

SENATE BILL 401

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SB 721/01 - EEA

2002 Regular Session
2lr1123

By: **Senators Mooney, Colburn, Ferguson, Hafer, Haines, Harris, Hooper,
Kittleman, Mitchell, Munson, Roesser, Schrader, and Stoltzfus**

Introduced and read first time: January 30, 2002

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Education Innovation Act of 2002 - Public Charter School Program**

3 FOR the purpose of requiring the transfer of certain educational funds to public
4 charter schools; establishing certain public school chartering authorities;
5 authorizing the public school chartering authorities to grant charters for public
6 charter schools to certain sponsoring agencies; prohibiting the granting of
7 charters to certain educational agencies; authorizing certain public charter
8 schools to specialize in providing services to certain students; requiring the
9 county boards of education and the State to designate certain funds for students
10 who attend public charter schools; requiring certain employees at public charter
11 schools to hold appropriate Maryland certification; requiring the Department of
12 Education to conduct certain assessments of public charter schools; requiring
13 public charter schools to submit certain reports; establishing certain rules
14 governing students at public charter schools; establishing the Public Charter
15 School Advisory Office; requiring the Office to adopt certain regulations;
16 requiring the Department to make a certain report by a certain date; and
17 generally relating to the establishment of a charter school program that will
18 give certain children educational opportunities under certain circumstances.

19 BY repealing and reenacting, without amendments,
20 Article - Education
21 Section 1-101(d), (f), and (l)
22 Annotated Code of Maryland
23 (2001 Replacement Volume)

24 BY adding to
25 Article - Education
26 Section 9-101 through 9-117, inclusive, to be under the new title "Title 9. Public
27 Charter School Program"
28 Annotated Code of Maryland
29 (2001 Replacement Volume)

1

Preamble

2 WHEREAS, The concept of publicly chartered schools offers an exciting
3 opportunity for the State of Maryland to offer its children an alternative to the
4 traditional public schools; and

5 WHEREAS, Publicly chartered schools operate within the umbrella of the public
6 school system, are funded with public moneys, and are accountable for the same
7 performance standards as traditional public schools, while operating independently of
8 the local boards of education; and

9 WHEREAS, Many publicly chartered schools in the 36 states, Puerto Rico, and
10 the District of Columbia, in which publicly chartered schools have been embraced,
11 have been successful in improving the education of at-risk and other special needs
12 students; and

13 WHEREAS, In Chapter 720 of the Laws of Maryland of 1998, the Maryland
14 General Assembly acknowledged the potential of publicly chartered schools to foster
15 teacher creativity and enrich educational opportunities for a wide range of economic
16 and cultural groups; and

17 WHEREAS, Chapter 720 of the Laws of Maryland of 1998 also found that the
18 establishment of a public charter school program is in the best interest of the students
19 of this State; now, therefore,

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

22

Article - Education

23 1-101.

24 (d) "County board" means the board of education of a county and includes the
25 New Baltimore City Board of School Commissioners.

26 (f) "Department" means the State Department of Education.

27 (l) "State Board" means the State Board of Education.

28

TITLE 9. PUBLIC CHARTER SCHOOL PROGRAM.

29 9-101.

30 (A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

31 (B) "APPLICANT" MEANS:

32 (1) THE STAFF OF A PUBLIC SCHOOL;

1 (2) THE PARENTS OR GUARDIANS OF STUDENTS WHO ATTEND THE
2 PUBLIC AND NONPUBLIC SCHOOLS IN THE COUNTY;

3 (3) A NONPROFIT ENTITY;

4 (4) ANY COMBINATION OF THE STAFF OF A PUBLIC SCHOOL, THE
5 PARENTS OR GUARDIANS OF STUDENTS WHO ATTEND THE PUBLIC SCHOOLS IN A
6 COUNTY, AND A NONPROFIT ENTITY;

7 (5) AN INSTITUTION OF HIGHER EDUCATION IN THE STATE;

8 (6) A UNIT OF LOCAL GOVERNMENT; OR

9 (7) ANY UNIT OF STATE GOVERNMENT CREATED TO ADVISE OR
10 OVERSEE CHARTER SCHOOLS.

