

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 272

H.P. 206

House of Representatives, January 18, 2007

An Act To Create Charter Programs within Existing Schools

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MARLEY of Portland.

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

2 **CONCEPT DRAFT**
3 **SUMMARY**

4 This bill is a concept draft pursuant to Joint Rule 208.

5 The bill proposes to provide school administrative units with greater flexibility in
6 meeting the needs of students by providing school boards with the authority to establish
7 charter programs within existing schools in their own school administrative unit. The bill
8 would allow school boards to approve the establishment of charter programs, a new type
9 of public school program, to be a part of the school administrative unit's educational
10 program.

11 Charter programs would be created to offer students and parents more educational
12 options to meet the diversity of learning needs of children within the school
13 administrative unit. Charter programs would be open to all students equally, though they
14 may specialize in serving a particular age group or a student population with specific
15 needs. Legislation developed to establish the charter program concept would include, but
16 would not be limited to, consideration of the following.

17 1. The legislation would establish a pilot program that would permit up to 20 charter
18 programs to be authorized during a 10-year period.

19 2. The central purposes of establishing charter programs would be to expand learning
20 opportunities for disengaged students who are underserved by the current educational
21 system and to increase the likelihood that students will excel in a standards-based
22 educational system.

23 3. A school board may establish a charter program that includes, as its primary
24 purpose, the intention to seek to expand learning opportunities for disengaged students
25 who are underserved by the current educational programs within the school
26 administrative unit.

27 4. Students who attended a so-called priority school within the school administrative
28 unit and who were part of one of the student subgroups, including students belonging to
29 racial or ethnic minorities, economically disadvantaged students, students with
30 disabilities and students with limited English proficiency, whose assessment scores
31 resulted in the determination that the school failed to meet the adequate yearly progress
32 provisions of the federal No Child Left Behind Act of 2001 would receive first priority
33 for placement in a charter program established in the school administrative unit.

34 5. For the purposes of reporting student performance on standardized assessment
35 tests in compliance with the system of learning results established in the Maine Revised
36 Statutes, Title 20-A, section 6209 and in compliance with applicable federal statutes and
37 regulations pertaining to student assessment as required by the federal No Child Left
38 Behind Act of 2001, students placed in a charter program would be considered to be

1 enrolled in a separate school within the school administrative unit and their assessment
2 scores would be reported accordingly.

3 6. Charter program proposals may include proposals to establish or convert an
4 existing program, including, but not limited to, one of the following types of schools or
5 school programs:

6 A. An alternative educational program operated by the school administrative unit;

7 B. A gifted and talented student program;

8 C. A school that is approved by the Commissioner of Education to carry out a shared
9 service agreement to provide alternative education programs in accordance with Title
10 20-A, section 2501; or

11 D. An existing school that is approved by the Commissioner of Education to carry
12 out a cooperative agreement to provide regional special education programs and
13 support services in accordance with Title 20-A, section 7253.

14 7. Teachers who teach in charter programs would be considered employees of the
15 school administrative unit and would have the same collective bargaining rights and
16 benefits, including health, retirement and other employee benefits, as other teachers
17 employed by the school administrative unit.

18 8. Funding for charter programs would be addressed as part of the Essential
19 Programs and Services Funding Act and would be determined in the same manner as
20 funding for other educational programs in the school administrative unit.