

**CHAPTER 88**

**(Senate Bill 4)**

AN ACT concerning

**Education – School System Performance Audit**

FOR the purpose of requiring the Maryland State Department of Education to contract for a performance audit of a county school system at the request of the county governing body under certain circumstances; defining a certain term; providing that the cost of the performance audit shall be shared equally between the county governing body and the county school board; providing for the conduct and content of a performance audit; providing that this Act does not prevent a county governing body and a county school board from making a certain agreement; and generally relating to performance audits of county school systems.

BY adding to

Article – Education

Section 5-108.1

Annotated Code of Maryland

(1992 Replacement Volume and 1995 Supplement)

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

**Article – Education**

5-108.1.

(A) IN THIS SECTION, "PERFORMANCE AUDIT" MEANS AN ASSESSMENT OF AN ENTITY'S OR PROGRAM'S PRACTICES TO DETERMINE WHETHER THE ENTITY OR PROGRAM IS OPERATING ECONOMICALLY AND EFFICIENTLY AND WHETHER CORRECTIVE ACTIONS FOR IMPROVING ITS PERFORMANCE ARE APPROPRIATE.

(B) IN THE ABSENCE OF AN AGREEMENT BETWEEN A COUNTY GOVERNING BODY AND A COUNTY SCHOOL BOARD, THE DEPARTMENT AT THE REQUEST OF THE COUNTY GOVERNING BODY SHALL CONTRACT FOR A PERFORMANCE AUDIT OF THE COUNTY PUBLIC SCHOOL SYSTEM TO ADDRESS THE ISSUES RAISED IN THE COUNTY'S REQUEST.

(C) THE DEPARTMENT SHALL MAKE REASONABLE EFFORTS TO ENSURE THAT A PERFORMANCE AUDIT UNDER THIS SECTION IS COMPLETED AND THE RESULTS OF THE AUDIT ARE MADE AVAILABLE TO THE COUNTY BOARD IN TIME TO BE CONSIDERED BY THE COUNTY BOARD IN THE PREPARATION OF ITS BUDGET FOR THE NEXT FISCAL YEAR.

(D) THE COST OF A PERFORMANCE AUDIT UNDER THIS SECTION SHALL BE SHARED EQUALLY BETWEEN THE COUNTY GOVERNING BODY AND THE COUNTY BOARD.