

Joint Standing Committee on Education and Cultural Affairs

LD 24 **An Act to Change the Name of the "Department of Education" to the "Department of Schooling"** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERKINS	ONTP MAJ OTP MIN	

LD 24 proposed to change the name of the Department of Education to the Department of Schooling.

LD 59 **An Act to Change the Date a Child Starts School** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GAGNE	ONTP	

LD 59 proposed to allow a child who has reached age five by July 1st, rather than by October 15th as under current law, to enroll in school. As under current law, this bill proposed to leave the decision of appropriate grade placement to each school administrative unit.

LD 90 **An Act to Establish the Endowment Incentive Fund** **PUBLIC 511**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BAKER CATHCART	OTP-AM	H-47 S-399 MICHAUD

LD 90 proposed to establish the Endowment Incentive Fund for the University of Maine System, the Maine Technical College System and the Maine Maritime Academy to benefit academic purposes at the various campuses of Maine's publicly-assisted postsecondary education institutions. The bill would encourage private fund raising at Maine's publicly-assisted postsecondary institutions by allowing campus donors to multiply the value of their gifts through state matching funds.

The bill proposed to establish the following requirements.

1. The Endowment Incentive Fund would be established as a nonlapsing fund. The State Treasurer would be responsible for the custodial care of the fund and may deposit state funds pursuant to the Maine Revised Statutes, Title 5, section 135; the Treasurer of State would also be responsible for disbursement of the Endowment Incentive Fund upon certification that established criteria are met.
2. Interest earned on the investment of the Endowment Incentive Fund would be credited to the respective publicly-assisted postsecondary institution or its qualified institutionally-related foundation.
3. For the administration of the Endowment Incentive Fund, "academic purposes" would be defined as scholarships, professorships or other endowed faculty positions, the repair of classrooms and laboratories and the acquisition of equipment for classrooms and laboratories.

4. The respective board of trustees for each publicly-assisted postsecondary institution would be required to adopt criteria establishing qualifications for private gifts and grants to be matched from the Endowment Incentive Fund; and for each campus within the University of Maine System, the board of visitors would advise their respective campus president on the qualifications that are to be included in the final recommendations to the board of trustees.
5. Qualified recipients of private donations eligible for matching funds would be the respective institutions of the three publicly-assisted postsecondary institutions, as well as institutionally-related foundations; and qualified institutionally-related foundations would have the authority to receive and manage the investment of matching funds, and may, at their discretion, deposit funds allocated to them. Unless otherwise restricted by the donors, qualified recipients could also combine, merge or pool these funds with similar funds at the system level.
6. Matching funds would be made available to the three entities on a percentage basis according to the amount appropriated from the General Fund.
7. The Board of Trustees of the University of Maine System would be required to ensure that the Endowment Incentive Fund distributed to the University of Maine System is allocated to each of the universities in the system in accordance with the formula that the board adopts for the distribution of education and general funds.

Committee Amendment "A" (H-47) proposed to remove the repair or acquisition of equipment for classrooms or laboratories from the definition of "academic purposes" established under the Endowment Incentive Fund.

Senate Amendment "A" (S-399) proposed to reduce the General Fund appropriation provided to establish the Endowment Incentive Fund from \$14,000,000 to \$100,000 and clarify that the appropriation is made on a one-time basis.

Enacted law summary

Public Law 1999, chapter 511 establishes the Endowment Incentive Fund for the University of Maine System, the Maine Technical College System and the Maine Maritime Academy to benefit certain academic purposes at the various campuses of Maine's publicly-assisted postsecondary education institutions. The law encourages private fund raising at Maine's publicly-assisted postsecondary institutions by allowing campus donors to multiply the value of their gifts through state matching funds. The law establishes the following requirements.

1. The Endowment Incentive Fund is established as a nonlapsing fund. The State Treasurer is responsible for the custodial care of the fund and may deposit state funds pursuant to the Maine Revised Statutes, Title 5, section 135; the Treasurer of State is also responsible for disbursement of the Endowment Incentive Fund upon certification that established criteria are met.
2. Interest earned on the investment of the Endowment Incentive Fund is to be credited to the respective publicly-assisted postsecondary institution or its qualified institutionally-related foundation.
3. For the administration of the Endowment Incentive Fund, "academic purposes" is defined as scholarships, professorships or other endowed faculty positions.
4. The respective board of trustees for each publicly-assisted postsecondary institution is required to adopt criteria establishing qualifications for private gifts and grants to be matched from the Endowment Incentive Fund; and for each campus within the University of Maine System, the board of visitors shall advise their respective campus president on the qualifications that are to be included in the final recommendations to the board of trustees.
5. Qualified recipients of private donations eligible for matching funds are the respective institutions of the three publicly-assisted postsecondary institutions, as well as institutionally-related foundations.

6. Matching funds shall be made available to the three entities on a percentage basis according to the amount appropriated from the General Fund.
7. The Board of Trustees of the University of Maine System is required to ensure that the Endowment Incentive Fund distributed to the University of Maine System is allocated to each of the universities in the system in accordance with the formula that the board adopts for the distribution of education and general funds.

The law provides a \$100,000 General Fund appropriation to establish the Endowment Incentive Fund. The law also provides that this appropriation is made on a one-time basis.

LD 113 An Act to Provide a Tuition Exemption for Certain State Residents ONTP

<u>Sponsor(s)</u> SHIELDS	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 113 proposed to provide a waiver of 50% of the tuition for the last year of study of a Maine resident enrolled in a four-year or two-year degree program at any of the campuses of the University of Maine System or the Maine Technical College System or at the Maine Maritime Academy.

LD 124 An Act to Provide for Direct Reimbursement for Special Education Costs ONTP

<u>Sponsor(s)</u> KILKELLY BAKER	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 124 proposed to guarantee that each school administrative unit in the State receive compensation for its current year special education costs on a monthly basis. Compensation for special education costs would have equaled the unit's most recent monthly special education expenditure multiplied by the average statewide state share percentage of program costs in the current year.

It also proposed to increase the State's share of special education costs to 100% effective July 1, 2008 and proposed to add a provision for paying 1999-2000 school year special education costs to school units over a five-year period, beginning in July 2002.

LD 199 An Act to Require That All Schools Employ a Gifted and Talented Teacher ONTP

<u>Sponsor(s)</u> GAGNE	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 199 proposed to require schools to employ a teacher to offer instruction to gifted and talented students. This bill also proposed to eliminate the postponement of a school administrative unit's plan to provide for a gifted and talented educational program during the 1999-2000 school year.

LD 209

An Act to Amend the Definition of Exceptional Student

ONTP

<u>Sponsor(s)</u> GAGNE BERUBE	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 209 proposed to amend part of the current definition of "exceptional student" in the state special education law with language consistent with the federal Individuals with Disabilities Act (IDEA) defining the term "child with disability." The major changes proposed by this bill are the following: (1) add three new handicapping conditions--autism, traumatic brain injury and other health impairment; (2) replace impairment based on "behavior" with "serious emotional disturbance;" and (3) replace impairment based on "cerebral or perceptual functions" with "specific learning disability." This bill was given an ONTP committee report because the Department of Education offered a more comprehensive bill; see LD 2026.

LD 214

An Act to Provide Funds for the Repair of Schools

ONTP

<u>Sponsor(s)</u> BROOKS	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 214 was referred to the Appropriations and Financial Affairs Committee and proposed to appropriate funds to be distributed as grants by the Maine Municipal Bond Bank to schools that have lost their accreditation due to the inadequacies or defects in the physical state of the schools.

LD 220

An Act to Require Certification in First Aid and Cardiopulmonary Resuscitation for Certain School Personnel

ONTP

<u>Sponsor(s)</u> BAKER	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 220 proposed to require school boards to enforce a policy beginning in the 2000-2001 school year that school personnel who have regular contact with students be certified in first aid and cardiopulmonary resuscitation.

LD 232

An Act to Restrict the Posting on the Internet of Personal Information About Public School Students

PUBLIC 17

<u>Sponsor(s)</u> BENNETT	<u>Committee Report</u> OTP	<u>Amendments Adopted</u> S-8 BERUBE
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LD 232 proposed to prohibit a public school from publishing on the Internet or furnishing for publication on the Internet any information that can be used to identify a student of that public school without first obtaining the written approval of the parents of that student.

Senate Amendment "A" (S-8) proposed to add a mandate preamble.

Enacted law summary

Public Law 1999, chapter 17 requires that school administrative units must first obtain the written approval of a student's parents prior to publishing on the Internet or furnishing for publication on the Internet any personal information that can be used to identify a student of that public school.

