

SB0595/794139/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 595
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Expansion and”.

On pages 1 and 2, strike in their entirety the lines beginning with line 3 on page 1 through line 8 on page 2, inclusive.

On page 2, after line 8, insert:

“FOR the purpose of requiring certain public charter schools to take certain steps to maintain a certain ratio as part of the initial cohort of students in a certain grade; authorizing certain public charter schools to give certain students seeking to enroll in the public charter school a greater weight to the student’s lottery status as part of the public charter school’s admissions lottery; authorizing certain public charter schools to give priority to certain siblings for certain spaces at certain public charter schools; authorizing certain public charter schools to provide certain guaranteed placement to certain students; authorizing certain public charter schools to propose a certain geographic attendance area and certain guaranteed placement plan, subject to the approval of the public chartering authority, under certain circumstances; authorizing certain public charter schools to admit certain students under certain circumstances; authorizing certain county boards of education to grant certain waivers to certain converted public charter schools; providing that certain county boards are the only public chartering authorities in the State; repealing a provision of law that establishes the State Board of Education as a secondary public chartering authority; requiring an application to establish a public charter school to include a certain plan for a program of instruction and a certain description of the implementation of a certain weighted lottery or the provision of guaranteed placement under certain circumstances; prohibiting a public chartering authority

(Over)

from granting a charter to a school that operates fully online; requiring certain county boards of education to review certain applications in accordance with the application procedures adopted by the county board; authorizing certain decisions to be appealed to the State Board in accordance with certain provisions of law; authorizing a public chartering authority to approve certain applications on a contingent basis subject to certain conditions; authorizing a public chartering authority to approve or reject a certain provision of an application separately from the application as a whole; providing that a certain applicant may submit a certain staffing model with a certain application; requiring the State Board to remand to a county board a certain matter under certain circumstances and authorizing the State Board to mediate, if necessary, a certain matter between a county board and a certain public charter school under certain circumstances; requiring the State Board to develop standards and criteria by which certain public charter schools must be assessed; authorizing certain public charter schools to submit to a public chartering authority a certain application for certain consideration; prohibiting certain public charter schools from submitting a certain application more than once during a certain period of time; exempting certain public charter schools from certain policies under certain circumstances; authorizing certain public chartering authorities and certain public charter schools to mutually agree to a certain communication process and supervision methodology; providing that certain public charter schools may not be assigned certain principals without certain consent; providing that certain staff members must be assigned or transferred to certain public charter schools under certain circumstances; specifying that certain provisions of law may not be construed to take precedence over a certain collective bargaining agreement; subjecting certain public charter schools to certain provisions of law, subject to certain exceptions; requiring a member of the professional staff of a public charter school to be subject to certain certification provisions; authorizing certain public charter schools to seek certain waivers under certain circumstances; requiring certain reasons to be provided in writing for the denial of certain waivers; authorizing certain employee organizations, public school employers, and public charter schools to mutually agree to negotiate certain amendments to certain collective

bargaining agreements; requiring certain county boards to provide certain policies and updates or amendments to the policies to the State Board; requiring the State Department of Education to report annually to the General Assembly regarding certain updates or amendments to certain policies and the implementation of this Act; requiring the State Department of Education, in consultation with the Department of Legislative Services, to contract for a certain study relating to funding for public charter schools and traditional public schools; requiring the study to include certain elements; requiring local school systems and public charter schools to provide certain data to complete the study; establishing certain penalties for certain local school systems and public charter schools that do not comply with a certain data reporting requirement; requiring a certain report to the Governor and certain committees of the General Assembly on or before a certain date regarding the study; making certain stylistic changes; altering a certain definition; defining a certain term; and generally relating to public charter schools in the State.”;

strike in their entirety lines 9 through 14, inclusive; in line 17, after “9-101” insert “and 9-109(a)”; after line 19, insert:

“BY repealing and reenacting, with amendments,

Article – Education

Section 9-102, 9-102.1, 9-103 through 9-108, and 9-110

Annotated Code of Maryland

(2014 Replacement Volume and 2014 Supplement)”;

in line 22, after “9-102.2” insert “, 9-102.3, and 9-104.1”; and strike in their entirety lines 25 through 29, inclusive.

