

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)



# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

---

Legislative Document

No. 1529

S.P. 576

In Senate, May 9, 2013

### An Act To Expand School Choice for Maine Students

---

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. (GOVERNOR'S BILL)  
Cosponsored by Representative JOHNSON of Greenville and  
Senator: THIBODEAU of Waldo, Representative: McCLELLAN of Raymond.

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

2 **Sec. 1. 20-A MRSA §2405, sub-§1**, as amended by PL 2011, c. 570, §4, is  
3 further amended to read:

4 **1. Eligible authorizers.** The following groups may become authorizers of public  
5 charter schools:

6 A. A local school board with regard to creating a public charter school within the  
7 boundaries of the school administrative unit governed by that local school board;

8 B. The commission under subsection 8; ~~and~~

9 C. A collaborative among local school boards that forms to set up a regional public  
10 charter school to be located within the area managed and controlled by those local  
11 school boards; and

12 D. A private or public institution of higher education in this State authorized to  
13 confer degrees under section 10704 or 10704-A, which may authorize a public  
14 charter school at any location within the State.

15 **Sec. 2. 20-A MRSA §2405, sub-§9**, as amended by PL 2011, c. 570, §8, is  
16 repealed.

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

19 B. In the case of a public charter school authorized by the commission or by an  
20 institution of higher education:

21 (1) The public charter school functions for all purposes as a local educational  
22 agency and is a school administrative unit independent of the school  
23 administrative unit in which the school is located. School administrative unit  
24 status does not preclude a public charter school from developing links to local  
25 school districts for services, resources and programs, by mutual agreement or by  
26 formal contract;

27 (2) To the extent permitted by federal, state or local laws, the public charter  
28 school is responsible for meeting the requirements of local educational agencies  
29 under applicable federal, state and local laws, including those relating to special  
30 education, receipt of funds and compliance with funding requirements; and

31 (3) To the extent permitted by federal, state or local laws, the public charter  
32 school has primary responsibility for special education at the school, including  
33 identification and provision of service, and is responsible for meeting the needs  
34 of enrolled students with disabilities.

35 **Sec. 4. 20-A MRSA §2951, sub-§2**, as enacted by PL 1981, c. 693, §§5 and 8, is  
36 repealed.

37 **Sec. 5. 20-A MRSA §15689-A, sub-§20**, as enacted by PL 2011, c. 380, Pt. C,  
38 §6, is amended to read:

