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EDUCATION AND CULTURAL AFFAIRS

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**STATE OF MAINE
SENATE
126TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 267, L.D. 729, Bill, “An Act To Allow Charter Schools To Request Waivers from Certain Requirements”

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

Sec. 1. 20-A MRSA §2412, sub-§5, ¶I is enacted to read:

I. Except as provided in subparagraph (2), the commissioner may grant a public charter school a waiver of one or more requirements applicable to the public charter school upon receipt of an application from the public charter school that includes the basis for the waiver request and a plan to reduce reliance on waivers in subsequent years. A public charter school may submit an application for a waiver to the commissioner only upon receiving prior approval from the public charter school's authorizer of the same waiver request.

(1) Financial hardship is one criterion the commissioner must consider in determining whether to grant a waiver to the public charter school.

(2) A public charter school may not apply to the commissioner for a waiver of any of the following requirements:

(a) Civil rights and health and safety requirements as described in paragraph A;

(b) Student assessment and accountability requirements as described in paragraph B;

(c) Conflict of interest and public records and proceedings requirements as described in paragraph C;

(d) Criminal history record checks and fingerprinting requirements as described in paragraph F; and

(e) Special education requirements as described in paragraph G.

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(3) 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.'

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SUMMARY

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This amendment strikes and replaces the bill to clarify that the request from a public charter school for a waiver of one or more statutory requirements applicable to the public charter school may not include a request for a waiver of requirements established in the Maine Revised Statutes, Title 20-A, section 2412, subsection 5 related to civil rights and health and safety, student assessment and accountability, conflicts of interest and public records and proceedings, criminal history record checks and fingerprinting and special education.