

**Summary of Maine’s Public Charter School Law
Public Law 2011, chapter 414 (LD 1553)**

<p>Authorizers</p> <p>State Charter Commission</p> <p>Funding of authorizers</p>	<p>Authorizers</p> <p>A public charter school can only be authorized by one of the following “eligible authorizers”</p> <ul style="list-style-type: none"> • A local school board; • A collaborative among authorizers that sets up a regional charter school; or • The State Charter School Commission (SCSC), created in the bill <ul style="list-style-type: none"> • The SCSC is a 7-member board, appointed by the State Board of Education (SBE). <ul style="list-style-type: none"> • 3 members must be members of the SBE; • 4 others must have diverse backgrounds • The Joint Standing Committee on Education and Cultural Affairs must review the 4 non-State-Board members and make recommendation to the Board before the Board appoints those 4 members • The SCSC shall seek non-DOE staff; convene stakeholders and experts; and seek and receive state, federal and private funds • Only the SCSC can authorize a virtual charter school • In the first 10 years of the charter school program, the SCSC may only charter 10 schools; there is no limit on the number of charters that may be issued by local school boards <p>To fund its activities, an authorizer may:</p> <ul style="list-style-type: none"> • Use its own resources, seek grants and establish partnerships; and • Charge up to 3% of per pupil allocations sent to the public charter schools it authorizes
<p>Authorizer issues a Request for Proposals (RFP) to invite charter school applications</p>	<p>An eligible authorizer that wishes to charter one or more schools must issue an RFP to invite and guide charter school applications. The RFP:</p> <ul style="list-style-type: none"> • Must set forth the authorizer’s vision and the performance framework • May prioritize schools for at-risk students, or encourage specific academic approaches

<p>Approvals required for conversion of public school</p>	<ul style="list-style-type: none"> • Must set forth the criteria and standards that the authorizer will use to approve or deny applications • Must lay out what's required in the application: including how to demonstrate capacity, and requirements for the school's vision, governance plan, plan of organization, finance, student policy, academic program, and staff policy • If the proposal is to convert a noncharter school into a charter, the RFP must require submission of petitions by a majority of teachers and parents; if the school to be converted is the only public option in the school unit, the conversion must also have approval of a majority of school unit voters • Must require information about any likely contract with an education service provider
<p>Organizers, Founders of a charter school</p> <p>Application to open a charter school</p>	<p>A person or entity that seeks a charter to operate a public charter school is referred to as an “organizer” or “founder.”</p> <p>An organizer may submit an application for a charter only to an authorizer that has issued an RFP. An application can be submitted by any nonprofit, nonreligious organization. A public school or public school program may apply to a local school board for permission to open a charter school.</p> <p>The application must contain the information required by the RFP</p> <p>An authorizer must make a decision about approval or denial of an application within 90 days of its filing, based on procedures, practices, and criteria consistent with nationally recognized charter-authorizing standards. If an application is denied, the applicant may reapply or apply to a different authorizer. Decisions must be made in writing.</p>
<p>Charter Contract</p>	<p>Once an application is approved, the authorizer negotiates a contract with the governing board of the organization that proposes to open the charter school. The charter sets forth the performance expectations and measures and administrative provisions.</p> <p>A contract for a virtual charter school also sets forth tailored oversight and monitoring provisions</p>
<p>Students</p>	<p>Enrollment</p> <ul style="list-style-type: none"> • All students residing in Maine may apply to enroll in a

