

BY: Conference Committee

AMENDMENTS TO SENATE BILL NO. 75

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Dyson,” insert “Hollinger.”; in line 10, after “period,” insert “authorizing the State Board of Education to direct a county board to grant a charter under certain circumstances and requiring the State Board to mediate a certain decision.”; in line 22, after “Board” insert “of Education.”; in line 23, after “terms,” insert “authorizing the State Board to act as the public chartering authority for restructured schools under certain circumstances; specifying certain procedures and requirements governing an application for a restructured school that seeks to become a charter school; specifying certain limitations and requirements for charter schools with regard to educational services for children with disabilities; requiring the State Board of Education to provide certain technical assistance to certain operators of charter schools.”; and in line 25, strike “with” and substitute “without”.

On page 2, in line 6, strike “9-109” and substitute “9-110”; in line 14, strike the brackets; in the same line, strike “2.”; strike beginning with “, OR” in line 15 down through “ARTICLE” in line 16; and strike beginning with “, OR” in line 18 down through “ARTICLE” in line 19.

AMENDMENT NO. 2

On page 3, strike beginning with the first “THE” in line 17 down through “SEQ.” in line 18 and substitute “§ 9-107 OF THIS TITLE”.

AMENDMENT NO. 3

On page 3, in line 33, after “CAPACITY” insert “OR AS THE PUBLIC CHARTERING AUTHORITY FOR A RESTRUCTURED SCHOOL IN ACCORDANCE WITH § 9-104(A) OF THIS SUBTITLE”.

AMENDMENT NO. 4

On page 4, in line 20, after “(4)” insert “(D) EXCEPT AS PROVIDED IN SUBPARAGRAPH”

(Over)

(II) OF THIS PARAGRAPH.”; after line 21, insert:

“(II) FOR A RESTRUCTURED SCHOOL:

1. THE COUNTY BOARD SHALL REVIEW THE APPLICATION AND RENDER A DECISION WITHIN 30 DAYS OF RECEIPT OF THE APPLICATION;

2. THE COUNTY BOARD MAY APPLY TO THE STATE BOARD FOR AN EXTENSION OF UP TO 15 DAYS FROM THE TIME LIMIT IMPOSED UNDER ITEM 1 OF THIS SUBPARAGRAPH;

3. IF AN EXTENSION IS NOT GRANTED, AND 30 DAYS HAVE ELAPSED, THE STATE BOARD MAY BECOME A CHARTERING AUTHORITY; AND

4. IF AN EXTENSION HAS BEEN GRANTED, AND 45 DAYS HAVE ELAPSED, THE STATE BOARD MAY BECOME A CHARTERING AUTHORITY.”;

and after line 26, insert:

“(3) IF THE COUNTY BOARD DENIES AN APPLICATION TO ESTABLISH A PUBLIC CHARTER SCHOOL AND THE STATE BOARD REVERSES THE DECISION, THE STATE BOARD MAY DIRECT THE COUNTY BOARD TO GRANT A CHARTER AND SHALL MEDIATE WITH THE COUNTY BOARD AND THE APPLICANT TO IMPLEMENT THE CHARTER.”.

AMENDMENT NO. 5

On page 5, after line 12, insert:

“9-107.

(A) A PUBLIC CHARTERING AUTHORITY MAY NOT GRANT A CHARTER TO A PUBLIC CHARTER SCHOOL WHOSE OPERATION WOULD BE INCONSISTENT WITH ANY PUBLIC POLICY INITIATIVE, COURT ORDER, OR FEDERAL IMPROVEMENT PLAN GOVERNING SPECIAL EDUCATION THAT IS APPLICABLE TO THE STATE.

(B) A PUBLIC CHARTERING AUTHORITY SHALL ENSURE THAT THE AUTHORIZING PROCESS FOR A PUBLIC CHARTER SCHOOL AND THE CHARTER APPLICATION ADDRESS THE ROLES AND RESPONSIBILITIES OF THE COUNTY BOARD

AND THE APPLICANTS AND OPERATORS OF THE PUBLIC CHARTER SCHOOL WITH RESPECT TO CHILDREN WITH DISABILITIES.

(C) THE PUBLIC CHARTERING AUTHORITY SHALL ENSURE THAT, PRIOR TO OPENING A PUBLIC CHARTER SCHOOL, THE OPERATORS OF THE SCHOOL ARE INFORMED OF THE HUMAN, FISCAL, AND ORGANIZATIONAL CAPACITY NEEDED TO FULFILL THE SCHOOL'S RESPONSIBILITIES RELATED TO CHILDREN WITH DISABILITIES.

(D) THE STATE BOARD SHALL PROVIDE TECHNICAL ASSISTANCE TO THE OPERATORS OF A PUBLIC CHARTER SCHOOL TO HELP THE SCHOOL MEET THE REQUIREMENTS OF FEDERAL AND STATE LAWS, INCLUDING 20 U.S.C. § 1400, ET SEQ. AND § 504 OF THE REHABILITATION ACT OF 1973, 29 U.S.C. § 794.”;

and in lines 13 and 28, strike “9-107” and “9-108”, respectively, and substitute “9-108” and “9-109”, respectively.

On page 6, in line 1, strike “9-109” and substitute “9-110”.