

HOUSE BILL 1267

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3lr3120
CF SB 814

By: **Delegates Wilkins and Toles**

Introduced and read first time: February 20, 2023

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Promise Schools – Establishment**

3 FOR the purpose of requiring the State Department of Education to designate a certain
4 number of community schools that have been identified as low-performing or in need
5 of comprehensive support and improvement as promise schools each year; requiring
6 a school that is designated as a promise school to receive additional funding under a
7 certain funding formula; requiring the county board of education that contains a
8 promise school to perform a comprehensive analysis of the key factors and root
9 causes that have led to a certain identification; requiring the county board to submit
10 a promise school plan to improve school outcomes; requiring the Department to
11 create an itemized budget for the plan; requiring the county board to allow a
12 student's parent or guardian to transfer a student from a promise school to another
13 school if student outcomes have not improved by a certain time; requiring a county
14 board to provide transportation and, under certain circumstances, make certain
15 payments for a transferring student; requiring the State Superintendent of Schools
16 to designate a Director of Promise Schools; providing for the duties of the Director of
17 Promise Schools; requiring the Director of Community Schools to assist the Director
18 of Promise Schools in overseeing the promise schools; requiring the Department to
19 approve community school implementation plans; authorizing the Department to
20 modify implementation plans; requiring a community schools coordinator to review
21 and adjust an implementation plan during a certain period of time; and generally
22 relating to the establishment of promise schools in the State.

23 BY repealing and reenacting, with amendments,
24 Article – Education
25 Section 5–223(d), 7–101(b), 9.9–103, and 9.9–104
26 Annotated Code of Maryland
27 (2022 Replacement Volume)

28 BY repealing and reenacting, without amendments,
29 Article – Education

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Section 5–223(f) and 9.9–101(a), (b), and (e)
Annotated Code of Maryland
(2022 Replacement Volume)

BY adding to
Article – Education
Section 5–223(i)
Annotated Code of Maryland
(2022 Replacement Volume)

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

Article – Education

5–223.

(d) (1) (i) 1. Eligible schools with a concentration of poverty level of at
least 80% shall receive a per pupil grant beginning in fiscal year 2022.

2. All other eligible schools shall receive the per pupil grant
1 year after becoming eligible and on completion of the needs assessment required under §
9.9–104 of this article.

(ii) Except as provided in paragraph (3) of this subsection, each
eligible school shall receive a per pupil grant each fiscal year equal to the product of the
total number of eligible students in the school and the per pupil amount based on the sliding
scale under paragraph (2) of this subsection.

(2) (i) The sliding scale per pupil amount shall be calculated as
provided in this paragraph.

(ii) For schools with a concentration of poverty level less than or
equal to 55%, the per pupil amount is \$0.

(iii) For schools with a concentration of poverty level greater than
55% but less than 80%, the per pupil amount is equal to the product of the concentration of
poverty level and the sliding scale upper limit minus the sliding scale adjustment factor.

(iv) For schools with a concentration of poverty level equal to or
greater than 80% the per pupil amount is the maximum per pupil amount.

(3) Except as provided in [paragraph] PARAGRAPHS (4) AND (5) of this
subsection, each eligible school shall receive the following proportion of the per pupil grant
calculated under paragraph (2) of this subsection rounded to the nearest whole dollar:

(i) For the 1st year of eligibility, 16%;

(ii) For the 2nd year of eligibility, 32%;

(iii) For the 3rd year of eligibility, 37%;

(iv) For the 4th year of eligibility, 55%;

(v) For the 5th year of eligibility, 66%;

(vi) For the 6th year of eligibility, 75%; and

(vii) For the 7th year of eligibility and each year of eligibility thereafter, 100%.

(4) Beginning in fiscal year 2030, each eligible school shall receive 100% of the per pupil grant calculated under paragraph (2) of this subsection rounded to the nearest whole dollar.