11 (C) "PUBLIC CHARTER SCHOOL" MEANS A PUBLIC SCHOOL THAT:

12 (1) IS CREATED IN ACCORDANCE WITH § 9-103 OF THIS TITLE;

13 (2) IS DEVELOPED AS A NEW PUBLIC SCHOOL OR IS ADAPTED FROM AN
14 EXISTING PUBLIC SCHOOL UNDER THIS TITLE;

15 (3) IS OPERATED UNDER PUBLIC SUPERVISION AND DIRECTION;

16 (4) HAS A SPECIFIC ACADEMIC FOCUS AND SET OF EDUCATIONAL
17 GOALS ON WHICH THE SPONSORING ENTITY, THE PUBLIC SCHOOL CHARTERING
18 AUTHORITY, AND THE DEPARTMENT AGREE; AND

19 (5) PROVIDES A PROGRAM OF ELEMENTARY OR SECONDARY
20 EDUCATION, OR BOTH.

21 (D) "PUBLIC SCHOOL CHARTERING AUTHORITY" MEANS:

22 (1) A COUNTY BOARD OF EDUCATION IN THE STATE; OR

23 (2) AN INSTITUTION OF HIGHER EDUCATION IN THE STATE.

24 9-102.

25 A PUBLIC SCHOOL CHARTERING AUTHORITY:

26 (1) MAY GRANT CHARTERS THAT ESTABLISH PUBLIC CHARTER
27 SCHOOLS;

28 (2) SHALL DISSEMINATE INFORMATION CONCERNING THE
29 ESTABLISHMENT, CURRICULUM, AND OPERATION OF PUBLIC CHARTER SCHOOLS;
30 AND

31 (3) MAY REVOKE A CHARTER GRANTED UNDER THIS TITLE OR PLACE A
32 PUBLIC CHARTER SCHOOL ON PROBATIONARY STATUS.

1 9-103.

2 (A) THERE IS A PUBLIC CHARTER SCHOOL ADVISORY OFFICE THAT IS PART OF
3 THE DEPARTMENT.

4 (B) THE PURPOSE OF THE OFFICE IS TO:

5 (1) ADVISE APPLICANTS AND PUBLIC CHARTERING AUTHORITIES;

6 (2) OVERSEE THE CREATION AND DEVELOPMENT OF PUBLIC CHARTER
7 SCHOOLS THROUGHOUT THE STATE;

8 (3) PROVIDE INFORMATION AND TECHNICAL SUPPORT TO APPLICANTS
9 AND PUBLIC SCHOOL CHARTERING AUTHORITIES; AND

10 (4) SERVE AS A CLEARINGHOUSE FOR NATIONAL INFORMATION ON
11 CHARTER SCHOOLS.

12 (C) THE OFFICE SHALL BE PART OF THE STATE DEPARTMENT OF EDUCATION.

13 (D) THE OFFICE SHALL ADOPT REGULATIONS NECESSARY TO IMPLEMENT
14 THIS TITLE.

15 9-104.

16 (A) A PUBLIC SCHOOL CHARTERING AUTHORITY SHALL DEVELOP AN
17 APPLICATION PROCESS FOR AN APPLICANT TO FOLLOW WHEN APPLYING FOR A
18 CHARTER TO ESTABLISH A PUBLIC CHARTER SCHOOL.

19 (B) THE APPLICATION FOR A CHARTER SHALL INCLUDE:

20 (1) THE IDENTITY OF THE APPLICANT;

21 (2) THE PROPOSED NAME OF THE SCHOOL, WHICH SHALL CONTAIN THE
22 WORDS "PUBLIC CHARTER SCHOOL";

23 (3) TO THE EXTENT POSSIBLE, THE LOCATION AND A DESCRIPTION OF
24 THE SCHOOL FACILITY;

25 (4) THE PROPOSED STRUCTURE OF THE GOVERNING BOARD OF THE
26 SCHOOL, INCLUDING:

27 (I) THE QUALIFICATIONS FOR MEMBERS OF THE BOARD; AND

28 (II) THE METHOD OF APPOINTMENT OR ELECTION OF THE
29 MEMBERS;

30 (5) WITH REGARD TO THE PURPOSE OF THE PUBLIC CHARTER SCHOOL:

31 (I) THE ACADEMIC FOCUS AND EDUCATIONAL GOALS OF THE
32 SCHOOLS; AND

- 1 (II) THE PROPOSED CURRICULUM OF THE SCHOOL;
- 2 (6) A DESCRIPTION OF AND JUSTIFICATION FOR ANY WAIVER OF STATE
3 OR LOCAL REGULATIONS THAT THE SCHOOL INTENDS TO REQUEST;
- 4 (7) THE AGE OR GRADE RANGE OF STUDENTS TO BE ENROLLED;
- 5 (8) THE SCHOOL CALENDAR AND SCHOOL DAY SCHEDULE, INCLUDING
6 THE LENGTH OF THE SCHOOL DAY;
- 7 (9) A DESCRIPTION OF STAFF RESPONSIBILITIES;
- 8 (10) A DESCRIPTION OF THE PROCEDURES TO BE IMPLEMENTED TO
9 ENSURE SIGNIFICANT PARENT AND COMMUNITY INVOLVEMENT IN THE PLANNING
10 AND THE OPERATION OF THE PUBLIC CHARTER SCHOOL;
- 11 (11) THE FINANCIAL PLAN FOR THE PUBLIC CHARTER SCHOOL; AND
- 12 (12) ANY OTHER INFORMATION THAT THE PUBLIC SCHOOL CHARTERING
13 AUTHORITY OR THE STATE BOARD REQUIRES.

14 9-105.

15 (A) THE PUBLIC SCHOOL CHARTERING AUTHORITY SHALL ADOPT
16 REGULATIONS NECESSARY TO IMPLEMENT THIS SECTION, INCLUDING TIME LINES
17 FOR CHARTER SCHOOL APPLICATION SUBMITTAL AND APPROVAL.

18 (B) (1) THE PUBLIC SCHOOL CHARTERING AUTHORITY SHALL REVIEW THE
19 APPLICATION AND RENDER A DECISION WITHIN 120 DAYS OF RECEIPT OF THE
20 APPLICATION.

21 (2) THE PUBLIC SCHOOL CHARTERING AUTHORITY MAY DELAY
22 RENDERING A DECISION FOR AN ADDITIONAL 60 DAYS FOR CAUSE.

23 (3) THE PUBLIC SCHOOL CHARTERING AUTHORITY MAY USE THE
24 SERVICES OF AN OUTSIDE AGENCY IN THE EVALUATION OF THE APPLICATION.

25 (C) IF THE PUBLIC SCHOOL CHARTERING AUTHORITY DENIES AN
26 APPLICATION TO ESTABLISH A PUBLIC CHARTER SCHOOL, THE PUBLIC SCHOOL
27 CHARTERING AUTHORITY SHALL INCLUDE WITH THE DENIAL THE REASONS FOR
28 THE DENIAL.

29 (D) IF AN APPLICATION IS DENIED, THE APPLICANT MAY APPEAL THE
30 DECISION TO A SPECIAL APPEALS BOARD ESTABLISHED BY THE STATE BOARD.

31 (E) THE DECISION OF THE STATE BOARD IS FINAL.

32 (F) AN APPLICANT WHOSE APPLICATION FOR A CHARTER IS DENIED MAY
33 REAPPLY FOR A CHARTER AFTER 6 MONTHS FROM THE DECISION OF THE PUBLIC
34 SCHOOL CHARTERING AUTHORITY OR, IF THE DENIAL WAS APPEALED TO THE STATE
35 BOARD, AFTER 6 MONTHS FROM THE DECISION OF THE STATE BOARD.

1 9-106.

2 (A) THE STATE BOARD OR COUNTY BOARD OF THE COUNTY IN WHICH A
3 PUBLIC CHARTER SCHOOL IS LOCATED MAY GRANT A WAIVER TO A PUBLIC CHARTER
4 SCHOOL FROM SPECIFIC STATE EDUCATION REGULATIONS AND REQUIREMENTS.

5 (B) A PUBLIC CHARTER SCHOOL MAY RECEIVE A WAIVER UNDER THIS
6 SECTION IF THE SCHOOL CAN DEMONSTRATE THAT THE WAIVER WILL ADVANCE THE
7 EDUCATIONAL GOALS AND OBJECTIVES OF THE SCHOOL.

8 (C) A PUBLIC CHARTER SCHOOL MAY NOT RECEIVE A WAIVER OF A
9 REGULATION OR REQUIREMENT PERTAINING TO THE CIVIL RIGHTS OR THE HEALTH
10 AND SAFETY OF A STUDENT.

11 9-107.

12 (A) A CHARTER THAT IS GRANTED BY A PUBLIC SCHOOL CHARTERING
13 AUTHORITY TO A PUBLIC CHARTER SCHOOL CONSTITUTES A CONTRACT BETWEEN
14 THE SCHOOL AND THE CHARTERING AUTHORITY.

