

SENATE BILL 687

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2002 Regular Session
(2r2387)

ENROLLED BILL

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

Introduced by **Senators Hoffman, Blount, Bromwell, Conway, Hughes,
McFadden, and Sikas**

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.

President.

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
14 address certain special education and general education issues; requiring the
15 State Department of Education, the Interagency Committee on Public School

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

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

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

38 BY repealing
 39 Article - Education
 40 Section 4-309
 41 Annotated Code of Maryland
 42 (2001 Replacement Volume)

1 BY adding to
2 Article - Education
3 Section 4-309 and 4-309.1
4 Annotated Code of Maryland
5 (2001 Replacement Volume)

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

8 **Article - Education**

9 1-101.

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

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

15 3-108.

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

20 3-108.1.

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

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

25 (c) The Board consists of:

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

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

31 4-102.

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

1 4-103.

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

4 4-301.

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

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

9 4-303.

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

15 4-306.2.

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

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

23 4-308.

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

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

26 (2) Ensure parental involvement in the development and
27 implementation of the education policies and procedures in the Baltimore City Public
28 School System; AND

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

31 [4-309.

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

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

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

4 (ii) Any educational reform initiatives to be undertaken during the
5 first year.

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

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

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

15 (3) Following approval of the master plan by the Board, or by March 15,
16 1998, whichever is earlier, the master plan shall be submitted to the members of the
17 State Board of Education and the State Superintendent of Schools for their review
18 and approval.

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

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

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

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

30 (2) The management and accountability of the Baltimore City Public
31 School System.

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

33 (1) Complete incorporation of the key recommendations of the 1992
34 Towers Perrin/Cresap Management Study report and the 1994 and 1995 MGT of
35 America, Inc. reports;

36 (2) Incorporate the requirements of the long-term compliance plan and
37 goals in *Vaughn G. v. Amprey, et al*, case no. MJG-84-1911, United States District

1 Court for the District of Maryland, concerning the delivery of education services to
2 students with disabilities;

3 (3) Provide for the reorganization of the central office of the Baltimore
4 City Public School System;

5 (4) Provide effective curriculum and instructional programs for the
6 Baltimore City Public School System, including the development and dissemination
7 of:

8 (i) A citywide curriculum framework reflecting State learning
9 outcomes, including Maryland School Performance Program standards, and an
10 appropriate developmental sequence for students;

11 (ii) An effective program of professional development and training
12 for the staff of the Baltimore City Public School System including development and
13 implementation of a performance-based system-wide personnel evaluation system
14 for teachers, principals and administrators; and

15 (iii) An effective educational program for meeting the needs of
16 students at risk of educational failure;

17 (5) Provide effective management information systems for the Baltimore
18 City Public School System, including the capacity to accurately track student
19 enrollment, attendance, academic records, discipline records, and compliance with the
20 provisions of the federal Individuals with Disabilities Education Act;

21 (6) Provide an effective financial management and budgeting system for
22 the Baltimore City Public School System to ensure the maximization and appropriate
23 utilization of all available resources;

24 (7) Provide effective staff hiring and assignment;

25 (8) Develop an effective system of providing instructional materials and
26 support services;

27 (9) Develop model school reform initiatives;

28 (10) Provide appropriate methods for student assessment and
29 remediation;

30 (11) Develop and implement a student code of discipline as required in §
31 7-306 of this article;

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

1 (13) Increase parental participation;

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

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

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

12 4-309.

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

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

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

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

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

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

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

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

34 (2) THE MANAGEMENT AND ACCOUNTABILITY OF THE BALTIMORE CITY
35 PUBLIC SCHOOL SYSTEM.

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

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

5 (2) ADDRESS BOTH THE COMPLIANCE EFFORTS AS WELL AS THE
6 SYSTEM'S EFFORTS TO ACHIEVE FULL ORGANIZATIONAL AND INSTRUCTIONAL
7 INTEGRATION OF SPECIAL EDUCATION AND GENERAL EDUCATION INCLUDING THE
8 QUALITY INDICATORS THAT WILL BE USED TO EVALUATE THE EXTENT OF
9 INTEGRATION AND ITS IMPACT ON STUDENT PERFORMANCE;

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

16 (4) PROVIDE EFFECTIVE CURRICULUM AND INSTRUCTIONAL PROGRAMS
17 FOR THE BALTIMORE CITY PUBLIC SCHOOL SYSTEM INCLUDING THE DEVELOPMENT
18 AND DISSEMINATION OF:

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

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

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

32 (5) REVIEW THE REQUIREMENT OF A DEMONSTRATED STUDENT
33 ACHIEVEMENT PORTFOLIO FOR THE PERFORMANCE-BASED EVALUATION SYSTEM
34 FOR TEACHERS AND PRINCIPALS AND INCORPORATE DESIGN MODIFICATIONS THAT
35 WILL ENHANCE TEACHER AND PRINCIPAL INVESTMENT IN THE EVALUATION
36 INSTRUMENT;

