

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 1964

H.P. 1366

House of Representatives, March 23, 1999

### An Act to Establish the Charter School Authority.

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Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative WESTON of Montville.

Be it enacted by the People of the State of Maine as follows:

2                   **Sec. 1. 3 MRSA §959, sub-§1, ¶E**, as enacted by PL 1995, c.  
4 488, §2, is amended to read:

6                   E. The joint standing committee of the Legislature having  
8 jurisdiction over education and cultural affairs matters  
shall use the following list as a guideline for scheduling  
reviews:

- 10                   (1) Telecommunications Relay Services Advisory Council
- 12                   in 1997;
- 14                   (2) Department of Education in 1997;
- 16                   (3) Maine Arts Commission in 1999;
- 18                   (4) Maine Conservation School in 1999;
- 20                   (5) Maine Historic Preservation Commission in 1999;
- 22                   (6) Maine Library Commission in 1999;
- 24                   (7) Maine State Museum Commission in 1999;
- 26                   (8) Office of State Historian in 1999;
- 28                   (9) Board of Trustees of the Maine Maritime Academy in
- 30                   2001;
- 32                   (10) Board of Trustees of the University of Maine
- System in 2001;
- 34                   (11) Educational Leave Advisory Board in 2001;
- 36                   (12) Maine Technical College System in 2001;
- 38                   (13) Maine Health and Higher Educational Facilities
- Authority in 2003; and
- 40                   (14) Maine Educational Loan Authority in 2003; and
- 42                   (15) Charter School Authority in 2003.

44                   **Sec. 2. 5 MRSA §12004-G, sub-§10-B** is enacted to read:

46	<u>10-B.</u>	<u>Charter</u>	<u>Expenses</u>	<u>20-A MRSA</u>
48	<u>Education</u>	<u>School</u>	<u>Only</u>	<u>§2431</u>
		<u>Authority</u>		

50                   **Sec. 3. 20-A MRSA §1, sub-§26**, as corrected by RR 1993, c. 1,  
52 §44, is amended to read:

2           **26. School administrative unit.** "School administrative  
4 includes a municipal school unit, school administrative district,  
6 community school district, charter school or any other municipal  
8 or quasi-municipal corporation responsible for operating or  
constructing public schools, except that it does not include an  
applied technology region.

10           **Sec. 4. 20-A MRSA §202, sub-§§16 and 17,** as enacted by PL 1981,  
12 c. 693, §§5 and 8, are amended to read:

14           **16. Other entities.** Other entities authorized by the  
Legislature; and

16           **17. Other bureaus.** Any other bureau the commissioner  
18 establishes; and

20           **Sec. 5. 20-A MRSA §202, sub-§18** is enacted to read:

22           **18. Charter schools.** Any charter schools.

24           **Sec. 6. 20-A MRSA c. 112** is enacted to read:

26                                   **CHAPTER 112**

28                                   **CHARTER SCHOOL AUTHORITY**

30           **§2431. Authority established**

32           The Charter School Authority, referred to in this chapter as  
34 the "authority," is established as an independent agency of State  
Government to carry out the purposes of this chapter.

36           **§2432. Membership of authority**

38           1. Membership. The authority consists of 24 voting members  
40 and a number of other nonvoting members determined appropriate by  
the authority, as follows:

42           A. Three members from public schools, one of whom  
44 represents school superintendents, one of whom represents  
teachers and one of whom represents parent-teacher  
organizations;

46           B. Two members from private schools, one of whom represents  
48 nonsectarian schools and one of whom represents sectarian  
schools;

