

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

Amend the resolve in section 1 in the last line (page 1, line 18 in L.D.) by striking out the following: "is authorized." and inserting the following: 'is authorized, but only if the rule is amended as follows:'

Amend the resolve by inserting after section 1 the following:

‘1. In Section 1, subsection 34, the definition of "One Campus" is amended by striking out the reference to a physical or virtual presence and specifying that the term "One Campus" refers to a campus that contains the elements of an integrated, consolidated 9-16 educational facility promoting the development of a design where all facilities are located on one site and provide a streamlined and integrated learning experience for students of all ages.

2. Section 15, subsection 1 is amended to clearly specify that:

A. The regional high school, the career and technical education center, the higher education center and the industry training center, the 4 components of the one campus, must each have a physical presence on the campus and use facilities on that campus to deliver courses;

B. Each of the 4 components must offer teacher and student interaction that is not separated in space or space and time as characterizes distance learning. The Internet, videoconferencing and other technology employed in distance learning may be used to complement or expand offerings; and

C. Courses may be provided using the Internet, videoconferencing and other technology employed in distance learning to complement real-time, shared-space learning.

3. Section 15, subsection 2, paragraph C, subparagraph 4 is amended by removing the following: "Where will these courses be offered? On same campus? Virtually? At another site?"

4. Section 15, subsection 2, paragraph C, subparagraph 4 is also amended to remove language that indicates ratings must be based, in part, on a listing of courses and programs to be offered by a higher education unit and instead include language that indicates that ratings must be based, in part, on a list of strategies and approaches to be used to ensure that the higher education courses and programs are offered in facilities located on one site, providing a streamlined and integrated learning experience for students of all ages.

The State Board of Education is not required to hold further hearings or conduct other formal proceedings prior to final adoption of the rule as amended in accordance with this resolve; and be it further

**Sec. 2 Emergency rule invalid. Resolved:** That the emergency rule adopted by the State Board of Education on September 15, 2008 for the purpose of expediently selecting a qualified applicant to implement the innovative model does not reflect the intent of Resolve 2007, chapter 223 and does not have legal effect.’

## SUMMARY

This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs. It authorizes final adoption of the provisionally adopted rule if certain revisions are made. It

requires a revision to the definition of "One Campus" and to elements of Section 15 that outline the criteria with which projects are rated. It requires that each of the 4 educational components, the regional high school, the career and technical high school, the higher education center and the industry training center, have a physical presence on the campus. It precludes any one component from offering only distance learning opportunities on campus.

It declares the emergency rule authorized and adopted under Resolve 2007, chapter 223 to be invalid.

**FISCAL NOTE REQUIRED**  
**(See attached)**