15 (B) THE CHARTER SHALL INCLUDE ALL AGREEMENTS BETWEEN THE PUBLIC
16 CHARTER SCHOOL AND THE PUBLIC SCHOOL CHARTERING AUTHORITY, INCLUDING:

17 (1) ANY WAIVERS OF SPECIFIC STATE OR LOCAL EDUCATION
18 REGULATIONS OR REQUIREMENTS GRANTED TO THE SCHOOL;

19 (2) MATTERS RELATING TO THE OPERATION OF THE SCHOOL,
20 INCLUDING BUDGETING, CURRICULUM, THE ACQUISITION OF REAL PROPERTY, THE
21 RECEIPT AND DISBURSEMENT OF FUNDS, DEBT POLICIES, AND THE SOLICITATION
22 OF GIFTS AND GRANTS; AND

23 (3) A PERFORMANCE AGREEMENT REQUIRING THE ACADEMIC
24 ACHIEVEMENT OF THE STUDENTS ENROLLED AT THE PUBLIC CHARTER SCHOOL TO
25 BE MEASURED ACCORDING TO:

26 (I) ASSESSMENTS REQUIRED BY THE STATE FOR OTHER PUBLIC
27 SCHOOLS; AND

28 (II) OTHER ASSESSMENTS THAT ARE MUTUALLY AGREEABLE TO
29 THE PUBLIC SCHOOL CHARTERING AUTHORITY AND THE SCHOOL.

30 (C) A PUBLIC CHARTER SCHOOL AND A PUBLIC SCHOOL CHARTERING
31 AUTHORITY MAY AMEND THE TERMS OF THE CONTRACT ONLY BY WRITTEN MUTUAL
32 AGREEMENT.

33 9-108.

34 (A) A PUBLIC CHARTER SCHOOL SHALL OPERATE IN ACCORDANCE WITH:

35 (1) THE CHARTER GRANTED TO THE SCHOOL; AND

1 (2) THE PROVISIONS OF LAW GOVERNING THE TRADITIONAL PUBLIC
2 SCHOOLS.

3 (B) A PUBLIC CHARTER SCHOOL SHALL BE ACCOUNTABLE TO THE
4 APPLICANT, THE PUBLIC SCHOOL CHARTERING AUTHORITY, AND THE DEPARTMENT.

5 (C) A PUBLIC CHARTER SCHOOL MAY EXERCISE ANY POWERS THAT ARE:

6 (1) NECESSARY TO FULFILL THE CHARTER; AND

7 (2) CONSISTENT WITH THIS TITLE AND THE REQUIREMENTS OF THE
8 PUBLIC SCHOOL CHARTERING AUTHORITY AND THE DEPARTMENT.

9 9-109.

10 (A) (1) A PUBLIC CHARTER SCHOOL MAY ELECT TO SPECIALIZE IN
11 PROVIDING SERVICES TO CHILDREN WHO:

12 (I) ATTEND TRADITIONAL PUBLIC SCHOOLS THAT HAVE BEEN
13 DETERMINED BY THE COUNTY BOARD TO BE UNDERPERFORMING AND WHO
14 REQUEST TO TRANSFER TO A CHARTER SCHOOL IN THE LOCAL SCHOOL DISTRICT; OR

15 (II) ATTEND RECONSTITUTION-ELIGIBLE SCHOOLS.

16 (2) THE PUBLIC SCHOOL CHARTERING AUTHORITY SHALL ESTABLISH A
17 PROCEDURE FOR THE SELECTION OF STUDENTS TO ATTEND THE SCHOOL BY THE
18 USE OF A LOTTERY OR ANY OTHER PROCESS DEEMED APPROPRIATE IF MORE
19 STUDENTS APPLY FOR ENROLLMENT IN THE SCHOOL THAN THERE ARE SPACES
20 AVAILABLE.

21 (B) A PUBLIC CHARTER SCHOOL THAT IS DEVELOPED AS A NEW PUBLIC
22 SCHOOL MAY LIMIT ADMISSION TO A PARTICULAR GRADE LEVEL.

23 (C) A PUBLIC CHARTER SCHOOL MAY NOT LIMIT ADMISSION OF STUDENTS ON
24 THE BASIS OF INTELLECTUAL OR PHYSICAL ABILITY.

