

SENATE BILL 194

F1

(3lr0973)

ENROLLED BILL

— Education, Health, and Environmental Affairs/Ways and Means —

Introduced by **Senators Kelley, Benson, Conway, Currie, Ferguson, Jones-Rodwell, King, Pugh, Reilly, and Young**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

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

4 FOR the purpose of requiring the Maryland State Department of Education to conduct
5 a certain study and provide certain recommendations to the Governor and the
6 General Assembly on or before a certain date regarding improvements to the
7 Maryland Public Charter School Program; *requiring the Maryland State*
8 *Department of Education to submit a report on the status of a certain study to*
9 *the Governor and the General Assembly on or before a certain date; requiring the*
10 *Department of Legislative Services to review a certain methodology, data*
11 *analysis, findings, and recommendations and to make certain comments or*
12 *recommendations, if any, on or before a certain date; declaring a certain intent*
13 *of the General Assembly and a certain priority of the State; providing for the*

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 termination of this Act; and generally relating to improving the Maryland
2 Public Charter School Program.

3 Preamble

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

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

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

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

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

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

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

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

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

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

33 ~~(b)~~ (a) The General Assembly declares that a reflection on the status and
34 effectiveness of Title 9 of the Education Article of the Annotated Code, the Maryland

1 Public Charter School Program, ~~shall be a State priority~~ is timely in light of its tenth
2 anniversary taking place in 2013.

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

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

10 ~~(2) (1) expenditures relating to opening and operating a high quality~~
11 ~~charter school and the amount of per pupil cost allocations provided to charter schools~~
12 ~~based upon school system total revenues;~~

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

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

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

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

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

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

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

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

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

1 (10) parent satisfaction at charter schools;

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

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

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

9 ~~(4)~~ (14) the current state of local policies and practices that impact
10 the sustainability of charter schools in the State.

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

13 (1) documented consultation and cooperation with interested
14 stakeholders including at least one representative from the American Federation of
15 Teachers, the Maryland State Education Association, the Maryland Association of
16 Boards of Education, charter school operators, parents of public school students, and
17 charter school advocates;

18 ~~(1)~~ (2) a review and analysis of charter school laws deemed effective in
19 other states for the purpose of comparison to the Maryland Public Charter School
20 Program;

21 ~~(2)~~ (3) a review and analysis of research regarding innovative practices
22 for charter schools and charter school authorizers; and

23 ~~(3)~~ (4) recommendations for improvements to the Maryland Public
24 Charter School Program.

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

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

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

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.