LD 235 **An Act to Increase the Amount of State Contribution to Out-of-district Placements** **INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMALL ETNIER	OTP-AM	

LD 235 proposed to increase the state share of out-of-district placements to 75% of the actual cost of the placements.

Committee Amendment "A" (S-21) proposed to change the state share of out-of-district placement funding to 60%. The amendment also proposed to retain the adjustment provision in the Maine Revised Statutes, Title 20-A, section 15612, subsection 11 that specifies that a school administrative unit that places a student in an out-of-district placement must receive an adjustment equal to the amount, if any, by which the tuition, treatment and room and board costs for an approved out-of-district special education placement in the year of allocation exceeds three times the secondary foundation per pupil operating rate for that year or a prorated amount if the placement is less than a full year.

The substance of this amendment was enacted as part of the Part II Budget bill (see Public Law 1999, chapter 401, Part HH).

LD 269 **An Act to Authorize a General Fund Bond Issue for the Repair and Renovation of Schools** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRENNAN		

LD 269 was referred to the Appropriations and Financial Affairs Committee and proposes to provide funds to capitalize the School Revolving Renovation Fund. The Governor's Commission on School Facilities presented a plan to the Governor and the 118th Legislature designed to address Maine's public school construction, renovation and repair needs. One recommendation was that the State issue \$35,000,000 in general obligation bonds in each fiscal year 1998-99 and 1999-00. Part A of this bill proposes a \$35,000,000 bond to be presented to the voters in November 1999. The commission also recommended an immediate General Fund appropriation of \$30,000,00. Part B of this bill proposes to appropriate \$10,000,000 to the School Revolving Renovation Fund to bring the total appropriation level of the program to \$30,000,0000. Public Law 1997, chapter 787 included a General Fund appropriation of \$20,000,000 to the School Revolving Renovation Fund. This bill was carried over to the Second Regular Session.

LD 312 **An Act to Prohibit the University of Maine System and the Public Vocational Schools from Competing in the Printing Industry** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BENOIT GOOLEY	ONTP	

LD 312 proposed to prohibit the University of Maine System, the Maine Technical College System, and applied technology centers and regions from competing with commercial printing businesses.

LD 364 **An Act to Increase Postsecondary Educational Opportunities** **ONTP**

<u>Sponsor(s)</u> BRENNAN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 364 proposed to provide a total of \$7,500,000 in General Fund appropriations to increase postsecondary educational opportunities for Maine students. The bill proposed to provide \$1,000,000 to the Department of Education to develop a program to assist Maine high schools to hire college guidance counselors. The bill also proposed to provide \$250,000 each to the University of Maine System and to the Maine Technical College System for the development of student retention programs. Finally, the bill proposed to provide a General Fund appropriation of \$6,000,000 to the University of Maine System to create a special financing fund as a last-resort mechanism to supplement existing financial aid.

LD 399 **An Act to Assist Students with Disabilities in the Transition from School to Employment or Postsecondary Education** **VETO SUSTAINED**

<u>Sponsor(s)</u> WATSON KONTOS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-26 S-400 MICHAUD
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LD 399 proposed to provide a General Fund appropriation to the Department of Education for the Interdepartmental Committee on Transition. The funds would be used to assist Maine public schools to reach compliance with federal and state transition laws and regulations as they relate to Maine's system of learning results.

Committee Amendment "A" (H-26) proposed to strike the title and replace it with a new title that more accurately reflects the purpose of the bill.

Senate Amendment "A" (S-400) proposed to provide for General Fund appropriations of \$100,000 in each year of the biennium rather than a \$200,000 appropriation in fiscal year 1999-00.

LD 424 **An Act to Remove Favorable Weighting of Consolidation in the School Funding Formula** **ONTP**

<u>Sponsor(s)</u> GLYNN		<u>Committee Report</u> ONTP MAJ OTP MIN		<u>Amendments Adopted</u>
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LD 424 proposed to remove the favorable weighting provided to school consolidation projects in the school construction project rating process. Under this bill, the State Board of Education could not assign any additional points to a school construction project that proposes to consolidate two or more existing schools into one new school building.

Sponsor(s)
SNOWE-MELLO
PARADIS

Committee Report

Amendments Adopted

LD 490 proposes to require that educational services be provided to a student with a disability who is being suspended for behavior that is caused by the student's disability. It proposes that schools be required to conduct a prompt review of whether the misconduct for which the school seeks to suspend a student with a disability is a manifestation of the student's disability. If it is, the school would still be allowed to suspend the

student, but would have to provide educational services consistent with the student's individual education plan during the suspension (see also LD 1308, enacted as P.L. 1999, c. 424 Sec. A-1). The bill was carried over to the Second Regular Session.

This bill was submitted on behalf of the Department of Education.

LD 499 **An Act to Appropriate Funds for Acquisitions for the Maine State Library and for Library Resource Sharing**

**P & S 55
EMERGENCY**

Sponsor(s)
COLWELL
CATHCART

Committee Report

Amendments Adopted

LD 499 was referred to the Appropriations and Financial Affairs Committee and proposed to increase the Maine State Library's acquisition budget to the level of the other area reference and resource centers located at the Bangor and Portland Public Libraries. The bill also proposed to provide funds to merge the current CD ROM program, MaineCat, with the on-line Maine Info Net project to produce a single comprehensive and accurate statewide library catalog immediately accessible from any computer with an Internet connection.

Senate Amendment "A" (S-391) proposed to eliminate the appropriation of \$75,000 in fiscal year 1999-00 to support an improved version of MaineCat since the supplemental budget includes \$75,000 in each of fiscal years 1999-00 and 2000-01 for operating costs associated with MaineCat and Info Net updates (please see P.L. 1999, c. 401, Part A, Sec. A-1).

Enacted law summary

Private and Special Law 1999, chapter 55 provides a \$200,000 increase in the Maine State Library's acquisition budget to the level of the other area reference and resource centers located at the Bangor and Portland Public Libraries.

Chapter 55 was enacted as an emergency measure effective June 16, 1999.

LD 517 **An Act to Amend the School Funding Formula by Taking Sales Tax into Account**

ONTP

Sponsor(s)
GLYNN

Committee Report
ONTP

Amendments Adopted

LD 517 is a concept draft pursuant to Joint Rule 208. This bill proposed to amend the school funding formula by taking the sales tax receipts of a community into account when that community's state education funding is determined.

LD 559 **An Act to Prohibit the University of Maine System from Financially Supporting Greek Organizations**

ONTP

Sponsor(s)
O'NEIL

Committee Report
ONTP

Amendments Adopted

LD 559 proposed to amend the charter of the University of Maine System to prohibit public money from being used to support a Greek fraternity or sorority.

LD 573

An Act Relating to the Construction of a Locally Funded Arts and Technology Center in Maine School Administrative District No. 49

**P & S 2
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TESSIER MILLS	OTP	

LD 573 proposed to repeal Private and Special Law 1995, chapter 32 and Private and Special Law 1997, chapter 59, which authorized Maine School Administrative District No. 49 to construct and equip a locally funded arts and technology center. Subject to approval by the voters of the district, the bill proposed to authorize the Board of School Directors of Maine School Administrative District No. 49 to expend \$5,500,000 and to use a design for its proposed locally funded arts and technology center that includes a technology suite, an auditorium using the structure of the existing junior high school gymnasium, a new junior high school gymnasium and other additions and improvements to the Lawrence Junior-Senior High School complex in the Town of Fairfield. This bill also proposed to clarify that construction of an auditorium using the structure of the existing junior high school gymnasium and construction of a new junior high school gymnasium are permitted as part of the project. As with the prior laws, the district would be authorized to enter into a design-build contract or other alternative construction arrangements for the project and the only state approvals required for the project are approval of the plans and specifications by the State Fire Marshal and the Department of Human Services.

Under this bill, the additional operating costs of the project during its first two years would be required to be paid from gifts to the district, available funds of the district from sources other than taxation and local appropriations without state participation approved by the voters of the district pursuant to the Maine Revised Statutes, Title 20-A, section 15614, subsection 3.

Enacted law summary

Private and Special 1999, chapter 2 repeals Private and Special Law 1995, chapter 32 and Private and Special Law 1997, chapter 59, which authorized Maine School Administrative District No. 49 to construct and equip a locally funded arts and technology center. Subject to approval by the voters of the district, the bill authorizes the Board of School Directors to expend \$5,500,000 and to use a design for its proposed locally funded arts and technology center that includes a technology suite, an auditorium using the structure of the existing junior high school gymnasium, a new junior high school gymnasium and other additions and improvements to the Lawrence Junior-Senior High School complex in the Town of Fairfield. This law also clarifies that construction of an auditorium using the structure of the existing junior high school gymnasium and construction of a new junior high school gymnasium are permitted as part of the project. As with the prior laws, this law authorizes the district to enter into a design-build contract or other alternative construction arrangements for the project and establishes that the only state approvals required for the project are approval of the plans and specifications by the State Fire Marshal and the Department of Human Services.