25 (D) AN EXISTING TRADITIONAL PUBLIC SCHOOL OR AN APPLICANT, ON
26 BEHALF OF AN EXISTING TRADITIONAL PUBLIC SCHOOL, MAY APPLY TO CONVERT
27 THE SCHOOL TO A PUBLIC CHARTER SCHOOL IF:

28 (1) AT LEAST TWO-THIRDS OF THE STAFF OF THE TRADITIONAL PUBLIC
29 SCHOOL AND AT LEAST TWO-THIRDS OF THE PARENTS OR GUARDIANS OF STUDENTS
30 WHO ATTEND THE TRADITIONAL PUBLIC SCHOOL SIGN A PETITION REQUESTING
31 CONVERSION; OR

32 (2) THE TRADITIONAL PUBLIC SCHOOL HAS BEEN DETERMINED BY THE
33 COUNTY BOARD TO BE UNDERPERFORMING, RELATIVE TO OTHER SCHOOLS IN THE
34 LOCAL SCHOOL DISTRICT.

1 9-110.

2 (A) A COUNTY BOARD MAY:

3 (1) LEASE OR SELL PROPERTY TO A PUBLIC CHARTER SCHOOL; OR

4 (2) LEASE SPACE WITHIN AN EXISTING PUBLIC SCHOOL FOR THE
5 PROVISION OF PUBLIC CHARTER SCHOOL SERVICES.

6 (B) THE FACILITY THAT CONTAINS A PUBLIC CHARTER SCHOOL:

7 (1) SHALL CONFORM TO THE REGULATIONS FOR TRADITIONAL PUBLIC
8 SCHOOL FACILITIES; AND

9 (2) MAY NOT RECEIVE A WAIVER OF HEALTH OR SAFETY REGULATIONS.

10 9-111.

11 (A) (1) A COUNTY BOARD SHALL PAY DIRECTLY TO A PUBLIC CHARTER
12 SCHOOL FOR EACH STUDENT FROM THE COUNTY ENROLLED IN THE SCHOOL AN
13 AMOUNT THAT IS THE EQUIVALENT OF THE AMOUNT THAT THE COUNTY BOARD
14 WOULD PAY FOR THE EDUCATION OF THE STUDENT AT A TRADITIONAL PUBLIC
15 SCHOOL IN THE COUNTY AS DETERMINED BY THE DEPARTMENT.

16 (2) THE AMOUNT PAID BY A COUNTY BOARD UNDER PARAGRAPH (1) OF
17 THIS SUBSECTION SHALL INCLUDE THE STATE SHARE OF BASIC CURRENT
18 EXPENSES, CALCULATED IN ACCORDANCE WITH § 5-202 OF THIS ARTICLE.

19 (3) A PUBLIC CHARTER SCHOOL MAY NEGOTIATE WITH A COUNTY
20 BOARD FOR ADDITIONAL FUNDING.

21 (B) A PUBLIC CHARTER SCHOOL MAY RECEIVE COUNTY, STATE, AND FEDERAL
22 FUNDS FOR EACH STUDENT ENROLLED IN THE SCHOOL IN THE SAME MANNER THAT
23 THE TRADITIONAL PUBLIC SCHOOLS IN THE COUNTY RECEIVE THESE FUNDS.

24 9-112.

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

27 9-113.

28 (A) THE DEPARTMENT SHALL CONDUCT AN ANNUAL ASSESSMENT OF EACH
29 PUBLIC CHARTER SCHOOL TO DETERMINE IF THE SCHOOL IS MEETING THE GOALS
30 OF THE CHARTER, INCLUDING AN ASSESSMENT OF THE ACHIEVEMENT OF THE
31 STUDENTS ATTENDING THE PUBLIC CHARTER SCHOOL:

32 (1) WITHIN THE ACADEMIC FOCUS AND EDUCATIONAL GOALS OF THE
33 SCHOOL AND ACCORDING TO THE SPECIFIC MEASURES USED BY THE SCHOOL;

1 (2) ON THE ASSESSMENTS REQUIRED BY THE STATE BOARD FOR
2 STUDENTS WHO ATTEND TRADITIONAL PUBLIC SCHOOLS IN THE STATE; AND

3 (3) ON ANY OTHER ASSESSMENTS MUTUALLY AGREED ON BY THE
4 DEPARTMENT, THE PUBLIC SCHOOL CHARTERING AUTHORITY, THE APPLICANT, AND
5 THE PUBLIC CHARTER SCHOOL.

6 (B) IN ORDER TO FACILITATE THE ANNUAL ASSESSMENT BY THE
7 DEPARTMENT, A PUBLIC CHARTER SCHOOL AND THE PUBLIC SCHOOL CHARTERING
8 AUTHORITY SHALL SUBMIT AN ANNUAL FISCAL REPORT AND STUDENT
9 PERFORMANCE REPORT TO THE DEPARTMENT IN THE FORM PRESCRIBED BY THE
10 DEPARTMENT NOT LATER THAN AUGUST 1 OF EACH YEAR.

