

# SENATE BILL 194

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CF HB 1051

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By: **Senators Kelley, Benson, Conway, Currie, Ferguson, Jones-Rodwell,  
King, Pugh, Reilly, and Young**

Introduced and read first time: January 18, 2013

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 17, 2013

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Education – Charter Schools – Study to Recommend Improvements to the**  
3 **Maryland Public Charter School Program**

4 FOR the purpose of requiring the Maryland State Department of Education to conduct  
5 a certain study and provide certain recommendations to the Governor and the  
6 General Assembly on or before a certain date regarding improvements to the  
7 Maryland Public Charter School Program; requiring the Department of  
8 Legislative Services to review a certain methodology, data analysis, findings,  
9 and recommendations and to make certain comments or recommendations, if  
10 any, on or before a certain date; declaring a certain intent of the General  
11 Assembly ~~and a certain priority of the State~~; providing for the termination of  
12 this Act; and generally relating to improving the Maryland Public Charter  
13 School Program.

14 ~~Preamble~~

15 ~~WHEREAS, This year marks the tenth anniversary of the passage of the~~  
16 ~~Maryland Public Charter School Program; and~~

17 ~~WHEREAS, Charter schools are founded upon the principles of academic~~  
18 ~~excellence and increasing opportunity for all families to choose the most promising~~  
19 ~~schools to serve their children; and~~

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1       ~~WHEREAS, Charter schools are performance based public schools that receive~~  
 2 ~~the autonomy to implement innovative strategies to improve the design and quality of~~  
 3 ~~providing a public education in exchange for adhering to strict accountability for~~  
 4 ~~student achievement; and~~

5       ~~WHEREAS, Charter schools demonstrate the collective responsibility of all~~  
 6 ~~Maryland communities to ensure high quality educational experiences for students, by~~  
 7 ~~the founding of such schools by parents, teachers, and community organizations; and~~

8       ~~WHEREAS, An outstanding charter school system in Maryland provides the~~  
 9 ~~competition and motivation for all public schools to increase academic performance,~~  
 10 ~~expand choices in public education, and continue to close the achievement gap; and~~

11       ~~WHEREAS, Since the passage of the Maryland Public Charter School Program~~  
 12 ~~in 2003, charter schools have expanded to a total of 52 schools in seven jurisdictions,~~  
 13 ~~and the State strongly supports the continuous growth of charter schools since strong~~  
 14 ~~schools are the building blocks of a strong and prosperous state; and~~

15       ~~WHEREAS, Maryland currently occupies the next to last position in national~~  
 16 ~~studies regarding effective charter school laws; and~~

17       ~~WHEREAS, Maryland was not awarded the federal charter school program~~  
 18 ~~grant that supports the opening and expansion of charter schools due to the current~~  
 19 ~~posture of the Maryland Public Charter School Program; now, therefore,~~

20       SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
 21 MARYLAND, That:

22       ~~(a) It is the intent of the General Assembly that the growth of charter~~  
 23 ~~schools in the State be continued and that families be offered increased educational~~  
 24 ~~choices and options through charter schools.~~

25       ~~(b)~~ (a) The General Assembly declares that a reflection on the status and  
 26 effectiveness of Title 9 of the Education Article of the Annotated Code, the Maryland  
 27 Public Charter School Program, shall be a State priority is timely in light of its tenth  
 28 anniversary taking place in 2013.

29       ~~(c)~~ (b) On or before ~~December 15~~ November 1, 2013, the Maryland State  
 30 Department of Education shall conduct a study and provide recommendations to the  
 31 Governor and, in accordance with § 2-1246 of the State Government Article, to the  
 32 General Assembly, regarding:

33       (1) ~~Maryland's inability to meet the criteria of the federal charter~~  
 34 ~~school program grant due to the current posture of the Maryland Public Charter~~  
 35 ~~School Program;~~

1 ~~(2)~~ (1) expenditures relating to opening and operating a high quality  
2 charter school ~~and the amount of per pupil cost allocations provided to charter schools~~  
3 ~~based upon school system total revenues;~~

4 ~~(3) the impact of the condition of the facilities, and the funding of~~  
5 ~~facilities, on charter school growth; and~~

6 (2) the amount of per pupil funding provided to charter schools as  
7 compared to traditional public schools including a disaggregation by major category as  
8 described under § 5-101(b)(2) of the Education Article for each county;

9 (3) how the per pupil funding provided at elementary, middle, and  
10 high school levels in charter schools in each county exceeds, equals, or is less than the  
11 per pupil funding amount available to traditional public schools;

12 (4) Maryland's options to access federal charter school program  
13 grants;

14 (5) the academic, financial, and other performance of charter schools  
15 in Maryland;

16 (6) the primary causes of charter school successes and failures in the  
17 State;

18 (7) the availability of extracurricular and experience-based learning  
19 opportunities at charter schools;

20 (8) teacher satisfaction, retention, and turnover at charter schools;

21 (9) student enrollment and retention data and trends at charter  
22 schools, including a disaggregation of enrollment and retention by categories of  
23 English Language Learners, services for students with disabilities, race, ethnicity, and  
24 free and reduced price meal status, compared to traditional public schools in each  
25 county;

26 (10) parent satisfaction at charter schools;

27 (11) ways to integrate best practices between charter schools and  
28 noncharter schools operating within a local jurisdiction;

29 (12) issues relating to the costs, availability, potential liabilities of  
30 outstanding capital debt, and financing of facilities, including risks to charter sponsors  
31 and local school systems;

32 (13) the use of contract schools, transformation schools, and other  
33 models similar to charter schools; and

1           ~~(4)~~ (14) the current state of local policies and practices that impact the  
2 sustainability of charter schools in the State.

3           ~~(d)~~ (c) The study conducted and recommendations provided under subsection  
4 ~~(e)~~ (b) of this section shall include:

5           (1) documented consultation and cooperation with interested  
6 stakeholders including at least one representative from the American Federation of  
7 Teachers, the Maryland State Education Association, the Maryland Association of  
8 Boards of Education, charter school operators, parents of public school students, and  
9 charter school advocates;

10           ~~(1)~~ (2) a review and analysis of charter school laws deemed effective in  
11 other states for the purpose of comparison to the Maryland Public Charter School  
12 Program;

13           ~~(2)~~ (3) a review and analysis of research regarding innovative practices  
14 for charter schools and charter school authorizers; and

15           ~~(3)~~ (4) recommendations for improvements to the Maryland Public  
16 Charter School Program.

17           (d) On or before December 31, 2013, the Department of Legislative Services  
18 shall:

19           (1) review the methodology, data analysis, findings, and  
20 recommendations contained within the study submitted under subsection (b) of this  
21 section; and

22           (2) make comments or recommendations related to the study, if any, to  
23 the General Assembly in accordance with § 2-1246 of the State Government Article.

24           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 ~~July~~ June 1, 2013. It shall remain effective for a period of 1 year and 1 month and, at  
26 the end of June 30, 2014, with no further action required by the General Assembly,  
27 this Act shall be abrogated and of no further force and effect.