Under this law, the additional operating costs of the project during its first two years are required to be paid from gifts to the district, available funds of the district from sources other than taxation and local appropriations without state participation approved by the voters of the district pursuant to the Maine Revised Statutes, Title 20-A, section 15614, subsection 3.

Chapter 2 was enacted as an emergency measure effective March 11, 1999.

LD 578

An Act to Remove the Percentage Reduction Method from the School Funding Law

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODWIN CASSIDY	ONTP	

LD 578 proposed to remove the so-called "percentage reduction method" from the School Finance Act of 1985. Under this bill, the state share of school funding would return to 55% of the combined total state and local allocations for school funding.

LD 589

An Act to Reduce Property Taxes by the State Reimbursing Special Education Costs

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOUGLASS	ONTP	

LD 589 proposed to require the State to subsidize at least 50% of a school administrative district's special education cost if a hardship is proven. This bill also proposed to require the Department of Education by January 15, 2000 to develop a formula to convert this special education subsidization into a property tax reduction for the taxpayers of the municipalities served by the district.

LD 624

An Act to Require Public Hearings for School Administrative District Referenda

PUBLIC 93

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WESTON SMALL	OTP-AM	H-87

LD 624 proposed to require school administrative districts to hold public hearings on all district referendum votes.

Committee Amendment "A" (H-87) changes from 10 to seven the number of days before a school administrative district referendum that the district board of directors must hold a public hearing on the referendum. The amendment also adds a mandate preamble and a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 93 requires school administrative districts to hold a public hearing at least seven days before a district referendum vote.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROWE PINGREE	OTP-AM	

LD 630 proposed to establish the Maine Communities in the New Century Program to preserve, revitalize and improve the State's cultural resources in order to provide the State's citizens with: preservation of the character and quality of life of the State, improved educational resources and access to them; and expanded community and economic development opportunities. The program would fall under the auspices of and be monitored and evaluated by the Maine State Cultural Affairs Council, a legislatively mandated public board that coordinates the needs of the State's public cultural resources. The participating agencies in the program would be the Maine Arts Commission, the Maine Historic Preservation Commission, the Maine State Library, the Maine State Museum, the Maine Historical Society, the Maine State Archives and the Maine Humanities Council. The program would provide matching grants, technical assistance and other services to local, nonprofit, community-based organizations. The bill also proposed an appropriation section.

Committee Amendment "A" (H-66) proposed that the Maine State Cultural Affairs Council report annually to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs. The amendment also proposed a fiscal note to the bill.

The contents of the bill (but not the reporting requirement of the committee amendment) were included in the Part II Budget bill, Public Law 1999, Chapter 401, Part LLL, and this bill was indefinitely postponed.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-107

LD 632 proposed to provide for legislative review of Chapter 64: Maine School Facilities Program and School Revolving Renovation Fund, a major substantive rule of the Department of Education. These rules govern the application and approval process for projects to be considered through the School Revolving Renovation Fund; Facility Maintenance and Capital Improvement Programs; Maine School Facilities Finance Program and lease and lease/purchase of temporary interim space and small nonadministrative space.

Committee Amendment "A" (H-107) proposed to authorize final adoption of rule Chapter 64 with amendments that clarify the purpose of the State Planning Office analyses that must be included in the 10-year capital plan and that may be included in the supporting materials as part of a school administrative unit's application for the School Revolving Renovation Fund.

Enacted law summary

Resolve 1999, chapter 14 authorizes the final adoption of Chapter 64: Maine School Facilities Program and School Revolving Renovation Fund, a major substantive rule of the Department of Education. These rules govern the application and approval process for projects to be considered through the School Revolving Renovation Fund; Facility Maintenance and Capital Improvement Programs; Maine School Facilities Finance Program and lease and lease/purchase of temporary interim space and small nonadministrative space.

LD 664 **An Act to Fully Fund Implementation of All Learning Results Standards and Reimburse Professional Development Costs** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOUGLASS	ONTP	

LD 664 proposed to require the State to fully fund the costs of implementing the system of learning results and related professional development costs.

LD 681 **An Act to Fund Public School Alliances** **P & S 56**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GAGNON DAGGETT	OTP-AM	H-95 S-402 MICHAUD

LD 681 proposed to make General Fund appropriations to the Department of Education of \$140,000 annually to develop a grant program that will help fund public school alliances such as the Kennebec Alliance.

Committee Amendment "A" (H-95) proposed limiting the number of grants to support public school alliances under the bill to 20 per year and requiring the Department of Education to adopt rules that establish a preference in awarding grants to school alliances that obtain local matching funds.

Senate Amendment "A" (S-402) proposed to reduce the amount of General Fund support for the public school alliance grant program to \$100,000 and delay the beginning of the grant program until fiscal year 2000- 01.

Enacted law summary

Private and Special 1999, chapter 56 makes a General Fund appropriation of \$100,000 in FY 2000-01 to establish a grant program in the Department of Education to support up to 20 public school alliances. The department is authorized to adopt rules to implement the grant program which rules must provide a preference in awarding grants to school alliances that secure matching local resources.

LD 700

An Act to Amend Voting Procedures for School Unions

ONTP

<u>Sponsor(s)</u> PERKINS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 700 proposed to change the voting procedure for school union committees from one based on the relative populations of the school units comprising the union to one based on the relative student enrollment within the school units comprising the union.

LD 708

An Act to Provide Educational Opportunities for Persons Who Resided in Foster Care as Children

PUBLIC 216

<u>Sponsor(s)</u> BRENNAN		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-231
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LD 708 proposed to provide a tuition waiver at state postsecondary educational institutions for persons 17 or 18 years of age who have resided in foster care for at least one full year.

Committee Amendment "A" (H-231) proposed to clarify the eligibility criteria and limitation provisions of tuition waivers established in the original bill. This amendment proposed to accomplish the following.

1. It would eliminate the age criterion as a basis for eligibility and clarify that any person who was in the custody of the Department of Human Services and resided in foster care at the time that person graduated from high school or successfully completed a general educational development examination or its equivalent is eligible for a tuition waiver.
2. It would permit a tuition waiver to be available to a student enrolled in a certificate program of at least one year, as well as for a student enrolled in an undergraduate degree program.
3. It would define "unmet need" and would limit the amount of the tuition waiver available to an eligible person to the difference between the total cost of attendance at the postsecondary educational institution and the total of all sources of financial assistance, including federal funds provided through the Department of Human Services.
4. It would limit the scope of the tuition waiver program by limiting it to 25 eligible persons per year.

Enacted law summary

Public Law 1999, chapter 216 provides a tuition waiver at state postsecondary educational institutions for persons 17 or 18 years of age who have resided in foster care for at least one full year. The law establishes that any person who was in the custody of the Department of Human Services and resided in foster care at the time that the person graduated from high school or successfully completed a general educational development examination or its equivalent is eligible for a tuition waiver. The law permits a tuition waiver to be available to a student enrolled in a certificate program of at least one year, as well as for a student enrolled in an undergraduate degree program. The law further defines "unmet need" and limits the amount of the tuition waiver available to an eligible person to the difference between the total cost of attendance at the postsecondary educational institution and the total of all sources of financial assistance, including federal funds provided through the Department of Human Services. Finally, the law delimits the scope of the tuition waiver program by limiting it to 25 eligible persons per year.

LD 716

An Act to Amend the Law Relating to School Construction and School Facilities

PUBLIC 81

<u>Sponsor(s)</u> RICHARD PENDLETON	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-108
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LD 716 proposed to clarify provisions of Public Law 1997, chapter 787, related to the construction of school facilities in the State. The bill proposed to accomplish the following.

1. The bill would clarify the allocation of resources a school administrative unit will commit to a maintenance and capital improvement program for all school facilities within the school administrative unit to allow more flexibility in determining local allocation to maintenance and capital improvement plans and programs.
2. The bill would clarify the intent of the original legislation under the Maine school facilities finance lease-purchase program that this program apply to lease-purchase only, not leases in general and allows lease-purchase to remain in the calculation of the circuit breaker.
3. The bill would amend the definition of subsidizable debt service on school construction projects to exclude debt service payments made from unused bond principal amounts and interest earned on investment of these unused funds.
4. The bill would provide that permanent space lease-purchase school projects whose costs are wholly eligible as debt service costs for purposes of calculating state subsidy must be approved by the legislative body of the school administrative unit. If any portion of the costs of the permanent space lease-purchase project is not eligible for inclusion in debt service costs for the purpose of calculating state subsidy, the permanent space lease-purchase project must be approved at a referendum. The bill would also permit school construction projects to be considered at referenda conducted under the alternate voting procedures of the Maine Revised Statutes, Title 20-A, section 1305.
5. The bill would also qualify certain projects for the School Revolving Renovation Fund that were undertaken during the summer of 1998 in anticipation of borrowing from that fund.

