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

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Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

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CHAPTER _____

1 AN ACT concerning

2 **Education—Closing the Gap School Recognition Awards**
 3 **Task Force to Study the Achievement Gap in Maryland Public Schools**

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

22 FOR the purpose of establishing the Task Force to Study the Achievement Gap in
 23 Maryland Public Schools; providing for the membership and staffing of the Task
 24 Force; prohibiting members of the Task Force from receiving certain

1 compensation but authorizing the reimbursement of certain expenses;
 2 authorizing the Task Force to request certain assistance from the State
 3 Department of Education; requiring the Task Force to study certain issues
 4 related to closing achievement gaps for certain groups of students in the
 5 Maryland public school system; requiring the Task Force to report its findings
 6 and recommendations to the Governor and the General Assembly on or before a
 7 certain date; providing for the termination of this Act; and generally relating to
 8 a Task Force to Study the Achievement Gap in Maryland Public Schools.

9 ~~BY repealing~~
 10 ~~Article—Education~~
 11 ~~Section 5-211~~
 12 ~~Annotated Code of Maryland~~
 13 ~~(2004 Replacement Volume and 2004 Supplement)~~

14 ~~BY adding to~~
 15 ~~Article—Education~~
 16 ~~Section 5-211~~
 17 ~~Annotated Code of Maryland~~
 18 ~~(2004 Replacement Volume and 2004 Supplement)~~

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 20 MARYLAND, That ~~Section(s) 5-211 of Article—Education of the Annotated Code of~~
 21 ~~Maryland be repealed.;~~

22 (a) There is a Task Force to Study the Achievement Gap in Maryland Public
 23 Schools.

24 (b) (1) The Task Force consists of the following members:

25 (i) three members of the Senate, appointed by the President of the
 26 Senate; and

27 (ii) three members of the House of Delegates, appointed by the
 28 Speaker of the House;

29 (iii) five members from the community, appointed by the Governor
 30 as follows:

31 1. one representative of the Baltimore Teachers Union;

32 2. one representative of Maryland State Teachers
 33 Association;

34 3. one representative of CASA of Maryland;

35 4. one representative of the Arc of Maryland; and

36 5. one representative who serves on a local school board.

1 (2) A majority of the members appointed by the President of the Senate
2 and the Speaker of the House shall be members who are:

3 (i) members of the Maryland Legislative Black Caucus; or

4 (ii) members who represent legislative districts with a high
5 concentration of schools identified for restructuring.

6 (c) The President of the Senate and the Speaker of the House of Delegates
7 shall jointly appoint a chair and a vice chair of the Task Force.

8 (d) The State Department of Education shall provide staff for the Task Force.

9 (e) A member of the Task Force:

10 (1) shall serve without compensation; but

11 (2) is entitled to reimbursement for expenses under the Standard State
12 Travel Regulations, as provided in the State budget.

13 (f) (1) The Task Force shall review and study educational indicators of
14 achievement gaps in public schools for the following groups of students:

15 (i) students from racial and ethnic minority groups;

16 (ii) economically disadvantaged students;

17 (iii) English-language learners; and

18 (iv) students with disabilities.

19 (2) The Task Force shall make recommendations regarding:

20 (i) the existence of achievement gaps in the Maryland public school
21 system;

22 (ii) effective strategies to narrow achievement gaps;

23 (iii) methods the State educational agencies could use to close
24 achievement gaps; and

25 (iv) legislative initiatives that would address closing achievement
26 gaps.

27 (g) The Task Force shall report its findings and recommendations to the
28 Governor and, subject to § 2-1246 of the State Government Article, to the General
29 Assembly on or before December 31, 2005.

