

# HOUSE BILL 1484

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0lr3504  
CF SB 834

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By: **Delegate Love**

Introduced and read first time: March 1, 2010

Assigned to: Rules and Executive Nominations

Re-referred to: Ways and Means, March 8, 2010

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Committee Report: Favorable with amendments

House action: Adopted with floor amendments

Read second time: April 4, 2010

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Base Realignment and Closure – Public Charter Schools Located on a**  
3 **Federal Military Base**

4 FOR the purpose of exempting certain public charter schools from certain admission  
5 requirements; authorizing ~~public charter schools subject to this Act to be open~~  
6 ~~to certain students on a certain basis and to certain other students under~~  
7 ~~certain circumstances~~ the State Board of Education to grant a certain waiver  
8 under certain circumstances; requiring certain public charter schools to admit  
9 certain students on a certain basis, subject to a certain requirement; and  
10 generally relating to public charter schools located on a federal military base.

11 BY repealing and reenacting, with amendments,  
12 Article – Education  
13 Section 9–102  
14 Annotated Code of Maryland  
15 (2008 Replacement Volume and 2009 Supplement)

16 BY adding to  
17 Article – Education  
18 Section 9–102.1  
19 Annotated Code of Maryland  
20 (2008 Replacement Volume and 2009 Supplement)

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### 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.



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

3 **Article – Education**

4 9–102.

5 In this title, “public charter school” means a public school that:

- 6 (1) Is nonsectarian in all its programs, policies, and operations;
- 7 (2) Is a school to which parents choose to send their children;
- 8 (3) **[Is] EXCEPT AS PROVIDED IN § 9–102.1 OF THIS TITLE, IS** open  
9 to all students on a space–available basis and admits students on a lottery basis if  
10 more students apply than can be accommodated;
- 11 (4) Is a new public school or a conversion of an existing public school;
- 12 (5) Provides a program of elementary or secondary education or both;
- 13 (6) Operates in pursuit of a specific set of educational objectives;
- 14 (7) Is tuition–free;
- 15 (8) Is subject to federal and State laws prohibiting discrimination;
- 16 (9) Is in compliance with all applicable health and safety laws;
- 17 (10) Is in compliance with § 9–107 of this title;
- 18 (11) Operates under the supervision of the public chartering authority  
19 from which its charter is granted and in accordance with its charter and, except as  
20 provided in § 9–106 of this title, the provisions of law and regulation governing other  
21 public schools;
- 22 (12) Requires students to be physically present on school premises for a  
23 period of time substantially similar to that which other public school students spend  
24 on school premises; and
- 25 (13) Is created in accordance with this title and the appropriate county  
26 board policy.

27 **9–102.1.**

28 ~~A PUBLIC CHARTER SCHOOL THAT IS LOCATED ON PROPERTY WITHIN A~~  
29 ~~FEDERAL MILITARY BASE IN THE STATE SHALL BE OPEN TO STUDENTS WITH~~

1 ~~PARENTS ASSIGNED TO THE BASE ON A LOTTERY BASIS AND, IF REMAINING~~  
2 ~~SPACE IS AVAILABLE, TO ALL OTHER STUDENTS ON A LOTTERY BASIS.~~

3 (A) THE STATE BOARD MAY GRANT A WAIVER FROM § 9-102(3) OF THIS  
4 TITLE TO A PUBLIC CHARTER SCHOOL IF THE PUBLIC CHARTER SCHOOL:

5 (1) IS LOCATED ON PROPERTY WITHIN A FEDERAL MILITARY  
6 BASE IN THE STATE; AND

7 (2) WILL ADMIT STUDENTS WITH PARENTS WHO ARE NOT  
8 ASSIGNED TO THE BASE TO AT LEAST ~~30%~~ 35% OF ITS TOTAL AVAILABLE SPACE.

9 (B) IF A PUBLIC CHARTER SCHOOL IS GRANTED A WAIVER UNDER  
10 SUBSECTION (A) OF THIS SECTION, SUBJECT TO THE REQUIREMENT SET FORTH  
11 IN SUBSECTION (A)(2) OF THIS SECTION, THE PUBLIC CHARTER SCHOOL SHALL  
12 ADMIT ALL STUDENTS ON A LOTTERY BASIS.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
14 July 1, 2010.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.