

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 1128

S.P. 389

In Senate, March 21, 2013

**An Act To Provide for Greater Public Input and Local Control in
the Chartering of Public Schools**

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 President ALFOND of Cumberland.
Cosponsored by Representative McCABE of Skowhegan and
Senators: BOYLE of Cumberland, JOHNSON of Lincoln, LACHOWICZ of Kennebec,
MILLETT of Cumberland, Representatives: DAUGHTRY of Brunswick, MacDONALD of
Boothbay.

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

2 **Sec. 1. 20-A MRSA §2407, sub-§3-A** is enacted to read:

3 **3-A. Application to commission.** The commission may not accept an application
4 for a public charter school unless the following requirements are met by the organizers of
5 the proposed public charter school. The organizers shall:

6 A. Hold at least 3 public hearings in the catchment area that would be affected by the
7 operation of the public charter school and at each public hearing present the
8 organizers' proposed plan for the public charter school to persons attending the public
9 hearing;

10 B. Provide the persons who attend a public hearing with the best estimates possible
11 related to the impact of the proposed plan on funding, student enrollment, courses and
12 teachers in both the noncharter public schools and the proposed public charter school;

13 C. Announce to the persons who attend a public hearing that they have the right to
14 provide the commission with their opinions and concerns about the proposed plan to
15 operate a public charter school in the catchment area in which they reside;

16 D. Accept public comment from the persons who attend a public hearing regarding
17 their opinions and concerns about the proposed plan to operate a public charter school
18 in the catchment area in which they reside;

19 E. Hold a vote on the following question: "Do you favor the organizers' proposed
20 plan to operate a public charter school in the region in which you reside?"; and

21 F. Provide the commission with an objective summary of the public comments
22 presented at each public hearing, the discussions that occurred between the organizers
23 and the persons who attended the public hearings and the result of the vote held in
24 accordance with paragraph E.

25 The commission may accept an application for a public charter school only if the
26 organizers of the proposed public charter school meet each of the requirements set forth
27 in this subsection and the majority of the persons that attended the public hearings held
28 pursuant to this subsection voted in favor of the proposed plan to operate a public charter
29 school in the catchment area.

30 **Sec. 2. Review of funding laws for public charter schools; report.** The
31 Commissioner of Education shall review the requirements in the Maine Revised Statutes,
32 Title 20-A, chapter 112 and the Department of Education Rule Chapter 140 related to the
33 funding methods established to support the operations of public charter schools in the
34 State and shall submit, by January 10, 2014, a report to the Joint Standing Committee on
35 Education and Cultural Affairs that includes proposed legislation to amend the laws
36 governing the funding of public charter schools. The proposed legislation submitted by
37 the commissioner to the joint standing committee must include options for funding public
38 charter schools, including, but not limited to:

39 1. Establishing a new budgetary program account in the Department of Education
40 that appropriates the necessary General Fund funds required to pay for public charter
41 schools; and

1 operating public charter schools in a manner that results in all municipalities sharing the
2 costs of public charter schools.