11 (C) THE PUBLIC SCHOOL CHARTERING AUTHORITY OF A PUBLIC CHARTER
12 SCHOOL SHALL MAKE THE REPORT AVAILABLE TO THE PARENTS OR GUARDIANS OF
13 STUDENTS ENROLLED IN THE PUBLIC CHARTER SCHOOL.

14 9-114.

15 (A) A PUBLIC CHARTER SCHOOL AND THE PARENTS OR GUARDIANS OF
16 STUDENTS WHO ATTEND THE SCHOOL SHALL BE RESPONSIBLE FOR THE
17 TRANSPORTATION OF THE STUDENTS TO AND FROM THE SCHOOL.

18 (B) A PUBLIC CHARTER SCHOOL AND A COUNTY BOARD MAY NEGOTIATE THE
19 TRANSPORTATION OF STUDENTS WHO ATTEND A PUBLIC CHARTER SCHOOL.

20 9-115.

21 (A) A PUBLIC CHARTER SCHOOL MAY CONDUCT A SCHOOL DAY THAT IS
22 LONGER THAN A TRADITIONAL SCHOOL DAY.

23 (B) AN APPLICANT SHALL INCLUDE THE LENGTH OF THE SCHOOL DAY IN ITS
24 APPLICATION FOR A CHARTER.

25 (C) A PUBLIC CHARTER SCHOOL SHALL COMPLY WITH THE MINIMUM
26 REQUIREMENTS SET FORTH IN § 7-103 OF THIS ARTICLE FOR THE SCHOOL
27 CALENDAR.

28 9-116.

29 (A) A COUNTY BOARD MAY NOT REQUIRE A STUDENT IN THE COUNTY TO
30 ATTEND A PUBLIC CHARTER SCHOOL.

31 (B) A STUDENT MAY WITHDRAW FROM A PUBLIC CHARTER SCHOOL AT ANY
32 TIME.

33 (C) (1) THE PRINCIPAL OF A PUBLIC CHARTER SCHOOL MAY SUSPEND A
34 STUDENT AT THE SCHOOL FOR CAUSE FOR NOT MORE THAN 10 SCHOOL DAYS.

35 (2) AT THE REQUEST OF THE PRINCIPAL OF A PUBLIC CHARTER
36 SCHOOL, THE PUBLIC SCHOOL CHARTERING AUTHORITY FOR CAUSE MAY:

1 (I) SUSPEND A STUDENT AT A PUBLIC CHARTER SCHOOL FOR A
2 PERIOD OF MORE THAN 10 SCHOOL DAYS; OR

3 (II) EXPEL THE STUDENT FROM THE PUBLIC CHARTER SCHOOL.

4 (3) A STUDENT ENROLLED IN A PUBLIC CHARTER SCHOOL WHO HAS
5 BEEN PLACED ON SUSPENSION FOR A PERIOD OF MORE THAN 10 SCHOOL DAYS OR
6 HAS BEEN EXPELLED MAY ENROLL IN A TRADITIONAL PUBLIC SCHOOL IN THE
7 COUNTY IN WHICH THE STUDENT RESIDES.

8 (D) IF A STUDENT IS EXPELLED FROM A PUBLIC CHARTER SCHOOL, THE
9 REMAINING MONEY THAT WAS ALLOCATED FOR THE STUDENT FOR THE CURRENT
10 ACADEMIC YEAR SHALL REVERT TO THE COUNTY BOARD OF THE COUNTY IN WHICH
11 THE STUDENT RESIDES.

12 9-117.

13 (A) THE STATE BOARD SHALL SUBMIT TO THE GENERAL ASSEMBLY, IN
14 ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, A REPORT ON
15 AND AN EVALUATION OF THE PUBLIC CHARTER SCHOOL PROGRAM NO LATER THAN
16 OCTOBER 1, 2005.

17 (B) THE REPORT SHALL BE BASED ON INFORMATION GATHERED FROM THE
18 COUNTY BOARDS OF EDUCATION, THE NEW BOARD OF SCHOOL COMMISSIONERS OF
19 BALTIMORE CITY, MEMBERS OF THE EDUCATIONAL COMMUNITY, AND THE PUBLIC.

20 (C) THE REPORT SHALL INCLUDE A RECOMMENDATION ON THE
21 ADVISABILITY OF THE CONTINUATION, MODIFICATION, EXPANSION, OR
22 TERMINATION OF THE PROGRAM.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 July 1, 2002.