

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 Provide for Greater Public Input and Local Control in the Chartering of Public Schools**

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

**Sec. 1. 20-A MRSA §2407, sub-§3-A** is enacted to read:

**3-A. Application to commission.** The commission may not accept an application for a public charter school unless the following requirements are met by the organizers of the proposed public charter school. The organizers shall:

A. Hold at least 3 public hearings in the catchment area that would be affected by the operation of the public charter school and at each public hearing present the organizers' proposed plan for the public charter school to persons attending the public hearing;

B. Provide the persons who attend a public hearing with the best estimates possible related to the impact of the proposed plan on funding, student enrollment, courses and teachers in both the noncharter public schools and the proposed public charter school;

C. Announce to the persons who attend a public hearing that they have the right to provide the commission with their opinions and concerns about the proposed plan to operate a public charter school in the catchment area in which they reside;

D. Accept public comment from the persons who attend a public hearing regarding their opinions and concerns about the proposed plan to operate a public charter school in the catchment area in which they reside;

E. Hold a vote on the following question: "Do you favor the organizers' proposed plan to operate a public charter school in the region in which you reside?"; and

F. Provide the commission with an objective summary of the public comments presented at each public hearing, the discussions that occurred between the organizers and the persons who attended the public hearings and the result of the vote held in accordance with paragraph E.

The commission may accept an application for a public charter school only if the organizers of the proposed public charter school meet each of the requirements set forth in this subsection and the majority of the persons that attended the public hearings held pursuant to this subsection voted in favor of the proposed plan to operate a public charter school in the catchment area.

**Sec. 2. Review of funding laws for public charter schools; report.** The Commissioner of Education shall review the requirements in the Maine Revised Statutes, Title 20-A, chapter 112 and the Department of Education Rule Chapter 140 related to the funding methods established to support the operations of public charter schools in the State and shall submit, by January 10, 2014, a report to the Joint Standing Committee on Education and Cultural Affairs that includes proposed legislation to

amend the laws governing the funding of public charter schools. The proposed legislation submitted by the commissioner to the joint standing committee must include options for funding public charter schools, including, but not limited to:

1. Establishing a new budgetary program account in the Department of Education that appropriates the necessary General Fund funds required to pay for public charter schools; and
2. Establishing a new adjustment to the state share of the total allocation for the General Purpose Aid for Local Schools account under the Maine Revised Statutes, Title 20-A, section 15689 or authorizing a new miscellaneous cost under Title 20-A, section 15689-A that provides state funding of the costs of public charter schools in a manner that results in all municipalities sharing the costs of public charter schools rather than the burden of those costs being borne by the school administrative units in which students who are enrolled in public charter schools reside.

The joint standing committee is authorized to introduce a bill related to the report to the Second Regular Session of the 126th Legislature.

## **SUMMARY**

This bill requires that any person, group or organization, prior to filing an application for a public charter school with the Maine Charter School Commission, must hold at least 3 public hearings in the region that would be affected by the operation of the public charter school. The organizers must also meet the following requirements:

1. Provide the public with the best estimates possible regarding the impact on funding, student enrollment, courses and teachers in both the public schools and the proposed public charter school;
2. Announce to the persons who attend a public hearing that they have the right to provide the Maine Charter School Commission with their opinions and concerns about the proposed plan to operate a public charter school in the region in which they reside;
3. Hold a vote to determine if the persons who attend a public hearing are in favor of the organizers' proposed plan to operate a public charter school in the region in which the persons reside; and
4. Provide the Maine Charter School Commission with an objective summary of the public comments presented at each public hearing, the discussions that occurred between organizers and the persons who attended the public hearings and the result of the vote held at the public hearings.

The bill provides that the Maine Charter School Commission may accept an application for a public charter school only if the organizers of the proposed public charter school meet each of the requirements and if the majority of the persons that attended the public hearings held by the organizers voted in favor of the proposed plan to operate a public charter school in the region.

Finally, the bill requires the Commissioner of Education to review the current funding laws and rules for public charter schools and to submit proposed legislation that provides options for funding public charter schools, including but not limited to establishing a new General Fund program account to pay for public charter schools and establishing an adjustment to the state share of the total allocation or authorizing a miscellaneous cost for the General Purpose Aid for Local Schools program as set forth in the

Maine Revised Statutes, Title 20-A, chapter 606-B so that the State allocates funds for operating public charter schools in a manner that results in all municipalities sharing the costs of public charter schools.