

HOUSE BILL 926

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4lr2450

By: **Delegates Smigiel, Dwyer, Glass, Hough, McComas, McDermott, and Serafini**

Introduced and read first time: February 5, 2014

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Public Charter Schools – Virtual Learning Programs Authority**

3 FOR the purpose of altering the definition of public charter school to include the
4 establishment of a virtual learning program as a public charter school; defining
5 a certain term; making conforming changes; and generally relating to virtual
6 learning programs and public charter schools.

7 BY repealing and reenacting, with amendments,
8 Article – Education
9 Section 9–102, 9–102.1(a), and 9–104(a)(1)
10 Annotated Code of Maryland
11 (2008 Replacement Volume and 2013 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article – Education**

15 9–102.

16 (A) In this title[, “public] **THE FOLLOWING WORDS HAVE THE MEANINGS**
17 **INDICATED.**

18 (B) **“PUBLIC** charter school” means a public school that:

19 (1) Is nonsectarian in all its programs, policies, and operations;

20 (2) Is a school to which parents choose to send **OR ENROLL** their
21 children;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) Except as provided in § 9–102.1 of this title, is open to all students
2 on a space–available basis and admits students on a lottery basis if more students
3 apply than can be accommodated;

4 (4) Is a new public school [or], a conversion of an existing public
5 school, **OR A VIRTUAL LEARNING PROGRAM;**

6 (5) Provides a program of elementary or secondary education or both;

7 (6) Operates in pursuit of a specific set of educational objectives;

8 (7) Is tuition–free;

9 (8) Is subject to federal and State laws prohibiting discrimination;

10 (9) Is in compliance with all applicable health and safety laws;

11 (10) Is in compliance with § 9–107 of this title;

12 (11) Operates under the supervision of the public chartering authority
13 from which its charter is granted and in accordance with its charter and, except as
14 provided in § 9–106 of this title, the provisions of law and regulation governing other
15 public schools;

16 (12) **(I)** Requires students to be physically present on school
17 premises for a period of time substantially similar to that which other public school
18 students spend on school premises; **OR**

19 **(II) IN THE CASE OF A VIRTUAL LEARNING PROGRAM,**
20 **REQUIRES STUDENTS TO MEET:**

21 **1. ATTENDANCE REQUIREMENTS; AND**

22 **2. ANY OTHER REQUIREMENTS IMPOSED BY THE**
23 **LOCAL SCHOOL SYSTEM APPLICABLE TO A LOCATION OUTSIDE OF A SCHOOL**
24 **BUILDING THAT ARE NECESSARY FOR THE DELIVERY OF A VIRTUAL LEARNING**
25 **PROGRAM, INCLUDING REQUIREMENTS FOR EQUIPMENT, MATERIALS, AND**
26 **TELEPHONE AND INTERNET SERVICE; and**

27 (13) Is created in accordance with this title and the appropriate county
28 board policy.

29 **(C) “VIRTUAL LEARNING PROGRAM” MEANS A PROGRAM OF**
30 **INSTRUCTION THAT PROVIDES A SIGNIFICANT PORTION OF ITS CURRICULUM**

1 **AND DELIVERS A SIGNIFICANT PORTION OF ITS INSTRUCTION TO ITS STUDENTS**
2 **BY TEACHERS IN AN INTERACTIVE LEARNING ENVIRONMENT THROUGH THE**
3 **INTERNET OR OTHER ELECTRONIC MEANS.**

4 9–102.1.

5 (a) The State Board may grant a waiver from § [9–102(3)] **9–102(B)(3)** of
6 this title to a public charter school if the public charter school:

7 (1) Is located on property within a federal military base in the State;
8 and

9 (2) Will admit students with parents who are not assigned to the base
10 to at least 35% of its total available space.

11 9–104.

12 (a) (1) An application to establish a public charter school shall be
13 submitted to the county board of the county in which the charter school will **EITHER**
14 be located **OR WILL SERVE ITS STUDENTS.**

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 July 1, 2014.