This bill was submitted on behalf of the Department of Education.

Committee Amendment "A" (H-108) proposed to correct a technical error in the Maine School Facilities Finance Program statutes and proposed to change the authorization date in the School Revolving Renovation Fund statutes from April 30, 1998, as proposed in the bill, back to the original date of June 1, 1998.

Enacted law summary

Public Law 1999, chapter 81 clarifies several provisions of Public Law 1997, chapter 787, related to the construction of school facilities in the State. The law accomplishes the following.

The law clarifies the allocation of resources a school administrative unit will commit to a maintenance and capital improvement program for all school facilities within the school administrative unit to allow more flexibility in determining local allocation to maintenance and capital improvement plans and programs.

The law also clarifies the intent of the original legislation under the Maine school facilities finance lease-purchase program that this program apply to lease-purchase only, not leases in general and allows lease-purchase to remain in the calculation of the circuit breaker.

The law amends the definition of subsidizable debt service on school construction projects to exclude debt service payments made from unused bond principal amounts and interest earned on investment of these unused funds.

The law further provides that permanent space lease-purchase school projects whose costs are wholly eligible as debt service costs for purposes of calculating state subsidy must be approved by the legislative body of the school administrative unit. If any portion of the costs of the permanent space lease-purchase project is not eligible for inclusion in debt service costs for the purpose of calculating state subsidy, the permanent space lease-purchase project must be approved at a referendum. The law also permits school construction projects to be considered at referenda conducted under the alternate voting procedures of the Maine Revised Statutes, Title 20-A, section 1305.

Finally, the law qualifies certain projects for the School Revolving Renovation Fund that were undertaken during the summer of 1998 in anticipation of borrowing from that fund.

LD 719

Resolve, Regarding Legislative Review of Chapter 64: Rules Relating to the Maine School Facilities Program and School Revolving Renovation Fund, Major Substantive Rules of the Department of Education

ONTP

Sponsor(s)

Committee Report
ONTP

Amendments Adopted

LD 719 proposed to provide for legislative review of Chapter 64: Rules Relating to the Maine School Facilities Program and School Revolving Renovation Fund, major substantive rules of the Department of Education. These rules would govern the application and approval process for projects to be considered through the School Revolving Renovation Fund; Facility Maintenance and Capital Improvement Programs; Maine School Facilities Finance Program and lease and lease/purchase of temporary interim space and small nonadministrative space. The resolve is a duplicate of LD 632.

This bill was submitted on behalf of the Department of Education.

LD 729

An Act to Increase State Funding for the Purchase of School Buses

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY, R NUTTING		

LD 729 was referred to the Appropriations and Financial Affairs Committee and proposed to increase the funding available for school bus purchases. It proposed to require the Department of Education, in distributing the additional funds, to give priority to the replacement of buses that are at least 10 years old in school administrative units whose current state percentage of aid for program costs is more than 50%.

LD 739

An Act to Form a New Local Education Agency

**PUBLIC 39
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POWERS LONGLEY	OTP	

LD 739 proposed to amend the statutory definition of Applied Technology Region 8 for Knox County to reflect the recent establishment of the Five Town Community School District for the towns of Appleton, Camden, Hope, Lincolnville and Rockport. The new CSD would be the local education agency for applied technology education for secondary students in those towns.

Enacted law summary

Public Law 1999, chapter 39 amends the statutory definition of Applied Technology Region 8 for Knox County to reflect the recent establishment of the Five Town Community School District for the towns of Appleton, Camden, Hope, Lincolnville and Rockport. The new CSD will be the local education agency for applied technology education for secondary students in those towns.

Chapter 39 was enacted as an emergency measure effective March 29, 1999.

LD 746 **An Act to Allow Municipal Review of Actual School Budget and Expenditures** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'NEIL	ONTP	

LD 746 proposed that a school committee be required to inform the municipal officers of any variation from the school budget once the budget has been adopted.

LD 781 **Resolve, to Provide Vouchers for School Choice** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRACY	ONTP	

LD 781 proposed to require that elementary and secondary education be provided by means of a voucher system that allows students and parents to choose in which schools or programs they want to receive an education. Under this resolve, the Department of Education would develop a plan to implement the voucher system beginning for school year 2000-01.

LD 792 **An Act to Allow Preliminary Steps to be Taken in Preparation for the Mandatory Use of Conviction Data in Teacher Screening** **PUBLIC 35 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERUBE TESSIER	OTP	

LD 792 proposes to authorize preliminary steps to be taken commencing September 1, 1999, in preparation for the mandatory use of conviction data by the Department of Education in screening teacher and educational personnel applicants beginning on July 1, 2000, as well as extending the date one year when this is to begin. The necessary steps include fingerprinting the applicant, conducting the needed state and federal criminal history record checks by the State Bureau of Identification and the bureau forwarding the results to the department.

This bill was submitted on behalf of the Department of Public Safety.

Enacted law summary

Public Law 1999, chapter 35 authorizes preliminary steps to be taken commencing September 1, 1999, in preparation for the mandatory use of conviction data by the Department of Education in screening teacher and educational personnel applicants beginning on July 1, 2000. The law also extends the implementation date for

this requirement one year, from July 1, 1999 to July 1, 2000. Under this law, the necessary steps include fingerprinting the applicant, conducting the needed state and federal criminal history record checks by the State Bureau of Identification and forwarding the results by the bureau to the department.

Chapter 35 was enacted as an emergency measure effective March 29, 1999.

LD 798 **An Act to Permit Local Control and Funding of An Educational Building
in Accordance With a Municipal Charter** **PUBLIC 95**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOUGLASS	OTP-AM MAJ ONTP MIN	S-34

LD 798 proposed that a municipal school unit be permitted to approve a nonstate funded school construction project without a local referendum vote if such powers are vested in the municipal council by municipal charter. See also LD 1329.

Committee Amendment "A" (S-34) proposed language to clarify the intent of the bill to.

Enacted law summary

Public Law 1999, chapter 95 allows a municipal school unit to approve a locally funded school construction project without a local referendum if the municipality operates under a charter that does not require a referendum for other municipal construction projects.

LD 813 **An Act to Amend the Requirements of Full-time Students for State-
funding Purposes** **PUBLIC 439**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAVERDIERE NUTTING J	OTP-AM	H-372

LD 813 proposed to allow school administrative units to be reimbursed proportionally for students participating in equivalent instruction programs, yet still receive some level of on-site academic services provided by their local public school. Under this bill, such students would be classified as full-time equivalent students according to the amount of time they receive on-site academic services at a public school. School administrative units would be required to keep accurate records and report full-time equivalency enrollment.

Committee Amendment "A" (H-372) proposed to clarify that school administrative units receive state subsidy for any student enrolled in an equivalent instruction program who receives instruction through one or more on-site academic courses from a public school but is not a full-time student. Under this amendment, school administrative units that send tuition students to another school administrative unit or to a private school pursuant to the Maine Revised Statutes, Title 20-A, chapter 219 would also be entitled to receive state subsidy for these students.

Enacted law summary

Public Law 1999, chapter 439 allows school administrative units to be reimbursed proportionally for students who participate in equivalent instruction programs, yet still receive instruction through one or more on-site academic courses from a public school. The law establishes that such students are classified as full-time equivalent students according to

the amount of time they receive on-site academic services from a public school. Under this law, school administrative units that send tuition students to another school administrative unit or to a private school pursuant to the Maine Revised Statutes, Title 20-A, chapter 219 are also entitled to receive state subsidy for these students. School administrative units are required to keep accurate records and report full-time equivalency enrollment.

LD 826 An Act Concerning Student Medication ONTP

<u>Sponsor(s)</u> PIEH KILKELLY	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 826 proposed to amend current law and Department of Education rules regarding the administration medication to students. This bill proposed to provide a school secretary with the sole discretion of exercising an option to administer medication to students.

