

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2010

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**Legislative Document**

**No. 1801**

S.P. 706

In Senate, February 25, 2010

### **An Act To Promote the Establishment of Innovative Schools**

(EMERGENCY)

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

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator ALFOND of Cumberland. (GOVERNOR'S BILL)

1       **Emergency preamble.** Whereas, acts and resolves of the Legislature do not  
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3       **Whereas,** there is currently no provision for school administrative units to establish  
4 innovative schools as set forth in the federal Race to the Top Assessment Program  
5 application authorized under the federal American Recovery and Reinvestment Act of  
6 2009; and

7       **Whereas,** immediate enactment of this legislation is necessary to ensure the State's  
8 eligibility to apply for a significant amount of federal funding for continued education  
9 reform that is jeopardized by significant and continuing reductions in state funding for  
10 education; and

11       **Whereas,** in the judgment of the Legislature, these facts create an emergency within  
12 the meaning of the Constitution of Maine and require the following legislation as  
13 immediately necessary for the preservation of the public peace, health and safety; now,  
14 therefore,

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

16       **Sec. 1. 20-A MRSA §6212** is enacted to read:

17       **§6212. Innovative schools**

18       A school administrative unit may establish and operate an innovative, autonomous  
19 public school, other than a chartered school as defined in section 8203, subsection 2. An  
20 innovative school must meet all state statutory and regulatory requirements applicable to  
21 the establishment and operation of schools by a school administrative unit. An innovative  
22 school must also meet the following standards for innovation and autonomy:

23       **1. Open enrollment.** The innovative school must permit any resident student in the  
24 school administrative unit to enroll;

25       **2. More accountability for student achievement.** The innovative school must  
26 demonstrate a system for accountability for student achievement that exceeds, but is not  
27 in conflict with, the State's accountability standards and the State's assessment system;  
28 and

29       **3. Instruction design; staff selection; school calendar; method for assessing**  
30 **progress.** The innovative school's instruction design, staff selection, school calendar and  
31 method for assessing professional development may exceed or differ from, but may not  
32 be in conflict with, applicable state statutory and regulatory requirements.

33       **Emergency clause.** In view of the emergency cited in the preamble, this  
34 legislation takes effect when approved.

## SUMMARY

This bill enables school administrative units to establish innovative schools that meet the requirements of the federal Race to the Top Assessment Program application. The bill also requires that all applicable state statutory and regulatory requirements be met by school administrative units that establish innovative schools.