

(2) THE MEASUREMENT OF STUDENT ACADEMIC ACHIEVEMENT, INCLUDING ALL ASSESSMENTS REQUIRED FOR OTHER PUBLIC SCHOOLS AND OTHER ASSESSMENTS MUTUALLY AGREED UPON BY THE PUBLIC CHARTERING AUTHORITY AND THE SCHOOL; OR

(3) THE HEALTH, SAFETY, OR CIVIL RIGHTS OF A STUDENT OR AN EMPLOYEE OF THE CHARTER SCHOOL.

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.

9-107. 9-108.

(A) EMPLOYEES OF A PUBLIC CHARTER SCHOOL:

(1) ARE PUBLIC SCHOOL EMPLOYEES, AS DEFINED IN §§ 6-401(D) AND 6-501(F) OF THIS ARTICLE;

(2) ARE EMPLOYEES OF A PUBLIC SCHOOL EMPLOYER, AS DEFINED IN §§ 6-401(E) AND 6-501(G) OF THIS ARTICLE, IN THE COUNTY IN WHICH THE PUBLIC CHARTER SCHOOL IS LOCATED; AND

(3) SHALL HAVE THE RIGHTS GRANTED UNDER TITLE 6, SUBTITLES 4 AND 5 OF THIS ARTICLE.

(B) IF A COLLECTIVE BARGAINING AGREEMENT UNDER TITLE 6, SUBTITLE 4 OR 5 OF THIS ARTICLE IS ALREADY IN EXISTENCE IN THE COUNTY WHERE A PUBLIC CHARTER SCHOOL IS LOCATED, THE EMPLOYEE ORGANIZATION AND THE PUBLIC CHARTER SCHOOL MAY MUTUALLY AGREE TO NEGOTIATE AMENDMENTS TO THE EXISTING AGREEMENT TO ADDRESS THE NEEDS OF THE PARTICULAR PUBLIC CHARTER SCHOOL.