LD 836 Resolve, Establishing a Commission to Study the Maine Education Assessment ONTP

<u>Sponsor(s)</u> MURPHY T	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 836 proposed to establish the Commission to Study the Maine Education Assessment. Under this resolve, the commission would study the construction, implementation, administration, grading and costs of the Maine Education Assessment and would submit a report of its findings and recommendations to the Second Regular Session of the 119th Legislature and the Joint Standing Committee on Education by December 1, 1999.

LD 842 An Act to Authorize a General Fund Bond Issue in the Amount of \$100,000,000 for School Construction and Renovation ONTP

<u>Sponsor(s)</u> FRECHETTE PENDLETON	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 842 was referred to the Appropriations and Financial Affairs Committee and proposed to provide funds, in the amount of \$100,000,000 bond issue, that would be used to fund school construction and renovations.

LD 870 An Act to Improve School Safety and Learning Environments CARRIED OVER

<u>Sponsor(s)</u> LAWRENCE SAXL M	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 888

An Act to Grant the State Board of Education Authority to Appoint the Commissioner of Education

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINKHAM	ONTP MAJ OTP MIN	

LD 888 proposed to amend current law which grants to the Governor the authority to appoint the Commissioner of Education to give that authority to the State Board of Education.

LD 915

An Act to Ensure the Efficacy of Learning Results

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SKOGLUND	ONTP MAJ OTP MIN	

LD 915 proposed to direct the Department of Education to establish lesson plans and recommended textbook lists to assist schools in meeting the requirement of the system of learning results. The plans and lists would be made available for first use during the 2001-2002 school year. The bill further proposed to repeal the system of learning results if the department failed to meet that deadline.

LD 932

An Act to Establish the Position of School Nurse Consultant

**VETO
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROWE LAWRENCE	OTP-AM	H-85

LD 932 proposed to reestablish the position of school nurse consultant within the Department of Human Services and the Department of Education. The school nurse consultant's duties would include acting as a liaison to the school health provider and policy-setting groups; providing health care, nursing, policy and legal information regarding school nursing, school health programs and professional development; promoting staff development and promoting school nursing excellence and optimal health of school children.

Committee Amendment "A" (H-85) proposed to add an appropriation section and a fiscal note to the bill.

LD 933

An Act to Permit the Submission of Citizens' Initiatives and Citizens' Vetoes to School Districts

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GLYNN		

LD 933 proposes to establish a direct initiative and people's veto process applying to school policies and rules that could be exercised by the voters of any school unit. The processes proposed are similar to those available under the Constitution of Maine for initiation and veto of legislation by the voters of the State. The State Board of Education has

been requested by committee letter to review and report to the committee next session on this bill and other related school governance and budget issues. The bill was carried over to the Second Regular Session.

LD 948 **An Act to Provide Professional Development for Implementing Learning Results** **ONTP**

<u>Sponsor(s)</u> MITCHELL B LOVETT		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 948 proposed to provide five additional days of teacher in-service training each school year to ensure coordination of school policies for curriculum, instruction and assessment with the attainment of the learning results standards.

LD 956 **Resolve, to Implement the Recommendations of the Task Force to Study Strategies to Support Parents as Children's First** **RESOLVE 79**

<u>Sponsor(s)</u> BAKER LAWRENCE		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 956 which was jointly referred to the Health and Human Services Committee (the lead committee) and the Education and Cultural Affairs Committee proposed to implement the following recommendations of the Task Force to Study Strategies to Support Parents as Children's First Teachers. The resolve proposed to:

1. Direct the Department of Human Services to expand home visiting services to the parents of all newborn children in the State, if the parents desire the services, beginning January 1, 2000, until those children attain the age of five years.
2. Direct the Department of Education to include a course of study in parenting education in its development of curricula and include this course of study in the learning results assessment of students.

The resolve also proposed to change the name of the task force to the "Task Force on Early Care and Education." It proposed to direct the task force to monitor the development of the process that supports home visiting programs by the Department of Human Services and the development of a course of study in parenting education by the Department of Education and to further study the needs of and for family resource centers. The resolve proposed to add two more members who are Legislators to the task force and extend the life of the task force until January 15, 2001. See also LD 1315.

Committee Amendment "A" (H-623) is the majority report of the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Health and Human Services. The amendment proposed to replace the resolve. It proposed to retain the provisions of the resolve expanding home visiting services, require an evaluation component, allow voluntary donations on a sliding scale by families upon termination of services to those families and make General Fund appropriations to fund home visiting services. It proposed to change the name of the task force to the "Task Force on Early Care and Education." It proposed to direct the task force to monitor the development of the process that supports home visiting programs by the Department of Human Services. It proposed to delete reference to a course of study in parenting education. The amendment proposed to retain the provisions of the resolve that add 2 more members who are Legislators to the task force and extend the life of the task force until January 15, 2001. It proposed to require an interim report of the task force before January 15, 2000 and a final report before January 15, 2001. It also proposed to add an appropriation section.

LD 1050 proposed to establish the Scholarships for Law Enforcement Education Fund. The purpose of the fund would have been to provide financial assistance in the form of loans to college students and graduating high school seniors who demonstrate an interest in pursuing a career in law enforcement. The Chief Executive Officer of the Finance Authority of Maine would have administered the fund, including loan repayment requirements.

LD 1053 **An Act to Clarify the Laws Relating to Nonstate-funded School Construction Projects Approved by the Commissioner of Education that Replace Existing School Buildings** **PUBLIC 206**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KONTOS TOBIN D	OTP	

LD 1053 proposed to clarify that, once the voters of a school administrative unit or a consolidated school district and the Commissioner of Education have approved a nonstate-funded school construction project that replaces an existing school building, a separate referendum vote is not required to close the existing school building (closure of buildings due to lack of need or condemnation may still require a referendum vote). The bill also proposed to correct a cross reference in the school closure law to the commissioner’s authority to approve locally funded construction projects under the school construction law.

Enacted law summary

Public Law 1999, chapter 206 clarifies that, once the voters of a school administrative unit or a consolidated school district and the Commissioner of Education have approved a nonstate-funded school construction project that replaces an existing school building, a separate referendum vote is not required to close the existing school building.

LD 1056 **An Act to Clarify Conflicts of Interest Regarding Local School Board Members** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J JACOBS	ONTP	

LD 1056 proposed to amend the conflict of interest law for school board members to permit the spouse of a board member to be employed as a substitute teacher or extracurricular activity coach or to work as a volunteer in a school within the jurisdiction of the school board on which that person's spouse serves. The school board member of a spouse who did so would have to excuse himself or herself from salary or other personnel decisions affecting the spouse. See also LD 1354.

LD 1085 **An Act to Amend the Qualifications for Participation in the High School Aspirations Incentives Program** **PUBLIC 495**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WATSON KONTOS	OTP-AM	H-86

Enacted law summary

Private and Special Law 1999, chapter 42 provides an appropriation for the Educational Research Institute in the amount of \$150,000 in each fiscal year of the biennium to maintain the kindergarten to grade 12 education database and support targeted research projects. The appropriated funds may not be used for travel. To fund the appropriation, \$75,000 is deappropriated in each year of the biennium from General Purpose Aid to Local Schools and the University of Maine System.

LD 1215 An Act Regarding the Eligibility of a Citizen to Serve as a School Board Member ONTP

<u>Sponsor(s)</u> MARVIN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1215 proposed to prohibit a person and the spouse of a person suing a school board, the school administrative unit or a school within the jurisdiction of the board from serving on that school board if the suit could result in material gain.

LD 1216 An Act to More Equitably Distribute General Purpose Aid to Schools Based on Property Values ONTP

<u>Sponsor(s)</u> BELANGER KIEFFER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1216 proposed to remove the income and cost-of-living factors from the distribution of funding for education under the School Finance Act of 1995, leaving relative property valuation as the only measure of fiscal capacity. It also proposed to require that reductions in state funds be made by applying a mill rate to each school administrative unit rather than a percentage.

LD 1217 An Act to Make Courses that Teach English as a 2nd Language Reimbursable by the State INDEF PP

<u>Sponsor(s)</u> BELANGER		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-373
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LD 1217 proposed to require that approved courses that teach English as a second language be included as a subsidizable program cost under the School Finance Act of 1985. Under this bill, schools with approved courses that teach English as a second language would be reimbursed by the State for the costs of these courses.

Committee Amendment "A" (H-373) proposed to replace the bill. Under this amendment, a school administrative unit that places a student in an approved transitional instruction program using English as a second language or bilingual techniques under the Maine Revised Statutes, Title 20-A, section 4701, subsection 2 would receive an adjustment in its state subsidy equal to the amount of supplemental costs for certified instruction programs that teach English as a second language instruction in the approved program. The adjustment to state subsidy would be limited to the salary and benefit costs of certified teachers with an endorsement in English as a second language or bilingual education, as well as the salary and benefit costs of education technicians providing services through a transitional

instruction program using English as a second language or bilingual techniques that has been approved by the Commissioner of Education.