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 33 on page 2 through line 17 on page 4, inclusive.

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On page 4, in line 27, strike “§ 9–102.1” and substitute “§§ 9-102.1, 9-102.2, AND 9-102.3”; and strike beginning with “IN” in line 28 down through “TITLE” in line 29.

On page 5, in line 8, strike “THROUGH ITS GOVERNING BOARD”; in line 9, strike “§ 9-106” and substitute “§§ 9-104.1 AND 9-106”; in lines 14 and 15, in each instance, strike the bracket; strike beginning with “PUBLIC” in line 15 down through “TITLE” in line 16; in line 22, after “space” insert “AS PART OF THE INITIAL COHORT OF STUDENTS IN A GRADE”; in line 25, after “shall” insert “:

(1);

in the same line, strike “admit” and substitute “ADMIT”; and in line 26, after “TITLE” insert “;AND

(2) TAKE REASONABLE STEPS TO MAINTAIN THE 35% TO 65% RATIO INTENDED AS PART OF THE INITIAL COHORT OF STUDENTS IN A GRADE”.

AMENDMENT NO. 3

On page 6, strike beginning with the colon in line 2 down through “THE” in line 3 and substitute “THE”; in lines 4, 5, 6, and 7, strike “(I)”, “(II)”, “(III)”, and “(IV)”, respectively, and substitute “(1)”, “(2)”, “(3)”, and “(4)”, respectively; in line 6, strike “OR”; in line 8, after “ACT;” insert “OR

(5) A SIBLING OF A STUDENT CURRENTLY ENROLLED IN THE PUBLIC CHARTER SCHOOL FOR WHICH THE SIBLING IS APPLYING.”;

strike in their entirety lines 9 through 21, inclusive; and after line 21, insert:

“(B) NOTWITHSTANDING § 9-102(3) OF THIS TITLE, A PUBLIC CHARTER SCHOOL MAY GIVE PRIORITY TO THE SIBLING OF A STUDENT ADMITTED

THROUGH THE LOTTERY PROCESS OR A CURRENTLY ENROLLED STUDENT FOR ANY SPACES IN THE SCHOOL THAT BECOME AVAILABLE THROUGHOUT THE SCHOOL YEAR.

(c) (1) SUBJECT TO THE APPROVAL OF THE PUBLIC CHARTERING AUTHORITY AND § 9-104 OF THIS TITLE, A PUBLIC CHARTER SCHOOL MAY PROPOSE A GEOGRAPHIC ATTENDANCE AREA WITH A MEDIAN INCOME THAT IS EQUAL TO OR LESS THAN THE MEDIAN INCOME OF THE COUNTY FOR THE PUBLIC CHARTER SCHOOL.

(2) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, A PUBLIC CHARTER SCHOOL MAY PROVIDE GUARANTEED PLACEMENT THROUGH A LOTTERY TO STUDENTS WHO LIVE WITHIN THE GEOGRAPHIC ATTENDANCE AREA FOR UP TO 35%, AS PROPOSED BY THE PUBLIC CHARTER SCHOOL AND APPROVED BY THE PUBLIC CHARTERING AUTHORITY, OF THE AVAILABLE SPACE OF THE PUBLIC CHARTER SCHOOL.

(3) SUBJECT TO PARAGRAPHS (2) AND (4) OF THIS SUBSECTION, THE PUBLIC CHARTER SCHOOL SHALL:

(i) ADMIT STUDENTS ON A LOTTERY BASIS TO ITS REMAINING AVAILABLE SPACE; AND

(ii) TAKE REASONABLE STEPS TO MAINTAIN THE RATIO INTENDED UNDER PARAGRAPH (2) OF THIS SUBSECTION AS PART OF THE INITIAL COHORT OF STUDENTS ACCEPTED THROUGH THE LOTTERY PROCESS.

(4) IF A PUBLIC CHARTER SCHOOL DOES NOT FILL 100% OF ITS AVAILABLE SPACE UNDER PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, THE

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PUBLIC CHARTER SCHOOL MAY ADMIT MORE THAN THE PERCENTAGE OF STUDENTS ESTABLISHED UNDER PARAGRAPH (2) OF THIS SUBSECTION FROM THE GEOGRAPHIC ATTENDANCE AREA ESTABLISHED UNDER THIS SECTION.