(5) IF, BEFORE FISCAL YEAR 2030, AN ELIGIBLE SCHOOL IS SELECTED BY THE DEPARTMENT AS A PROMISE SCHOOL UNDER SUBSECTION (I) OF THIS SECTION, BEGINNING WITH THE NEXT FISCAL YEAR, THE SCHOOL SHALL RECEIVE A PROPORTION OF THE PER PUPIL GRANT CALCULATED UNDER PARAGRAPH (3) OF THIS SUBSECTION AS IF THE SCHOOL HAD AN ADDITIONAL 2 YEARS OF ELIGIBILITY.

(f) (1) Each eligible school shall use the per pupil grant to provide wraparound services and other programs and services identified in the eligible school's needs assessment plan.

(2) (i) Except as provided in subparagraph (ii) of this paragraph, if a local school system has at least 40 eligible schools, the county board may, on behalf of the eligible schools, expend no more than 50% of the funds distributed for the per pupil grant, provided that a plan is developed in consultation with the eligible schools that ensures that the requirements of paragraph (1) of this subsection are met and the plan is submitted to the Accountability and Implementation Board under § 5-402 of this title.

(ii) Subparagraph (i) of this paragraph does not apply to a public charter school unless the public charter school chooses to participate in the plan.

(3) A local school system may request flexibility in distributing funds through the Accountability and Implementation Board appeal process under § 5-406 of this title.

(I) (1) THE DEPARTMENT MAY DESIGNATE AN ELIGIBLE SCHOOL AS A PROMISE SCHOOL IF:

(I) THE DEPARTMENT HAS IDENTIFIED THE SCHOOL AS LOW PERFORMING UNDER § 7-202.1 OF THIS ARTICLE; OR

(II) THE SCHOOL HAS BEEN IDENTIFIED BY THE DEPARTMENT FOR COMPREHENSIVE SUPPORT AND IMPROVEMENT UNDER § 7-203.4 OF THIS ARTICLE.

(2) ON OR BEFORE JUNE 15, 2023, AND EACH JUNE 15 THEREAFTER, THE DEPARTMENT SHALL IDENTIFY AT LEAST 10 ELIGIBLE SCHOOLS AS PROMISE SCHOOLS.

(3) (I) A COUNTY BOARD THAT HAS A PROMISE SCHOOL IN ITS JURISDICTION SHALL PERFORM A COMPREHENSIVE ANALYSIS OF THE KEY FACTORS AND ROOT CAUSES THAT HAVE LED THE PROMISE SCHOOL TO BEING IDENTIFIED AS LOW-PERFORMING OR IDENTIFIED FOR COMPREHENSIVE SUPPORT AND IMPROVEMENT.

(II) IN PERFORMING THIS ANALYSIS, THE COUNTY BOARD SHALL USE ALL AVAILABLE DIAGNOSTIC TOOLS, INCLUDING THE FINDINGS OF AN EXPERT REVIEW TEAM SENT TO THE SCHOOL UNDER § 5-411 OF THIS TITLE AND, IF APPLICABLE, THE FINDINGS IN THE COMPREHENSIVE SUPPORT AND IMPROVEMENT PLAN REQUIRED UNDER § 7-203.4 OF THIS ARTICLE.

(III) IN PERFORMING ITS ANALYSIS, THE COUNTY BOARD SHALL CONSIDER WHETHER CREATING A SPECIALIZED PROGRAM OF INSTRUCTION OR A FOCUS ON PARTICULAR COURSE TOPICS WOULD RESULT IN GREATER STUDENT ACHIEVEMENT.

(IV) THE COUNTY BOARD SHALL SUBMIT THE RESULTS OF ITS ANALYSIS TO THE DEPARTMENT.

(4) (I) ON OR BEFORE SEPTEMBER 1 OF THE YEAR THE SCHOOL IS IDENTIFIED AS A PROMISE SCHOOL, AFTER COMPLETING ITS ANALYSIS, THE COUNTY BOARD SHALL ESTABLISH A 3-YEAR PROMISE SCHOOL PLAN DESIGNED TO IMPROVE THE OUTCOMES FOR STUDENTS IN THE SCHOOL.