30 SECTION 2. ~~AND BE IT FURTHER ENACTED, That the Laws of Maryland~~
31 ~~read as follows:~~

Article—Education

1
2 ~~5-211.~~

3 (A) (1) ~~IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS~~
4 ~~INDICATED.~~

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

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

7 (4) ~~"RECIPIENT SCHOOL" MEANS A PUBLIC SCHOOL THAT RECEIVES AN~~
8 ~~AWARD UNDER THIS SECTION.~~

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

15 (2) ~~INDIVIDUAL SCHOOLS MAY BE RECOGNIZED THROUGH RECEIPT OF~~
16 ~~"CLOSING THE GAP SCHOOL RECOGNITION AWARDS".~~

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

22 (D) (1) ~~SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE STATE~~
23 ~~SUPERINTENDENT SHALL ESTABLISH GUIDELINES FOR DETERMINING ELIGIBILITY~~
24 ~~FOR AND DISTRIBUTION OF AWARDS UNDER THIS SECTION.~~

25 (2) (1) ~~THE DEPARTMENT SHALL ANNUALLY DETERMINE AND REPORT~~
26 ~~TO THE GENERAL ASSEMBLY, STATE BOARD, AND COUNTY BOARDS THOSE PRIMARY~~
27 ~~AND SECONDARY SCHOOLS THAT HAVE MADE SIGNIFICANT GAINS IN REDUCING~~
28 ~~ACHIEVEMENT GAPS FOR AFRICAN AMERICAN, LATINO, AND OTHER STUDENT~~
29 ~~SUBGROUPS IN STATE PUBLIC SCHOOLS.~~

30 (H) ~~THE AWARD CRITERIA SHOULD BE BASED ON THE MANDATED~~
31 ~~DISAGGREGATED ACHIEVEMENT GAP INDICATORS IN ACCORDANCE WITH THE NCLB~~
32 ~~ACT, INCLUDING, BUT NOT LIMITED TO:~~

33 1. ~~REDUCED GAPS OR SIGNIFICANT GAINS TOWARD ZERO~~
34 ~~GAP IN ELEMENTARY SCHOOL READING AND MATH ASSESSMENTS BY THE THIRD~~
35 ~~GRADE;~~

1 2. ~~REDUCED GAP IN THE NUMBER OF AFRICAN AMERICAN,
2 LATINO, AND OTHER SUBGROUP MIDDLE SCHOOL STUDENTS PARTICIPATING IN
3 PRE ALGEBRA OR ALGEBRA AND HONORS/ADVANCED COURSES;~~

4 3. ~~REDUCED GAP IN THE NUMBER OF AFRICAN AMERICAN,
5 LATINO, AND OTHER SUBGROUP HIGH SCHOOL STUDENTS PARTICIPATING IN
6 HONORS AND ADVANCED PLACEMENT COURSES; AND~~

7 4. ~~SIGNIFICANT GAINS TOWARD ZERO GAP IN GRADUATION,
8 DROPOUT, AND SUSPENSION RATES AMONG ALL RACIAL AND ETHNIC HIGH SCHOOL
9 STUDENTS.~~

10 ~~(E) (1) A RECIPIENT SCHOOL SHALL DETERMINE HOW THE AWARD SHALL
11 BE USED TO FURTHER REDUCTION OF ACHIEVEMENT GAPS SUBJECT TO THE
12 FOLLOWING CONDITIONS:~~

13 ~~(I) AWARD FUNDS ARE IN ADDITION TO AND MAY NOT SUPPLANT
14 FEDERAL, STATE, AND LOCAL FUNDS REGULARLY APPROPRIATED FOR USE BY THE
15 SCHOOL;~~

16 ~~(II) AWARD FUNDS MAY NOT BE USED FOR:~~

17 1. ~~STAFF BONUSES;~~

18 2. ~~DIFFERENTIAL PAY INCREASES; OR~~

19 3. ~~TECHNOLOGY; AND~~

20 ~~(III) AWARD FUNDS SHALL BE EXPENDED IN ACCORDANCE WITH
21 POLICIES AND PROCEDURES OF THE SCHOOL SYSTEM WHERE THE RECIPIENT
22 SCHOOL IS LOCATED.~~

23 ~~(2) THE PRINCIPAL OF THE RECIPIENT SCHOOL SHALL FILE A REPORT
24 WITH THE COUNTY SUPERINTENDENT INDICATING THE AMOUNT AND USES OF THE
25 AWARD FUNDS BY THE RECIPIENT SCHOOL.~~

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

30 ~~SECTION 3. 2. AND BE IT FURTHER ENACTED, That this Act shall take
31 effect July 1, 2005. It shall remain effective for a period of 1 year and, at the end of
32 June 30, 2006, with no further action required by the General Assembly, this Act shall
33 be abrogated and of no further force and effect.~~

