

(ii) The Board of Trustees of the State Retirement and Pension System determines that the individual is not eligible for membership in the Teachers' Pension System.

SECTION 20. AND BE IT FURTHER ENACTED, That on or after the effective date of this Act, the New Baltimore City Board of School Commissioners shall pay:

(1) To the Board of Trustees of the State Retirement and Pension System, for each employee of the Baltimore City Public School System who is a member of the Teachers' Retirement System or Teachers' Pension System, any penalty or interest as prescribed by law if member contributions are not paid when and as due; and

(2) To the Board of Trustees of the Employees' Retirement System of Baltimore City, for each employee who is a member of the Employees' Retirement System of Baltimore City, employer and employee contributions at the rate and in the manner required by the Board of Trustees.

SECTION 10. AND BE IT FURTHER ENACTED, That an appeal from a ruling of the Circuit Court for Baltimore City regarding requests for funding for Fiscal Years 2001 and 2002 in amounts greater than that described in Section 6 of this Act pursuant to the terms of the consent decrees described in Section 6 of this Act shall be directed to the Court of Appeals on an expedited basis, with the Court of Appeals decision issued within 60 days after the written briefing is completed.

SECTION 21. AND BE IT FURTHER ENACTED, That the General Assembly does not concede that the students of the Baltimore City Public School System were receiving a constitutionally inadequate education, but does wish to improve the educational achievements of students in Baltimore City by reforming the management of the Baltimore City Public School System and assuring available funds to implement this management reform and to improve student achievement.

SECTION ~~11~~ 22. AND BE IT FURTHER ENACTED, That this Act may not take effect until the passage of the State Budget Bill by the General Assembly, which includes an appropriation of \$30 million in additional funds as described in Section 6 7 of this Act for the following purposes: (1) to have a direct and substantial impact on improving academic achievement; (2) to improve the educational performance of schools having a high percentage of students living in poverty; (3) to improve the educational performance of reconstitution eligible schools and other schools that are both failing to meet Maryland School Performance Program standards and failing to show progress toward meeting those standards; (4) to begin implementation of a new performance-based system-wide evaluation system for teachers, principals, and administrators; (4) (5) to make progress toward meeting teacher salary parity with Baltimore County; (6) to begin implementation of a comprehensive system for accurately tracking student enrollment and attendance in accordance with the requirements of the Maryland Student Records System Manual with full implementation by January 1, 1999; and (5) (7) and (6) to implement other improvements that directly support improved classroom instruction, including technology enhancements, individual professional development, and curriculum development; except that no portion of the \$30 million may be spent to make progress toward teacher salary parity with Baltimore County until a