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

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

4 (8) PROVIDE EFFECTIVE HIRING AND ASSIGNMENT OF TEACHERS AND
5 STAFF;

6 (9) DEVELOP AN EFFECTIVE SYSTEM OF PROVIDING INSTRUCTIONAL
7 MATERIALS AND SUPPORT SERVICES;

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

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

14 (12) PROVIDE APPROPRIATE METHODS FOR STUDENT ASSESSMENT AND
15 REMEDIATION;

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

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

22 (15) DEVELOP A PROGRAM TO TRAIN PRINCIPALS AND ASSISTANT
23 PRINCIPALS IN METHODS OF INCREASING PARENTAL INVOLVEMENT AT THE SCHOOL
24 LEVEL, INCLUDING STRATEGIES FOR CONNECTING PARENTS TO THE
25 INSTRUCTIONAL PROGRAM OF THE SCHOOL AND FOR MEASURING THE LEVEL OF
26 PARENTAL INVOLVEMENT THROUGH MEANINGFUL INDICATORS;

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

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

34 (18) DEVELOP AN EFFECTIVE SYSTEM OF TEACHER INPUT REGARDING
35 IMPLEMENTATION OF SCHOOL REFORM INITIATIVES, CURRICULUM, INSTRUCTION,
36 AND PROFESSIONAL DEVELOPMENT THAT INCLUDES ACTIVE AND ONGOING
37 CONSULTATION WITH CLASSROOM TEACHERS AT THE ELEMENTARY, MIDDLE, AND
38 HIGH SCHOOL LEVELS; AND

1 (19) INSTITUTE A FORMAL PROCEDURE BY WHICH THE DIRECTORS OF
2 EACH OF THE SCHOOL SYSTEM'S MENTORING PROGRAMS, INCLUDING REACT, BLUM,
3 AND PEER MENTORING, WILL PROVIDE ~~AT A MINIMUM, QUARTERLY ORAL~~
4 SEMI-ANNUAL REPORTS TO THE BOARD AND SENIOR MANAGEMENT CONCERNING
5 THE PERSPECTIVES OF CLASSROOM TEACHERS THE MENTORING PROGRAM
6 PROGRAMS.

7 4-309.1.

8 THE DEPARTMENT, IN CONSULTATION WITH THE BALTIMORE CITY PUBLIC
9 SCHOOL SYSTEM, SHALL DESIGN A PRINCIPAL DEVELOPMENT INITIATIVE THAT
10 WILL MATCH DISTINGUISHED PRINCIPALS FROM OUTSIDE THE SYSTEM AND ACTION
11 SUPPORT TEAMS WITH PRINCIPALS IN TRAINING IN THE BALTIMORE CITY PUBLIC
12 SCHOOL SYSTEM.

13 4-316.

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

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

18 (2) Set teacher qualifications;

19 (3) Set teacher salaries; and

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

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

25 4-317.

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

31 4-318.

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

34 (d) (2) (i) A Baltimore City school police officer may act in an official
35 capacity only on the premises of schools and any other property used for educational

1 purposes owned, leased, or operated by, or under the control of the [New] Baltimore
2 City Board of School Commissioners.

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

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

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

7 (g) This section does not:

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

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

12 4-319.

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

15 5-106.

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

24 6-201.

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

30 6-202.

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

1 6-401.

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

4 6-501.

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

7 (i) Somerset;

8 (ii) Wicomico; and

9 (iii) Worcester.

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

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

34 SECTION 3. AND BE IT FURTHER ENACTED, That if the Governor does not
35 include in the State budget for fiscal years 2004 through ~~2007~~ 2008 an appropriation
36 for the Baltimore City Public ~~Schools~~ School System in an amount sufficient to fund
37 the ~~recommendations in the 2002 Final Report of the Commission on Education~~
38 ~~Finance, Equity, and Excellence as applicable to Baltimore City, then the Governor~~
39 ~~shall include in the State budget for fiscal years 2004 through 2007, in each year if~~
40 ~~funds are available, an appropriation for the Baltimore City Public Schools of at least~~
41 ~~\$50,000,000 for the Baltimore City State Partnership and \$55,000,000 toward the~~

1 ~~Remedy Plan of the Baltimore City Public School System~~ *requirements of Chapter*
2 ~~_____ (S.B. 856) of the Acts of the General Assembly of 2002 as applicable to Baltimore~~
3 ~~City, the Governor shall include in the State budgets for fiscal years 2004 through~~
4 ~~2008, in each year, an appropriation for the Baltimore City Public School System that~~
5 ~~includes at least: (1) \$50,000,000 for the Baltimore City-State Partnership; and (2)~~
6 ~~\$55,000,000 for the Remedy Plan for the Baltimore City Public School System.~~

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

20 SECTION 5. AND BE IT FURTHER ENACTED, That, on or before December
21 1, 2006, a consultant shall conduct a comprehensive review and evaluation of the
22 Baltimore City-State Partnership and the reform initiatives of the Baltimore City
23 Public School System. The Board of School Commissioners and the Maryland State
24 Board of Education shall jointly select and equally share the cost of the consultant
25 and determine the scope of the review. The Board of School Commissioners and the
26 State Board shall review the findings of the comprehensive review and shall conduct
27 four public hearings throughout Baltimore City. On or before January 15, 2007, the
28 Board of School Commissioners and the State Board shall report to the General
29 Assembly the results of the public hearings and the review of the comprehensive
30 evaluation and propose to the General Assembly any changes appropriate in the
31 management structure and levels of funding of the Baltimore City Public ~~Schools~~
32 *School System*.

