

MARYLAND

(Law passed in 2003; 3rd weakest of the nation's 43 charter laws)

F

Maryland should be ranked dead last on this scorecard. However, despite the odds being stacked against them, charter schools in The Old Line State shine. Maryland has one of the weakest charter laws in the country because of the enormous obstacles charter applicants face from school boards the minute they show interest. Charters face outward hostilities from boards, are micromanaged, operationally limited, poorly funded and are not even allowed to hire their own principals and staff to ensure success under their model. Lawmakers in Annapolis are poised to change that in 2015 with a modest, yet promising, proposal on the table.

INDEPENDENT OR MULTIPLE AUTHORIZERS - NO

APPROVAL	Local school boards are the only authorizer in Maryland. The State Board of Education may authorize under limited circumstances involving the conversion of "restructured schools" if the county board fails to act on an application within 45 days, but this has never occurred.
APPEAL	Yes. If the school board denies an application, it may be appealed to the state board. The state board has no clear legal authority, but has the discretion to act as a mediator. The decision is non-binding.

OPERATIONAL AUTONOMY

STATE	No. School districts maintain authority over the charter schools and any contracts negotiated. Virtual schools are not allowed. Charter schools must request waivers from state rules and regulations. The law is not specific regarding education service providers, so in theory all ESPs are allowed, but that is not the reality, based on biases towards for-profit ESPs.
LOCAL	No. Each county board develops its own public charter school policy for schools in its district to follow. Charter schools are considered part of the school district.
TEACHER FREEDOM	No. Teachers remain covered by the district's collective bargaining contract, although a charter and a teachers union may agree to negotiate amendments within the agreement to address needs of the charter school. Charter schools must participate in the state's retirement system.

NUMBER OF SCHOOLS ALLOWED

CAP	There are no caps in the state charter school statute, however they are left to the discretion of school districts, so district-wide caps could be created on the number of schools or enrollment.
-----	--

MARYLAND

(Continued)

F

EQUITY

STUDENT FUNDING

Funds pass through district. A 2007 Maryland Court of Appeals ruling affirmed the State Board of Education's decision that the law requires charter students be funded in a "commensurate" manner and at the same level as traditional public schools. Funding is decided first by the school districts, which do not always respond favorably to charter schools, and as a result inequity still persists.

(a) A county board shall disburse to a public charter school an amount of county, State, and federal money for elementary, middle, and secondary students that is commensurate with the amount disbursed to other public schools in the local jurisdiction" Md. Code Ann., Educ. § 9-109 (West).

FACILITIES FUNDS

No Additional Funds.

IMPLEMENTATION POINTS

- 1

One point deducted for several local school boards not adhering to state law specifically on equitable funding resulting in costly lawsuits and intentionally creating unnecessary uncertainty with staffing schools.

[LINK TO THE MARYLAND CHARTER SCHOOL LAW](#)