

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL NO. 131

(Third Reading File Bill)

AMENDMENT NO. 1

On pages 1 and 2, strike beginning with “authorizing” in line 3 on page 1 down through “State” in line 14 on page 2 and substitute “establishing the Maryland Public Charter School Program; adding a certain definition; establishing certain authority in certain boards; specifying certain charter school application requirements; prohibiting a county board from granting a charter to certain schools; requiring a county board to review an application to establish a charter school and render a decision within a certain time period; establishing a certain appeals process; establishing a certain certification requirement; requiring county boards to develop a certain policy; establishing a certain liaison for the Program; and generally relating to the Maryland Public Charter School Program”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 15 through 19, inclusive; in line 22, strike “9-121” and substitute “9-106”; in the same line, after “9.” insert “Maryland”; and strike in their entirety lines 29 through 36, inclusive.

AMENDMENT NO. 3

On page 3, in line 1, after “TITLE 9.” insert “MARYLAND”.

On pages 3 through 13, strike in their entirety the lines beginning with line 2 on page 3 through line 4 on page 13, inclusive, and substitute:

“9-101.

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

(B) THE GENERAL PURPOSE OF THE PROGRAM IS TO ESTABLISH AN

(Over)

ALTERNATIVE MEANS WITHIN THE EXISTING PUBLIC SCHOOL SYSTEM IN ORDER TO PROVIDE INNOVATIVE LEARNING OPPORTUNITIES AND CREATIVE EDUCATIONAL APPROACHES TO IMPROVE THE EDUCATION OF STUDENTS.

9-102.

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

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

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

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

(4) IS A NEW PUBLIC SCHOOL OR A CONVERSION OF AN EXISTING PUBLIC SCHOOL;

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

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

(7) IS TUITION-FREE;

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

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

(10) IS CREATED IN ACCORDANCE WITH THIS TITLE AND THE APPROPRIATE COUNTY BOARD POLICY.

9-103.

(A) THE PRIMARY PUBLIC CHARTERING AUTHORITY FOR THE GRANTING OF CHARTERS SHALL BE THE COUNTY BOARDS OF EDUCATION.

(B) THE SECONDARY PUBLIC CHARTERING AUTHORITY FOR THE GRANTING OF CHARTERS SHALL BE THE STATE BOARD ACTING IN ITS APPEAL REVIEW CAPACITY.

(C) THE STATE BOARD MAY CREATE ADDITIONAL PUBLIC CHARTERING AUTHORITIES.

9-104.

(A) (1) AN APPLICATION TO ESTABLISH A PUBLIC CHARTER SCHOOL SHALL BE SUBMITTED TO THE COUNTY BOARD OF THE COUNTY IN WHICH THE CHARTER SCHOOL WILL BE LOCATED.

(2) AN APPLICATION TO ESTABLISH A PUBLIC CHARTER SCHOOL MAY BE SUBMITTED TO A COUNTY BOARD BY:

(I) THE STAFF OF A PUBLIC SCHOOL;

(II) A PARENT OR GUARDIAN OF A STUDENT WHO ATTENDS A PUBLIC SCHOOL IN THE COUNTY;

(III) A NONPROFIT ENTITY;

(IV) AN INSTITUTION OF HIGHER EDUCATION IN THE STATE; OR

(Over)

(V) ANY COMBINATION OF PERSONS SPECIFIED IN ITEMS (I) THROUGH (IV) OF THIS PARAGRAPH.

(3) A COUNTY BOARD MAY NOT GRANT A CHARTER UNDER THIS TITLE TO:

(I) A PRIVATE SCHOOL;

(II) A PAROCHIAL SCHOOL; OR

(III) A HOME SCHOOL.

(4) THE COUNTY BOARD SHALL REVIEW THE APPLICATION AND RENDER A DECISION WITHIN 120 DAYS OF RECEIPT OF THE APPLICATION.

(B) IF THE COUNTY BOARD DENIES AN APPLICATION TO ESTABLISH A PUBLIC CHARTER SCHOOL, THE APPLICANT MAY APPEAL THE DECISION TO THE STATE BOARD, IN ACCORDANCE WITH § 4-205(C) OF THIS ARTICLE.

9-105.

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

9-106.

(A) EACH COUNTY BOARD SHALL DEVELOP A PUBLIC CHARTER SCHOOL POLICY AND SUBMIT IT TO THE STATE BOARD.

(B) THE DEPARTMENT SHALL DESIGNATE A STAFF PERSON TO FUNCTION AS A CONTACT PERSON FOR THE MARYLAND PUBLIC CHARTER SCHOOL PROGRAM.

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

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2002”.

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