The amendment further proposed to require that this adjustment would be limited to the amount of funds appropriated to general purpose aid to local schools for this purpose. The amendment also proposed to permit the Department of Education to prorate payments to school units if insufficient funds are appropriated for this adjustment, but would prohibit the department from redistributing existing appropriations for general purpose aid to local schools if insufficient funds are appropriated for this purpose.

The provisions of the bill and a General Fund appropriation were included in the Part II Budget bill (see P.L. 1999, chapter 401, Part JJ), and this bill as amended was indefinitely postponed.

LD 1261 An Act to Require the Training of School Personnel Who Administer Medications CARRIED OVER

<u>Sponsor(s)</u> PENDLETON		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1261 proposes to require unlicensed school personnel to be trained before administering medication to students in Maine's public schools and approved private schools. The bill was carried over to the Second Regular Session.

LD 1263 An Act to Ensure Fairness in Calculating the Income Factor in the School Funding Formula ONTP

<u>Sponsor(s)</u> CATHCART DUNLAP		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1263 proposed to establish an appeals process for school administrative units that question the accuracy of the local median household income data used to determine their unit's weighted relative fiscal capacity under the School Finance Act of 1995.

LD 1264 An Act to Ensure Freedom of Speech and Association on Campus ONTP

<u>Sponsor(s)</u> PENDLETON MACK		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1264 proposed to ensure that postsecondary students' rights of speech and association would not be unconstitutionally abridged by postsecondary educational institutions incorporated or chartered by the State. The bill further proposed to define protected speech and association and proposed to describe impermissible institutional interference. It also proposed to set forth court action students may take when their rights are violated.

LD 1269

An Act To Improve Indoor Air Quality in Schools

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT GAGNON	ONTP	

LD 1269 proposed that school administrative units be required to maintain and operate every school’s heating, ventilation and air conditioning system (HVAC) to provide the quality of indoor air required by OSHA, NIOSH and ASHRAE standards for air flow, quality, composition and exchange rate. The bill also proposed monthly monitoring of HVAC by the schools and reports to DHS, prompt review by DHS and development of corrective action plans when appropriate. Corrective action was to have been completed in 30 days or a civil violation and fine would result.

LD 1287

An Act to Use State Educational Facilities Efficiently

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GREEN	ONTP	

LD 1287 proposed to require that any higher education institution within the University of Maine System that seeks to sell or dispose of any real property should first attempt to transfer its rights or interests in such property to another institution within the University of Maine System. Under this bill, any higher education institution within the University of Maine System could have acquired such property by agreeing to assume all financial responsibility necessary to maintain the property. The property transfer would have to be approved by the Board of Trustees of the University of Maine System.

LD 1297

An Act to Provide for Timely Implementation of the Maine College Savings Program

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARVIN	ONTP	

LD 1297 proposed to amend the Maine College Savings Program, which was established last year. That program provides an opportunity for parents to save and invest tax-free toward payment of future college costs for their children. The Finance Authority of Maine was charged with the responsibility of administering the program. The bill proposed that if the Finance Authority of Maine fails to fully implement the college savings program by May 1, 1999, responsibility for administering the program would be transferred to the Maine Educational Loan Authority.

LD 1305

An Act to Establish and Fund Conflict Resolution Education and Civil Rights Team Programs in the Public Schools

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WATSON LONGLEY		

LD 1305 proposes to create a grant program within the Department of Education to encourage conflict resolution education programs in public elementary and secondary schools. The programs may include peer mediation programs and may be directed at students and teachers, administrators and other staff.

Committee Amendment "A" (H-317) is the majority report of the committee and proposes to change the title of the bill. This amendment proposes to implement part of the recommendations of the Commission to Study Providing Educators with More Authority to Remove Violent Students from Educational Settings. The amendment further proposes to direct and provide funding for the Department of Education to provide technical assistance to schools in developing violence prevention and intervention training for educators, staff and students that emphasize conflict resolution education, peer mediation and early identification and response to signs of violence. The amendment also proposes to establish a grant program to be administered by the Department of Education to support the establishment of conflict resolution and peer mediation programs in schools. Finally, the amendment proposes to provide funding support for the Attorney General's Civil Rights Team Project. The bill as amended was not funded off the appropriations table and was recommitted to committee and carried over to the Second Regular Session.

LD 1308

An Act to Clarify Roles and Responsibilities in the Child Development Services System

**PUBLIC 296
EMERGENCY**

<u>Sponsor(s)</u> RICHARD		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-525
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LD 1308 proposed to clarify the following roles and responsibilities of the Child Development Services (CDS) System:

1. That when the state Department of Education's plan for meeting the requirements of the federal Individuals with Disabilities Education Act exceeds federal minimum requirements, the department must provide justification, to the joint standing committee of the Legislature having jurisdiction over educational matters, for the difference between the State's plan and the federal statute or regulation;
2. That CDS regional site boards of directors are required to seek reimbursement from Medicaid for targeted case management and for Medicaid reimbursable services provided by regional site employees; and
3. That the department is responsible for developing a funding formula for annual grants to the regional sites, and that this funding formula must ensure adequate yearly funding to the extent permitted by department funding and must provide incentives for cost containment.

Committee Amendment "A" (H-525) proposed to replace the bill. The amendment proposed to:

1. Revise the definitions of disability to incorporate the appropriate diagnostic instruments to be used to measure developmental delays;
2. Change the definition of intermediate educational unit to conform to federal law;
3. Clarify that the state department plan to provide early intervention and public education services to eligible children may not exceed federal minimum requirements, except as authorized in state law;
4. Provide for establishment by the Department of Education of a funding formula for regional CDS System sites, including a reserve fund for adjustments to each site's allocation to reflect changes in costs or levels of mandated services;
5. Specifically authorize CDS System sites to establish staff salary scales;
6. Grant greater autonomy to the CDS sites in their administrative activities such as contracting and leasing;
7. Require CDS sites to seek Medicaid reimbursement for eligible services provided by site staff;
8. Authorize the Commissioner of Education to establish up to 10 pilot sites for public schools to provide services to eligible three to six-year-olds year-round; and
9. Add a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 296 makes the several changes in the roles and responsibilities of the Child Development Services (CDS) System, including the following:

1. Revises the definitions of disability to incorporate the appropriate diagnostic instruments to be used to measure developmental delays;
2. Clarifies that the state Department of Education plan to provide early intervention and public education services to eligible children may not exceed federal minimum requirements, except as authorized in state law;
3. Provides for establishment by the Department of Education of a funding formula for regional CDS System sites, including a reserve fund for adjustments to each site's allocation to reflect changes in costs or levels of mandated services;
4. Grants greater autonomy to the CDS sites in their administrative activities such as contracting and leasing;
5. Requires CDS sites to seek Medicaid reimbursement for eligible services provided by site staff; and

6. Authorizes the Commissioner of Education to establish up to 10 pilot sites for public schools to provide services to eligible three to six-year-olds year-round.

Chapter 296 was enacted as an emergency measure effective May 24, 1999.

LD 1329 **An Act to Apply the Approval Procedures in Municipal Charters to Locally Funded School Construction Projects** **ONTP**

<u>Sponsor(s)</u> DOUGLASS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1329 proposed that in municipalities governed by municipal charters, locally funded school construction projects must be approved in accordance with the procedures required by the applicable municipal charter rather than the referendum procedures set forth in the Maine Revised Statutes, Title 20-A, section 15904. See also LD 798.

LD 1336 **An Act to Facilitate the Transfer of Credits Between Colleges of the Maine Technical College System** **ONTP**

<u>Sponsor(s)</u> NORBERT LONGLEY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1336 proposed to add to the powers and duties of the President of the Maine Technical College System. Under this bill, the duty of establishing a uniform system to facilitate the transfer of credits between colleges within the system would have been added to the President's existing duty of promoting intercampus cooperation and coordination.

LD 1340 **An Act to Require Schools to Begin After Labor Day** **ONTP**

<u>Sponsor(s)</u> CAMPBELL		<u>Committee Report</u> ONTP MAJ OTP-AM MIN		<u>Amendments Adopted</u>
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LD 1340 proposed that all public schools including postsecondary educational institutions begin classes after Labor Day. The bill also provided that extracurricular activities could take place before Labor Day.

Committee "A" (H-376), the minority report of the committee, proposed to exempt school administrative units located in Aroostook County from the provision proposed in the bill that the school year begin after labor Day.

