

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the amendment by striking out everything after the title and before the summary and inserting the following:

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

Sec. 1. 20-A MRSA §19154, sub-§3, as enacted by PL 2009, c. 330, §4, is amended to read:

3. Agreements to share access to programs and courses. ~~School~~Notwithstanding any other provision of this section, school administrative units may develop agreements to share access to online learning courses and programs offered by ~~other school administrative units.~~

Sec. 2. 20-A MRSA §19154, sub-§5 is enacted to read:

5. Pilot project for full-time online enrollment. A student may enroll full time in an online program during the 2012-2013 school year, the 2013-2014 school year and the 2014-2015 school year, as long as:

- A. The online course is consistent with the content standards and the parameters for essential instruction established pursuant to section 6209;
- B. The student notifies the school administrative unit in which the student resides by the April 1st before the start of the school year that the student elects to enroll full time in an online program;
- C. No more than 5% of students in a school administrative unit are enrolled full time in an online program; and
- D. The total cost for the online program taken by an individual student does not exceed the state average tuition rate calculated under section 5804 for elementary students or section 5805 for secondary students.

In the case of a school administrative unit that offers an online program exclusively to students who reside, and whose parents reside, outside of the State, those students are not subject to the cost limitation in paragraph D.

This subsection is repealed July 1, 2015.

Sec. 3. 20-A MRSA §19154-A is enacted to read:

§ 19154-A. School administrative unit online learning program

1. Course offerings. A school administrative unit may offer an online learning program to students in other school administrative units within and outside of the State as long as:

A. The provider of the online learning program is either a school administrative unit in the State, a private school approved for tuition purposes that enrolls at least 60% publicly funded students or an online learning provider approved by the department in accordance with section 19153;

B. The school administrative unit offering the online learning program provides public notice of the availability of the program through the department website established pursuant to subsection 2;

C. If a program is oversubscribed, the school administrative unit gives preference first to a student who is a resident of the school administrative unit and second to other public school students in this State who are not residents of the school administrative unit through the use of a random lottery to select among students;

D. A teacher employed by a school administrative unit or a private school approved for tuition purposes that enrolls at least 60% publicly funded students and provides instruction through an online learning program to students holds a valid teaching certificate in each content area being taught or receive approval from the commissioner to teach a course; and

E. A teacher employed by a school administrative unit or a private school approved for tuition purposes that enrolls at least 60% publicly funded students receives appropriate preservice and in-service training pertaining to the organization of the online classroom, programs and courses, the technical aspects of online education, the monitoring of student assessment and other pertinent training.

In the case of a school administrative unit that offers an online learning program or course exclusively to students who reside, and whose parents reside, outside of the State, those students are not subject to the lottery and enrollment preference provisions established for an oversubscribed program in paragraph C.

2. Department website. The department shall maintain a publicly accessible website listing the online learning program or courses that are made available by school administrative units in accordance with this section. School administrative units offering an online course to students in other school administrative units shall provide the department with the name of the online course, the name of the provider of the online course, a link to more information about the online course, the number of slots available to students in other school administrative units and the tuition rate for each online course. The department shall make this information available on its publicly accessible website and shall update the website regularly.

This section is repealed July 1, 2015.

Sec. 4. Department of Education to establish working group. The Department of Education shall create a working group to study the opportunities in and challenges of creating one online school for the State for students in kindergarten to grade 12. This working group must include teachers, administrators, parents, information technology specialists and other persons, groups or entities that have an interest in online learning. No later than January 4, 2012, the Department of Education shall report the

findings of the working group along with any suggested legislation to the Joint Standing Committee on Education and Cultural Affairs. The Joint Standing Committee on Education and Cultural Affairs may submit a bill regarding the subject of the study to the Second Regular Session of the 125th Legislature.

Sec. 5. Online learning program evaluation. The Department of Education shall evaluate the implementation of the online learning programs as set forth in the Maine Revised Statutes, Title 20-A, sections 19154 and 19154-A. No later than January 31, 2015, the Department of Education shall report the findings of its evaluation along with any suggested legislation to the joint standing committee of the Legislature having jurisdiction over education matters. The joint standing committee may submit a bill regarding the evaluation required under this section to the First Regular Session of the 127th Legislature.

SUMMARY

This amendment removes the provisions in the committee amendment that require school administrative units to pay up to \$5,000 for students that choose to take online courses provided by other school administrative units.

FISCAL NOTE REQUIRED **(See attached)**