

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

Amend the bill by striking out the title and substituting the following:

'An Act To Establish the Maine Online Learning Collaborative'

Amend the bill by inserting after the title and before the enacting clause the following:

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

Whereas, Maine's students must meet the requirements of the system of learning results within a standards-based learning system as set forth in the Maine Revised Statutes, Title 20-A, chapter 222; and

Whereas, the State can augment the capacity of Maine teachers to provide high-quality, 21st-century, technology-rich, online and blended learning experiences that present students with opportunities to meet the proficiency-based diploma requirements of Maine's standards-based learning system; and

Whereas, this legislation needs to take effect immediately in order to ensure that school administrative units have the capacity and resources necessary to provide high-quality, 21st-century, technology-rich, online and blended learning experiences to students; 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,'

Amend the bill by inserting before section 1 the following:

'Sec. 1. 20-A MRSA §19152, sub-§4, as amended by PL 2011, c. 353, §6, is further amended to read:

4. Public school educational opportunities. Increase the capacity of school administrative units to provide public school educational opportunities for students whose educational needs are not being met in the regular public school program; and

Sec. 2. 20-A MRSA §19152, sub-§5, as enacted by PL 2011, c. 353, §7, is amended to read:

5. Nonresident tuition students. Permit school administrative units to provide online educational opportunities to nonresident tuition students who reside, and whose parents reside, outside the State.

This subsection is repealed July 1, 2014;

Sec. 3. 20-A MRSA §19152, sub-§§6 and 7 are enacted to read:

6. Standards-based. Enable students to meet the standards of the system of learning results within a standards-based learning system as set forth in chapter 222; and

7. Build teaching capacity. Augment the capacity of teachers who are residents of this State and who have been properly certified in accordance with certification rules adopted pursuant to chapter 502 to provide high-quality, 21st-century, technology-rich, online and blended learning experiences for students.'

Amend the bill in section 1 in §19153 in subsection 1 in paragraph A in the last line (page 1, line 9 in L.D.) by inserting after the following: "appropriate;" the following: 'and'

Amend the bill in section 1 in §19153 in subsection 1 by striking out all of paragraphs B and C (page 1, lines 10 to 13 in L.D.) and inserting the following:

'B. The online learning provider's ability to satisfy the requirements under subsection 2.'

Amend the bill in section 1 in §19153 in subsection 1 in the blocked paragraph by striking out all of the last sentence (page 1, lines 14 and 15 in L.D.).

Amend the bill in section 4 in subsection 4 in the 2nd and 3rd lines (page 1, lines 34 and 35 in L.D.) by striking out the following: "and cost comparisons between online learning programs or courses and programs delivered by means of traditional methods"

Amend the bill by striking out all of section 6 and inserting the following:

'Sec. 6. 20-A MRSA §19157 is enacted to read:

§ 19157. Maine Online Learning Collaborative

The department shall form a partnership with a statewide consortium consisting of school administrative units, public charter schools, private secondary schools approved for the receipt of public funds under chapter 117, subchapter 2 that enroll 60% or more publicly funded students and other educational organizations that meet the eligibility requirements of subsection 2 to collaboratively develop a high-quality online learning program to commence in the 2014-2015 school year that provides students in grades 9 to 12 access to digital learning through online and hybrid courses that are taught by teachers properly certified in accordance with certification rules adopted pursuant to chapter 502. The department shall develop approval criteria and a process for approving online learning providers to implement online learning programs developed in accordance with this section.