50           C. One member from the home schooling community;

- 2           D. One member from either the Finance Authority of Maine or  
          the Maine Education Assistance Board;
- 4           E. One member from either the Department of Education or  
          the State Board of Education;
- 6           F. Five members representing interested parents and  
8           community members from different regions of the State;
- 10          G. Two members from community economic development  
          organizations;
- 12          H. One member from the Maine School of Science and  
14          Mathematics;
- 16          I. One member from the University of Maine System;
- 18          J. One member from a Maine private college;
- 20          K. One member from the Maine Technical College System;
- 22          L. One member from the joint standing committee of the  
24          Legislature having jurisdiction over education matters;
- 26          M. One member from the Maine Development Foundation;
- 28          N. One member from an association representing alternative  
          education programs;
- 30          O. One member from an association representing learning  
32          disabled persons;
- 34          P. One member from an association representing day-care  
          providers; and
- 36          Q. Other nonvoting members, the number to be determined by  
38          the authority, representing charter school administrators  
          and boards of directors, students attending charter schools  
40          and their parents.
- 42          2. Appointment; terms. Voting members of the authority are  
          appointed by the Governor and are subject to review by the joint  
44          standing committee of the Legislature having jurisdiction over  
          education matters and confirmation by the Legislature. Members  
46          serve for a term of 3 years. Nonvoting members are appointed by  
          the authority for a term determined by the authority.
- 48          3. Reimbursement. Members of the authority are entitled to  
50          receive reimbursement for necessary expenses for each day's  
          attendance at meetings of the authority as provided in Title 5,  
52          chapter 379.

2 **§2433. Powers and duties of authority**

4 The authority has the following powers and duties:

6 1. Comprehensive funding plan. To develop a comprehensive  
8 funding plan for independent and other charter schools that seek  
10 funding outside of school tuition reimbursement or pass-through  
12 agreements between school administrative units and charter  
14 schools operating in those units;

16 2. Financial assistance. To develop per pupil funding for  
18 parents of children living in areas where there is not sufficient  
20 funding to operate the charter school;

22 3. Charter school plan. To develop a comprehensive charter  
24 school plan based on student survey data that prioritizes the  
26 special populations of students to be served; identifies regions  
28 of the State where those populations are large enough to create a  
30 demand for a new school; and identifies sources of funding for  
32 students including scholarships, grants, federal funds and  
34 technology grants;

36 4. Start-up funds. To allocate start-up funds to qualified  
38 groups wishing to start a charter school, based on priorities set  
40 in the charter school plan;

42 5. Technical assistance. To secure technical assistance  
44 for start-up groups and new charter schools from existing sources;

46 6. Construction and renovation. To secure assistance on  
48 capital construction and renovation plans;

7. Sponsor contracts. To contract with sponsors of charter  
schools that are not public schools;

8. Coordination. To coordinate with other state and  
federal agencies to ensure that charter schools receive all  
available funds, goods and services that are provided to other  
public schools and local education agencies;

9. Handbook. To develop a model handbook to be used as a  
guide by charter groups;

10. Model contract. To develop a model performance  
contract to be used by sponsors;

11. Recruitment and training. To recruit teachers from  
regions that are closing schools because of falling enrollments  
and train them as master teachers. Master teachers must be

2 available to work with and staff new charter schools and be  
3 available as technical staff to the chief executive officer; and

4 12. Report. To report annually by December 15th to the  
5 Legislature on the implementation of this chapter.

6 **§2434. Chief executive officer**

7  
8  
9  
10 The chief executive officer of the authority is appointed by  
11 the Governor, subject to review by the joint standing committee  
12 of the Legislature having jurisdiction over education matters and  
13 confirmation by the Legislature and serves at the pleasure of the  
14 Governor. The chief executive officer is responsible for  
15 supervising and directing the administrative and technical  
16 activities of the authority on a day-to-day basis.

17  
18 1. Staff. The chief executive officer shall hire  
19 sufficient staff to operate the authority according to a staffing  
20 pattern prescribed in the charter school plan.

21  
22 **SUMMARY**

23  
24 This bill establishes the Charter School Authority to  
25 oversee the establishment, location and funding of charter  
26 schools throughout the State; to adopt a comprehensive charter  
27 school plan; to provide technical assistance for groups wishing  
28 to start a charter school; and to allocate funds for the creation  
of charter schools consistent with the plan.