(D) (1) SUBJECT TO THE APPROVAL OF THE PUBLIC CHARTERING AUTHORITY, PARAGRAPH (2) OF THIS SUBSECTION, AND § 9-104 OF THIS TITLE, A PUBLIC CHARTER SCHOOL MAY PROVIDE GUARANTEED PLACEMENT THROUGH A LOTTERY TO UP TO 35%, AS PROPOSED BY THE PUBLIC CHARTER SCHOOL AND APPROVED BY THE PUBLIC CHARTERING AUTHORITY, OF THE AVAILABLE SPACE OF THE PUBLIC CHARTER SCHOOL TO STUDENTS WHO ATTENDED A PUBLIC CHARTER SCHOOL DURING THE PREVIOUS SCHOOL YEAR THAT IS OPERATED BY THE SAME OPERATOR.

(2) A PUBLIC CHARTER SCHOOL SHALL QUALIFY UNDER PARAGRAPH (1) OF THIS SUBSECTION IF:

(I) THE OPERATOR OPERATES TWO OR MORE PUBLIC CHARTER SCHOOLS IN THE COUNTY; AND

(II) WHEN COMBINED, THE PUBLIC CHARTER SCHOOLS OPERATED BY THE OPERATOR FORM AN INTEGRATED MULTIYEAR ACADEMIC PROGRAM.

(3) SUBJECT TO PARAGRAPH (1) OF THIS SUBSECTION, THE PUBLIC CHARTER SCHOOL SHALL:

(I) ADMIT STUDENTS ON A LOTTERY BASIS TO ITS REMAINING AVAILABLE SPACE; AND

(II) TAKE REASONABLE STEPS TO MAINTAIN THE RATIO INTENDED UNDER PARAGRAPH (1) OF THIS SUBSECTION AS PART OF THE INITIAL COHORT OF STUDENTS ACCEPTED THROUGH THE LOTTERY PROCESS.

(4) IF A PUBLIC CHARTER SCHOOL DOES NOT FILL 100% OF ITS AVAILABLE SPACE UNDER PARAGRAPHS (1) AND (3) OF THIS SUBSECTION, THE PUBLIC CHARTER SCHOOL MAY ADMIT MORE THAN THE PERCENTAGE OF STUDENTS ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION.”.

AMENDMENT NO. 4

On page 6, before line 22, insert:

“9-102.3.

(A) A COUNTY BOARD MAY GRANT A WAIVER FROM § 9-102(3) OF THIS TITLE TO:

(1) A CONVERTED PUBLIC CHARTER SCHOOL THAT:

(I) SUBJECT TO SUBSECTION (B) OF THIS SECTION, PROVIDES GUARANTEED PLACEMENT THROUGH A LOTTERY TO STUDENTS WHO LIVE WITHIN THE GEOGRAPHIC ATTENDANCE AREA ESTABLISHED BY THE COUNTY BOARD;

(II) IS A LOW-PERFORMING SCHOOL AS IDENTIFIED BY THE COUNTY BOARD;

(III) IS ABOVE THE COUNTY AVERAGE RATE FOR THE PERCENTAGE OF STUDENTS WHO ARE ELIGIBLE FOR FREE AND REDUCED PRICE MEALS; AND

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(IV) MEETS A STRATEGIC NEED OF THE LOCAL SCHOOL SYSTEM, AS IDENTIFIED IN THE COUNTY BOARD’S PUBLIC CHARTER SCHOOL POLICY DEVELOPED UNDER § 9-110 OF THIS TITLE, THAT SHALL INCLUDE AT LEAST ONE OF THE FOLLOWING ELEMENTS:

1. SERVING A HIGH-NEED POPULATION;
2. INCREASING STUDENT PERFORMANCE;
3. INCREASING ENROLLMENT; OR
4. INCREASING STUDENT DIVERSITY; OR

(2) A CONVERTED PUBLIC CHARTER SCHOOL THAT IS SEEKING RENEWAL OF AN EXISTING CHARTER CONTRACT THAT WAS GRANTED UNDER ITEM (1) OF THIS SUBSECTION.

