

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 1106

H.P. 775

House of Representatives, March 19, 2013

### **An Act To Develop a Grant Program To Establish a Teacher-led School Model**

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative MOONEN of Portland.  
Cosponsored by Senator LANGLEY of Hancock and  
Representatives: DAUGHTRY of Brunswick, NELSON of Falmouth, POULIOT of Augusta,  
Senator: MILLETT of Cumberland.

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

2 **Sec. 1. 20-A MRSA §2651, sub-§2**, as enacted by PL 2011, c. 446, §1, is  
3 amended to read:

4 **2. Use of fund.** The department shall award grants from the fund to school  
5 administrative units, municipalities, counties and groups of 2 or more such entities to  
6 fund the costs of implementing changes in governance, administrative structures or  
7 policies that result in the creation of consolidated school administrative units; purchasing  
8 alliances; innovative, autonomous public schools, teacher-led schools, innovative public  
9 school districts or innovative public school zones; regional delivery of educational  
10 services; or collaborations of municipal-school service delivery or support systems, with  
11 the purpose of improving educational opportunity and student achievement. Grants must  
12 be used to implement changes that will be sustained by the school administrative unit,  
13 municipality or county without the need for additional grants from the fund or other  
14 sources.

15 **Sec. 2. 20-A MRSA §6213, sub-§§1 and 2**, as enacted by PL 2011, c. 446, §2,  
16 are amended to read:

17 **1. Definitions.** As used in this section, unless the context otherwise indicates, the  
18 following terms have the following meanings.

19 A. "Innovative, autonomous public school" ~~or "school"~~ means an innovative,  
20 autonomous public school established pursuant to section 6212.

21 B. "Innovation plan" means a plan for the creation and operation of an innovative,  
22 autonomous public school, a teacher-led school or innovative zone or district as  
23 described in subsections 2, 3 and 4.

24 C. "Innovative public school district" or "district" means a school administrative unit  
25 in which all schools operated by the school administrative unit are innovative,  
26 autonomous public schools or teacher-led schools included in an innovation plan  
27 approved pursuant to this section and implemented by the school board.

28 D. "Innovative public school zone" or "zone" means 2 or more innovative,  
29 autonomous public schools or teacher-led schools operated by a school administrative  
30 unit that share common interests, such as their geographical location or educational  
31 focus, or that sequentially serve classes of students as they progress through  
32 elementary and secondary education and in which a school board implements an  
33 innovation plan approved pursuant to this section.

34 E. "Public school" has the same meaning as in section 1, subsection 24.

35 F. "Teacher-led school" means a public school in which teachers employed at the  
36 school are responsible for the decision making and governance of the school.

37 **2. School-initiated innovation plan.** A public school or a group of 2 or more public  
38 schools in a school administrative unit may submit to its school board an innovation plan.  
39 The school board may approve an instruction design, a school calendar, a staff selection  
40 process and a method for assessing professional development to be used in an innovative,

1 autonomous public school or teacher-led school that is not in conflict with applicable  
2 statutory and regulatory requirements.

3 A. A school board shall receive and review each innovation plan submitted pursuant  
4 to this subsection. The school board shall either approve or disapprove the  
5 innovation plan within 60 days after receiving the plan.

6 B. If the school board rejects the innovation plan, it shall provide to the public school  
7 or public schools that submitted the plan a written explanation of the basis for its  
8 decision. A public school or public schools may submit an amended innovation plan  
9 at any time.

10 C. If the school board approves the plan, it shall proceed to seek the commissioner's  
11 approval of the public school or public schools as an innovative, autonomous public  
12 school, a teacher-led school, an innovative public school zone or an innovative public  
13 school district pursuant to subsection 9.

14 **Sec. 3. 20-A MRSA §6213, sub-§9**, as enacted by PL 2011, c. 446, §2, is  
15 amended to read:

16 **9. Commissioner's approval.** A school board shall submit school, zone or district  
17 innovation plans approved pursuant to subsection 4, paragraph J to the commissioner.

18 A. Within 60 days after receiving an innovation plan for a school, zone or district,  
19 the commissioner shall approve the innovation plan unless the commissioner  
20 concludes that the plan:

21 (1) Is likely to result in a decrease in academic achievement in the innovative  
22 school, zone or district; or

23 (2) Is not fiscally feasible.

24 B. If the commissioner does not approve the innovation plan, the commissioner shall  
25 provide to the school board a written explanation of the basis for the decision. The  
26 school board may submit an amended innovation plan for the commissioner's  
27 approval at any time.

28 Nothing in this subsection may prevent or may be construed to prevent the commissioner  
29 from approving an innovation plan to create an innovative public school district when the  
30 innovation plan is created by a school board for a school administrative unit that operates  
31 only one innovative, autonomous public school or teacher-led school.

32 **Sec. 4. 20-A MRSA §6213, sub-§14, ¶A**, as enacted by PL 2011, c. 446, §2, is  
33 amended to read:

34 A. Following review of a school's performance, if the school board finds that the  
35 academic performance of students enrolled in the school is not improving at a  
36 sufficient rate, the school board may revoke the designation of the school as an  
37 innovative, autonomous public school or teacher-led school.

38 **Sec. 5. 20-A MRSA §6213, sub-§15, ¶B**, as enacted by PL 2011, c. 446, §2, is  
39 amended to read:

1 B. The number of innovative, autonomous public schools, the number of teacher-led  
2 schools and the number of innovative public school zones and innovative public  
3 school districts, including the number of schools in each zone and district and the  
4 number of students served in the schools and zones, expressed as a total number and  
5 as a percentage of the students enrolled in the district;

6 **Sec. 6. 26 MRSA §962, sub-§7, ¶A**, as amended by PL 2011, c. 446, §3, is  
7 further amended to read:

8 A. Any officer, board, commission, council, committee or other persons or body  
9 acting on behalf of:

- 10 (1) Any municipality or any subdivision of a municipality;
- 11 (2) Any school, water, sewer, fire or other district;
- 12 (3) The Maine Turnpike Authority;
- 13 (5) Any county or subdivision of a county;
- 14 (6) The Maine Public Employees Retirement System;
- 15 (7) The Maine Educational Center for the Deaf and Hard of Hearing and the  
16 Governor Baxter School for the Deaf; or
- 17 (8) Any innovative, autonomous public school, innovative public school district  
18 ~~or~~ innovative public school zone or teacher-led school created and operated  
19 under Title 20-A, section 6212 or 6213;

20 **SUMMARY**

21 This bill provides for the creation, submission, review and approval of innovation  
22 plans to establish teacher-led schools. The bill allows one or more public schools within  
23 a school administrative unit to initiate the creation of an innovation plan for the creation  
24 and operation of a teacher-led school for submission to its school board. The bill also  
25 permits a school board to initiate and collaborate with one or more of the public schools it  
26 operates to create an innovation plan. The bill provides that a school board may obtain  
27 waivers of laws, rules and local policy requirements from the Commissioner of Education  
28 that are considered necessary for a teacher-led school to implement an innovation plan.  
29 The bill also allows for grants from the Fund for the Efficient Delivery of Educational  
30 Services for the costs associated with establishing a teacher-led school.