

Department of Legislative Services  
Maryland General Assembly  
2011 Session

FISCAL AND POLICY NOTE  
Revised

House Bill 1067  
Ways and Means

(Delegate Ivey, *et al.*)

Education, Health, and Environmental Affairs

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Education - Public Charter Schools - Policies and Regulations

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This bill requires the State Board of Education (SBE) to adopt regulations that establish specific criteria, guidelines, and procedures related to the application procedure for new charter schools. The regulations must include procedures for applicants to view documentation and timelines related to the establishment of a public charter school, including applications, review of applications, and appeal procedures for the denial of applications. Local board of education charter school policies must be consistent with SBE's regulations, must be reviewed and approved by SBE, and must be available on SBE's website.

The bill takes effect July 1, 2011.

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Fiscal Summary

**State Effect:** The Maryland State Department of Education (MSDE) can carry out the bill's requirements with existing budgeted resources.

**Local Effect:** Local school boards can modify their existing charter school policies in accordance with the bill's provisions with existing resources.

**Small Business Effect:** None.

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Analysis

**Current Law:** Charter schools are public schools that operate under the supervision of a chartering authority in the State and, with certain exceptions, in accordance with the laws and regulations that govern other public schools. Local school boards are primary

chartering authorities for schools located in their jurisdictions, and SBE is the secondary chartering authority, acting only in an appeal review capacity or as the chartering authority for a restructured school. Charter applications that are denied by a local school board may be appealed to SBE, which must render a decision on the appeal within 120 days.

Each local school board must develop a charter school policy, which must be submitted to SBE. There is no statutory requirement for SBE to approve the policy. The policy must include guidelines and procedures regarding the evaluation of public charter schools, revocation of charters, reporting requirements, and financial, programmatic, or compliance audits of charter schools. There is no requirement that the policies address the application review process or include specific criteria.

**Background:** There are 44 public charter schools in the State, distributed as follows: 34 in Baltimore City; 5 in Prince George's County; 2 in Anne Arundel County; and 1 each in Baltimore, Frederick, and St. Mary's counties.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Cecil and Montgomery counties, Maryland State Department of Education, Department of Legislative Services

**Fiscal Note History:** First Reader - March 1, 2011  
mm/mwc Revised - House Third Reader - March 28, 2011

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