33 SECTION 6. AND BE IT FURTHER ENACTED, That it is the intent of the
34 General Assembly that the Chief Executive Officer, Chief Academic Officer, Chief
35 Operating Officer, and the Special Education Officer for the Baltimore City Public
36 School System, with the State Superintendent of Schools and the Assistant State
37 Superintendent for Special Education, shall meet at a minimum on a quarterly basis
38 with the Special Master assigned to the case, Vaughn G., et al v. Mayor and City
39 Council, et al, case no. MJG-84-1911, United States District Court for the District of
40 Maryland. After conducting six quarterly meetings, the State Superintendent and the
41 Chief Executive Officer shall have the discretion, acting jointly, to modify the
42 communication schedule upon providing the basis for any modification to the General
43 Assembly.

44 SECTION 7. AND BE IT FURTHER ENACTED, That the State Department
45 of Education, the Interagency Committee on Public School Construction, and the

1 Baltimore City Public School System shall develop a mechanism for communication
2 at a minimum on a quarterly basis among key executive level representatives of each
3 entity to address issues relating to facilities planning in the Baltimore City Public
4 School System, including the capital improvement program issues. After a minimum
5 of six quarterly meetings, the State Superintendent shall have the discretion to
6 modify the communication arrangement upon providing the basis for any
7 modification to the General Assembly.

8 ~~SECTION 8. AND BE IT FURTHER ENACTED, That on or before June 30,~~
9 ~~2003, Baltimore City shall bear the costs and complete the transfer of clear and~~
10 ~~merchable title of any real property assets associated with the operations of the~~
11 ~~Baltimore City Public School System to the legal possession of the Board of School~~
12 ~~Commissioners. By June 30, 2002, the Baltimore City Public School System shall~~
13 ~~submit to the State Department of Education for its approval a written plan to~~
14 ~~accomplish the required property transfer by June 30, 2003.~~

15 SECTION 8. AND BE IT FURTHER ENACTED, That on or before June 30,
16 2003, Baltimore City shall transfer real property assets associated with the
17 operations of the Baltimore City Public School System, part or all of which were
18 funded by at least \$1 million in debt issued by Baltimore City after July 1, 1997, to
19 the legal possession of the Baltimore City Board of School Commissioners. The
20 remaining real property assets associated with the operations of the Baltimore City
21 Public School System shall be transferred by Baltimore City to the legal possession of
22 the Baltimore City Board of School Commissioners in approximately equal annual
23 portions by June 30, 2009. Baltimore City shall bear the costs of the transfers by clear
24 and merchantable title. By June 30, 2002, Baltimore City and the Baltimore City
25 Public School System shall prepare a written plan to accomplish the property
26 transfers. The plan may provide for the transfer of additional real property assets by
27 June 30, 2003 if there is no Baltimore City debt outstanding for improvements or
28 modifications to the real property assets. The written plan shall be submitted to the
29 State Department of Education for its approval. Subject to § 2-1246 of the State
30 Government Article, a copy of the written plan shall be submitted to the Senate
31 Budget and Taxation Committee, the Senate Education, Health, and Environmental
32 Affairs Committee, the House Appropriations Committee, and the House Ways and
33 Means Committee.

34 SECTION 9. AND BE IT FURTHER ENACTED, That, notwithstanding §§
35 4-114 and 4-115 of the Education Article as amended by Chapter 105 of the Acts of
36 1997, the Board of Public Works, for the period from July 1, 1994 1997 through June
37 30, 2009, may approve State funding for capital improvements to public school
38 buildings in Baltimore City on property held under a clear deed and title by either the
39 Baltimore City Board of School Commissioners of the or the Mayor and City Council
40 of Baltimore. However, State funds for the construction of new schools in Baltimore
41 City may only be approved on sites with clear deed and title held by the Baltimore
42 City Board of School Commissioners.

43 SECTION 9- 10. AND BE IT FURTHER ENACTED, That Baltimore City shall
44 continue to work with the Baltimore City Public School System to eliminate
45 environmental hazards within the school system and develop a memorandum of

1 understanding to provide funding for the elimination of these environmental hazards
2 after the transfer of title of real property assets to the Baltimore City Public School
3 System.

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

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

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