(II) THE PLAN SHALL INCLUDE:

1. SALARY INCREASES FOR THE RECRUITMENT AND RETENTION OF HIGHLY ACCOMPLISHED EDUCATORS WITH A TRACK RECORD OF ACCELERATING STUDENT ACHIEVEMENT THAT ARE AT LEAST EQUIVALENT TO INCREASES PROVIDED TO TEACHERS AT LOW-PERFORMING SCHOOLS UNDER § 6-1009 OF THIS ARTICLE;

2. AN EXTENSION OF THE SCHOOL DAY OR SCHOOL YEAR
AND AN EXPLANATION OF HOW ADDITIONAL TIME WILL BE USED TO AID STUDENT
ACHIEVEMENT;

3. DETAILED LOGIC MODELS THAT DEMONSTRATE THE
PROGRAMS, INITIATIVES, AND ACTIVITIES THAT WILL ACCELERATE STUDENT
LEARNING, INCLUDING INNOVATIVE LEARNING STRUCTURES AND, IF APPLICABLE,
A SPECIALIZED PROGRAM OF INSTRUCTION OR FOCUS ON PARTICULAR COURSE
TOPICS;

4. THE USE OF HIGH-QUALITY TUTORS WHO WILL WORK
WITH STUDENTS DURING THE SCHOOL DAY;

5. IN-SCHOOL PROFESSIONAL DEVELOPMENT;

6. FREE BREAKFAST AND LUNCH FOR EACH STUDENT IN
THE SCHOOL; AND

7. WRAPAROUND SERVICES REQUIRED UNDER TITLE
9.9 OF THIS ARTICLE THAT REQUIRE ADDITIONAL FUNDING AND SUPPORT.

(III) THE COUNTY BOARD SHALL SUBMIT THE PLAN TO THE
DEPARTMENT FOR REVIEW.

(IV) THE DEPARTMENT MAY APPROVE THE PLAN AS SUBMITTED
OR, IF NECESSARY, MAY MODIFY THE PLAN BEFORE APPROVAL.

(V) 1. ON OR BEFORE NOVEMBER 1, 2023, AND EACH
NOVEMBER 1 THEREAFTER, THE DEPARTMENT SHALL CREATE A DETAILED,
ITEMIZED PROMISE BUDGET PLAN FOR EACH YEAR OF THE PROMISE SCHOOL PLAN
THAT INCLUDES THE ADDITIONAL FUNDING NECESSARY FOR EACH ITEM IN THE
PLAN.

2. THE DEPARTMENT SHALL CONTINUE TO CREATE A
DETAILED, ITEMIZED PROMISE BUDGET PLAN AFTER THE 3-YEAR PROMISE SCHOOL
PLAN HAS ENDED FOR EXPENSES NECESSARY TO ENSURE THE PROMISE SCHOOL'S
CONTINUED SUCCESS.

3. A SALARY INCREASE PROVIDED UNDER A SCHOOL'S
PROMISE BUDGET PLAN SHALL CONTINUE TO BE IN EFFECT AS LONG AS THE
EDUCATOR REMAINS EMPLOYED AT THE PROMISE SCHOOL.

(VI) THE GOVERNOR SHALL INCLUDE IN EACH BUDGET BILL AN APPROPRIATION THAT INCLUDES THE DEPARTMENT'S PROMISE BUDGET PLAN FOR THAT FISCAL YEAR.

(VII) THE DEPARTMENT SHALL DISTRIBUTE TO EACH PROMISE SCHOOL THE ENTIRETY OF THE PROMISE BUDGET FOR THAT SCHOOL.

(5) DURING THE COURSE OF THE PROMISE SCHOOL PLAN, THE SCHOOL PERIODICALLY SHALL ASSESS PROGRESS OF STUDENTS AND SHARE STUDENT PROGRESS AND STUDENT ACCOMPLISHMENTS WITH STUDENT FAMILIES AND THE PUBLIC.

(6) DURING THE COURSE OF THE PROMISE SCHOOL PLAN, THE DEPARTMENT MAY REQUIRE THE COUNTY BOARD TO WORK WITH A PARTNER TO ACCELERATE STUDENT ACHIEVEMENTS.

