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## **An Act To Allow Schools To Adopt Approved Alternative Curricula**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 20-A MRS §8**, as enacted by PL 1991, c. 407, §1, is amended to read:

### **§ 8. Restructuring public schools**

The commissioner shall encourage school administrative units to collaborate with approved private schools and postsecondary institutions of higher education in the State to pursue an ongoing process of school restructuring as a means of more effectively meeting the learning needs and improving the academic performance of all students. The approved private schools and the public and private postsecondary institutions of higher education in the State are urged to cooperate with the department, the state board and school administrative units to provide appropriate and timely exemplary curriculum design, professional development programs and other support services to educators employed in public schools engaged in school restructuring efforts.

**1. School restructuring.** For the purposes of this section, the term "school restructuring" means the process by which schools and communities make significant changes in the existing school structure, including the mission, curriculum, instructional strategies, policies, roles, relationships and schedules that influence teaching and learning in the school. School restructuring recognizes the critical educational role of technology and integrates technology and technological systems in the classroom, in school governance and in school record keeping. School restructuring is based on:

- A. The development of comprehensive educational goals establishing community expectations for what all students should know, the skills they should possess, the attitude toward work and learning they should hold upon completing school and the role of the school in the community;
- B. A formal appraisal of the basic structures that govern operation of the school; and
- C. A commitment to revise the basic school structure to achieve the comprehensive educational goals.

School restructuring, which is most effectively carried out at the local level, depends on community and educator involvement and approval and student participation. School restructuring includes consideration of changing roles for parents, students, teachers, administrators, support staff, private school educators and officials, postsecondary education institutions and officials, and various segments of the community. It may include a significantly broadened role for schools.

School restructuring may include schools and, school administrative units and approved private schools combining efforts to cooperatively pursue restructuring activities. When that occurs, one or more schools or units may be designated as demonstration sites.

**2. Waiver of rules for local schools.** A school administrative unit undergoing school restructuring may request that the commissioner waive the application of specific rules to that unit, or to certain schools in that unit, if such action is necessary to achieve school restructuring. A school administrative unit that is undergoing school restructuring at the middle school or high school level may request a waiver of the rule requirements related to the system of learning results established in section 6209 if such action is necessary to achieve school restructuring and an alternative curriculum framework proposed for the school administrative unit's school restructuring differs from, but does not conflict with, the rules under the system of learning results established in section 6209. The commissioner shall grant a waiver if the requesting unit, as determined by the commissioner, has:

- A. Demonstrated that one or more state rules prevent or seriously handicap the unit's pursuit of its restructuring goals;
- B. Demonstrated that reasonable steps have been taken to provide the safeguards offered by the rules in question to allow continued educational progress by students and protect the continuity and integrity of the unit and employees of that unit;
- C. Provided evidence that the necessary resources and community and staff support are present to ensure that the restructuring changes requiring the waiver stand a reasonable chance of succeeding;
- D. Informed any bargaining agent or agents representing affected school employees of the waiver request; and
- E. Established a working relationship regarding professional development with an institution of higher education or a professional development service provider; and
- F. When seeking a waiver for school restructuring and an alternative curriculum framework for the middle school or high school level, established a working relationship regarding curriculum design, instructional strategies and professional development strategies with an approved private school to provide an alternative curriculum framework for the middle school or high school level, as applicable. A request for waiver under the conditions of this paragraph must include documentation to substantiate the necessity of the alternative curriculum framework.

The request for the waiver must include documentation to substantiate the conditions of this subsection. If the request is denied, the commissioner shall provide the reasons for denying the request to the school administrative unit. The decision of the commissioner may be appealed to the state board. The decision of the state board is final.

**3. Waiver of rules for educator preparation programs.** In order to prepare educators to work in restructuring schools, an educator preparation program may request that the state board waive the application of specific rules governing approval of that program. The state board shall grant waiver requests if, in the board's opinion, the program has:

- A. Demonstrated that the rules for which a waiver is requested prevent or seriously handicap the program in its pursuit of a plan to meet the educational needs of its students and the staffing needs of restructuring schools;
- B. Demonstrated that reasonable steps have been taken to provide the safeguards offered by the rules in question to allow continued educational progress by students and protect the continuity and integrity of the program and employees of that program;
- C. Provided evidence that the necessary resources and support from the governing body and staff of an institution of higher education are present to ensure that the changes requiring the waiver stand a reasonable chance of succeeding;
- D. Informed any bargaining agent or agents representing affected program employees of the waiver request; and
- E. Developed service, research and teaching relationships with one or more restructuring public schools.

The request for the waiver must include documentation to substantiate the conditions of this subsection. If the request is denied, the state board shall communicate the reasons for denying the request to the petitioning program.

**4. Authority to contract.** Upon the approval of a request for a waiver of the rule requirements pursuant to subsection 2, paragraph F, a school administrative unit may contract with the governing body of an approved private school to implement any curriculum designs, instructional strategies and professional development strategies that are necessary to achieve school restructuring at the middle school or high school level.

## SUMMARY

This bill amends the school restructuring statutes to encourage school administrative units to collaborate with approved private schools to develop alternative curriculum frameworks to achieve school restructuring at the middle school or high school level. The bill allows a school administrative unit that is undergoing restructuring at the middle school or high school level to request a waiver of the rule requirements related to the system of learning results established in the Maine Revised Statutes, Title 20A, section 6209 if the waiver is necessary to achieve school restructuring and an alternative curriculum framework proposed for the school administrative unit's school restructuring differs from, but does not conflict with, the rules related to the system of learning results.