<p>Academic Accountability</p> <p>Extracurricular activities</p>	<p>charter school</p> <ul style="list-style-type: none"> • The charter school may limit enrollment to students of specific ages or grade levels • Charter schools may not discriminate against students based on race, ethnicity, national origin, religion, gender, sexual orientation, disability, income level, limited English proficiency, or academic or athletic ability • If student interest exceeds the capacity of a program, class, grade level or building, students must be selected by a random method • From a school administrative unit with fewer than 500 students, the charter school may not enroll more than 5% of a grade level of that SAU for the first 3 years of operation of the charter school; for school administrative units with 500 or more students, the limit is 10% per grade level • Charter school must give preference to its prior year students and to their siblings. A charter school <u>may</u> give preference to the children of charter school founders, board members and full-time staff, but not more than 10% of student body • If the charter school is a conversion of a noncharter school, it must give preference to children who reside in the attendance area of the noncharter school <p>Accountability</p> <p>The public charter school performance framework, developed by the authorizer, sets forth indicators for student academic proficiency, growth, attendance, postsecondary readiness, and other measures. Authorizers must oversee and evaluate their charter schools' performance. The charter school and the authorizer must set annual performance targets.</p> <p>Students at a public charter school have the right to participate in extracurricular and interscholastic activities not offered by the charter school to the same extent, and subject to the same requirements, as noncharter public school students. The noncharter school may require the charter school to pay a portion of the cost of providing those activities in which the charter school students will participate.</p>
<p>Charter school oversight</p>	<p>The authorizer of each charter school must</p> <ul style="list-style-type: none"> • Collect, analyze and report data from student assessments; • Monitor performance and legal compliance of public charter school;

	<ul style="list-style-type: none"> • Conduct ongoing evaluation of the school according to the charter contract; • Notify the charter school of any perceived problems and provide reasonable opportunity for the school to remedy problems; • Make decisions about renewal of charter application
Applicability of laws to charter schools,	<ul style="list-style-type: none"> • The charter school law prevails over any inconsistent state or local law, rule or regulation • A charter school is subject to all federal laws and authorities • Charter schools are subject to the same civil rights and health and safety requirements as other public schools, except as provided in the law • Students are subject to the same student assessment and accountability requirements as public school students • The Department of Education will develop rules specifying how charter school student enrollment is reported, for purposes of the state’s data system. • School governing boards are subject to the Freedom of Access law • A charter school is exempt from all other statutes and rules applicable to public schools, school boards or SAUs • A charter school may not engage in religious practices in its educational programs, admissions, or employment policies or operations • Teachers must comply with federal regulations regarding teacher qualification, but a teacher who becomes certified within 3 years of hiring and a teacher with professional expertise in a subject may teach at a public school without state certification
Special education in charter schools	<p>For a public charter school authorized by a school administrative unit (SAU), the authorizing SAU is responsible for special education in the charter school</p> <p>A public charter school authorized by the State Charter School Commission functions for all purposes as a local education agency (LEA) independent of the SAU in which it’s located. The public charter school is responsible for special education in the charter school</p>
Funding of charter schools	<p>Public funding for a public charter school is based on a model known as “money follows the child.”</p>

	<p>The School Administrative Unit where the student resides will transfer to the charter school the following amounts:</p> <ul style="list-style-type: none"> • The per-pupil allocation attributable to each specific student (based on grade level, and including any enhanced count for economic disadvantage, Limited English proficiency and special education status); and • The average per-pupil transportation expense in the SAU of residence <p>The DOE will establish rules to govern cost-sharing for CTE and gifted and talented programs</p> <p>The DOE, by rule, may specify a different method of transferring the funds to the charter school.</p>
<p>Role of the Department of Education</p>	<p>The Department of Education:</p> <ul style="list-style-type: none"> • Disseminates information • Establishes policies and standards for authorizers, and may provide technical assistance • Applies for, and appropriately distributes, federal charter school grants • Adopts major substantive rules as needed to implement the law • Provides 4-year reports on public charter schools to the Governor, the Legislature and the public
<p>Important Dates</p>	<ul style="list-style-type: none"> • September 28, 2011 – Effective date of the charter school law • November 1, 2011 – Date by which the Department of Education must submit a report to the Education Committee, including draft rules, legislation and guidelines • July 1, 2012 – The earliest date on which a charter can take effect