

HOUSE BILL 1200

F1

3lr2410

By: **Delegate Ivey**

Introduced and read first time: February 8, 2013

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Maryland Charter School Advisory Council – Establishment**

3 FOR the purpose of establishing the Maryland Charter School Advisory Council within
4 the State Department of Education; requiring the Department to provide staff
5 for the Council; establishing the mission of the Council; establishing the
6 membership of the Council; establishing the membership term; specifying the
7 terms of the initial members of the Council; requiring the Governor or the
8 Department to appoint a member in the event of a vacancy; requiring the
9 Council members to elect the Council chair; prohibiting a member from
10 receiving compensation except under certain circumstances; establishing a
11 quorum of the Council; requiring the Council to meet for a certain number of
12 times; establishing the responsibilities of the Council; requiring the Council to
13 submit a certain report by a certain time; defining a certain term; and generally
14 relating to the Maryland Charter School Advisory Council.

15 BY adding to

16 Article – Education

17 Section 9–201 through 9–206 to be under the new subtitle “Subtitle 2.
18 Maryland Charter School Advisory Council”

19 Annotated Code of Maryland

20 (2008 Replacement Volume and 2012 Supplement)

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

23 **Article – Education**

24 **SUBTITLE 2. MARYLAND CHARTER SCHOOL ADVISORY COUNCIL.**

25 **9–201.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 IN THIS SUBTITLE, "COUNCIL" MEANS THE MARYLAND CHARTER
2 SCHOOL ADVISORY COUNCIL.

3 **9-202.**

4 (A) THERE IS A MARYLAND CHARTER SCHOOL ADVISORY COUNCIL IN
5 THE DEPARTMENT.

6 (B) THE DEPARTMENT SHALL PROVIDE STAFF SUPPORT FOR THE
7 COUNCIL.

8 **9-203.**

9 THE MISSION OF THE COUNCIL IS TO FACILITATE THE ESTABLISHMENT
10 AND APPLICATION OF TRANSPARENT AND RIGOROUS GUIDELINES AND
11 PROCEDURES FOR THE EVALUATION OF CHARTER SCHOOL APPLICATIONS,
12 CHARTER SCHOOLS, AND SCHOOL CHARTER RENEWALS THROUGHOUT THE
13 STATE.

14 **9-204.**

15 (A) THE COUNCIL SHALL CONSIST OF THE FOLLOWING MEMBERS:

16 (1) THE STATE SUPERINTENDENT OF SCHOOLS, OR THE STATE
17 SUPERINTENDENT'S DESIGNEE;

18 (2) THE SECRETARY OF HIGHER EDUCATION, OR THE
19 SECRETARY'S DESIGNEE; AND

20 (3) THE FOLLOWING MEMBERS, APPOINTED BY THE GOVERNOR:

21 (I) ONE LOCAL SUPERINTENDENT OF SCHOOLS;

22 (II) ONE REPRESENTATIVE OF THE MARYLAND
23 ASSOCIATION OF BOARDS OF EDUCATION;

24 (III) ONE OPERATOR OF A CHARTER SCHOOL;

25 (IV) ONE INDIVIDUAL FROM A NONPROFIT ORGANIZATION
26 WITH EXPERTISE IN NATIONAL BEST PRACTICES FOR CHARTER SCHOOLS;

27 (V) ONE REPRESENTATIVE OF THE BUSINESS COMMUNITY;

1 **(VI) ONE PRINCIPAL; AND**

2 **(VII) ONE TEACHER.**

3 **(B) IN MAKING THE APPOINTMENTS REQUIRED UNDER THIS SECTION,**
4 **THE GOVERNOR AND THE DEPARTMENT SHALL ENSURE:**

5 **(1) THAT THE COUNCIL IS REPRESENTATIVE OF ALL**
6 **GEOGRAPHIC AREAS OF THE STATE; AND**

7 **(2) THAT THE INDIVIDUALS SELECTED HAVE DEMONSTRATED AN**
8 **UNDERSTANDING OF AND COMMITMENT TO CHARTER SCHOOLING AS A**
9 **STRATEGY FOR STRENGTHENING PUBLIC EDUCATION.**

10 **(C) OVERALL, MEMBERS OF THE COUNCIL SHALL POSSESS A HIGH**
11 **LEVEL OF KNOWLEDGE, EXPERIENCE, AND EXPERTISE IN THE FOLLOWING**
12 **AREAS:**

