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An Act To Promote the Establishment of Innovative Schools

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, there is currently no provision for school administrative units to establish innovative schools as set forth in the federal Race to the Top Assessment Program application authorized under the federal American Recovery and Reinvestment Act of 2009; and

Whereas, immediate enactment of this legislation is necessary to ensure the State's eligibility to apply for a significant amount of federal funding for continued education reform that is jeopardized by significant and continuing reductions in state funding for education; and

Whereas, the residents of the Town of Otis and the Town of Mariaville are in immediate need of dissolving their union school agreement because the Town of Mariaville has become a member of Regional School Unit 24 and the Town of Otis has not and dissolving their union school agreement will enhance the ability of the Town of Otis and the Town of Mariaville to compete as innovative public schools; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 20-A MRS §6212 is enacted to read:

§ 6212. Innovative, autonomous public schools

A school administrative unit may establish and operate an innovative, autonomous public school. The school board may approve an instruction design, a school calendar, a staff selection process and a method for assessing professional development to be used in an innovative, autonomous public school that exceed or differ from, but do not conflict with, applicable statutory and regulatory requirements. The school board shall propose, receive and allocate funding for an innovative, autonomous public school as part of the budget process for that school administrative unit in accordance with this Title. A school board may request waivers as necessary to implement an instructional model and associated curriculum that meet the standards of this section for innovation and autonomy.

1. Open enrollment. Any resident student in a school administrative unit is eligible to request enrollment in an innovative, autonomous public school. Enrollment may not be limited to a target population of students. A school board shall establish a method for selecting students when requests for enrollment exceed capacity. A school board may establish a process for determining the maximum enrollment from each municipality in the school administrative unit.

2. More accountability for student achievement. An innovative, autonomous public school must demonstrate a system for accountability for student achievement that exceeds, but is not in conflict with, the State's accountability standards and the State's assessment system.

Sec. 2. Dissolution of Otis-Mariaville Union School authorized. Notwithstanding the provisions of the Maine Revised Statutes, Title 20-A, chapter 109 and any other provision of law, dissolution of the Otis-Mariaville Union School is governed by the Otis-Mariaville Union School Agreement made in 1985, and a majority town meeting vote by the voters of either the Town of Otis or the Town of Mariaville is sufficient to terminate the Otis-Mariaville Union School Agreement in accordance with the terms of the agreement.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective 90 days following adjournment of the 124th
Legislature, Second Regular Session, unless otherwise indicated.