



## BILL HIGHLIGHTS

### LD 1438 - “An Act to Permit Charter Schools in Maine”

Sponsored by Senator Dennis Damon

Co-sponsors: Sen. Peter Mills, Rep. Sen. Justin Alford, Rep. John Piotti, Rep. Alan Casavant, Rep. Gary Knight, Rep. Kathleen Chase, Rep. David Richardson

#### A. How Do Public Charter Schools Work?

Charter schools are public schools, free to families of all income levels. They cannot be religious, and they can have no admissions tests, (which public magnet schools, exam schools, and private schools can). A lottery is required if more children apply than spaces are available.

Public charter schools exchange flexibility in operations for increased accountability. They will operate in Maine on a 5 year charter (contract) from a designated chartering authority. By contract, they must meet their educational goals, attract enough students to sustain their program, and manage their funds well. Their success will be closely monitored, and if necessary they will be closed. They must meet health, safety, and civil rights regulations applicable to all schools in Maine.

Charter schools must prepare their students to meet the objectives of the Maine Learning Results and abide by the goals of federal education legislation. Charter schools require no new funds from either the state or towns. The same per pupil allocation that each town already spends on each of its children will follow each child to the public school (district or chartered) attended by that child.

Charter schools bring new resources to public education: new community partnerships, new grants, and new federal funds. Charter schools will bring back to public education many children and teaching professionals excited by new public educational opportunities. Maine will be eligible for federal grants for planning and start up – up to \$450,000 over 3 years for each new charter school, plus the Maine Department of Education will be eligible for 5% of the total of such grants to support charter schools statewide.

#### B. Why Does Maine Need Public Charter Schools?

In 40 other states, 4,600 chartered public schools now enroll over 1.4 million children. Many are second chance high schools for failing students. Chartered schools are exploring a wide variety of innovations to improve the academic performance of children who come to school disadvantaged or who struggle academically for many different reasons.

With 2,000 high school students dropping out each year in Maine, and many others at-risk of failure, there is ample evidence that our public education system needs to provide more options for Maine children. When those who do graduate enter jobs or college, many do not have the skills to succeed and require remedial training, very costly in time and money. Looking ahead, Maine has an increasing percentage of children being born into low-income families, and research shows that this places these children at higher risk of school failure.

Charter schools can help. For example, rural area superintendents and school boards can use the public charter school mechanism to develop regional and collaborative programs to enhance the districts' ability to meet the needs of more children. In northern New Hampshire, nine school districts have created the North Country Charter Academy for their at-risk students. Regional programs qualify for the substantial federal grant funds available for charter school planning and start-up expenses.

The Maine Association for Public Charter Schools (MACS) is working with over two dozen groups ready to create new public options to address the needs of Maine children. Some of these groups are now working in the existing system, but will benefit from the increased flexibility of the charter school model (as well as the federal grant funds). Others have started after-school, weekend, and summer programs, and will be able to add the academic component to their efforts.

### **C. Key Provisions of the Legislation**

LD 1438 is carefully designed to address public education needs in Maine. Its foundation is the model bill recently developed by the National Alliance for Public Charter Schools, which incorporates the experience and best practices that have evolved nationally since charter schools were first created in 1992.

- 1. Eligibility for Federal Charter School Grants** – LD 1438 will qualify Maine for the large federal start-up and planning grants for charter schools, which require no state match.
- 2. Pilot Program** - A pilot phase of 10 years is proposed, during which 20 chartered schools may be started. LD 1438 exempts programs authorized by local and regional school boards from this cap, in order to encourage districts to charter existing alternative education programs, and programs with a special focus, such as environmental education, visual and performing arts, career and technical education, science and technology, foreign languages, agriculture, aquaculture, and marine studies.
- 3. Multiple Authorizers** - In other states, more types of authorizers have led to more innovations and better student outcomes. LD 1438 designates local and regional school boards as authorizers, as well as colleges and universities based in Maine that award 4 year degrees in education. Charter school organizers may submit a proposal only to authorizing boards that have announced an application process.
- 4. Accountability for Authorizers** – Based on experience in other states, LD 1438 contains detailed provisions to enhance the quality of charter school authorizers and their oversight of charter schools that they approve and monitor.
- 5. Performance Contracts For Operators** - Based on experience in other states, LD 1438 requires detailed performance contracts between authorizers and operators.
- 6. Funding** – Planning and start-up grants are expected from the Federal Grant Program. For annual operating funds, the same per-pupil allocations that towns now spend on each child will follow that child to the public district or public charter school that he or she attends. For facilities, charter schools will not participate in the state school construction fund, but may apply for loans or grants and they will have access to un-used or under-used public facilities.
- 7. Teachers** – Teachers currently employed in a public school may take up to two years leave to teach in a public charter school. At least 50% of full-time teachers in public charter schools must be certified. Teachers at a charter school may choose to bargain collectively or form a professional group.
- 8. Education Management Organizations** – Public chartered schools are only allowed to contract for whole-school management services with non-profit entities.
- 9. Virtual Chartered Schools** - Based on national experience, LD 1438 adopts the language of the model bill that defines and allows virtual chartered schools.
- 10. Protection for Small Districts** - A start-up charter school cannot enroll more than 10% of children in a grade level within a district, although this does not apply to conversions of existing public schools or alternative education programs.
- 11. Protection for Small Towns** - If a local board approves a conversion of its only public education program to a chartered school, the conversion must be approved by the voters in that school administrative unit.

**For more information, see [www.mainecharterschools.org](http://www.mainecharterschools.org)**