

---

By: **Delegates Zirkin, Aumann, Boteler, Bromwell, Burns, Cardin, Cluster,  
DeBoy, Frank, Jones, Kach, Malone, Morhaim, Nathan-Pulliam, and  
Trueschler**

Introduced and read first time: February 23, 2004  
Assigned to: Rules and Executive Nominations

---

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County - Comprehensive Master Plan - Class Size Reduction**

3 FOR the purpose of requiring the Baltimore County Board of Education to include in  
4 its master comprehensive plan a certain description of the county board's goals  
5 and the progress made towards achieving certain goals regarding the reduction  
6 of class sizes; and generally relating to the inclusion of class size reduction  
7 initiatives in the Baltimore County comprehensive master plan.

8 BY repealing and reenacting, with amendments,  
9 Article - Education  
10 Section 5-401  
11 Annotated Code of Maryland  
12 (2001 Replacement Volume and 2003 Supplement)

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

15 **Article - Education**

16 5-401.

17 (a) (1) In this section the following words have the meanings indicated.

18 (2) "Local performance standards" means standards for student and  
19 school performance developed by a county board.

20 (3) "Plan" means a comprehensive master plan.

21 (4) "State performance standards" means standards for student and  
22 school performance approved by the State Board.

23 (b) (1) Each county board shall develop and implement a comprehensive  
24 master plan that describes the goals, objectives, and strategies that will be used to

1 improve student achievement and meet State performance standards and local  
2 performance standards in each segment of the student population.

3                   (2)    (i)       Each county board shall submit a plan to the Department on or  
4 before October 1, 2003.

5                               (ii)       At least 60 days before submitting a plan to the Department, a  
6 county board shall provide a copy of the plan to the:

7   1.       County council and if applicable, county executive; or

8   2.       County commissioners.

9                   (3)       Subject to subsection (h) of this section, the plan shall:

10                               (i)       Extend for a 5-year period beginning with the 2003-2004 school  
11 year; and

12                               (ii)       Be updated by the county board on or before July 1 of each year.

13   (c)       The plan shall include:

14                   (1)       Goals and objectives as required under subsections (d) through (f) of  
15 this section that are aligned with State performance standards and local performance  
16 standards;

17                   (2)       Implementation strategies for meeting goals and objectives;

18                   (3)       Methods for measuring progress toward meeting goals and objectives;

19                   (4)       Time lines for implementation of the strategies for meeting goals and  
20 objectives;

21                   (5)       Time lines for meeting goals and objectives;

22                   (6)       A description of the alignment of the county board's budget with  
23 goals, objectives, and strategies for improving student achievement;

24                   (7)       The impact of the proposed goals, objectives, and implementation  
25 strategies on public school facilities and capital improvements that may be needed to  
26 implement the plan; and

27                   (8)       Any other information required by the State Superintendent.

28   (d)       The plan shall include goals, objectives, and strategies regarding the  
29 performance of:

30                   (1)       Students requiring special education, as defined in § 5-209 of this  
31 title;

1 (2) Students with limited-English proficiency, as defined in § 5-208 of  
2 this title;

3 (3) Prekindergarten students;

4 (4) Kindergarten students;

5 (5) Gifted and talented students, as defined in § 8-201 of this article;

6 (6) Students enrolled in career and technology courses;

7 (7) Students failing to meet, or failing to make progress toward meeting,  
8 State performance standards, including any segment of the student population that  
9 is, on average, performing at a lower achievement level than the student population  
10 as a whole; and

11 (8) Any other segment of the student population identified by the State  
12 Superintendent.

13 (e) With regard to subsection (d)(7) of this section, the plan shall include  
14 strategies to address any disparities in achievement identified for any segment of the  
15 student population.

16 (f) (1) (i) The State Superintendent shall review each plan to determine  
17 whether the plan complies with the requirements of subsections (b) through (e) of this  
18 section.

19 (ii) If the State Superintendent determines that a plan does not  
20 comply with the requirements of subsections (b) through (e) of this section, the State  
21 Superintendent may require specific revisions to the plan.

22 (2) (i) The State Superintendent may review the content of each plan  
23 to assess whether the plan will have the effect of improving student achievement and  
24 increasing progress toward meeting State performance standards.

25 (ii) If the State Superintendent determines that a plan will not  
26 have the effect of improving student achievement and increasing progress toward  
27 meeting State performance standards, the State Superintendent may require specific  
28 revisions to the plan.

29 (3) A county board may not implement a plan unless it has been  
30 approved by the State Superintendent.

31 (g) (1) A county board may submit a preexisting management plan to the  
32 Department as the county board's plan under subsection (b) of this section.

33 (2) If the State Superintendent determines that the preexisting  
34 management plan meets the requirements set forth in this section, the State  
35 Superintendent shall approve the preexisting management plan as the county board's  
36 plan.

1 (h) (1) If a school system fails to demonstrate progress toward improving  
2 student achievement and meeting State performance standards in each segment of  
3 the student population during a school year, the State Superintendent shall review  
4 the content of the plan and any updates to the plan to assess whether the plan will  
5 have the effect of improving student achievement and increasing progress toward  
6 meeting State performance standards.

7 (2) If the State Superintendent determines that a plan will not have the  
8 effect of improving student achievement and increasing progress toward meeting  
9 State performance standards, the State Superintendent shall require specific  
10 revisions to the plan.

11 (i) The State Superintendent shall advise the Governor and the General  
12 Assembly concerning the distribution of State funds to a county that fails to make  
13 progress toward improving student achievement and meeting State performance  
14 standards in each segment of the student population.

15 (j) The State Board may withhold State funds from a county board if:

16 (1) A school system fails to demonstrate annual progress toward  
17 improving student achievement and meeting State performance standards in each  
18 segment of the student population; and

19 (2) Fails to develop a plan that meets the requirements of subsections (b)  
20 through (g) of this section or take any action required by the State Superintendent  
21 under this section.

22 (k) (1) The State Superintendent shall review academic intervention  
23 programs and behavior modification programs to identify best practices.

24 (2) The State Superintendent shall periodically report on the best  
25 practices to the State Board, the county boards, the Governor, and, subject to §  
26 2-1246 of the State Government Article, the General Assembly.

27 (l) (1) Subject to paragraph (2) of this subsection, the Department shall  
28 adopt regulations as necessary to implement this section.

29 (2) The Department shall consult with county superintendents and  
30 county boards before promulgating proposed regulations to implement this section.

31 (m) The Department may provide technical assistance to county boards in  
32 developing and implementing a plan.

33 (n) The Governor shall include an appropriation for the Department in the  
34 State budget for each fiscal year in amount sufficient to cover the costs associated  
35 with implementing this section.

36 (O) (1) THIS SUBSECTION ONLY APPLIES IN BALTIMORE COUNTY.

1                   (2)       THE PLAN SHALL INCLUDE A DESCRIPTION OF THE COUNTY  
2 BOARD'S:

3                   (I)       GOALS RELATING TO THE REDUCTION OF CLASS SIZES IN  
4 KINDERGARTEN THROUGH THE THIRD GRADE; AND

5                   (II)      PROGRESS MADE TOWARDS ACHIEVING THE GOALS DESCRIBED  
6 IN ITEM (I) OF THIS PARAGRAPH.

7       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 July 1, 2004.