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By: **Delegates Gutierrez, Bobo, Cane, Gordon, Heller, Hubbard, Lee,  
Madaleno, Marriott, McIntosh, Menes, Nathan-Pulliam, Ramirez,  
Simmons, Taylor, and Vaughn**

Introduced and read first time: February 11, 2005

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Education - Closing the Gap School Recognition Awards**

3 FOR the purpose of establishing the Closing the Gap School Recognition Awards  
4 program to recognize primary and secondary schools which have made  
5 significant efforts in reducing certain achievement gaps for certain students;  
6 requiring the Governor to include a certain amount of certain federal funds in  
7 the annual State budget under certain circumstances to fund the awards  
8 program; requiring the State Superintendent to establish certain guidelines for  
9 determining the eligibility for and distribution of award funds; requiring the  
10 State Department of Education to annually determine and report to the General  
11 Assembly, State Board, and county boards the primary and secondary schools  
12 that have made gains in reducing certain achievement gaps for certain students;  
13 requiring certain recipient schools to determine how award funds shall be used  
14 to further reduce achievement gaps subject to certain limitations; requiring the  
15 principal of a recipient school to file a certain report with the county  
16 superintendent; requiring the county superintendent to file a certain report  
17 with the county board, the State Superintendent, and the State Board; repealing  
18 a certain provision of law establishing certain school performance recognition  
19 awards; defining certain terms; and generally relating to establishing the  
20 Closing the Gap School Recognition Awards program.

21 BY repealing

22 Article - Education

23 Section 5-211

24 Annotated Code of Maryland

25 (2004 Replacement Volume and 2004 Supplement)

26 BY adding to

27 Article - Education

28 Section 5-211

29 Annotated Code of Maryland

30 (2004 Replacement Volume and 2004 Supplement)

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
2 MARYLAND, That Section(s) 5-211 of Article - Education of the Annotated Code of  
3 Maryland be repealed.

4 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
5 read as follows:

6 **Article - Education**

7 5-211.

8 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
9 INDICATED.

10 (2) "AWARD" MEANS A CLOSING THE GAP SCHOOL RECOGNITION AWARD.

11 (3) "NCLB ACT" MEANS THE FEDERAL NO CHILD LEFT BEHIND ACT.

12 (4) "RECIPIENT SCHOOL" MEANS A PUBLIC SCHOOL THAT RECEIVES AN  
13 AWARD UNDER THIS SECTION.

14 (B) (1) IT IS THE INTENT OF THIS SECTION TO RECOGNIZE INDIVIDUAL  
15 SCHOOLS WHICH HAVE MADE SIGNIFICANT EFFORTS IN REDUCING THE  
16 ACHIEVEMENT GAPS FOR AFRICAN AMERICAN, LATINO, AND OTHER STUDENT  
17 SUBGROUPS IN STATE SCHOOLS AS DEMONSTRATED BY DATA REPORTED TO THE  
18 DEPARTMENT IN ACCORDANCE WITH THE SUBGROUPS SPECIFIED IN THE FEDERAL  
19 NCLB ACT.

20 (2) INDIVIDUAL SCHOOLS MAY BE RECOGNIZED THROUGH RECEIPT OF  
21 "CLOSING THE GAP SCHOOL RECOGNITION AWARDS".

22 (C) THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET SUBMISSION  
23 FOR FISCAL YEAR 2007 AND EACH YEAR THEREAFTER \$2,750,000 FOR AWARDS TO BE  
24 FUNDED ENTIRELY BY USING FEDERAL FUNDS FROM THE STATE-LEVEL RESERVE  
25 ALLOCATIONS FOR SCHOOL IMPROVEMENT ACTIVITIES SPECIFIED BY THE FEDERAL  
26 TITLE I GRANTS TO LOCAL EDUCATION AGENCIES.

27 (D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE STATE  
28 SUPERINTENDENT SHALL ESTABLISH GUIDELINES FOR DETERMINING ELIGIBILITY  
29 FOR AND DISTRIBUTION OF AWARDS UNDER THIS SECTION.

