

IN THE MATTER OF THE
BALTIMORE CURRICULUM PROJECT, INC.
AND THE BALTIMORE CITY PUBLIC
SCHOOL SYSTEM

BEFORE THE
MARYLAND
STATE BOARD
OF EDUCATION

ORDER

Alison Perkins-Cohen, Executive Director of the Baltimore Curriculum Project, Inc., the operator of three public charter schools in Baltimore City: City Springs School, Collington Square School, and Hampstead Hill Academy, submitted waiver requests to Dr. Nancy S. Grasmick, State Superintendent of Schools, by letter dated June 30, 2005. Pursuant to a request from Dr. Grasmick, Dr. Bonnie S. Copeland, Chief Executive Officer (CEO) of the Baltimore City Public School System (BCPSS), submitted responses to the waiver requests by letter dated July 27, 2005. Copies of the waiver requests and responses are attached to this Order as Exhibits 1 and 2.

After consideration of the waiver requests and supporting rationale submitted by Ms Perkins-Cohen on behalf of City Springs School, Collington Square School, and Hampstead Hill Academy, and the responses and explanations submitted by CEO Copeland, and after discussion and due deliberation, it is this 29th day of July, 2005, by the Maryland State Board of Education ordered as follows:

- 1) *Waiver of Educ. § 9-105 that a member of the professional staff hold the appropriate Maryland certification* - With the exception of a position for which no certification requirements presently exist, all professional staff of the schools operated by the Baltimore Curriculum Project, Inc. must hold the appropriate Maryland certification.
- 2) *Waiver of Educ. §§ 9-108(a), 6-401(d), 6-501(f), 4-103(a), & 4-311 that all charter school employees are public school employees subject to applicable collective bargaining agreements*- With the exception of positions not currently offered by the Baltimore City Public School System such as that of a karate teacher, all employees of schools operated by the Baltimore Curriculum Project, Inc. are public school employees subject to applicable collective bargaining provisions unless modifications are negotiated under Educ. § 9-108(b).
- 3) *Waiver of Educ. §§ 4-103(a) and 6-201 that the CEO shall nominate for appointment all principals, teachers, and clerical personnel* - The Baltimore Curriculum Project, Inc. shall recruit and select all staff for the three schools it operates subject to the final approval of the CEO, and where required by statute, subject to the final approval of the Baltimore City Board of School Commissioners. The City Board, the CEO, and the Baltimore Curriculum Project, Inc. will cooperate in good faith in all decisions on hiring, assignment, discipline, and discharge of employees of the three schools operated by the Baltimore Curriculum Project, Inc..
- 4) *Waiver that specified procurements be subject to competitive bidding as required by Educ. § 5-112 and other local procurement requirements under § 4-310* - The Baltimore Curriculum Project, Inc. must adhere to all State and local laws and regulations governing the expenditure of public monies and adhere to conditions specified in the charter agreements for the three schools it

operates; submit for approval to the Baltimore City Board of School Commissioners alternative procurement policies and procedures it develops preferably modeled on the standards adopted by Maryland non-profit entities; submit to BCPSS a budget prior to each contract year specifying how public monies will be expended at each school operated by the Baltimore Curriculum Project, Inc.; proposed procurements that exceed \$15,000 must be submitted for approval to the Baltimore City Board of School Commissioners prior to purchase; procurements may not be artificially divided into increments below \$15,000 to avoid the City Board approval requirement; the Baltimore Curriculum Project, Inc. must submit quarterly statements to BCPSS that provide a full accounting of funds; and the year-end audit of schools operated by the Baltimore Curriculum Project, Inc. must include a full accounting of funds.

5) Waiver of Educ. §§ 7-103(b), 6-408, 6-510, BR 704.01, 705, and Circular #4090104 that prescribes a minimum of 180 days and 1080 hours for student attendance in a 10 month period and the local starting date for school for 2005-2006 - Schools operated by the Baltimore Curriculum Project, Inc. must comply with the 180 day/1080 hour minimum requirements and the statutorily mandated public school holidays unless a natural disaster, civil disaster, or severe weather condition occurs in which case the Baltimore Curriculum Project, Inc. may apply for a waiver of a school day at that time to the BCPSS CEO who will forward the request to the State Board. With respect to a change in the BCPSS school calendar opening date for the schools it operates, the Baltimore Curriculum Project, Inc. must seek such approval from the Baltimore City Board of School Commissioners. Any extension of the number of days and length of the school day may require modification of the applicable collective bargaining provisions and approval from the Baltimore City Board of School Commissioners.

Maryland State Board of Education

By: Edward L. Root, President