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

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

Sec. 1. 20-A MRS §2412, sub-§5, ¶A, as enacted by PL 2011, c. 414, §5, is amended to read:

A. Public charter schools are subject to the same civil rights and health and safety requirements applicable to other noncharter public schools in the State, except as otherwise specifically provided in this chapter and in paragraph I.

Sec. 2. 20-A MRS §2412, sub-§5, ¶I is enacted to read:

I. The commissioner may grant a waiver of a civil rights or a health and safety requirement under paragraph A for a public charter school with prior approval of the public charter school's authorizer and upon application from the public charter school that includes the basis for the waiver request and a plan to reduce reliance on the waiver in subsequent years. The commissioner may consider the financial hardship of the public charter school in fulfilling the requirement in determining whether to grant the waiver. By February 1st of each year, the commissioner shall report the number of waivers requested and the number granted and the reason for each waiver request for the prior year to the joint standing committee of the Legislature having jurisdiction over education matters and post the report on the department's publicly accessible website.

SUMMARY

This bill allows, upon approval by the public charter school's authorizer, a public charter school to request from the Commissioner of Education a waiver of a civil rights or a health and safety requirement. The bill provides that the commissioner may take into consideration the financial hardship of the public charter school in carrying out the requirement in making a determination.