

SENATE BILL 687

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2002 Regular Session
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By: **Senators Hoffman, Blount, Bromwell, Conway, Hughes, McFadden, and Sfikas**

Introduced and read first time: February 1, 2002

Assigned to: Budget and Taxation and Education, Health, and Environmental Affairs

A BILL ENTITLED

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 a certain principal development initiative; altering certain
9 required components of the Baltimore City Public School System Master Plan;
10 requiring a certain evaluation within a certain period of time; requiring certain
11 officials of the State Department of Education and the Baltimore City Public
12 School System to meet with a certain federal court special master to address
13 certain special education and general education issues; requiring the State
14 Department of Education, the Interagency Committee on Public School
15 Construction, and the Baltimore City Public School System to develop a
16 mechanism for addressing certain facilities issues within a certain period of
17 time; requiring that Baltimore City complete the transfer of certain real
18 property assets including certain title transfers to the Board of School
19 Commissioners; requiring that the cost of certain title transfers be borne by
20 Baltimore City; requiring Baltimore City and the Baltimore City Public School
21 System to eliminate certain environmental hazards within the school system;
22 requiring the City and the Board to develop a certain memorandum of
23 understanding; authorizing the use of certain funds for a certain principal
24 development initiative; declaring the intent of the General Assembly that this
25 Act constitutes a certain further action for the purpose of meeting certain
26 requirements; altering certain definitions; declaring the intent of the General
27 Assembly with respect to certain educational funding; requiring the Governor to
28 include certain amounts in certain State budgets subject to a certain
29 contingency; and generally relating to the Baltimore City-State Partnership
30 and the management of the Baltimore City Public School System.

31 BY repealing and reenacting, with amendments,

32 Article - Education

33 Section 1-101(d) and (e), 3-108(a), 3-108.1(a) and (b), 4-102(a)(2)(i), 4-103(b),

1 4-301(b) and (d), 4-303(a), 4-306.2(b) and (m)(1), 4-308(b), 4-316(a) and
2 (b)(1), 4-317, 4-318(c), (d)(2)(i), (f), and (g), 4-319(c)(1), 5-106, 6-201(c)(3),
3 6-202(a)(5), 6-401(e), and 6-501(g)
4 Annotated Code of Maryland
5 (2001 Replacement Volume)

6 BY repealing and reenacting, without amendments,
7 Article - Education
8 Section 3-108.1(c)
9 Annotated Code of Maryland
10 (2001 Replacement Volume)

11 BY repealing
12 Article - Education
13 Section 4-309
14 Annotated Code of Maryland
15 (2001 Replacement Volume)

16 BY adding to
17 Article - Education
18 Section 4-309 and 4-309.1
19 Annotated Code of Maryland
20 (2001 Replacement Volume)

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

23 **Article - Education**

24 1-101.

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

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

30 3-108.

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

1 3-108.1.

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

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

6 (c) The Board consists of:

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

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

12 4-102.

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

16 4-103.

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

19 4-301.

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

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

24 4-303.

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

30 4-306.2.

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

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

5 4-308.

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

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

8 (2) Ensure parental involvement in the development and
9 implementation of the education policies and procedures in the Baltimore City Public
10 School System; AND

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

13 [4-309.

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

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

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

20 (ii) Any educational reform initiatives to be undertaken during the
21 first year.

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

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

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

31 (3) Following approval of the master plan by the Board, or by March 15,
32 1998, whichever is earlier, the master plan shall be submitted to the members of the
33 State Board of Education and the State Superintendent of Schools for their review
34 and approval.

35 (4) The General Assembly shall receive and consider both the transition
36 plan and the master plan, and the comments of the State Board of Education and

1 State Superintendent of Schools regarding both plans and the achievements of the
2 Board towards meeting the goals of this Act, before approving the fiscal year 1999
3 budget.

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

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

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

10 (2) The management and accountability of the Baltimore City Public
11 School System.

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

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

16 (2) Incorporate the requirements of the long-term compliance plan and
17 goals in Vaughn G. v. Amprey, et al, case no. MJG-84-1911, United States District
18 Court for the District of Maryland, concerning the delivery of education services to
19 students with disabilities;

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

22 (4) Provide effective curriculum and instructional programs for the
23 Baltimore City Public School System, including the development and dissemination
24 of:

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

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

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

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

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

4 (7) Provide effective staff hiring and assignment;

5 (8) Develop an effective system of providing instructional materials and
6 support services;

7 (9) Develop model school reform initiatives;

8 (10) Provide appropriate methods for student assessment and
9 remediation;

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

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

17 (13) Increase parental participation;

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

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

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

28 4-309.

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

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

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

1 (4) THE CHIEF EXECUTIVE OFFICER OR DESIGNEE MAY CONSULT WITH
2 PARENTS, TEACHERS, STUDENTS, REPRESENTATIVES OF THE BUSINESS
3 COMMUNITY, AND EDUCATIONAL INSTRUCTION AND ADMINISTRATION EXPERTS
4 DURING THE COURSE OF THE DEVELOPMENT OF THE MASTER PLAN.

