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Date: (Filing No. H- )

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**STATE OF MAINE**  
**HOUSE OF REPRESENTATIVES**  
**125TH LEGISLATURE**  
**FIRST REGULAR SESSION**

HOUSE AMENDMENT “ ” to COMMITTEE AMENDMENT “A” to S.P. 496, L.D. 1553, Bill, “An Act To Create a Public Charter School Program in Maine”

Amend the amendment in section 5 in §2401 by striking out subsection 5 (page 2, lines 22 to 25 in amendment) and inserting the following:

**'5. Education service provider.** "Education service provider" means an education management organization, charter management organization, school design provider or any other partner entity with whom a public charter school intends to contract for a limited scope of education services and resources, including education design, implementation or management.'

Amend the amendment in section 5 in §2406 in subsection 2 by striking out all of paragraphs H and I and inserting the following:

**'H. With respect to a proposed public charter school that intends to contract with an education service provider for a limited scope of education or management services, in addition to the other requirements of this subsection, the request for proposals must require applicants to:**

- (1) Explain how and why the education service provider was selected;**
- (2) Provide evidence of the education service provider's success in serving student populations similar to the targeted population, including demonstrated academic achievement as well as successful management of nonacademic school functions if applicable;**
- (3) Provide information on the proposed duration of the service contract; roles and responsibilities; scope of services and resources to be provided by the education service provider; performance evaluation measures and timelines; compensation structure, including clear identification of all fees to be paid to the education service provider; methods of contract oversight and enforcement; investment disclosure; and conditions for renewal and termination of the contract;**
- (4) Provide a draft of the proposed service contract;**
- (5) Explain the relationship between the governing board, the school's leadership and management team and the education service provider, specifying how the**

**HOUSE AMENDMENT**

1 governing board and the school's leadership and management team will monitor  
2 and evaluate the performance of the education service provider, the internal  
3 controls that will guide the relationship and how the governing board and the  
4 school's leadership and management team will ensure fulfillment of performance  
5 expectations;

6 (6) Provide a statement of assurance that the governing board and the school's  
7 leadership and management team is legally and operationally independent from  
8 the education service provider; and

9 (7) Disclose and explain any existing or potential conflicts of interest between  
10 the governing board, the school's leadership and management team and the  
11 education service provider or any affiliated business entities.

12 Nothing in this paragraph prohibits a virtual public charter school from entering into  
13 a contract with an education service provider for education design, implementation or  
14 comprehensive management of the virtual public charter school program.'

15 Amend the amendment in section 5 in §2412 in subsection 3 by striking out all of  
16 paragraph D (page 20, lines 6 to 8 in amendment) and inserting the following:

17 'D. Contract with an education service provider for a limited scope of education  
18 services and resources related to the management and operation of the public charter  
19 school, as long as the public charter school's governing board retains authority over  
20 the oversight and management of the public charter school;'

21 **SUMMARY**

22 This amendment makes the following changes to the committee amendment.

23 1. It amends the definition of "education service provider" to limit the scope of  
24 educational services and resources that an education management organization, charter  
25 management organization, school design provider or any other partner entity may provide  
26 to a public charter school through a contract.

27 2. It amends the request for proposals provision related to an applicant that intends to  
28 contract with an education service provider to clarify that services may not be  
29 comprehensive and are limited in scope. It also includes language to clarify the roles and  
30 relationship of the governing board, the school's leadership and management team and the  
31 education service provider. These changes align this provision of the amendment with  
32 the changes made to the definition of "education service provider" included in this  
33 amendment.

34 3. It strikes the request for proposals provision related to an applicant that currently  
35 operates one or more schools in any other state or nation.

36 4. It provides an exception for virtual public charter schools with respect to the  
37 limitations placed on the scope and role of education service providers in providing  
38 educational services and resources for a public charter school.

39 5. It provides that a public charter school has the power to contract with an education  
40 service provider as long as the governing board and the school's leadership and

1 management team retain authority over the oversight and management of the public  
2 charter school.

3 **SPONSORED BY:** \_\_\_\_\_

4 **(Representative BELIVEAU)**

5 **TOWN: Kittery**