, including the development and dissemination  
12 of:
  - 13                   (i)     A citywide curriculum framework reflecting State learning  
14 outcomes, including Maryland School Performance Program standards, and an  
15 appropriate developmental sequence for students;
  - 16                   (ii)    An effective program of professional development and training  
17 for the staff of the Baltimore City Public School System including development and  
18 implementation of a performance-based system-wide personnel evaluation system  
19 for teachers, principals and administrators; and
  - 20                   (iii)   An effective educational program for meeting the needs of  
21 students at risk of educational failure;
- 22                  (5)     Provide effective management information systems for the Baltimore  
23 City Public School System, including the capacity to accurately track student  
24 enrollment, attendance, academic records, discipline records, and compliance with the  
25 provisions of the federal Individuals with Disabilities Education Act;
- 26                  (6)     Provide an effective financial management and budgeting system for  
27 the Baltimore City Public School System to ensure the maximization and appropriate  
28 utilization of all available resources;
- 29                  (7)     Provide effective staff hiring and assignment;
- 30                  (8)     Develop an effective system of providing instructional materials and  
31 support services;
- 32                  (9)     Develop model school reform initiatives;
- 33                  (10)    Provide appropriate methods for student assessment and  
34 remediation;
- 35                  (11)    Develop and implement a student code of discipline as required in §  
36 7-306 of this article;

1 (12) Develop an effective system for planning and providing for  
2 construction, repair, and maintenance services for school buildings which shall  
3 include a review by the Board to assure the most efficient and productive use of the  
4 system's resources, including examination and reduction of the cost of underutilized  
5 schools and proposals for school mergers or closures if appropriate;

6 (13) Increase parental participation;

7 (14) Include measurable outcomes and time lines for the implementation  
8 and evaluation of the reforms made in accordance with the master plan and the  
9 reporting of this information to the Governor, the Mayor of Baltimore City, and, in  
10 accordance with § 2-1246 of the State Government Article, the General Assembly;

11 (15) Improve the status of schools that are subject to a State  
12 reconstitution notice; and

13 (16) Develop an effective system of teacher input regarding  
14 implementation of school reform initiatives, that includes active and ongoing  
15 consultation with classroom teachers at the elementary, middle, and high school  
16 levels.]

17 4-309.

18 (A) (1) ON OR BEFORE JUNE 1, 2002, THE CHIEF EXECUTIVE OFFICER SHALL  
19 SUBMIT A 5-YEAR COMPREHENSIVE MASTER PLAN TO THE BOARD FOR ITS REVIEW,  
20 MODIFICATION, AND FINAL APPROVAL.

21 (2) ON OR BEFORE AUGUST 30, 2002, THE BOARD SHALL APPROVE AND  
22 COMMENCE IMPLEMENTATION OF THE MASTER PLAN.

23 (3) FOLLOWING APPROVAL OF THE MASTER PLAN OR BY JULY 30, 2002,  
24 WHICHEVER IS EARLIER, THE MASTER PLAN SHALL BE SUBMITTED TO THE STATE  
25 BOARD AND TO THE STATE SUPERINTENDENT FOR THEIR REVIEW AND APPROVAL.

26 (4) THE CHIEF EXECUTIVE OFFICER OR DESIGNEE ~~MAY~~ SHALL CONSULT  
27 WITH PARENTS, TEACHERS, STUDENTS, REPRESENTATIVES OF THE BUSINESS  
28 COMMUNITY, AND EDUCATIONAL INSTRUCTION AND ADMINISTRATION EXPERTS  
29 DURING THE COURSE OF THE DEVELOPMENT OF THE MASTER PLAN.

30 (5) THE MASTER PLAN SHALL BE UPDATED ANNUALLY AND SUBMITTED  
31 TO THE STATE BOARD AND THE STATE SUPERINTENDENT FOR REVIEW AND  
32 APPROVAL ON OR BEFORE JULY 1 OF EACH YEAR.