(B) IF A PUBLIC CHARTER SCHOOL DOES NOT FILL 100% OF ITS AVAILABLE SPACE UNDER SUBSECTION (A)(1) OF THIS SECTION, THE PUBLIC CHARTER SCHOOL SHALL ADMIT STUDENTS ON A LOTTERY BASIS TO ITS REMAINING AVAILABLE SPACE.”;

in line 23, strike “(a)”; in the same line, strike “primary”; and strike in their entirety lines 25 through 29, inclusive.

AMENDMENT NO. 5

On page 7, in line 17, strike “FROM THE STATE BOARD”; in the same line, after “TITLE;” insert “AND”; in line 18, after “LOTTERY” insert “OR THE PROVISION OF GUARANTEED PLACEMENT”; in line 19, strike “§ 9-102.2” and substitute “§§ 9-102.2”

AND 9-102.3"; and strike beginning with "THAT" in line 19 down through "ACT" in line 27.

On page 8, in line 1, strike "or"; in line 2, after "school" insert "; OR

(IV) A SCHOOL THAT OPERATES FULLY ONLINE";

in line 5, after "application" insert "AND IN ACCORDANCE WITH THE APPLICATION PROCEDURES ADOPTED BY THE COUNTY BOARD"; in line 6, strike the brackets; in the same line, strike "CONVERTED"; in lines 12 and 14, in each instance, after "the" insert "DECISION MAY BE APPEALED TO THE"; in the same lines, in each instance, strike "may become a chartering authority" and substitute "IN ACCORDANCE WITH § 4-205(C) OF THIS ARTICLE"; strike in their entirety lines 15 through 17, inclusive; after line 17, insert:

"(6) (I) A PUBLIC CHARTERING AUTHORITY MAY APPROVE AN APPLICATION TO OPERATE A PUBLIC CHARTER SCHOOL ON A CONTINGENT BASIS SUBJECT TO THE CONDITIONS OF SUBPARAGRAPH (II) OF THIS PARAGRAPH.

(II) THE CONTINGENT APPROVAL GRANTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY BE CONTINGENT ON:

1. A PUBLIC CHARTER SCHOOL'S ABILITY TO MEET ANY TIMELINES ESTABLISHED BY THE PUBLIC CHARTERING AUTHORITY FOR THE SECURING OF A FACILITY; AND

2. FINAL APPROVAL BY THE PUBLIC CHARTERING AUTHORITY REGARDING THE SUITABILITY OF THE FACILITY SECURED BY THE PUBLIC CHARTER SCHOOL.

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(B) IF AN APPLICATION TO ESTABLISH A PUBLIC CHARTER SCHOOL INCLUDES A DESCRIPTION OF THE IMPLEMENTATION OF A WEIGHTED LOTTERY THAT GIVES PRIORITY TO STUDENTS IN A SPECIFIC GEOGRAPHIC ATTENDANCE AREA IN ACCORDANCE WITH § 9-102.2 OR § 9-102.3 OF THIS TITLE, THE PUBLIC CHARTERING AUTHORITY MAY APPROVE OR REJECT THIS PROVISION SEPARATELY FROM THE APPLICATION AS A WHOLE.

(C) (1) AN APPLICATION TO ESTABLISH A PUBLIC CHARTER SCHOOL MAY INCLUDE A STAFFING MODEL, INCLUDING PROVISIONS FOR STAFF RECRUITMENT, TRAINING, EVALUATION, AND PROFESSIONAL DEVELOPMENT.

(2) A PUBLIC CHARTER SCHOOL MAY SUBMIT A STAFFING MODEL AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION WITH A RENEWAL APPLICATION OR WITH AN AMENDMENT TO AN EXISTING CHARTER.”;

in line 18, strike “(b)” and substitute “(D)”; in line 21, strike the brackets; in the same line, strike “90”; in line 24, after the second “Board” insert “SHALL REMAND THE MATTER TO THE COUNTY BOARD AND”; and in line 25, strike “shall” and substitute “MAY, IF NECESSARY,”.

AMENDMENT NO. 6

On page 8, after line 26, insert:

“9-104.1.

