

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 729

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S.P. 267

In Senate, February 28, 2013

### **An Act To Allow Charter Schools To Request Waivers from Certain Requirements**

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator MASON of Androscoggin.

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

2 **Sec. 1. 20-A MRSA §2412, sub-§5, ¶A**, as enacted by PL 2011, c. 414, §5, is  
3 amended to read:

4 A. Public charter schools are subject to the same civil rights and health and safety  
5 requirements applicable to other noncharter public schools in the State, except as  
6 otherwise specifically provided in this chapter and in paragraph I.

7 **Sec. 2. 20-A MRSA §2412, sub-§5, ¶I** is enacted to read:

8 I. The commissioner may grant a waiver of a civil rights or a health and safety  
9 requirement under paragraph A for a public charter school with prior approval of the  
10 public charter school's authorizer and upon application from the public charter school  
11 that includes the basis for the waiver request and a plan to reduce reliance on the  
12 waiver in subsequent years. The commissioner may consider the financial hardship  
13 of the public charter school in fulfilling the requirement in determining whether to  
14 grant the waiver. By February 1st of each year, the commissioner shall report the  
15 number of waivers requested and the number granted and the reason for each waiver  
16 request for the prior year to the joint standing committee of the Legislature having  
17 jurisdiction over education matters and post the report on the department's publicly  
18 accessible website.

19 **SUMMARY**

20 This bill allows, upon approval by the public charter school's authorizer, a public  
21 charter school to request from the Commissioner of Education a waiver of a civil rights or  
22 a health and safety requirement. The bill provides that the commissioner may take into  
23 consideration the financial hardship of the public charter school in carrying out the  
24 requirement in making a determination.