

Chapter 451

(Senate Bill 194)

AN ACT concerning

Education – Charter Schools – Study to Recommend Improvements to the Maryland Public Charter School Program

FOR the purpose of requiring the Maryland State Department of Education to conduct a certain study and provide certain recommendations to the Governor and the General Assembly on or before a certain date regarding improvements to the Maryland Public Charter School Program; requiring the Maryland State Department of Education to submit a report on the status of a certain study to the Governor and the General Assembly on or before a certain date; requiring the Department of Legislative Services to review a certain methodology, data analysis, findings, and recommendations and to make certain comments or recommendations, if any, on or before a certain date; declaring a certain intent of the General Assembly and a certain priority of the State; providing for the termination of this Act; and generally relating to improving the Maryland Public Charter School Program.

Preamble

~~WHEREAS, This year marks the tenth anniversary of the passage of the Maryland Public Charter School Program; and~~

~~WHEREAS, Charter schools are founded upon the principles of academic excellence and increasing opportunity for all families to choose the most promising schools to serve their children; and~~

~~WHEREAS, Charter schools are performance-based public schools that receive the autonomy to implement innovative strategies to improve the design and quality of providing a public education in exchange for adhering to strict accountability for student achievement; and~~

~~WHEREAS, Charter schools demonstrate the collective responsibility of all Maryland communities to ensure high quality educational experiences for students, by the founding of such schools by parents, teachers, and community organizations; and~~

~~WHEREAS, An outstanding charter school system in Maryland provides the competition and motivation for all public schools to increase academic performance, expand choices in public education, and continue to close the achievement gap; and~~

~~WHEREAS, Since the passage of the Maryland Public Charter School Program in 2003, charter schools have expanded to a total of 52 schools in seven jurisdictions, and the State strongly supports the continuous growth of charter schools since strong schools are the building blocks of a strong and prosperous state; and~~

~~WHEREAS, Maryland currently occupies the next to last position in national studies regarding effective charter school laws; and~~

~~WHEREAS, Maryland was not awarded the federal charter school program grant that supports the opening and expansion of charter schools due to the current posture of the Maryland Public Charter School Program; now, therefore,~~

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

~~(a) It is the intent of the General Assembly that the growth of charter schools in the State be continued and that families be offered increased educational choices and options through charter schools.~~

~~(b)~~ (a) The General Assembly declares that a reflection on the status and effectiveness of Title 9 of the Education Article of the Annotated Code, the Maryland Public Charter School Program, shall be a State priority is timely in light of its tenth anniversary taking place in 2013.

~~(c)~~ (b) On or before ~~December 15~~ November 1, 2013 2014, the Maryland State Department of Education shall conduct a study and provide recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, to the General Assembly, regarding:

~~(1) Maryland's inability to meet the criteria of the federal charter school program grant due to the current posture of the Maryland Public Charter School Program;~~

~~(2) (1) expenditures relating to opening and operating a high quality charter school and the amount of per pupil cost allocations provided to charter schools based upon school system total revenues;~~

~~(3) the impact of the condition of the facilities, and the funding of facilities, on charter school growth; and~~

(2) the amount of per pupil funding provided to charter schools as compared to traditional public schools including a disaggregation by major category as described under § 5-101(b)(2) of the Education Article for each county;

(3) how the per pupil funding provided at elementary, middle, and high school levels in charter schools in each county exceeds, equals, or is less than the per pupil funding amount available to traditional public schools;

(4) Maryland's options to access federal charter school program grants;

(5) the academic, financial, and other performance of charter schools in Maryland;

(6) the primary causes of charter school successes and failures in the State;

(7) the availability of extracurricular and experience-based learning opportunities at charter schools;

(8) teacher satisfaction, retention, and turnover at charter schools;

(9) student enrollment and retention data and trends at charter schools, including a disaggregation of enrollment and retention by categories of English Language Learners, services for students with disabilities, race, ethnicity, and free and reduced price meal status, compared to traditional public schools in each county;

(10) parent satisfaction at charter schools;

(11) ways to integrate best practices between charter schools and noncharter schools operating within a local jurisdiction;

(12) issues relating to the costs, availability, potential liabilities of outstanding capital debt, and financing of facilities, including risks to charter sponsors and local school systems;

(13) the use of contract schools, transformation schools, and other models similar to charter schools; and

~~(4)~~ (14) the current state of local policies and practices that impact the sustainability of charter schools in the State.

~~(d)~~ (c) The study conducted and recommendations provided under subsection ~~(e)~~ (b) of this section shall include:

(1) documented consultation and cooperation with interested stakeholders including at least one representative from the American Federation of Teachers, the Maryland State Education Association, the Maryland Association of

Boards of Education, charter school operators, parents of public school students, and charter school advocates;

~~(1)~~ (2) a review and analysis of charter school laws deemed effective in other states for the purpose of comparison to the Maryland Public Charter School Program;

~~(2)~~ (3) a review and analysis of research regarding innovative practices for charter schools and charter school authorizers; and

~~(3)~~ (4) recommendations for improvements to the Maryland Public Charter School Program.

(d) On or before December 1, 2013, the Maryland State Department of Education shall submit a report on the status of the study being conducted under subsection (b) of this section to the Governor and, in accordance with § 2-1246 of the State Government Article, to the General Assembly.

~~(d)~~ (e) On or before December 31, ~~2013~~ 2014, the Department of Legislative Services shall:

(1) review the methodology, data analysis, findings, and recommendations contained within the study submitted under subsection (b) of this section; and

(2) make comments or recommendations related to the study, if any, to the General Assembly in accordance with § 2-1246 of the State Government Article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~July~~ June 1, 2013. It shall remain effective for a period of ~~1 year~~ 2 years and 1 month and, at the end of June 30, ~~2014~~ 2015, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

Approved by the Governor, May 16, 2013.