

# Center for Education Reform



June 1, 2004

Ms. Nancy Grasmick  
Superintendent of Schools  
Maryland Department of Education  
200 W. Baltimore Street  
Baltimore, MD 21201-2595

Dear Nancy:

Thank you for your letter about our concerns over charter schools developing in Maryland. Because this issue is so important, as is the need for you to have good information, I am responding right away.

CER is working directly with 12 groups that have or are developing proposals for charter schools in Baltimore City. That is, we have fostered and paid for them to have experts advise them in curriculum, financial matters and community outreach. They have been coached on the law, on school board policies, and on how to approach this matter. They have also been regularly providing us with direct feedback on their progress.

We also are aware of at least three applicants in Prince George's County.

I am sure you are correct that there are another 20 or so interested groups, but I am not sure they are even close to being ready to "apply" to become charters.

However, I am sure that some of the groups we have worked with are ready. In fact, one has applied directly to the School Board, as I indicated they would when I saw you earlier this month.

The school board there has delayed any consideration of this application until next year. Because of this problem, the City Council passed a resolution just this week demanding an explanation of the inaction on the part of the school board.

All these events are yet additional evidence that Maryland needs a better charter school law, and one that does not require the school board's participation.

We made this argument unceasingly during the last several years of legislative debate. When the weak law was passed, we predicted there would continue to be this kind of illogical and bureaucratic foot-dragging by districts. We do not believe the district leaders are bad people, only that they are incapable of recognizing and administering the wholly new kinds of programs that charter schools represent.

We know this from our experience across the country.

We know that we can't change the law right now -- though we need to work together to try later.

But we do know that the state -- with your leadership and that of the Governor -- could force the issue by using the appeal that was put in law and about which the Governor's team argued would make charters possible in the state.

After I saw you in DC, CER's Anna Varghese Marcucio talked to Richard Steinke so that we could learn about the appeals process in place. I was very disturbed, Nancy, to learn that the appeals process rests with the Attorney General, who is not mentioned in the charter law at all. I was also disturbed to learn that the appeals process considers charter applicants "complainants" for the purposes of appeals.

That's not how it works elsewhere, nor how it should work in Maryland.

The State Board of Education should hear the appeal. It should not be left to attorneys. While the state board has attorneys and no doubt would use them, the real issue is one of education, not of law. The State Board should be willing to consider appeals based on the educational integrity of a proposal, and compliance with the charter law, which is very brief, clear and to the point. To bring in the AG's office is not only inconsistent with the intention of the law, but it also sets a bad precedent.

In addition, we still have the problem that the city school board feels no pressure at all to even reject the proposal they have, because they are permitted, as a result of regulation, 120 days to decide. This also has to change.

Nancy, with the Governor behind you so solidly, and with so many children's lives continuing to be at stake in Baltimore on a daily basis, won't you consider taking the city school board to task for their inaction? There are many ways you could do this legally, and my office stands ready to help you in this endeavor.

Please feel free to call me to discuss personally. You're terrific, Nancy, but I am not sure that the status of how charters are evolving in Maryland is being fully disclosed to you the way it should, nor that you're aware of how discouraging the contact from your department to the charter applicants has been.

I'd value a brief discussion. Thank you.

Best Regards,



Jeanne Allen  
President