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## **An Act To Create Charter Programs within Existing Schools**

### **CONCEPT DRAFT SUMMARY**

This bill is a concept draft pursuant to Joint Rule 208.

The bill proposes to provide school administrative units with greater flexibility in meeting the needs of students by providing school boards with the authority to establish charter programs within existing schools in their own school administrative unit. The bill would allow school boards to approve the establishment of charter programs, a new type of public school program, to be a part of the school administrative unit's educational program.

Charter programs would be created to offer students and parents more educational options to meet the diversity of learning needs of children within the school administrative unit. Charter programs would be open to all students equally, though they may specialize in serving a particular age group or a student population with specific needs. Legislation developed to establish the charter program concept would include, but would not be limited to, consideration of the following.

1. The legislation would establish a pilot program that would permit up to 20 charter programs to be authorized during a 10-year period.

2. The central purposes of establishing charter programs would be to expand learning opportunities for disengaged students who are underserved by the current educational system and to increase the likelihood that students will excel in a standards-based educational system.

3. A school board may establish a charter program that includes, as its primary purpose, the intention to seek to expand learning opportunities for disengaged students who are underserved by the current educational programs within the school administrative unit.

4. Students who attended a so-called priority school within the school administrative unit and who were part of one of the student subgroups, including students belonging to racial or ethnic minorities, economically disadvantaged students, students with disabilities and students with limited English proficiency, whose assessment scores resulted in the determination that the school failed to meet the adequate yearly progress provisions of the federal No Child Left Behind Act of 2001 would receive first priority for placement in a charter program established in the school administrative unit.

5. For the purposes of reporting student performance on standardized assessment tests in compliance with the system of learning results established in the Maine Revised Statutes, Title 20-A, section 6209 and in compliance with applicable federal statutes and regulations pertaining to student assessment as required by the federal No Child Left Behind Act of 2001, students placed in a charter program would be considered to be enrolled in a separate school within the school administrative unit and their assessment scores would be reported accordingly.

6. Charter program proposals may include proposals to establish or convert an existing program, including, but not limited to, one of the following types of schools or school programs:

- A. An alternative educational program operated by the school administrative unit;
- B. A gifted and talented student program;
- C. A school that is approved by the Commissioner of Education to carry out a shared service agreement to provide alternative education programs in accordance with Title 20-A, section 2501; or
- D. An existing school that is approved by the Commissioner of Education to carry out a cooperative agreement to provide regional special education programs and support services in accordance with Title 20-A, section 7253.

7. Teachers who teach in charter programs would be considered employees of the school administrative unit and would have the same collective bargaining rights and benefits, including health, retirement and other employee benefits, as other teachers employed by the school administrative unit.

8. Funding for charter programs would be addressed as part of the Essential Programs and Services Funding Act and would be determined in the same manner as funding for other educational programs in the school administrative unit.