(7) (I) IF, AT THE CONCLUSION OF THE 3-YEAR PROMISE SCHOOL PLAN, THE DEPARTMENT DETERMINES THAT STUDENT OUTCOMES HAVE NOT IMPROVED, THE COUNTY BOARD SHALL ALLOW A STUDENT'S PARENT OR GUARDIAN TO TRANSFER THE STUDENT TO A SCHOOL THAT HAS NOT BEEN IDENTIFIED BY THE DEPARTMENT AS LOW PERFORMING UNDER § 7-202.1 OF THIS ARTICLE OR FOR COMPREHENSIVE SUPPORT AND IMPROVEMENT UNDER § 7-203.4 OF THIS ARTICLE.

(II) IF A STUDENT TRANSFERS FROM A PROMISE SCHOOL, THE COUNTY BOARD THAT HAS THE PROMISE SCHOOL IN ITS JURISDICTION SHALL PROVIDE TRANSPORTATION FOR THE STUDENT TO THE NEW SCHOOL, INCLUDING A SCHOOL LOCATED IN ANOTHER COUNTY.

(III) IF A STUDENT TRANSFERS TO A SCHOOL LOCATED IN ANOTHER COUNTY, THE COUNTY WHERE THE PROMISE SCHOOL IS LOCATED SHALL PAY THE COUNTY WHERE THE STUDENT IS ATTENDING SCHOOL THE LESSER OF:

1. THE EXPENDITURES MADE BY THE COUNTY IN WHICH THE PROMISE SCHOOL IS LOCATED FROM COUNTY APPROPRIATIONS, EXCEPT STATE AND FEDERAL AID, IN THE PRIOR FISCAL YEAR FOR PUBLIC PRIMARY AND SECONDARY EDUCATION DIVIDED BY THE FULL-TIME EQUIVALENT ENROLLMENT AS DEFINED IN § 5-201 OF THIS SUBTITLE; OR

2. THE EXPENDITURES MADE BY THE COUNTY TO WHICH THE STUDENT TRANSFERS FROM COUNTY APPROPRIATIONS, EXCEPT STATE AND FEDERAL AID, IN THE PRIOR FISCAL YEAR, FOR PUBLIC PRIMARY AND SECONDARY EDUCATION DIVIDED BY THE FULL-TIME EQUIVALENT ENROLLMENT AS DEFINED IN § 5-201 OF THIS SUBTITLE.

(IV) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE COUNTY BOARD TO WHICH A STUDENT TRANSFERS IN ACCORDANCE WITH THIS PARAGRAPH SHALL WAIVE ANY ENTRY STANDARDS OR COUNTY SPECIFIC COURSE REQUIREMENTS FOR A TRANSFERRING STUDENT.

(V) THE DEPARTMENT SHALL FACILITATE ANY CHANGES IN ENROLLMENT MADE UNDER THIS PARAGRAPH.

(8) (I) THE STATE SUPERINTENDENT SHALL DESIGNATE A DIRECTOR OF PROMISE SCHOOLS IN THE DEPARTMENT.

(II) THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$2,000,000 TO THE DEPARTMENT TO SUPPORT COUNTY BOARDS WITH THE TECHNICAL ASSISTANCE NECESSARY TO ENSURE THE SUCCESS OF PROMISE SCHOOLS.

7-101.

(b) (1) Except as provided in § 7-301 of this title and in paragraph (2) of this subsection, each child shall attend a public school in the county where the child is domiciled with the child's parent, guardian, or relative providing informal kinship care, as defined in subsection (c) of this section.

(2) (i) Upon request and in accordance with a county board's policies concerning residency, a county superintendent:

1. May allow a child to attend school in the county even if the child is not domiciled in that county with the child's parent or guardian; and

2. Shall allow a dependent child of a service member who is relocating to the State on military orders to enroll in school in the county in accordance with § 7-115.1 of this subtitle.

(ii) Regardless of where the child is currently domiciled, a county superintendent shall allow a child to remain at the school that the child is attending, if:

1. The child is a child who is:

A. In the custody of, committed to, or otherwise placed by a local department of social services or the Department of Juvenile Services; and

B. Subject to the educational stability provisions of the federal Fostering Connections to Success and Increasing Adoptions Act of 2008 and the Every Student Succeeds Act of 2015;

2. The child is not in any of the following placements:

A. A detention facility;

B. A forestry camp;

C. A training school;

D. A State-owned and State-operated facility that accommodates more than 25 children; or

E. Any other facility operated primarily for the detention of children who are determined to be delinquent;

3. The local department of social services or the Department of Juvenile Services determines, in consultation with the local school system, that it is in the best interests of the child to continue at that school; and

4. The local department of social services or the Department of Juvenile Services pays for the cost of transporting the child to and from school.