33 (6) NOTWITHSTANDING ANY OTHER PROVISION OF LAW OR  
34 REGULATION, THE MASTER PLAN REQUIREMENT SHALL BE THE SOLE MASTER PLAN  
35 REQUIRED OF THE BALTIMORE CITY PUBLIC SCHOOL SYSTEM.

36 (B) THE MASTER PLAN SHALL PROVIDE FOR THE IMPROVEMENT OF:

1 (1) STUDENT ACHIEVEMENT IN THE BALTIMORE CITY PUBLIC SCHOOLS;  
2 AND

3 (2) THE MANAGEMENT AND ACCOUNTABILITY OF THE BALTIMORE CITY  
4 PUBLIC SCHOOL SYSTEM.

5 (C) THE MASTER PLAN SHALL IDENTIFY THE ACTIONS NECESSARY TO:

6 (1) INCORPORATE THE KEY RECOMMENDATIONS OF THE 1992 TOWERS  
7 PERRIN/CRESAP MANAGEMENT STUDY REPORT, THE 1994 AND 1995 MGT OF AMERICA,  
8 INC. REPORTS, AND THE REPORT ON THE DECEMBER, 2001 FINAL EVALUATION OF  
9 THE CITY-STATE PARTNERSHIP PREPARED BY WESTAT;

10 (2) ADDRESS BOTH THE COMPLIANCE EFFORTS AS WELL AS THE  
11 SYSTEM'S EFFORTS TO ACHIEVE FULL ORGANIZATIONAL AND INSTRUCTIONAL  
12 INTEGRATION OF SPECIAL EDUCATION AND GENERAL EDUCATION INCLUDING THE  
13 QUALITY INDICATORS THAT WILL BE USED TO EVALUATE THE EXTENT OF  
14 INTEGRATION AND ITS IMPACT ON STUDENT PERFORMANCE;

15 (3) PROVIDE A BALANCED AND EFFICIENT ALLOCATION OF QUALIFIED  
16 STAFF TO SUPPORT THE NECESSARY EDUCATIONAL AND MANAGERIAL FUNCTIONS  
17 OF THE SCHOOL SYSTEM AND INCLUDE IN ~~THE QUARTERLY STATUS REPORTS~~ AN  
18 ANNUAL STATUS REPORT ON THE IMPLEMENTATION OF THE MASTER PLAN A  
19 QUALITATIVE AND FISCAL ANALYSIS OF THE STAFFING OF KEY CENTRAL AND AREA  
20 OFFICE FUNCTIONS;

21 (4) PROVIDE EFFECTIVE CURRICULUM AND INSTRUCTIONAL PROGRAMS  
22 FOR THE BALTIMORE CITY PUBLIC SCHOOL SYSTEM INCLUDING THE DEVELOPMENT  
23 AND DISSEMINATION OF:

24 (I) A CITYWIDE CURRICULUM FRAMEWORK REFLECTING STATE  
25 LEARNING OUTCOMES, INCLUDING MARYLAND SCHOOL PERFORMANCE PROGRAM  
26 STANDARDS, AND AN APPROPRIATE DEVELOPMENTAL SEQUENCE FOR STUDENTS;

27 (II) AN EFFECTIVE PROGRAM THAT INVOLVES SCHOOL-BASED  
28 PRACTITIONERS INCLUDING TEACHERS, MENTORS, MASTER TEACHERS, AND  
29 INSTRUCTIONAL SUPPORT TEACHERS, AS WELL AS THE EXCLUSIVE EMPLOYEE  
30 ORGANIZATION REPRESENTATIVES IN THE DESIGN AND IMPLEMENTATION OF HIGH  
31 QUALITY, DIFFERENTIATED PROFESSIONAL DEVELOPMENT ACTIVITIES DERIVED  
32 FROM ANALYSIS OF STUDENT PERFORMANCE NEEDS AND THAT COMPLIES WITH  
33 THE NATIONAL STAFF DEVELOPMENT COUNCIL STANDARDS FOR CONTENT,  
34 CONTEXT, AND PROCESS; AND