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

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

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

11 (2) THE MANAGEMENT AND ACCOUNTABILITY OF THE BALTIMORE CITY
12 PUBLIC SCHOOL SYSTEM.

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

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

18 (2) ADDRESS BOTH THE COMPLIANCE EFFORTS AS WELL AS THE
19 SYSTEM'S EFFORTS TO ACHIEVE FULL ORGANIZATIONAL AND INSTRUCTIONAL
20 INTEGRATION OF SPECIAL EDUCATION AND GENERAL EDUCATION INCLUDING THE
21 QUALITY INDICATORS THAT WILL BE USED TO EVALUATE THE EXTENT OF
22 INTEGRATION AND ITS IMPACT ON STUDENT PERFORMANCE;

23 (3) PROVIDE A BALANCED AND EFFICIENT ALLOCATION OF QUALIFIED
24 STAFF TO SUPPORT THE NECESSARY EDUCATIONAL AND MANAGERIAL FUNCTIONS
25 OF THE SCHOOL SYSTEM AND INCLUDE IN THE QUARTERLY STATUS REPORTS ON
26 THE IMPLEMENTATION OF THE MASTER PLAN A QUALITATIVE AND FISCAL ANALYSIS
27 OF THE STAFFING OF KEY CENTRAL AND AREA OFFICE FUNCTIONS;

28 (4) PROVIDE EFFECTIVE CURRICULUM AND INSTRUCTIONAL PROGRAMS
29 FOR THE BALTIMORE CITY PUBLIC SCHOOL SYSTEM INCLUDING THE DEVELOPMENT
30 AND DISSEMINATION OF:

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

34 (II) AN EFFECTIVE PROGRAM THAT INVOLVES SCHOOL-BASED
35 PRACTITIONERS INCLUDING TEACHERS, MENTORS, MASTER TEACHERS, AND
36 INSTRUCTIONAL SUPPORT TEACHERS, AS WELL AS THE EXCLUSIVE EMPLOYEE
37 ORGANIZATION REPRESENTATIVES IN THE DESIGN AND IMPLEMENTATION OF HIGH
38 QUALITY, DIFFERENTIATED PROFESSIONAL DEVELOPMENT ACTIVITIES DERIVED
39 FROM ANALYSIS OF STUDENT PERFORMANCE NEEDS AND THAT COMPLIES WITH

1 THE NATIONAL STAFF DEVELOPMENT COUNCIL STANDARDS FOR CONTENT,
2 CONTEXT, AND PROCESS; AND

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

5 (5) REVIEW THE REQUIREMENT OF A DEMONSTRATED STUDENT
6 ACHIEVEMENT PORTFOLIO FOR THE PERFORMANCE-BASED EVALUATION SYSTEM
7 FOR TEACHERS AND PRINCIPALS AND INCORPORATE DESIGN MODIFICATIONS THAT
8 WILL ENHANCE TEACHER AND PRINCIPAL INVESTMENT IN THE EVALUATION
9 INSTRUMENT;

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

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

18 (8) PROVIDE EFFECTIVE HIRING AND ASSIGNMENT OF TEACHERS AND
19 STAFF;

20 (9) DEVELOP AN EFFECTIVE SYSTEM OF PROVIDING INSTRUCTIONAL
21 MATERIALS AND SUPPORT SERVICES;

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

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

28 (12) PROVIDE APPROPRIATE METHODS FOR STUDENT ASSESSMENT AND
29 REMEDIATION;

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

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

36 (15) DEVELOP A PROGRAM TO TRAIN PRINCIPALS AND ASSISTANT
37 PRINCIPALS IN METHODS OF INCREASING PARENTAL INVOLVEMENT AT THE SCHOOL
38 LEVEL, INCLUDING STRATEGIES FOR CONNECTING PARENTS TO THE

1 INSTRUCTIONAL PROGRAM OF THE SCHOOL AND FOR MEASURING THE LEVEL OF
2 PARENTAL INVOLVEMENT THROUGH MEANINGFUL INDICATORS;

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

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

10 (18) DEVELOP AN EFFECTIVE SYSTEM OF TEACHER INPUT REGARDING
11 IMPLEMENTATION OF SCHOOL REFORM INITIATIVES, CURRICULUM, INSTRUCTION,
12 AND PROFESSIONAL DEVELOPMENT THAT INCLUDES ACTIVE AND ONGOING
13 CONSULTATION WITH CLASSROOM TEACHERS AT THE ELEMENTARY, MIDDLE, AND
14 HIGH SCHOOL LEVELS; AND

15 (19) INSTITUTE A FORMAL PROCEDURE BY WHICH THE DIRECTORS OF
16 EACH OF THE SCHOOL SYSTEM'S MENTORING PROGRAMS, INCLUDING REACT, BLUM,
17 AND PEER MENTORING, WILL PROVIDE AT A MINIMUM, QUARTERLY ORAL REPORTS
18 TO THE BOARD AND SENIOR MANAGEMENT CONCERNING THE PERSPECTIVES OF
19 CLASSROOM TEACHERS.

