

BY: Economic and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL NO. 761

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in its entirety line 2 and substitute "Educational Opportunity and Family Investment Program Act of 1999".

On page 5, strike beginning with the first "THE" in line 9 down through "OF" in line 10 and substitute "24 PERCENT ON"; and in line 11, after "PROGRAM" insert "COMPOSITE INDEX".

On page 7, strike beginning with the first "THE" in line 1 down through "OF" in line 3 and substitute "24 PERCENT ON"; in line 3, after "PROGRAM" insert "COMPOSITE INDEX"; after line 4, insert:

"(4) A CHILD FROM A FAMILY PARTICIPATING IN THE FAMILY INVESTMENT PROGRAM WHO ATTENDS A PUBLIC CHARTER SCHOOL MAY REMAIN IN THAT SCHOOL IF THE FAMILY IS NO LONGER ELIGIBLE FOR THE FAMILY INVESTMENT PROGRAM."; in line 16, strike the first comma and substitute "AND"; strike beginning with "BOARD," in line 16 down through "STATE" in line 17; and in line 21, after "SCHOOL" insert "OR IS ADAPTED FROM AN EXISTING PUBLIC SCHOOL UNDER THIS TITLE".

AMENDMENT NO. 2

On page 9, after line 3, insert:

"(D) AN APPLICANT FOR A CHARTER WHO IS DENIED A CHARTER BY A PUBLIC SCHOOL CHARTERING AUTHORITY MAY APPEAL THAT DECISION TO THE STATE BOARD."

AMENDMENT NO. 3

(Over)

On page 10, strike beginning with the first “THE” in line 3 down through “OF” in line 4 and substitute “24 PERCENT ON”; in line 5, after “PROGRAM” insert “COMPOSITE INDEX”; in line 13, after “SCHOOL” insert “THAT IS DEVELOPED AS A NEW PUBLIC SCHOOL”; in line 14, strike “AND”; strike beginning with the first “THE” in line 18 down through “OF” in line 19 and substitute “24 PERCENT ON”; in line 20, after “PROGRAM” insert “COMPOSITE INDEX”; in line 21, strike “SCHOOL.” and substitute “SCHOOL; AND”

(3) SHALL ENROLL AT LEAST 70 PERCENT OF ITS STUDENTS FROM A FAMILY IN THE FAMILY INVESTMENT PROGRAM.”; and after line 28, insert:

“(E) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (A) OF THIS SECTION, AN EXISTING PUBLIC SCHOOL OR A SPONSORING ENTITY MAY APPLY TO CONVERT THAT SCHOOL TO A PUBLIC CHARTER SCHOOL IF:

(1) AT LEAST 60 PERCENT OF THE STAFF OF THE EXISTING PUBLIC SCHOOL AND AT LEAST 60 PERCENT OF THE PARENTS OR GUARDIANS OF STUDENTS WHO ATTEND THE EXISTING PUBLIC SCHOOL SIGN A PETITION REQUESTING CONVERSION;

(2) THE PETITION CALLS FOR AN ELECTION BY SECRET BALLOT TO DETERMINE IF THE SCHOOL SHOULD BECOME A PUBLIC CHARTER SCHOOL;

(3) AT LEAST 60 PERCENT OF THE STAFF AND AT LEAST 60 PERCENT OF THE PARENTS OR GUARDIANS SUPPORT THE CONVERSION OF THE SCHOOL TO A PUBLIC CHARTER SCHOOL; AND

(4) THE EXISTING PUBLIC SCHOOL HAS SCORED AT OR BELOW 24 PERCENT ON THE MARYLAND SCHOOL PERFORMANCE PROGRAM COMPOSITE INDEX.

(F) AFTER AN EXISTING PUBLIC SCHOOL IS CONVERTED TO A PUBLIC CHARTER SCHOOL, AND ITS EXISTING STUDENTS ARE ENROLLED, THAT SCHOOL SHALL GIVE PRIORITY IN ENROLLMENT TO A CHILD FROM A FAMILY IN THE FAMILY INVESTMENT PROGRAM IF SPACE IS AVAILABLE FOR THE ADDITIONAL STUDENTS.”.

AMENDMENT NO. 4

On page 11, in line 8, strike “MAY” and substitute “SHALL”; in line 10, after “RECEIVE” insert “AT LEAST”; in line 11, after “SCHOOL” insert “SUBJECT TO NEGOTIATION OF THE RELEVANT COLLECTIVE BARGAINING AGREEMENT AS PROVIDED FOR IN THE COLLECTIVE BARGAINING PROVISIONS OF TITLE 6, SUBTITLES 4 AND 5 OF THE EDUCATION ARTICLE”; strike in their entirety lines 12 through 16, inclusive, and substitute:

“(B) BECAUSE OF THE UNIQUE NATURE OF A PUBLIC CHARTER SCHOOL, IF THE PUBLIC CHARTER SCHOOL ADMINISTRATION DETERMINES THAT THE SKILLS AND PERFORMANCE OF A CERTIFICATED EMPLOYEE ARE NOT SUITABLE FOR THE PUBLIC CHARTER SCHOOL OR THE CERTIFICATED EMPLOYEE REQUESTS A TRANSFER, THE CERTIFICATED EMPLOYEE OF THE COUNTY BOARD:

(1) MAY BE TRANSFERRED DURING THE SCHOOL YEAR TO A COMPARABLE ASSIGNMENT IN THE COUNTY PUBLIC SCHOOL SYSTEM FOR WHICH THE EMPLOYEE IS QUALIFIED, IF THE TRANSFER DOES NOT DISRUPT THE OPERATIONS OF THE PUBLIC CHARTER SCHOOL OR THE COUNTY PUBLIC SCHOOL SYSTEM; AND

(2) SHALL IN ANY CASE BE TRANSFERRED TO A COMPARABLE ASSIGNMENT IN THE COUNTY PUBLIC SCHOOL SYSTEM BEFORE THE BEGINNING OF THE FOLLOWING SCHOOL YEAR.”;

and strike beginning with the first “A” in line 17 down through “AVAILABLE” in line 21 and substitute “BECAUSE OF THE UNIQUE NATURE OF A PUBLIC CHARTER SCHOOL, A CERTIFICATED EMPLOYEE WHO IS TRANSFERRED FROM A PUBLIC CHARTER SCHOOL UNDER SUBSECTION (B) OF THIS SECTION MAY NOT BE SUBJECT TO ANY OTHER FORM OF DISCIPLINARY ACTION BY THE COUNTY BOARD AS A RESULT OF THE TRANSFER FROM THE PUBLIC CHARTER SCHOOL”.

AMENDMENT NO. 5

On page 12, in line 33, after “AUTHORITIES” insert “AND THE STATE BOARD”.

On page 13, after line 3, insert:

“(3) THE REGULATIONS SHALL BE SUBJECT TO THE REVIEW OF THE JOINT COMMITTEE ON ADMINISTRATIVE, EXECUTIVE, AND LEGISLATIVE REVIEW.”