(iii) 1. The Department of Human Services and the Department of Juvenile Services each shall adopt regulations establishing factors that shall be considered in determining the best interests of a child under this section.

2. The Department shall adopt regulations to implement the educational stability provisions of the federal Fostering Connections to Success and Increasing Adoptions Act of 2008 and the Every Student Succeeds Act of 2015.

(IV) REGARDLESS OF WHERE A CHILD IS DOMICILED, A CHILD MAY ATTEND A SCHOOL ANYWHERE IN THE STATE IF THE PUBLIC SCHOOL IN THE COUNTY WHERE THE CHILD IS DOMICILED IS A SCHOOL WITH A PROMISE SCHOOL PLAN THAT HAS NOT IMPROVED STUDENT OUTCOMES AS REQUIRED UNDER § 5-223(I) OF THIS ARTICLE.

(3) If a child fraudulently attends a public school in a county where the child is not domiciled with the child's parent or guardian, the child's parent or guardian shall be subject to a penalty payable to the county for the pro rata share of tuition for the time the child fraudulently attends a public school in the county.

(4) Nothing in this section alters the requirements for out-of-county placements contained in § 4-122 and Title 8, Subtitles 3, 3A, and 4 of this article or in any other State or federal law.

9.9-101.

(a) In this title the following words have the meanings indicated.

(b) “Community school” means a public school that establishes a set of strategic partnerships between the school and other community resources that promote student achievement, positive learning conditions, and the well-being of students, families, and the community by providing wraparound services.

(e) “Wraparound services” means:

(1) Extended learning time, including before and after school, weekends, summer school, and an extended school year;

(2) Safe transportation to and from school and off-site apprenticeship programs;

(3) Vision and dental care services;

(4) Establishing or expanding school-based health center services;

(5) Additional social workers, mentors, counselors, psychologists, and restorative practice coaches;

(6) Enhancing physical wellness, including providing healthy food for in-school and out-of-school time and linkages to community providers;

(7) Enhancing behavioral health services, including access to mental health practitioners and providing professional development to school staff to provide trauma-informed interventions;

(8) Providing family and community engagement and supports, including informing parents of academic course offerings, language classes, workforce development training, opportunities for children, and available social services as well as educating families on how to monitor a child’s learning;

(9) Establishing and enhancing linkages to Judy Centers and other early education programs that feed into the school;

(10) Enhancing student enrichment experiences, including educational field trips, partnerships, and programs with museums, arts organizations, and cultural institutions;

(11) Improving student attendance;

(12) Improving the learning environment at the school; and

(13) Any professional development for teachers and school staff to quickly identify students who are in need of these resources.

1 9.9–103.

2 (a) There are community schools in the State.

3 (b) A community school shall:

4 (1) Promote active family and community engagement, including
5 educational opportunities for adults and family members of students at the school who live
6 in the neighborhood of the school;

7 (2) Have a community school coordinator, as described under § 9.9–104 of
8 this title;

9 (3) Promote expanded and enriched learning time and opportunities
10 provided after school, during weekends, and in the summer that emphasize mastering
11 21st-century skills through practical learning opportunities and community
12 problem-solving;

13 (4) Promote collaborative leadership and practices that empower parents,
14 students, teachers, principals, and community partners to build a culture of professional
15 learning, collective trust, and shared responsibility using strategies such as site-based
16 leadership teams and teacher learning communities;

17 (5) Have a parent teacher organization or a school family council; and

18 (6) Have a community school leadership team.

19 (c) (1) There shall be a Director of Community Schools in the Department.

20 (2) The Director of Community Schools in the Department shall coordinate
21 professional development for community school coordinators at each community school.

