

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1994.

May 26, 1994

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
State House
Annapolis, Maryland 21401

Dear President Miller:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed Senate Bill 828.

Senate Bill 828 would require the State Superintendent of Schools to provide county governments with an opportunity to give their assessment of a local school board's improvement plan prior to making a recommendation to the State Board to reconstitute a failing school.

This legislation provides county governments with opportunities to comment on the school system's improvement plan beyond that already established and expressly provides that comments shall be prior to the Superintendent's recommendation to the State Board. I believe that this bill creates another legislatively mandated hurdle in a carefully designed process to improve our public schools. It will only serve to impede critical efforts in promoting school performance, including intervention in and reconstitution of schools which consistently fail to improve.

I also believe that current regulations and guidelines provide ample opportunity for interaction and comment during the school improvement planning process. State Board regulations provide the local county governing body the opportunity to comment on a proposal for reconstitution to the State Board. Since the State Board is the body authorized to require reconstitution, it is the appropriate body to receive comment.

In addition, the Report of the Governor's Commission on School Funding of January 1994 among its recommendations (#9 on page 13) states: "Planning efforts to improve performance in schools eligible for reconstitution should be undertaken collaboratively, with involvement from the state, school system, local government, school staff, administration, parents, students, and other community representatives."

Finally, by January 15 of each year, the State Superintendent is already required to notify local systems including local governments, of names of schools that may be subject to a recommendation for reconstitution. By April 1, the local board must submit a school improvement plan, based on input from all local entities. Under current practice, local jurisdictions interact with the Department of Education in developing plans during this period.

For these reasons, I have vetoed Senate Bill 828.