
By: **Senators Blount, Hollinger, Collins, Conway, Dyson, Forehand, Frosh,
Green, Hoffman, Kelley, Lawlah, Middleton, Sfikas, Stone, and Van
Hollen**

Introduced and read first time: February 2, 2001
Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Public Charter School Act of 2001**

3 FOR the purpose of establishing the Maryland Public Charter School Program;
4 adding a certain definition; establishing certain authority in certain boards;
5 establishing a certain appeals process; establishing a certain certification
6 requirement; requiring school districts to develop a certain policy; and generally
7 relating to the Maryland Public Charter School Program.

8 BY adding to
9 Article - Education
10 Section 9-101 through 9-106, inclusive, to be under the new title "Title 9.
11 Maryland Public Charter School Program"
12 Annotated Code of Maryland
13 (1999 Replacement Volume and 2000 Supplement)

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

16 **Article - Education**

17 TITLE 9. MARYLAND PUBLIC CHARTER SCHOOL PROGRAM.

18 9-101.

19 (A) THERE IS A MARYLAND PUBLIC CHARTER SCHOOL PROGRAM.

20 (B) THE GENERAL PURPOSE OF THE PROGRAM IS TO ESTABLISH AN
21 ALTERNATIVE MEANS WITHIN THE EXISTING PUBLIC SCHOOL SYSTEM IN ORDER TO
22 PROVIDE INNOVATIVE LEARNING OPPORTUNITIES AND CREATIVE EDUCATIONAL
23 APPROACHES TO IMPROVE THE EDUCATION OF STUDENTS.

1 9-102.

2 IN THIS TITLE, "PUBLIC CHARTER SCHOOL" MEANS A PUBLIC SCHOOL THAT:

3 (1) IS NONSECTARIAN IN ALL ITS PROGRAMS, POLICIES, AND
4 OPERATIONS;

5 (2) IS A SCHOOL TO WHICH PARENTS CHOOSE TO SEND THEIR
6 CHILDREN;

7 (3) IS OPEN TO ALL STUDENTS ON A SPACE-AVAILABLE BASIS AND
8 ADMITS STUDENTS ON A LOTTERY BASIS IF MORE STUDENTS APPLY THAN CAN BE
9 ACCOMMODATED;

10 (4) IS A NEW PUBLIC SCHOOL OR A CONVERSION OF AN EXISTING
11 PUBLIC SCHOOL AND IS OPERATED UNDER PUBLIC DIRECTION AND SUPERVISION;

12 (5) PROVIDES A PROGRAM OF ELEMENTARY OR SECONDARY
13 EDUCATION OR BOTH;

14 (6) OPERATES IN PURSUIT OF A SPECIFIC SET OF EDUCATIONAL
15 OBJECTIVES;

16 (7) IS TUITION-FREE;

17 (8) IS SUBJECT TO FEDERAL AND STATE LAWS PROHIBITING
18 DISCRIMINATION;

19 (9) IS IN COMPLIANCE WITH ALL APPLICABLE HEALTH AND SAFETY
20 LAWS; AND

21 (10) IS CREATED IN ACCORDANCE WITH THIS TITLE AND THE
22 APPROPRIATE SCHOOL DISTRICT POLICY.

23 9-103.

24 THE PUBLIC CHARTERING AUTHORITY FOR THE GRANTING OF CHARTERS
25 SHALL BE THE COUNTY BOARDS OF EDUCATION.

26 9-104.

27 (A) AN APPLICATION TO ESTABLISH A PUBLIC CHARTER SCHOOL SHALL BE
28 SUBMITTED TO THE COUNTY BOARD OF THE COUNTY IN WHICH THE CHARTER
29 SCHOOL WILL BE LOCATED.

30 (B) IF THE COUNTY BOARD DENIES AN APPLICATION TO ESTABLISH A PUBLIC
31 CHARTER SCHOOL, THE APPLICANT MAY APPEAL THE DECISION TO THE STATE
32 BOARD.

1 9-105.

2 A MEMBER OF THE PROFESSIONAL STAFF OF A PUBLIC CHARTER SCHOOL
3 SHALL HOLD THE APPROPRIATE MARYLAND CERTIFICATION.

4 9-106.

5 EACH SCHOOL DISTRICT SHALL DEVELOP A PUBLIC CHARTER SCHOOL POLICY
6 AND SUBMIT IT TO THE STATE BOARD.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2001.