

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Enhance Parental Roles in Education Choice**

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

**Sec. 1. 20-A MRSA c. 101, sub-c. 3** is enacted to read:

### **SUBCHAPTER 3**

### **PARENTAL EMPOWERMENT IN SCHOOL RESTRUCTURING**

#### **§ 1071. Parental empowerment**

**1. Parental petition.** A parent of a student in an elementary or secondary school that is not making adequate yearly progress under the federal No Child Left Behind Act of 2001, 20 United States Code, Chapter 70, may petition the superintendent of the school administrative unit in which the school is located to restructure the provision of services provided by the school through one of the strategies described in subsection 3.

**2. Form of petition; procedure.** A petition for restructuring under subsection 1 must conform to format and circulation procedures adopted by rule by the commissioner.

**3. Restructuring strategies.** A petition under this section may request that a school be restructured using one of the following strategies:

- A. Closure of the school and transfer of the students to another existing or new school within the school administrative unit;
- B. Restarting the school by closing it and reopening it as a charter school under an independent operator selected by the superintendent through a rigorous review process;
- C. Replacing school leadership and granting the new school leadership greater flexibility in personnel and curriculum decisions; or
- D. Transformation of the school through implementation of a turnaround strategy with greater oversight of teacher development, training and evaluation by the commissioner.

**4. Submission of petition.** If petitioners obtain the signatures of at least one parent per student for at least 50% of the students enrolled at the school proposed for restructuring, the petitioners may submit the petition to the commissioner for verification of signatures. If the verified signatures total at least one parent per student for at least 50% of the students enrolled at the school proposed for restructuring, the commissioner shall require the superintendent to submit to the commissioner within 3 months a plan for implementation of the restructuring strategy requested in the petition.

**5. Implementation of plan.** Upon receipt of a restructuring plan under subsection 4, the commissioner shall hold a public meeting on the plan within the area covered by the school that is proposed for restructuring. The commissioner shall determine whether the plan will improve educational opportunities for students within the school administrative unit and may make changes to the plan if approved by the school administrative unit and by the petitioners. If the commissioner determines that a plan will improve educational opportunities for students within the school administrative unit, the commissioner shall require the superintendent to implement the plan and establish a target date for completion of implementation.

**6. Rules.** The commissioner shall adopt rules to implement this subchapter. Rules adopted under this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 2. Implementation.** When implementing this Act the Commissioner of Education shall review the provisions of the laws and regulations of California and other states on parent initiation of school restructuring and incorporate through rulemaking provisions of those laws and regulations that will facilitate the effective and efficient implementation of this Act.

## SUMMARY

This bill allows parents to petition for the restructuring of a school that is not making adequate yearly progress. Restructuring may include closure of the school, conversion of the school to a charter school, replacement of school leadership and teachers and oversight by the State of structural improvements. This bill is based on a process referred to as the "Parent Trigger" adopted by the State of California in 2009.