



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 729

S.P. 267

In Senate, February 28, 2013

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

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.