35 (III) AN EFFECTIVE EDUCATIONAL PROGRAM FOR MEETING THE  
36 NEEDS OF STUDENTS AT RISK OF EDUCATIONAL FAILURE;

37 (5) REVIEW THE REQUIREMENT OF A DEMONSTRATED STUDENT  
38 ACHIEVEMENT PORTFOLIO FOR THE PERFORMANCE-BASED EVALUATION SYSTEM  
39 FOR TEACHERS AND PRINCIPALS AND INCORPORATE DESIGN MODIFICATIONS THAT

1 WILL ENHANCE TEACHER AND PRINCIPAL INVESTMENT IN THE EVALUATION  
2 INSTRUMENT;

3 (6) PROVIDE EFFECTIVE MANAGEMENT INFORMATION SYSTEMS FOR  
4 THE BALTIMORE CITY PUBLIC SCHOOL SYSTEM, INCLUDING THE CAPACITY TO  
5 ACCURATELY TRACK STUDENT ENROLLMENT, ATTENDANCE, ACADEMIC RECORDS,  
6 DISCIPLINE RECORDS, AND COMPLIANCE WITH THE PROVISIONS OF THE FEDERAL  
7 INDIVIDUALS WITH DISABILITIES EDUCATION ACT;

8 (7) PROVIDE AN EFFECTIVE FINANCIAL MANAGEMENT AND BUDGETING  
9 SYSTEM FOR THE BALTIMORE CITY PUBLIC SCHOOL SYSTEM TO ENSURE THE  
10 MAXIMIZATION AND APPROPRIATE UTILIZATION OF ALL AVAILABLE RESOURCES;

11 (8) PROVIDE EFFECTIVE HIRING AND ASSIGNMENT OF TEACHERS AND  
12 STAFF;

13 (9) DEVELOP AN EFFECTIVE SYSTEM OF PROVIDING INSTRUCTIONAL  
14 MATERIALS AND SUPPORT SERVICES;

15 (10) DEVELOP AND EVALUATE MODEL SCHOOL REFORM INITIATIVES;

16 (11) DEVELOP A PROCESS WITH TIMELINES TO GOVERN THE  
17 DISTRIBUTION OF STUDENT TEST DATA TO AREA EXECUTIVE OFFICERS AND TO  
18 PRINCIPALS, AS WELL AS THE CENTRAL OFFICE RESOURCES THAT WILL BE  
19 PROVIDED TO SCHOOL LEVEL PRACTITIONERS TO VALIDATE AND ANALYZE THE  
20 STUDENT TEST DATA;

21 (12) PROVIDE APPROPRIATE METHODS FOR STUDENT ASSESSMENT AND  
22 REMEDIATION;

23 (13) DEVELOP AND IMPLEMENT A STUDENT CODE OF DISCIPLINE AS  
24 REQUIRED IN § 7-306 OF THIS ARTICLE;

25 (14) INCORPORATE THE SCHOOL SYSTEM'S FACILITIES MASTER PLAN  
26 INCLUDING INFORMATION ABOUT PROJECTS CURRENTLY UNDERWAY AS WELL AS  
27 THOSE PLANNED PURSUANT TO THE CAPITAL IMPROVEMENT PROGRAM AND  
28 UPDATE THIS INFORMATION ANNUALLY AS THE MASTER PLAN IS UPDATED;

29 (15) DEVELOP A PROGRAM TO TRAIN PRINCIPALS AND ASSISTANT  
30 PRINCIPALS IN METHODS OF INCREASING PARENTAL INVOLVEMENT AT THE SCHOOL  
31 LEVEL, INCLUDING STRATEGIES FOR CONNECTING PARENTS TO THE  
32 INSTRUCTIONAL PROGRAM OF THE SCHOOL AND FOR MEASURING THE LEVEL OF  
33 PARENTAL INVOLVEMENT THROUGH MEANINGFUL INDICATORS;

34 (16) INCLUDE MEASURABLE OUTCOMES AND TIME LINES FOR THE  
35 IMPLEMENTATION AND EVALUATION OF THE REFORMS MADE IN ACCORDANCE WITH  
36 THE MASTER PLAN AND THE REPORTING OF THIS INFORMATION TO THE GOVERNOR,  
37 THE MAYOR OF BALTIMORE CITY, AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE  
38 GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY;

1 (17) IMPROVE THE STATUS OF SCHOOLS THAT ARE SUBJECT TO A STATE  
2 RECONSTITUTION NOTICE;

3 (18) DEVELOP AN EFFECTIVE SYSTEM OF TEACHER INPUT REGARDING  
4 IMPLEMENTATION OF SCHOOL REFORM INITIATIVES, CURRICULUM, INSTRUCTION,  
5 AND PROFESSIONAL DEVELOPMENT THAT INCLUDES ACTIVE AND ONGOING  
6 CONSULTATION WITH CLASSROOM TEACHERS AT THE ELEMENTARY, MIDDLE, AND  
7 HIGH SCHOOL LEVELS; AND

8 (19) INSTITUTE A FORMAL PROCEDURE BY WHICH THE DIRECTORS OF  
9 EACH OF THE SCHOOL SYSTEM'S MENTORING PROGRAMS, INCLUDING REACT, BLUM,  
10 AND PEER MENTORING, WILL PROVIDE ~~AT A MINIMUM, QUARTERLY ORAL~~  
11 ~~SEMIANNUAL~~ SEMI-ANNUAL REPORTS TO THE BOARD AND SENIOR MANAGEMENT  
12 CONCERNING THE PERSPECTIVES OF ~~CLASSROOM TEACHERS~~ THE MENTORING  
13 PROGRAMS.

14 4-309.1.

15 THE DEPARTMENT, IN CONSULTATION WITH THE BALTIMORE CITY PUBLIC  
16 SCHOOL SYSTEM, SHALL DESIGN A PRINCIPAL DEVELOPMENT INITIATIVE THAT  
17 WILL MATCH DISTINGUISHED PRINCIPALS FROM OUTSIDE THE SYSTEM AND ACTION  
18 SUPPORT TEAMS WITH PRINCIPALS IN TRAINING IN THE BALTIMORE CITY PUBLIC  
19 SCHOOL SYSTEM.

20 4-316.

21 (a) Notwithstanding any provision of local law and subject to the applicable  
22 provisions of this article, the [New] Baltimore City Board of School Commissioners  
23 may:

24 (1) Examine, appoint, and remove teachers;

25 (2) Set teacher qualifications;

26 (3) Set teacher salaries; and

27 (4) Select textbooks for the public schools in Baltimore City, except that  
28 the textbooks may not contain anything of a sectarian or partisan character.

29 (b) (1) The [New] Baltimore City Board of School Commissioners shall  
30 report annually to the State Board on the condition of the schools under its  
31 jurisdiction.

32 4-317.

33 After a study has been completed to determine whether to close a public school  
34 in Baltimore City, the Chief Executive Officer shall inform the Mayor of Baltimore  
35 City and the members of the General Assembly who represent Baltimore City  
36 regarding the completed study at the same time that the study is submitted to the  
37 [New] Baltimore City Board of School Commissioners.

1 4-318.

2 (c) The members of the Baltimore City School Police Force shall be employees  
3 of and be appointed by the [New] Baltimore City Board of School Commissioners.

4 (d) (2) (i) A Baltimore City school police officer may act in an official  
5 capacity only on the premises of schools and any other property used for educational  
6 purposes owned, leased, or operated by, or under the control of the [New] Baltimore  
7 City Board of School Commissioners.

8 (f) The [New] Baltimore City Board of School Commissioners shall adopt  
9 regulations governing the:

10 (1) Operation of the Baltimore City School Police Force; and

11 (2) Conduct of each Baltimore City school police officer.

12 (g) This section does not:

13 (1) Make a Baltimore City school police officer a member of the  
14 Baltimore City Police Department; or

15 (2) Affect the salary, benefits, or retirement program of an employee of  
16 Baltimore City or the [New] Baltimore City Board of School Commissioners.