(A) IN THIS SECTION, “ELIGIBLE PUBLIC CHARTER SCHOOL” MEANS A PUBLIC CHARTER SCHOOL THAT HAS BEEN IN EXISTENCE FOR AT LEAST 5 YEARS AND DEMONSTRATES TO THE PUBLIC CHARTERING AUTHORITY A HISTORY OF:

(1) SOUND FISCAL MANAGEMENT; AND

(2) STUDENT ACHIEVEMENT THAT EXCEEDS THE AVERAGE IN THE LOCAL SCHOOL SYSTEM IN WHICH THE PUBLIC CHARTER SCHOOL IS LOCATED ON:

(I) STATEWIDE ASSESSMENTS; AND

(II) OTHER MEASURES DEVELOPED BY THE STATE BOARD.

(B) THE STATE BOARD SHALL DEVELOP STANDARDS AND CRITERIA BY WHICH AN ELIGIBLE PUBLIC CHARTER SCHOOL SHALL BE ASSESSED BY A PUBLIC CHARTERING AUTHORITY.

(C) (1) AN ELIGIBLE PUBLIC CHARTER SCHOOL MAY SUBMIT TO A PUBLIC CHARTERING AUTHORITY:

(I) AN APPLICATION FOR RENEWAL OF AN EXISTING CHARTER CONTRACT THAT INCORPORATES THE PROVISIONS OF SUBSECTION (E) OF THIS SECTION; OR

(II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN APPLICATION FOR AN ADDENDUM TO AN EXISTING CHARTER CONTRACT THAT INCORPORATES THE PROVISIONS OF SUBSECTION (E) OF THIS SECTION.

(2) AN ELIGIBLE PUBLIC CHARTER SCHOOL MAY NOT SUBMIT AN APPLICATION UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION MORE THAN ONE TIME DURING THE DURATION OF AN EXISTING CHARTER CONTRACT.

(D) IF THE PUBLIC CHARTERING AUTHORITY DETERMINES THAT A PUBLIC CHARTER SCHOOL IS NOT AN ELIGIBLE PUBLIC CHARTER SCHOOL, THE PUBLIC CHARTER SCHOOL MAY APPEAL THE DECISION TO THE STATE BOARD IN ACCORDANCE WITH § 4-205(C) OF THIS ARTICLE.

(E) IF AN ELIGIBLE PUBLIC CHARTER SCHOOL AND A PUBLIC CHARTERING AUTHORITY MUTUALLY AGREE TO AN ALTERNATIVE MEANS BY WHICH THE ELIGIBLE PUBLIC CHARTER SCHOOL WILL SATISFY THE INTENT OF THE POLICIES OF THE PUBLIC CHARTERING AUTHORITY, AN ELIGIBLE PUBLIC CHARTER SCHOOL IS EXEMPT FROM:

(1) TEXTBOOK, INSTRUCTIONAL PROGRAM, CURRICULUM, PROFESSIONAL DEVELOPMENT, AND SCHEDULING REQUIREMENTS;

(2) A REQUIREMENT TO ESTABLISH A SCHOOL COMMUNITY COUNCIL;

(3) EXCEPT FOR TITLE I SCHOOLS, A REQUIREMENT TO ESTABLISH A SCHOOL IMPROVEMENT PLAN;

(4) EXCEPT FOR SCHOOLS WITH A SCHOOL ACTIVITY FUND, A REQUIREMENT TO PROVIDE SCHOOL ACTIVITY FUND DISCLOSURE STATEMENTS; AND

(5) EXCEPT FOR PREKINDERGARTEN CLASSES, CLASS SIZE OR STAFFING RATIOS.

(F) A PUBLIC CHARTERING AUTHORITY AND AN ELIGIBLE PUBLIC CHARTER SCHOOL MAY JOINTLY DEVELOP AND MUTUALLY AGREE TO A

COMMUNICATION PROCESS AND SUPERVISION METHODOLOGY THAT FLOWS AMONG THE COUNTY BOARD, THE OPERATOR, AND THE ADMINISTRATION OF THE ELIGIBLE PUBLIC CHARTER SCHOOL.

(G) (1) AN ELIGIBLE PUBLIC CHARTER SCHOOL MAY NOT BE ASSIGNED A PRINCIPAL WITHOUT THE WRITTEN CONSENT OF THE OPERATOR OF THE ELIGIBLE PUBLIC CHARTER SCHOOL.