1. Collaborative partnership. The collaborative partnership formed under this section shall:

A. Deliver educational programs that meet the diverse educational needs of students in order to prepare them to contribute to the future welfare of the State;

B. Close the achievement gap between high-performing and low-performing students, including the gap between economically disadvantaged students and their more advantaged peers;

C. Provide a broader range of educational options to parents and, utilizing existing resources, including learning technology, help to improve the academic achievement of students;

D. Augment the capacity of school administrative units to provide public school options for those students whose educational needs are not being met through the regular public school program;

E. Through the use of available learning technology resources, create educational opportunities for students that may not exist without the use of those resources;

F. Provide consistent, high-quality, public education options for students through the use of available learning technology resources;

G. Enable students to meet the standards of the system of learning results within a standards-based learning system as set forth in chapter 222; and

H. Augment the capacity of teachers properly certified in accordance with certification rules adopted pursuant to chapter 502 to provide high-quality, 21st-century, technology-rich, online and blended learning experiences for students.

2. Institutional eligibility. An educational organization is eligible to be part of the consortium under this section if:

A. It offers an online learning program or course at a secondary level for grades 9 to 12 students enrolled in:

(1) A public school in a school administrative unit;

(2) A public charter school; or

(3) A private secondary school approved for the receipt of public funds under chapter 117, subchapter 2 that enrolls 60% or more publicly funded students;

B. The entire educational program for the student does not consist solely of online learning programs and courses; and

C. The online learning provider uses only teachers who are residents of this State and who have been certified by the department.

3. Student eligibility. Only students in grades 9 to 12 may enroll in programs under this section, except that an educational organization may request and the commissioner may grant an exception to allow a student in grade 7 or grade 8 to enroll if requirements established by the commissioner in rule are met. A student is not eligible to enroll in programs offered under this section if the student is a nonresident tuition student who resides, and whose parents reside, outside the State.

4. Fund established. The Maine Online Learning Collaborative Fund is established as a nonlapsing fund in the department. The fund is administered by the department to provide reimbursement to school administrative units for online learning programs provided under this section. The fund receives funds appropriated, allocated or transferred to the department for the purposes of this section.

5. Request for proposals; approval criteria. The approval criteria and a request for proposal process developed by the department for approving online learning providers under this section must be reviewed and approved by the joint standing committee of the Legislature having jurisdiction over education and cultural affairs before the request for proposals is publicized by the department.

6. Rules. The department shall adopt routine technical rules, as defined in Title 5, chapter 375, subchapter 2-A, to implement the provisions of this section.'

Amend the bill in section 7 in the 4th line (page 5, line 11 in L.D.) by striking out the following: "Program Reimbursement" and inserting the following: 'Collaborative'

Amend the bill by inserting after section 7 the following:

'Sec. 8. Appropriations and allocations. The following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

Maine Online Learning Collaborative Fund N164

Initiative: Provides base allocations to reimburse school administrative units for the costs associated with online learning programs.

OTHER SPECIAL REVENUE FUNDS	2013-14	2014-15
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

Amend the bill by adding before the summary the following:

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

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment adds an emergency preamble and an emergency clause to the bill and amends the laws governing the Maine Online Learning Program by adding 2 provisions to the goals of the program that would enable students to meet the standards of the system of learning results and that would augment the capacity of teachers who are certified in the State to provide high-quality online and blended learning experiences for students.

The amendment also strikes the provisions in the bill that propose to establish the Maine Online Learning Program Reimbursement Fund and replaces the fund with provisions to authorize the Department of Education to establish the Maine Online Learning Collaborative, a partnership with a statewide consortium consisting of Maine school administrative units, public charter schools and approved private secondary schools that enroll 60% or more publicly funded students and other educational organizations to collaboratively develop a high-quality online learning program to commence in the 2014-2015 school year that provides students in grades 9 to 12 access to part-time digital learning through online and hybrid courses that are taught by Maine certified teachers.

The amendment also requires the Department of Education to develop approval criteria and a process for approving online learning providers to implement online learning programs with the Maine Online Learning Collaborative; and provides that the request for proposals must be reviewed and approved by the joint standing committee of the Legislature having jurisdiction over education and cultural affairs before the request for proposals is publicized by the department.

The amendment also adds an appropriations and allocations section.

FISCAL NOTE REQUIRED
(See attached)