17 4-319.

18 (c) (1) The Chief Executive Officer of the [New] Baltimore City Board of  
19 School Commissioners shall appoint a Director of the Center.

20 5-106.

21 On or before November 1 and March 1 of each fiscal year, the Anne Arundel  
22 County Board shall submit to the Anne Arundel County Council, and the [New]  
23 Baltimore City Board of School Commissioners shall submit to the Mayor and City  
24 Council of Baltimore a report detailing all expenditures within the major categories of  
25 its annual budget. The report also shall detail any action of the County Board that  
26 would commit the County Board to spend more in any major category in the annual  
27 budget for the current fiscal year than the amount approved in the annual budget for  
28 that category.

29 6-201.

30 (c) (3) Notwithstanding any provision of local law, in Baltimore City, the  
31 appointment, tenure, and compensation of clerical and other nonprofessional  
32 personnel shall be determined in accordance with the personnel system established  
33 by the [New] Baltimore City Board of School Commissioners under § 4-313 of this  
34 article.

1 6-202.

2 (a) (5) Notwithstanding any provision of local law, in Baltimore City the  
3 suspension and removal of assistant superintendents and higher levels shall be as  
4 provided by the personnel system established by the [New] Baltimore City Board of  
5 School Commissioners under § 4-313 of this article.

6 6-401.

7 (e) "Public school employer" means a county board of education or the [New]  
8 Baltimore City Board of School Commissioners.

9 6-501.

10 (g) (1) "Public school employer" means the county board in each county  
11 except:

12 (i) Somerset;

13 (ii) Wicomico; and

14 (iii) Worcester.

15 (2) "Public school employer" includes the [New] Baltimore City Board of  
16 School Commissioners.

17 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the  
18 General Assembly that if the Governor does not include in the State budget for fiscal  
19 year 2003 an appropriation for the Baltimore City ~~public schools~~ *Public School*  
20 *System* in an amount sufficient to fund the ~~recommendations in the 2002 Final Report~~  
21 ~~of the Commission on Education Finance, Equity, and Excellence as applicable to~~  
22 ~~Baltimore City, then the Governor shall include in the State budget for fiscal year~~  
23 ~~2003, if funds are available, an appropriation for the Baltimore City public schools of~~  
24 ~~at least \$50,000,000 for the Baltimore City State Partnership, as provided in Section~~  
25 ~~7 of Chapter 105 of the Acts of 1997, as amended by Chapter 420 of the Acts of 2001,~~  
26 ~~and \$55,000,000 toward the Remedy Plan of the Baltimore City Public School System,~~  
27 ~~including \$20,465,079 as provided in Section 4 of Chapter 493 of the Acts of 2000, as~~  
28 ~~amended by Chapter 420 of the Acts of 2001~~ *requirements of Chapter (S.B. 856) of*  
29 *the Acts of the General Assembly of 2002 as applicable to Baltimore City, the Governor*  
30 *shall include in the State budget for fiscal year 2003 an appropriation for the*  
31 *Baltimore City Public School System that includes at least: (1) \$50,000,000 for the*  
32 *Baltimore City-State Partnership as required by Section 7 of Chapter 105 of the Acts*  
33 *of the General Assembly of 1997, as amended by Chapter 420 of the Acts of the General*  
34 *Assembly of 2001; (2) \$20,465,079 for the Remedy Plan for the Baltimore City Public*  
35 *School System as required by Section 4 of Chapter 493 of the Acts of the General*  
36 *Assembly of 2000, as amended by Chapter 420 of the Acts of the General Assembly of*  
37 *2001; and (3) an additional \$31,380,534 for the Remedy Plan for the Baltimore City*  
38 *Public School System.*