13 **(1) GOVERNANCE IN THE PUBLIC AND NONPROFIT SECTORS;**

14 **(2) MANAGEMENT AND FINANCE;**

15 **(3) PUBLIC SCHOOL MANAGEMENT, INCLUDING LEADERSHIP,**
16 **ASSESSMENT, CURRICULUM, AND INSTRUCTION; AND**

17 **(4) PUBLIC EDUCATION LAW.**

18 **(D) (1) THE TERM OF A MEMBER APPOINTED UNDER THIS SECTION IS**
19 **3 YEARS.**

20 **(2) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY**
21 **THE TERMS PROVIDED FOR MEMBERS OF THE COUNCIL ON JULY 1, 2013.**

22 **(3) AT THE END OF A TERM, A MEMBER SHALL CONTINUE TO**
23 **SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.**

24 **(4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN**
25 **SHALL SERVE FOR THE REMAINDER OF THE TERM OR UNTIL A SUCCESSOR IS**
26 **APPOINTED AND QUALIFIES.**

27 **(E) THE GOVERNOR OR THE DEPARTMENT SHALL APPOINT A**
28 **SUCCESSOR IN THE EVENT OF A VACANCY ON THE COUNCIL.**

1 **(F) FROM AMONG THE MEMBERS OF THE COUNCIL, A CHAIR SHALL BE**
2 **ELECTED FOR A 3-YEAR TERM.**

3 **(G) A MEMBER OF THE COUNCIL MAY NOT RECEIVE COMPENSATION**
4 **BUT IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD**
5 **STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.**

6 **9-205.**

7 **(A) A MAJORITY OF THE MEMBERS THEN SERVING ON THE COUNCIL IS**
8 **A QUORUM.**

9 **(B) (1) THE COUNCIL SHALL MEET AT LEAST FOUR TIMES DURING**
10 **EACH ACADEMIC YEAR.**

11 **(2) THE COUNCIL MAY HOLD ADDITIONAL MEETINGS IN ORDER**
12 **TO CARRY OUT ITS RESPONSIBILITIES.**

13 **9-206.**

14 **(A) THE COUNCIL SHALL:**

15 **(1) REVIEW THE PUBLIC CHARTER SCHOOL POLICY OF EACH**
16 **COUNTY BOARD;**

17 **(2) MAKE RECOMMENDATIONS TO THE COUNTY BOARD**
18 **REGARDING THE TRANSPARENCY AND RIGOR OF THE GUIDELINES AND**
19 **PROCEDURES FOR THE EVALUATION OF:**

20 **(I) A CHARTER SCHOOL APPLICATION;**

21 **(II) A CHARTER SCHOOL; AND**

22 **(III) THE RENEWAL OF A SCHOOL CHARTER;**

23 **(3) PROVIDE GUIDANCE TO A COUNTY BOARD REGARDING THE**
24 **EVALUATION OF EACH:**

25 **(I) CHARTER SCHOOL APPLICATION;**

26 **(II) CHARTER SCHOOL;**

1 **(III) RENEWAL OF A SCHOOL CHARTER; AND**

2 **(IV) REVOCATION OF A SCHOOL CHARTER;**

3 **(4) PROVIDE GUIDANCE TO THE STATE BOARD REGARDING A**
4 **WAIVER REQUEST UNDER § 9-106 OF THIS TITLE; AND**

5 **(5) MAKE RECOMMENDATIONS REGARDING HOW TO IMPROVE**
6 **THE CHARTER SCHOOL APPLICATION AND RENEWAL PROCESS THROUGHOUT**
7 **THE STATE TO ENSURE THE QUALITY OF CHARTER SCHOOLS IN THE STATE.**

8 **(B) THE COUNCIL SHALL PERFORM ANY OTHER TASKS TO CARRY OUT**
9 **THE MISSION OF THE COUNCIL.**

10 **(C) ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE COUNCIL SHALL**
11 **REPORT ITS RECOMMENDATIONS AND A DESCRIPTION OF ITS ACTIVITIES TO**
12 **THE STATE SUPERINTENDENT AND, IN ACCORDANCE WITH § 2-1246 OF THE**
13 **STATE GOVERNMENT ARTICLE, THE SENATE EDUCATION, HEALTH, AND**
14 **ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE WAYS AND MEANS**
15 **COMMITTEE.**

16 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the initial
17 members of the Maryland Charter School Advisory Council shall expire as follows:

18 (1) four members in 2014;

19 (2) four members in 2015; and

20 (3) five members in 2016.

21 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 July 1, 2013.