

SENATE BILL 74

F1

0lr0109

(PRE-FILED)

By: **Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Education)**

Requested: October 15, 2009

Introduced and read first time: January 13, 2010

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 5, 2010

CHAPTER _____

1 AN ACT concerning

2 **Education – Comprehensive Master Plans**

3 FOR the purpose of requiring a local board of education to submit certain updates to
4 the board's comprehensive master plan on or before certain dates; altering
5 certain dates by which a local board is required to submit a certain plan and
6 certain updates to the plan; altering the time frame for submitting copies of
7 certain plans or updates to certain persons; authorizing a local board to submit
8 a preexisting management plan to satisfy certain requirements; requiring the
9 State Superintendent of Education to approve the plan as the county board's
10 plan or update if certain requirements are met; and generally relating to
11 comprehensive master plans and updates to master plans submitted by local
12 boards of education.

13 BY repealing and reenacting, with amendments,
14 Article – Education
15 Section 5–401
16 Annotated Code of Maryland
17 (2008 Replacement Volume and 2009 Supplement)

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

20 **Article – Education**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 5-401.

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

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

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

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

8 (5) "Update" means an annual update to a county board's
9 comprehensive master plan.

10 (b) (1) Each county board shall develop and implement a comprehensive
11 master plan that describes the goals, objectives, and strategies that will be used to
12 improve student achievement and meet State performance standards and local
13 performance standards in each segment of the student population.

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

16 (ii) Each county board shall submit an update to the plan
17 required under paragraph (2)(i) of this subsection for review and approval by the State
18 Superintendent of Schools on or before:

19 1. October 15, 2008; [and]

20 2. October 15, 2009;

21 3. **OCTOBER 15, 2010; AND**

22 4. **OCTOBER 15, 2011.**

23 (3) (i) On or before October 15, [2010] **2012**, each county board
24 shall submit a plan to the Department.

25 (ii) Beginning in [2011] **2013**, each county board shall submit
26 an annual update for review and approval by the State Superintendent of Schools on
27 or before October 15 of each year.

28 (4) (i) Subject to subsection (i) of this section, the plan and updates
29 required under paragraph (3) of this subsection shall cover a 5-year period.

1 (ii) At least [60] **30** days before submitting a plan or update to
2 the Department, a county board shall provide a copy of the **PROPOSED** plan or
3 update, **WITH A COPY OF THE FINAL PLAN OR UPDATE TO FOLLOW**, to the:

- 4 1. County council and if applicable, county executive; or
5 2. County commissioners.

6 (5) Each county board shall submit with the update required under
7 paragraph (3)(ii) of this subsection:

8 (i) A detailed summary of how the board's current year
9 approved budget and increases in expenditures over the prior year are consistent with
10 the master plan; and

11 (ii) A summary of how the board's actual prior year budget and
12 additional expenditures in the prior year's budget aligned with the master plan.

13 (c) The plan or update shall include:

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

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

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

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

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

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

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

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

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

1 (1) Students requiring special education, as defined in § 5–209 of this
2 title;

3 (2) Students with limited–English proficiency, as defined in § 5–208 of
4 this title;

5 (3) Prekindergarten students;

6 (4) Kindergarten students;

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

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

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

13 (8) Any other segment of the student population identified by the
14 State Superintendent.

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

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

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

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

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

32 (3) A county board may not implement a plan or update unless it has
33 been approved by the State Superintendent.

1 **(G) (1) A COUNTY BOARD MAY SUBMIT A PREEXISTING MANAGEMENT**
2 **PLAN TO THE DEPARTMENT AS THE COUNTY BOARD’S PLAN OR UPDATE UNDER**
3 **SUBSECTION (B) OF THIS SECTION.**

4 **(2) IF THE STATE SUPERINTENDENT DETERMINES THAT THE**
5 **PREEXISTING MANAGEMENT PLAN MEETS THE REQUIREMENTS SET FORTH IN**
6 **THIS SECTION, THE STATE SUPERINTENDENT SHALL APPROVE THE**
7 **PREEXISTING MANAGEMENT PLAN AS THE COUNTY BOARD’S PLAN OR UPDATE.**

8 (h) (1) The State Superintendent annually shall review how each county
9 board’s current year approved budget and actual prior year budget align with the
10 master plan and any updates to the master plan. This review may be based on the
11 information required to be submitted by the county board under subsection (b)(5) of
12 this section and any other information required by the State Superintendent.

13 (2) The State Superintendent annually shall report the results of the
14 budget review by December 31 to the Governor, the county governing body, and,
15 subject to § 2–1246 of the State Government Article, the General Assembly.

16 (i) (1) If a school system fails to demonstrate progress toward improving
17 student achievement and meeting State performance standards in each segment of the
18 student population during a school year, the State Superintendent shall review the
19 content of the plan, any updates to the plan, and the results of the annual review
20 required under subsection (h)(1) of this section to assess whether the plan or update
21 will have the effect of improving student achievement and increasing progress toward
22 meeting State performance standards.

23 (2) If the State Superintendent determines that a plan or update will
24 not have the effect of improving student achievement and increasing progress toward
25 meeting State performance standards, the State Superintendent shall require specific
26 revisions to the plan or update.

27 (j) The State Superintendent shall advise the Governor and the General
28 Assembly concerning the distribution of State funds to a county that fails to make
29 progress toward improving student achievement and meeting State performance
30 standards in each segment of the student population.

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

33 (2) The State Superintendent shall periodically report on the best
34 practices to the State Board, the county boards, the Governor, and, subject to § 2–1246
35 of the State Government Article, the General Assembly.

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

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

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

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

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2010.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.