

LAWS THAT APPLY TO PUBLIC CHARTER SCHOOLS (UPDATED OCTOBER, 2014)

- All federal laws and regulations, including IDEA and section 504 of the Rehabilitation Act, ADA, FERPA, ESEA, Civil Rights
- Local ordinances
- Charter-school-specific provisions in Title 20-A, chapter 112, including enrollment process, performance expectations, renewal, external audits
- Department of Education Rule Chapter 140, including enrollment, records transfers, participation in state data system
- State assessment system (NECAP, SAT, SBAC)
- Fingerprinting/criminal record check
- Freedom of Access law
- Conflict of interest law for school governing boards
- Health and Safety
 - Health screening,
 - Communicable disease control
 - Safe water supply requirements; Air quality, HVAC
 - School health services (school nurse, physician)
 - Sanitation standards
 - Safety (firearms, anti-hazing)
 - Prohibition on use of performance enhancing substances
 - School substance abuse services
 - State Fire Marshal inspection for Fire Safety compliance
 - Control of hazardous chemicals
 - Immunization requirements
 - School bomb threat procedures and reporting
 - Emergency management planning
 - Medication administration procedures, including laws and rules relating to administration of epi-pens
 - Safe and efficient transportation
 - Suicide prevention training
 - Concussion management
 - Bullying prevention
- State Human Rights Act
- Teacher certification (if not otherwise qualified)
- Collective bargaining
- Special education, including federal and state law and rule (MUSER)
- Nonsectarian
- Military in uniform permitted in school
- Any other law made specifically applicable to charter schools

IMPACT OF OTHER LAWS AND REQUIREMENTS (UPDATED OCTOBER, 2014)

In general, state laws that apply to school administrative units do not apply to public charter schools unless the law is made specifically applicable to them, or the charter school chapter, Title 20-A, chapter 112, includes reference to the law.

However, charter schools may be required by other mandates to follow the same or similar requirements as state law. Examples include the following:

- (1) Federal requirements such as FERPA apply to charter schools, so many of the Maine laws on student record maintenance and confidentiality apply to charter schools through the federal law and regulations.
- (2) The school's authorizer (the Maine Charter School Commission) may include the statutory requirement in its contract with the charter school. This is the case with the requirement that students receive a diploma only if they have demonstrated proficiency in the 8 content areas of the Maine Learning Results and the Guiding Principles.
- (3) Guidance from the US Department of Education related to Maine's Flexibility (waiver) from NCLB/ESEA requires that charter schools be included in the requirement to implement teacher and principal evaluation and support systems (performance evaluation and professional growth systems (PE/PG) under T. 20-A, chapter 508).
- (4) While the statutory process for student expulsion may not apply to charter schools, they are required to provide due process to any students who face potential expulsion, so they will follow many of the same procedures as required by state law.

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