1 SECTION 3. AND BE IT FURTHER ENACTED, That if the Governor does not  
2 include in the State budget for fiscal years 2004 through ~~2007~~ 2008 an appropriation  
3 for the Baltimore City Public Schools School System in an amount sufficient to fund  
4 the ~~recommendations in the 2002 Final Report of the Commission on Education~~  
5 ~~Finance, Equity, and Excellence as applicable to Baltimore City, then the Governor~~  
6 ~~shall include in the State budget for fiscal years 2004 through 2007, in each year if~~  
7 ~~funds are available, an appropriation for the Baltimore City Public Schools of at least~~  
8 ~~\$50,000,000 for the Baltimore City State Partnership and \$55,000,000 toward the~~  
9 ~~Remedy Plan of the Baltimore City Public School System~~ requirements of Chapter  
10 (S.B. 856) of the Acts of the General Assembly of 2002 as applicable to Baltimore City,  
11 the Governor shall include in the State budgets for fiscal years 2004 through 2008, in  
12 each year, an appropriation for the Baltimore City Public School System that includes  
13 at least: (1) \$50,000,000 for the Baltimore City-State Partnership; and (2) \$55,000,000  
14 for the Remedy Plan for the Baltimore City Public School System.

15 SECTION 4. AND BE IT FURTHER ENACTED, That if the Governor does not  
16 include in the State budget for fiscal years 2003 through ~~2007~~ 2008 an appropriation  
17 for the Baltimore City public schools Public School System in an amount sufficient to  
18 fund the ~~recommendations in the 2002 Final Report of the Commission on Education~~  
19 ~~Finance, Equity, and Excellence~~ requirements of Chapter (S.B. 856) of the Acts of  
20 the General Assembly of 2002 as applicable to Baltimore City, then if any new source  
21 of revenue becomes available to the State during fiscal years 2003 through ~~2007~~ 2008,  
22 and such revenue is dedicated in whole or in part to education generally, the  
23 Baltimore City public schools shall receive its designated share of those revenues  
24 without reduction of the additional funds provided under ~~Sections 3 and 4~~ Sections 2  
25 and 3 of this Act. Nothing in this Act, however, shall prevent the Governor or the  
26 General Assembly from reducing local aid to Baltimore City as part of any general  
27 statewide reduction in local aid for a special project or purpose.

28 SECTION 5. AND BE IT FURTHER ENACTED, That, on or before December 1,  
29 2006, a consultant shall conduct a comprehensive review and evaluation of the  
30 Baltimore City-State Partnership and the reform initiatives of the Baltimore City  
31 Public School System. The Board of School Commissioners and the Maryland State  
32 Board of Education shall jointly select and equally share the cost of the consultant  
33 and determine the scope of the review. The Board of School Commissioners and the  
34 State Board shall review the findings of the comprehensive review and shall conduct  
35 four public hearings throughout Baltimore City. On or before January 15, 2007, the  
36 Board of School Commissioners and the State Board shall report to the General  
37 Assembly the results of the public hearings and the review of the comprehensive  
38 evaluation and propose to the General Assembly any changes appropriate in the  
39 management structure and levels of funding of the Baltimore City Public Schools  
40 School System.

41 SECTION 6. AND BE IT FURTHER ENACTED, That it is the intent of the  
42 General Assembly that the Chief Executive Officer, Chief Academic Officer, Chief  
43 Operating Officer, and the Special Education Officer for the Baltimore City Public  
44 School System, with the State Superintendent of Schools and the Assistant State  
45 Superintendent for Special Education, shall meet at a minimum on a quarterly basis  
46 with the Special Master assigned to the case, Vaughn G., et al v. Mayor and City

1 Council, et al, case no. MJG-84-1911, United States District Court for the District of  
2 Maryland. After conducting six quarterly meetings, the State Superintendent and the  
3 Chief Executive Officer shall have the discretion, acting jointly, to modify the  
4 communication schedule upon providing the basis for any modification to the General  
5 Assembly.

6 SECTION 7. AND BE IT FURTHER ENACTED, That the State Department of  
7 Education, the Interagency Committee on Public School Construction, and the  
8 Baltimore City Public School System shall develop a mechanism for communication  
9 at a minimum on a quarterly basis among key executive level representatives of each  
10 entity to address issues relating to facilities planning in the Baltimore City Public  
11 School System, including the capital improvement program issues. After a minimum  
12 of six quarterly meetings, the State Superintendent shall have the discretion to  
13 modify the communication arrangement upon providing the basis for any  
14 modification to the General Assembly.