LD 1346 **An Act to Amend the Laws Regarding the School Administrative District CARRIED OVER Budget Approval Process**

<u>Sponsor(s)</u> BROOKS		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1346 proposes that when the voters in a School Administrative District (SAD) that has adopted the alternative budget referendum process initially fail to adopt their budget by referendum, the board of directors of the SAD are required to resubmit their budget proposal using the referendum process. Under current law the directors can decide to bring the budget to a second or subsequent vote at an open meeting rather than by referendum. This bill also proposes that a budget proposal submitted a third time may not be greater than the previous school year's budget plus an increase adjusted for the Consumer Price Index. For a budget submitted more than three times, the bill proposes that the budget proposal submitted to referendum must be lower than the proposal made at the previous referendum. The State Board of Education has been requested by committee letter to review and report to the committee next session on this bill and other related school governance and budget issues.

LD 1348 **An Act to Ensure Support Services for Teachers Serving Under a Certification Waiver** **PUBLIC 238**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CATHCART BAKER	OTP-AM	S-165

LD 1348 proposed to establish a process for the approval of any waiver of rules administered by the Department of Education.

Committee Amendment "A" (S-165) proposed to replace the bill and to expand the responsibilities of school support systems to include services for developing good teaching and classroom management skills for teachers serving under a certification waiver. This amendment also proposed to add a fiscal note and a mandate preamble to the bill.

Enacted law summary

Public Law 1999, chapter 238 expands the responsibilities of school support systems to include services for developing good teaching and classroom management skills for teachers serving under a certification waiver.

LD 1354 **An Act to Amend the Law Regarding Conflict of Interest** **PUBLIC 128**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BELANGER	OTP-AM	H-186

LD 1354 proposed to clarify the situations in which a school board member or a member’s spouse may be an employee or volunteer at a school within the jurisdiction of the school board to which the member is elected. Board members and spouses would be able to serve as unpaid volunteers if not under the direct supervision of an administrator who is directly accountable to the school board. Employment as a substitute teacher in a stipend position or in a salaried or hourly capacity would still be prohibited.

This bill was submitted on behalf of the Department of Education.

Committee Amendment "A" (H-186) proposed to clarify that the situations in which a school board member or a member's spouse may not serve as a volunteer in a public school within the jurisdiction of that school board are limited to situations in which the volunteer has primary responsibility for a curricular, cocurricular or extracurricular program or activity and also reports directly to a school administrator.

Enacted law summary

Public Law 1997, chapter 128 clarifies the situations in which a school board member or a member's spouse may be an employee or volunteer at a school within the jurisdiction of the school board to which the member is elected. Board members and spouses may serve as unpaid volunteers only if they do not have primary responsibility for the curricular, cocurricular or extracurricular program they volunteer in and do not report directly to a school administrator. Employment as a substitute teacher, in a stipend position or in a salaried or hourly capacity is still prohibited as under current law.

LD 1373

An Act to Require the Coordination of School Calendars

ONTP

<u>Sponsor(s)</u> BERRY R		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1373 proposed that school boards be required to coordinate their school calendars with the calendars of applied technology programs attended by their students.

LD 1397

An Act to Promote School Achievement

ONTP

<u>Sponsor(s)</u> BRENNAN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1397 proposed to establish a grant-award process for school achievement grants. The Department of Education and State Board of Education would establish criteria for the awarding of these grants to school administrative units. The bill proposed an appropriation of \$3,000,000 over the biennium for school achievement grants and provided that those funds would be nonlapsing.

LD 1413

An Act to Amend the Special Education Rules

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOLDTHWAIT	ONTP	

LD 1413 proposed to require that the rules adopted by the Department of Education relating to special education conform to federal statutes and regulations and to prohibit the adoption of rules that are more stringent than the federal statutes or regulations. The bill also would have directed that the Department of Education conduct rulemaking to amend any of its current rules that are more stringent than the federal statutes or regulations to conform to federal standards.

LD 1415

An Act to Restore Funding for Continuing Education for Teachers

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT	ONTP MAJ	
FULLER	OTP MIN	

LD 1415 proposed to restore statutory language authorizing loans to teachers pursuing graduate study or continuing education under the Teachers for Maine Program and would have restored funding for the program at levels previously available. These two types of loans were eliminated last year in the budget bill.

LD 1459

An Act to Establish Air Quality Standards for Rental Units Leased by Schools

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WATSON	ONTP	
TREAT		

LD 1459 was a concept draft pursuant to Joint Rule 208. It proposed to establish air quality standards for trailers and other structures or buildings leased by schools and used as temporary classrooms.

LD 1468

An Act to Eliminate the Licensing Requirements for Certain School Administrators

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACK	ONTP	

LD 1468 proposed to repeal the requirement that a person have a superintendent's certificate in order to be employed as a superintendent. It also proposed to provide that the selection of a superintendent by a school board is not subject to approval by the State. It further proposed to repeal the provision of law that requires the Board of Education to establish qualifications for certifying certain school administrators, including superintendents, principals and directors of vocational education.

LD 1470

Resolve, to Establish the Task Force to Study the Simplification of the School Funding Formula

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLOUGH LIBBY	ONTP	

LD 1470 proposed to establish the Task Force to Study the Simplification of the School Funding Formula. The members of the task force would have consisted of 17 community leaders, one member from each county and one administrator from the University of Maine System. The proposed task force would have been charged with developing a school funding formula that provides for the fair and equitable distribution of funds to schools throughout the State and with restructuring the school funding formula in a way that could be easily understood by people throughout the State.

LD 1509

An Act to Amend and Improve the Education Laws

PUBLIC 75

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMALL	OTP	

LD 1509, a departmental bill, proposed to make numerous technical corrections to the education laws, including correcting several cross reference errors and a typographical error. It also proposed to change the amount that a town in a school administrative district is required to pay if it votes to keep an elementary school open against the recommendation of the school administrative district board of directors. Under this bill, the town would have to pay the full amount that would have been saved by closing the school. Finally the bill proposed to authorize issuance of a Maine professional teacher certificate (rather than a two-year provisional certificate) to an experienced out-of-state teacher who has a certificate from the National Board for Professional Teaching Standards.

This bill was submitted on behalf of the Department of Education.

Enacted law summary

Public Law 1999, chapter 75 requires a town in a school administrative district to pay the full amount that would have been saved by closing an elementary school if it votes to keep an elementary school open against the recommendation of the school administrative district board of directors. The bill also authorizes issuance of a Maine professional teacher certificate (rather than a two-year provisional certificate) to an experienced out-of-state teacher who has a certificate from the National Board for Professional Teaching Standards. Finally, the bill corrects several cross reference errors and a typographical error.

LD 1534

An Act to Facilitate the Transfer of Education Records for Students Transferring to Another Public School

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WATSON PENDLETON	ONTP	

LD 1534 proposed to require that all student education records, including special education records, must be forwarded to the receiving school administrative unit by the sending school administrative unit when a student transfers to a new school. The bill also proposed to require school administrative units to send a written notice to parents and guardians

before every school year indicating that records will be sent to the new school when a student applies for a transfer. This bill was given an ONTP committee report because this issue was addressed in another bill; see LD 1798.

LD 1553 **An Act to Amend the Definition of "Parent" in the Laws Governing Education** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAWRENCE	ONTP MAJ	
WHEELER G	OTP MIN	

LD 1553 proposed to amend the definition of "parent" in the laws governing education.

LD 1554 **An Act to Create a Professional Development Fund for Maine Teachers** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS	ONTP	

LD 1554 proposed to establish and fund the Fund for the Professional Development of Maine Teachers. The fund would have provided matching grants to school administrative units to be used for locally conceived professional development programs for teachers in order to better implement the system of learning results for public schools. The bill also proposed to establish standards by which applications for grants for professional development programs for teachers will be judged.

LD 1559 **An Act to Establish a Maine Student Leadership Pilot Program** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINGREE	ONTP	

LD 1559 was a concept draft pursuant to Joint Rule 208. The bill proposed to authorize the Department of Education to contract with tax-exempt, nonprofit organizations to provide nontraditional, experiential education programs designed to increase high school students' leadership, team-building, community service, environmental stewardship and ethical decision-making abilities. The bill proposed that the department develop a pilot program to test the process for determining how, how many and which high schools would be selected to participate in the program. A General Fund appropriation of \$300,000 was proposed in the bill for the Department of Education for the 2000-2001 biennium to implement the program.