(2) (I) STAFF MEMBERS SHALL BE ASSIGNED OR TRANSFERRED TO AN ELIGIBLE PUBLIC CHARTER SCHOOL IF THE STAFF MEMBER EXPRESSES IN WRITING THAT THE STAFF MEMBER WANTS TO WORK IN THAT ELIGIBLE PUBLIC CHARTER SCHOOL AND THE ELIGIBLE PUBLIC CHARTER SCHOOL REQUESTS IN WRITING THAT THE STAFF MEMBER BE ASSIGNED OR TRANSFERRED TO THE ELIGIBLE PUBLIC CHARTER SCHOOL, PROVIDED THERE IS AN EXISTING VACANCY.

(II) A TRANSFER AUTHORIZED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL TAKE PLACE AS DESIGNATED BY THE AGREEMENT OF THE LOCAL BARGAINING UNIT IN THE LOCAL SCHOOL SYSTEM.

(H) NOTHING IN THIS SECTION MAY BE CONSTRUED TO TAKE PRECEDENCE OVER AN AGREEMENT OF A LOCAL BARGAINING UNIT IN A LOCAL SCHOOL SYSTEM.

(I) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, AN ELIGIBLE PUBLIC CHARTER SCHOOL IS SUBJECT TO THE PROVISIONS OF THIS TITLE.”;

and strike beginning with “BE” in line 29 down through “TITLE” in line 31 and substitute “BE SUBJECT TO THE SAME CERTIFICATION PROVISIONS ESTABLISHED IN REGULATIONS FOR THE PROFESSIONAL STAFF OF OTHER PUBLIC SCHOOLS”.

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AMENDMENT NO. 7

On page 9, in line 1, strike the bracket; strike beginning with the bracket in line 2 down through “ALL” in line 3; strike in their entirety lines 4 and 5; after line 5, insert:

“(B) SUBJECT TO SUBSECTION (D) OF THIS SECTION, A PUBLIC CHARTER SCHOOL MAY SEEK A WAIVER OF THE REQUIREMENTS UNDER SUBSECTION (A) OF THIS SECTION FROM:

(1) A COUNTY BOARD FOR POLICIES THAT ARE THE POLICIES OF THE COUNTY BOARD; AND

(2) THE STATE BOARD FOR POLICIES THAT ARE THE POLICIES OF THE STATE BOARD.

(C) IF A WAIVER IS DENIED UNDER THIS SECTION, THE COUNTY BOARD OR THE STATE BOARD, AS APPROPRIATE, SHALL PROVIDE THE REASON FOR THE DENIAL IN WRITING TO THE PUBLIC CHARTER SCHOOL.”;

in line 6, strike “(B)” and substitute “(D)”;

in line 31, strike “(I)”;

in the same line, strike the brackets; and in the same line, strike “MAY BE PUBLIC”.

AMENDMENT NO. 8

On page 10, in lines 1, 4, and 15, in each instance, strike the brackets; in the same lines, strike “(II)”, “(III)”, and “(C)”, respectively; in line 1, strike “MAY BE EMPLOYEES”; strike beginning with “; OR” in line 5 down through “SUBSECTION.” in line 14; strike beginning with “FOR” in line 15 down through “IF” in line 16; in line 18, after “organization” insert “, PUBLIC SCHOOL EMPLOYER,”; in line 20, after “school” insert “, INCLUDING AMENDMENTS TO WORK DAYS, WORK HOURS, SCHOOL YEAR, PROCEDURES FOR TRANSFERS THAT ARE CONSISTENT WITH THE

INSTRUCTIONAL MISSION OF THE SCHOOL, AND EXTRA DUTY ASSIGNMENTS"; strike in their entirety lines 21 through 25, inclusive; in line 27, strike the bracket; and in line 29, strike the bracket.

AMENDMENT NO. 9

On pages 10 through 13, strike in their entirety the lines beginning with line 30 on page 10 through line 2 on page 13, inclusive.