20 4-309.1.

21 THE DEPARTMENT, IN CONSULTATION WITH THE BALTIMORE CITY PUBLIC
22 SCHOOL SYSTEM, SHALL DESIGN A PRINCIPAL DEVELOPMENT INITIATIVE THAT
23 WILL MATCH DISTINGUISHED PRINCIPALS FROM OUTSIDE THE SYSTEM AND ACTION
24 SUPPORT TEAMS WITH PRINCIPALS IN TRAINING IN THE BALTIMORE CITY PUBLIC
25 SCHOOL SYSTEM.

26 4-316.

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

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

31 (2) Set teacher qualifications;

32 (3) Set teacher salaries; and

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

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

1 4-317.

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

7 4-318.

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

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

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

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

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

18 (g) This section does not:

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

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

23 4-319.

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

26 5-106.

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

1 6-201.

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

7 6-202.

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

12 6-401.

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

15 6-501.

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

18 (i) Somerset;

19 (ii) Wicomico; and

20 (iii) Worcester.

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

23 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the
24 General Assembly that if the Governor does not include in the State budget for fiscal
25 year 2003 an appropriation for the Baltimore City public schools in an amount
26 sufficient to fund the recommendations in the 2002 Final Report of the Commission
27 on Education Finance, Equity, and Excellence as applicable to Baltimore City, then
28 the Governor shall include in the State budget for fiscal year 2003 an appropriation
29 for the Baltimore City public schools of at least \$50,000,000 for the Baltimore
30 City-State Partnership, as provided in Section 7 of Chapter 105 of the Acts of 1997, as
31 amended by Chapter 420 of the Acts of 2001, and \$55,000,000 toward the Remedy
32 Plan of the Baltimore City Public School System, including \$20,465,079 as provided
33 in Section 4 of Chapter 493 of the Acts of 2000, as amended by Chapter 420 of the Acts
34 of 2001.

35 SECTION 3. AND BE IT FURTHER ENACTED, That if the Governor does not
36 include in the State budget for fiscal years 2004 through 2007 an appropriation for
37 the Baltimore City Public Schools in an amount sufficient to fund the

1 recommendations in the 2002 Final Report of the Commission on Education Finance,
2 Equity, and Excellence as applicable to Baltimore City, then the Governor shall
3 include in the State budget for fiscal years 2004 through 2007, in each year, an
4 appropriation for the Baltimore City Public Schools of at least \$50,000,000 for the
5 Baltimore City-State Partnership and \$55,000,000 toward the Remedy Plan of the
6 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 an appropriation for
9 the Baltimore City public schools in an amount sufficient to fund the
10 recommendations in the 2002 Final Report of the Commission on Education Finance,
11 Equity, and Excellence as applicable to Baltimore City, then if any new source of
12 revenue becomes available to the State during fiscal years 2003 through 2007, and
13 such revenue is dedicated in whole or in part to education generally, the Baltimore
14 City public schools shall receive its designated share of those revenues without
15 reduction of the additional funds provided under Sections 3 and 4 of this Act. Nothing
16 in this Act, however, shall prevent the Governor or the General Assembly from
17 reducing local aid to Baltimore City as part of any general statewide reduction in local
18 aid for a special project or purpose.

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

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

42 SECTION 7. AND BE IT FURTHER ENACTED, That the State Department of
43 Education, the Interagency Committee on Public School Construction, and the
44 Baltimore City Public School System shall develop a mechanism for communication
45 at a minimum on a quarterly basis among key executive level representatives of each

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

6 SECTION 8. AND BE IT FURTHER ENACTED, That on or before June 30,
7 2003, Baltimore City shall bear the costs and complete the transfer of clear and
8 merchantable title of any real property assets associated with the operations of the
9 Baltimore City Public School System to the legal possession of the Board of School
10 Commissioners. By June 30, 2002, the Baltimore City Public School System shall
11 submit to the State Department of Education for its approval a written plan to
12 accomplish the required property transfer by June 30, 2003.

13 SECTION 9. AND BE IT FURTHER ENACTED, That Baltimore City shall
14 continue to work with the Baltimore City Public School System to eliminate
15 environmental hazards within the school system and develop a memorandum of
16 understanding to provide funding for the elimination of these environmental hazards
17 after the transfer of title of real property assets to the Baltimore City Public School
18 System.

19 SECTION 10. AND BE IT FURTHER ENACTED, That it is the intent of the
20 General Assembly that this Act constitutes further action by the General Assembly
21 regarding consideration of the provisions of § 3-108.1 of the Education Article for the
22 purpose of meeting the requirements of Section 28 of Chapter 105 of the Acts of the
23 General Assembly of 1997.

24 SECTION 11. AND BE IT FURTHER ENACTED, That funds appropriated for
25 schools under local reconstitution in Baltimore City may be used to support the
26 principal development initiative enacted by this Act.

27 SECTION 12. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 June 1, 2002.