30 (2) (I) THE DEPARTMENT SHALL ANNUALLY DETERMINE AND REPORT  
31 TO THE GENERAL ASSEMBLY, STATE BOARD, AND COUNTY BOARDS THOSE PRIMARY  
32 AND SECONDARY SCHOOLS THAT HAVE MADE SIGNIFICANT GAINS IN REDUCING  
33 ACHIEVEMENT GAPS FOR AFRICAN AMERICAN, LATINO, AND OTHER STUDENT  
34 SUBGROUPS IN STATE PUBLIC SCHOOLS.

35 (II) THE AWARD CRITERIA SHOULD BE BASED ON THE MANDATED  
36 DISAGGREGATED ACHIEVEMENT GAP INDICATORS IN ACCORDANCE WITH THE NCLB  
37 ACT, INCLUDING, BUT NOT LIMITED TO:

1                                   1.       REDUCED GAPS OR SIGNIFICANT GAINS TOWARD ZERO  
2 GAP IN ELEMENTARY SCHOOL READING AND MATH ASSESSMENTS BY THE THIRD  
3 GRADE;

4                                   2.       REDUCED GAP IN THE NUMBER OF AFRICAN AMERICAN,  
5 LATINO, AND OTHER SUBGROUP MIDDLE SCHOOL STUDENTS PARTICIPATING IN  
6 PRE-ALGEBRA OR ALGEBRA AND HONORS/ADVANCED COURSES;

7                                   3.       REDUCED GAP IN THE NUMBER OF AFRICAN AMERICAN,  
8 LATINO, AND OTHER SUBGROUP HIGH SCHOOL STUDENTS PARTICIPATING IN  
9 HONORS AND ADVANCED PLACEMENT COURSES; AND

10                                  4.       SIGNIFICANT GAINS TOWARD ZERO GAP IN GRADUATION,  
11 DROPOUT, AND SUSPENSION RATES AMONG ALL RACIAL AND ETHNIC HIGH SCHOOL  
12 STUDENTS.

13       (E)       (1)       A RECIPIENT SCHOOL SHALL DETERMINE HOW THE AWARD SHALL  
14 BE USED TO FURTHER REDUCTION OF ACHIEVEMENT GAPS SUBJECT TO THE  
15 FOLLOWING CONDITIONS:

16                                  (I)       AWARD FUNDS ARE IN ADDITION TO AND MAY NOT SUPPLANT  
17 FEDERAL, STATE, AND LOCAL FUNDS REGULARLY APPROPRIATED FOR USE BY THE  
18 SCHOOL;

19                                  (II)       AWARD FUNDS MAY NOT BE USED FOR:

20   1.       STAFF BONUSES;

21   2.       DIFFERENTIAL PAY INCREASES; OR

22   3.       TECHNOLOGY; AND

23                                  (III)       AWARD FUNDS SHALL BE EXPENDED IN ACCORDANCE WITH  
24 POLICIES AND PROCEDURES OF THE SCHOOL SYSTEM WHERE THE RECIPIENT  
25 SCHOOL IS LOCATED.

26                                  (2)       THE PRINCIPAL OF THE RECIPIENT SCHOOL SHALL FILE A REPORT  
27 WITH THE COUNTY SUPERINTENDENT INDICATING THE AMOUNT AND USES OF THE  
28 AWARD FUNDS BY THE RECIPIENT SCHOOL.

29                                  (3)       THE COUNTY SUPERINTENDENT SHALL FILE A REPORT WITH THE  
30 COUNTY BOARD, THE STATE SUPERINTENDENT, AND THE STATE BOARD INDICATING  
31 THE AMOUNTS AND USES OF THE AWARD FUNDS BY EACH RECIPIENT SCHOOL IN  
32 THE SCHOOL DISTRICT.

33       SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
34 July 1, 2005.