On page 13, in line 5, strike "submit" and substitute "PROVIDE"; after line 12, insert:

"(3) THE POLICY REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, INCLUDING ANY UPDATES OR AMENDMENTS MADE TO THE POLICY, SHALL BE PROVIDED TO THE DEPARTMENT AND MADE AVAILABLE ON REQUEST AND POSTED ON THE WEB SITE OF THE COUNTY BOARD.";

after line 20, insert:

"(II) GATHER INFORMATION FROM PUBLIC CHARTER SCHOOLS IN THE STATE REGARDING INNOVATIVE APPROACHES TO EDUCATION AND BEST PRACTICES TAKING PLACE AT PUBLIC CHARTER SCHOOLS THAT MAY BE SHARED WITH AND DISSEMINATED TO OTHER PUBLIC SCHOOLS IN THE STATE.";

strike in their entirety lines 21 through 24, inclusive; and after line 24, insert:

"(C) THE DEPARTMENT SHALL REPORT ANNUALLY BY DECEMBER 1 TO THE GENERAL ASSEMBLY IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE REGARDING:

(1) ANY UPDATES OR AMENDMENTS MADE TO A PUBLIC CHARTER SCHOOL POLICY UNDER SUBSECTION (A) OF THIS SECTION; AND

(2) IMPLEMENTATION OF THIS TITLE.”.

AMENDMENT NO. 10

On pages 13 through 15, strike in their entirety the lines beginning with line 25 on page 13 through line 18 on page 15, inclusive.

On page 15, after line 18, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) (1) The State Department of Education, in consultation with the Department of Legislative Services, shall contract for a study of the amount of funding provided to public charter schools and other public schools by local school systems in the State.

(2) The primary purpose of the study is to calculate the average operating expenditures by each local school system for students enrolled in a public school that is not a public charter school or stand-alone special education school, to be aggregated at the State level to serve as the baseline for determining commensurate funding for all public schools.

(b) The study shall include:

(1) a review of:

(i) the operating expenditures made at the central office level by each county board of education, including expenditures for administration, overhead, systemwide planning and development, and compliance with local, State, and federal requirements including special education, nonpublic placements, separate public day

schools, English language learner education, prekindergarten education, teacher pension and retiree health benefits, student transportation, and debt service;

(ii) the aggregate operating expenditures made on behalf of individual schools by each county board of education;

(iii) the amount of funding being provided to public charter schools and other public schools by local school systems;

(iv) the value of services being provided to public charter schools and other public schools by local school systems, including central office expenditures;

(v) the amount of funding provided by public charter schools to any third party, including a charter management organization;

(vi) the availability of federal funding for public charter schools, including options for Maryland to access federal charter school program grants; and

(vii) the potential availability of innovative financing for public charter school facilities that would not directly affect the State operating or capital budget; and

(2) an assessment of the need to collect central office and school level expenditure data on an ongoing basis.

(c) (1) Local school systems and public charter schools shall provide data as requested by the State Department of Education to complete the study.

(2) If a local school system fails to comply with the requirements of paragraph (1) of this subsection, the State Superintendent of Schools, with the approval of the State Board of Education, may notify the Comptroller to withhold 10% of the next installment and each subsequent installment due to the local school system from the State until the State Superintendent notifies the Comptroller that the local school system is in full compliance with the requirements of this section.

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(3) If a public charter school fails to comply with the requirements of paragraph (1) of this subsection, as determined by the State Superintendent of Schools, the State Superintendent may notify the local school system to withhold 10% of the next installment and each subsequent installment due to the public charter school from the school system until the State Superintendent notifies the school system that the public charter school is in full compliance with the requirements of this section.

(d) On or before December 1, 2015, the State Department of Education and the Department of Legislative Services shall submit a report on the study conducted under this section to the Governor and, in accordance with § 2-1246 of the State Government Article, the Senate Education, Health, and Environmental Affairs Committee and the House Ways and Means Committee.

SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding § 9-102.3 of the Education Article, as enacted by Section 1 of this Act, a public charter school that was approved by a county board of education before May 31, 2015, to convert from a public school may provide guaranteed placement for students who live within the geographic attendance area established by the county board of education. A public charter school that is exempt from § 9-102.3 of the Education Article under this section is also exempt from § 9-102.3 of the Education Article on the renewal of its charter contract, subject to the approval of the county board of education in which the public charter school is located.”;

in line 19, strike “2.” and substitute “4.”; and in line 20, strike “October” and substitute “June”.