

the Annotated Code in the 1999 Replacement Volume of the Education Article is validated by this Act.

(f) Except as provided in paragraph (5) of this subsection, in fiscal year 2001 and each succeeding fiscal year, the State Superintendent shall evaluate each plan and the local education agency's progress in achieving the goals of this section and award to each local education agency a grant that does not exceed the maximum Maryland Learning Success Program grant. The State Superintendent may grant an award which is less than the maximum Maryland Learning Success Program grant:

(1) If the local education agency's Maryland Learning Success Program plan does not require the full amount of the maximum Maryland Learning Success Program grant;

(2) If in the judgment of the State Superintendent, the local education agency's Maryland Learning Success Program plan will not effectively maximize the educational results of reduced class sizes;

(3) If in the State Superintendent's judgment, the local education agency's implementation of the Maryland Learning Success Program grants, federal class size reduction initiative grants provided under Public Law 105-277, and any other federal funds provided specifically for the purpose of adding teachers has not been expended efficiently, effectively, and in accordance with the local education agency's Maryland Learning Success Program plan;

(4) If the local education agency's Maryland Learning Success Program plan or Maryland Learning Success Program report do not meet the criteria set forth in this section and in any guidelines or regulations established pursuant to this section; or

(5) For fiscal years 2001 and 2002, in local education agencies where the number of provisionally certified teachers exceeds 2 percent of the total number of teachers, if, in the judgment of the State Superintendent, the plan does not provide an effective strategy for reducing the number of provisionally certified teachers to 2 percent of the total number of teachers.

**DRAFTER'S NOTE:**

Error: Omitted words in § 5-212(f) of the Education Article.

Occurred: Chs. 513 and 514, Acts of 1999. Correction by the publisher of the Annotated Code in the 1999 Replacement Volume of the Education Article is validated by this Act.

5-301.

(g) The rules, regulations, and procedures of the Board of Public Works adopted under this section and their promulgation are exempt from §§ 10-101 through [10-405] 10-305 of the State Government Article and § 8-127(b) of the State Finance and Procurement Article of the Code.

**DRAFTER'S NOTE:**