

MAINE STATE LEGISLATURE

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MINORITY
EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1134, L.D. 1531, Bill, "An Act to Enable Formation of Public Charter Schools"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 20-A MRSA c. 112 is enacted to read:

CHAPTER 112

CHARTER SCHOOLS

§2411. Existing public schools or programs, compliance with federal charter schools law

An existing public school in the State or a program within an existing public school in the State may incorporate under the laws of the State as a public charter school if the state board, after a request for a review by that public school, determines that the organization and operation of the school comply with the requirements for a charter school in 20 United States Code, Sections 8061 to 8067 and may apply to the United States Secretary of Education for financial assistance to charter schools in the manner provided under that federal law.

§2412. Chartering process for new schools

The state board shall adopt rules establishing a process for individuals or groups of individuals, including, but not limited to, teachers or school administrators, other school staff,

2 parents and other members of a local community, to form a new
3 charter school that is not affiliated with an existing public
4 school. That process may allow the state board, a local
5 educational agency or another public entity to act as the
6 authorized public chartering agency for new charter schools and
7 must specify the process for those new charter schools to
8 organize and operate as public charter schools. A new public
9 school chartered under this section is eligible to apply to
10 United States the Secretary of Education for federal grants as
11 provided in 20 United States Code, Sections 8061 to 8067.

12 Rules adopted under this section are major substantive rules
13 pursuant to Title 5, chapter 375, subchapter II-A and must be
14 provisionally adopted and submitted to the Legislature for
15 consideration not later than February 15, 2002.'

16
17 Further amend the bill by inserting at the end before the
18 summary the following:

20
21 **FISCAL NOTE**

22
23 The additional costs associated with conducting certain
24 reviews and adopting rules regarding a chartering process for new
25 schools can be absorbed by the State Board of Education utilizing
26 existing budgeted resources.'

28
29 **SUMMARY**

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31 This amendment is the minority report of the Joint Standing
32 Committee on Education and Cultural Affairs. The amendment
33 replaces the bill.

34
35 The amendment allows existing public schools to incorporate
36 as public charter schools if the State Board of Education
37 determines that the organization and operation of the school
38 comply with the requirements for a charter school under federal
39 law. If the board determines that the public school meets those
40 requirements, the school may incorporate under the laws of the
41 State as a charter school and is eligible to apply to the United
42 States Secretary of Education for federal grants to charter
43 schools in the manner provided by federal law.

44
45 The amendment also directs the State Board of Education to
46 adopt major substantive rules establishing a process for the
47 formation of public charter schools that are not affiliated with
48 existing public schools. Those rules must be provisionally

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adopted and submitted to the Legislature for consideration no
later than February 15, 2002.

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COMMITTEE AMENDMENT