22 (3) **THE DIRECTOR OF COMMUNITY SCHOOLS SHALL ASSIST THE**
23 **DIRECTOR OF PROMISE SCHOOLS IN OVERSEEING THE PROMISE SCHOOLS**
24 **PROGRAM REQUIRED UNDER § 5–223(I) OF THIS ARTICLE.**

25 (4) In addition to the funding provided for the Director of Community
26 Schools position in the Department, the Governor may include in the annual budget bill an
27 appropriation of at least \$100,000 to the Department for the Director of Community Schools
28 to provide training and technical assistance to community schools and for additional staff.

29 9.9–104.

30 (a) (1) A community school shall have an experienced and qualified
31 community school coordinator who:

32 (i) Is hired at the appropriate administrative level;

(ii) Understands, respects, and demonstrates a high degree of cultural awareness of and competency in the diversity in the community and in cross-cultural practice with stakeholders; and

(iii) May be employed by the school district.

(2) A community school coordinator may be a social worker.

(b) (1) A community school coordinator shall be responsible for:

(i) Establishing a community school;

(ii) Completing an assessment of the needs of the students in the school for appropriate wraparound services to enhance the success of all students in the school;

(iii) Developing an implementation plan based on the assessment of needs for the community school, in cooperation with other interested stakeholders; and

(iv) Coordinating support programs that address out-of-school learning barriers for students and families, including:

1. Wraparound services; and

2. As appropriate:

A. Tutoring;

B. English language learner courses;

C. Early childhood development and parenting classes;

D. College and career advising;

E. Employment opportunities;

F. Citizenship education;

G. Food pantries; and

H. School-based behavioral and physical health services.

(2) The needs assessment completed under this subsection shall:

(i) Be completed in collaboration with:

1. The principal;
2. A school health care practitioner; and
3. A parent teacher organization or a school council;

(ii) Include an assessment of the physical, behavioral, and mental health needs and wraparound service needs of students, their families, and their communities; and

(iii) Be submitted to the Department and the local school system within 1 year of receiving a personnel grant under § 5–223 of this article or within 1 year of becoming a community school.

(3) The implementation plan completed under this subsection shall include:

(i) A strategy for providing wraparound services to address the needs of the students, their families, and their communities, building on and strengthening community resources near the school;

(ii) Inclusion, if possible and practicable, of community partners in geographic proximity to the school that can assist in meeting the needs identified in the assessment;

(iii) Ensure that time is made available to train staff on the supports available, the need for the supports, and how to engage with the community schools coordinator to access these supports; and

(iv) Develop strategies to maximize external non–State or non–local education funding.

(4) (i) The implementation plan shall be submitted to the local school system for approval within 1 year of completion of the needs assessment.

(ii) After the implementation plan is approved by the local school system it shall be submitted to the Department **FOR APPROVAL**.

(III) THE DEPARTMENT MAY MODIFY THE NEEDS ASSESSMENT BEFORE GRANTING APPROVAL.

(5) (I) A COMMUNITY SCHOOLS COORDINATOR SHALL REVIEW THE IMPLEMENTATION PLAN AT LEAST ONCE EVERY 3 YEARS TO DETERMINE WHETHER THE COMMUNITY SCHOOL IS MEETING STUDENTS’ NEEDS.

1 **(II) A COMMUNITY SCHOOLS COORDINATOR SHALL ALTER THE**
2 **IMPLEMENTATION PLAN AND PROVISION OF WRAPAROUND SERVICES TO ADDRESS**
3 **CHANGES IN STUDENTS' NEEDS.**

4 **(III) AN UPDATED IMPLEMENTATION PLAN SHALL BE**
5 **SUBMITTED TO THE LOCAL SCHOOL SYSTEM FOR APPROVAL.**

6 **(IV) AFTER AN UPDATED IMPLEMENTATION PLAN IS APPROVED,**
7 **IT SHALL BE SUBMITTED TO THE DEPARTMENT FOR APPROVAL.**

8 **(V) THE DEPARTMENT MAY MODIFY THE UPDATED**
9 **IMPLEMENTATION PLAN BEFORE GRANTING APPROVAL.**

10 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June**
11 **1, 2023.**