15 ~~SECTION 8. AND BE IT FURTHER ENACTED, That on or before June 30,~~  
16 ~~2003, Baltimore City shall bear the costs and complete the transfer of clear and~~  
17 ~~merchantable title of any real property assets associated with the operations of the~~  
18 ~~Baltimore City Public School System to the legal possession of the Board of School~~  
19 ~~Commissioners. By June 30, 2002, the Baltimore City Public School System shall~~  
20 ~~submit to the State Department of Education for its approval a written plan to~~  
21 ~~accomplish the required property transfer by June 30, 2003.~~

22 SECTION 8. AND BE IT FURTHER ENACTED, That on or before June 30,  
23 2003, Baltimore City shall transfer real property assets associated with the  
24 operations of the Baltimore City Public School System, part or all of which were  
25 funded by at least \$1 million in debt issued by Baltimore City after July 1, 1997, to  
26 the legal possession of the Baltimore City Board of School Commissioners. The  
27 remaining real property assets associated with the operations of the Baltimore City  
28 Public School System shall be transferred by Baltimore City to the legal possession of  
29 the Baltimore City Board of School Commissioners in approximately equal annual  
30 portions by June 30, 2009. Baltimore City shall bear the costs of the transfers by clear  
31 and merchantable title. By June 30, 2002, Baltimore City and the Baltimore City  
32 Public School System shall prepare a written plan to accomplish the property  
33 transfers. The plan may provide for the transfer of additional real property assets by  
34 June 30, 2003 if there is no Baltimore City debt outstanding for improvements or  
35 modifications to the real property assets. The written plan shall be submitted to the  
36 State Department of Education for its approval. Subject to § 2-1246 of the State  
37 Government Article, a copy of the written plan shall be submitted to the Senate  
38 Budget and Taxation Committee, the Senate Education, Health, and Environmental  
39 Affairs Committee, the House Appropriations Committee, and the House Ways and  
40 Means Committee.

41 SECTION 9. AND BE IT FURTHER ENACTED, That, notwithstanding §§  
42 4-114 and 4-115 of the Education Article as amended by Chapter 105 of the Acts of  
43 1997, the Board of Public Works, for the period from July 1, 1997 through June 30,  
44 2009, may approve State funding for capital improvements to public school buildings  
45 in Baltimore City on property held under a clear deed and title by either the

1 Baltimore City Board of School Commissioners or the Mayor and City Council of  
2 Baltimore. However, State funds for the construction of new schools in Baltimore City  
3 may only be approved on sites with clear deed and title held by the Baltimore City  
4 Board of School Commissioners.

5 SECTION ~~9~~ 10. AND BE IT FURTHER ENACTED, That Baltimore City shall  
6 continue to work with the Baltimore City Public School System to eliminate  
7 environmental hazards within the school system and develop a memorandum of  
8 understanding to provide funding for the elimination of these environmental hazards  
9 after the transfer of title of real property assets to the Baltimore City Public School  
10 System.

11 SECTION ~~10~~ 11. AND BE IT FURTHER ENACTED, That it is the intent of the  
12 General Assembly that this Act constitutes further action by the General Assembly  
13 regarding consideration of the provisions of § 3-108.1 of the Education Article for the  
14 purpose of meeting the requirements of Section 28 of Chapter 105 of the Acts of the  
15 General Assembly of 1997.

16 SECTION ~~11~~ 12. AND BE IT FURTHER ENACTED, That funds appropriated  
17 for ~~schools under local reconstitution in Baltimore City~~ the Baltimore City-State  
18 Partnership may be used to support the principal development initiative enacted by  
19 this Act.

20 SECTION ~~12~~ 13. AND BE IT FURTHER ENACTED, That this Act shall take  
21 effect June 1, 2002.