LD 1561 **An Act to Require High School Students to Earn a Certificate of Mastery CARRIED OVER Before Graduating**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
AMERO		
MURPHY T		

LD 1621 proposed to amend the laws governing incentive scholarships by permitting a student to receive a scholarship if the student meets the satisfactory academic progress policy of the institution that the student attends rather than limiting the award of a scholarship to a period of eight semesters. This proposed change would have been consistent with recent changes in federal law.

LD 1627

An Act to Ensure Equity in School Funding

ONTP

Sponsor(s)
NUTTING J
RICHARD

Committee Report
ONTP

Amendments Adopted

LD 1627 proposed to repeal the School Finance Act of 1985 and the School Finance Act of 1995 and to replace these laws with a new school funding formula that would be effective for the fiscal year that begins July 1, 2000. This bill proposed to divide General Purpose Aid to Local Schools into its four component parts: operating costs; program costs; debt service; and direct state costs, formerly called "adjustments." The bill also proposed to require that all four components receive separate appropriations that are no longer interdependent. In each case there would be a default appropriation to take effect if the Legislature fails to appropriate new funds prior to March 31st of each year.

Under this bill, the income and cost-of-living factors would no longer be included. Operating, program and debt service subsidies would all be proportional to a school administrative unit's fiscal capacity. The need for percentage reduction would be eliminated. The first dollars available would go to the poorest school units. Program or debt service costs that would exceed a circuit breaker amount would be fully subsidizable. Circuit breaker levels would not be fixed but would float with the level of the annual appropriation.

This bill proposed to calculate the operating cost subsidy for each school administrative unit as follows:

1. The foundation per pupil operating rate would equal the statewide base year operating costs divided by the State's average pupil count;
2. A unit's subsidizable operating costs would equal the foundation per pupil operating rate times the average pupil count for the unit; and
3. The local share of operating costs would equal the operating cost mill rate times the fiscal capacity of the unit.

The "operating cost mill rate" would be a calculated figure that floats to meet the State's annual appropriation.

The state subsidy would be equal to the unit's subsidizable operating costs less the local share, but could not be less than 5% of the unit's costs.

A unit that fails to raise its local share of operating costs would lose a portion of its subsidy equal to what it fails to provide. Such a reduction would not be necessary for program and debt service subsidies because they would continue to be calculated on the basis of the unit's own approved expenditures.

Pupil count averaging would be extended over three separate dates, rather than two as provided in present law. Thus, changes in pupil counts would have a more gradual impact on subsidy changes.

The bill also proposed a contingency cushion for districts that depend on state subsidies to fund 30% or more of their base year operating costs. The cushion would hold these needier units to a 5% loss if their combined losses in operating and program costs, incurred for any reason, exceed 5% from one fiscal year to the next. The cushion would protect against sudden changes in either or both of the two major variables that impact the formula: valuation and pupil count.

The cushion would be funded by reducing excess subsidies that would otherwise go to those units whose gains exceed a maximum percentage annually calculated by the Commissioner of Education at the rate necessary to pay the cushion subsidies.

LD 1635

Resolve, Regarding Results-based Certification for Teachers

RESOLVE 46

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL B WATSON	OTP-AM	H-542 BRENNAN S-170

LD 1635 proposed to replace the current course-based standards for provisional certification of beginning teachers with 10 performance-based standards in which competency must be demonstrated before issuance of the provisional certification in order to implement the recommendations of the Advisory Committee on Results-based Initial Certification of Teachers.

Committee Amendment "A" (S-170) proposed to replace the bill with a resolve directing the State Board of Education and the Department of Education to develop a plan for implementation of results-based initial certification for teachers and to report to the Joint Standing Committee on Education and Cultural Affairs by January 15, 2000. The amendment also proposed that the State Board of Education and the Department of Education study the feasibility of results-based recertification of teachers and to report to the Joint Standing Committee on Education and Cultural Affairs by January 15, 2000.

House Amendment "A" to Committee Amendment "A" (H-542) proposed to change the reporting dates.

Enacted law summary

Resolves 1999, chapter 46 directs the State Board of Education and the Department of Education to develop a plan for implementation of results-based initial certification for teachers and to report to the Joint Standing Committee on Education and Cultural Affairs by January 14, 2000. The resolve also directs the State Board of Education and the Department of Education to study the feasibility of results-based recertification of teachers and to report to the Joint Standing Committee on Education and Cultural Affairs by January 14, 2000.

LD 1646

An Act to Amend Due Process Hearings for Exceptional Students

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIDSON	ONTP	

LD 1646 proposed that the Department of Education pay the cost to the school administrative unit of an appeal by a parent or guardian from a due process hearing decision regarding the identification, evaluation or educational program of a special education student if the original decision favored the school administrative unit.

LD 1663

An Act to Restore Fairness and Equity to the Allocation of School Subsidies

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P BELANGER	ONTP	

LD 1663 proposed to allow school administrative units to receive an adjustment in their state subsidy payment for enrollment decreases due to resident students enrolled in a private school or through home instruction in an equivalent instruction program. Under this bill, school administrative units would have been reimbursed for students residing in the unit who were participating in approved equivalent instruction programs. School administrative units would have been required to keep accurate records of students residing in the unit who were participating in approved equivalent instruction programs and would have included these students in the annual count of students attending school in the district.

LD 1701

Resolve, to Increase Access to Maine's Technical College System

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL MICHAUD		

LD 1701 was referred to the Appropriations and Financial Affairs Committee and proposed to increase the appropriation to the Maine Technical College System for the next biennium by \$2,250,000 per year in order to increase access to the system by allowing the enrollment of 1,000 more students to the Maine Technical College System's current rolls. While this bill was indefinitely postponed, the substance of this bill, including General Fund appropriations of \$1,500,000 in fiscal year 1999-00 and \$2,500,000 in fiscal year 2000-01 to enroll approximately 750 more students across the system, was included in the Part II Budget bill, in (see P.L. 1999, c. 401, Part HH, Sec. H-1).

LD 1706

Resolve, to Conduct and Report on a Comprehensive Needs Assessment for Coordinated School Health Programs

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARD PARADIS	OTP-AM	

LD 1706 proposed to require the Department of Education and the Department of Human Services conduct a comprehensive needs assessment of state agency programs and services that are in support of coordinated school health programs.

Committee Amendment "A" (H-365) proposed to clarify the membership of the subcommittee to which the interim progress report is to be submitted and establishes the date for making that report. The amendment also proposed to correct a typographical error and add an appropriation and a fiscal note to the resolve.

Sponsor(s)
BULL

Committee Report
OTP-AM

Amendments Adopted
H-366

LD 1707 proposed to provide a tuition waiver at a state postsecondary educational institution for a child or spouse of a firefighter or law enforcement officer who has been killed in the line of duty. This bill proposed to extend the tuition waiver to a child or spouse of an emergency medical services person who has been killed in the line of duty. Under this bill, an emergency medical services person would be defined as a person licensed to perform emergency medical treatment pursuant to the Maine Emergency Medical Services Act of 1982.

Committee Amendment "A" (H-366) proposed the following:

1. It would add a definition of "emergency medical service" to the Maine Revised Statutes, Title 20-A, chapter 429;
2. It would clarify the definition of an "emergency medical services person" as a licensed provider who is serving a public agency in an official capacity as an officially recognized or designated employee, as a member of a rescue squad or ambulance crew who serves with or without compensation or as an employee of a nonprofit emergency medical service; and
3. It would establish a definition for "public agency" as a governmental entity or a political subdivision as defined under Title 14, section 8102.

Enacted law summary

Public Law 1999, chapter 234 provides a tuition waiver at a state postsecondary educational institution for a child or spouse of an emergency medical services person who has been killed in the line of duty. The law establishes a definition for emergency medical service entities that are eligible for the tuition waiver and specifies that the child or spouse of an emergency medical service person is eligible for this benefit if the emergency medical services person was a licensed provider who was serving a public agency in an official capacity as an officially recognized or designated employee, as a member of a rescue squad or ambulance crew who serves with or without compensation or as an employee of a nonprofit emergency medical service.

LD 1712

An Act to Ensure Adequate Funding for Maine Schools

ONTP

<u>Sponsor(s)</u> BAKER CATHCART		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1712 proposed to ensure that pupil equity and taxpayer equity are achieved through the school funding formula by guaranteeing that the State subsidizes 55% of the total allocation costs incurred by school administrative units. Current law requires that the Legislature provide at least 55% of the total allocation for costs incurred by school administrative units, defined as the total of the foundation allocation and the debt service allocation, from General Fund revenues. Current law also requires that school administrative units receive state subsidy for the state share of the foundation allocation, defined as the adjusted total of actual local operating costs and actual local program costs. However, the funds for these subsidizable costs are limited to the amount appropriated by the Legislature for the general purpose aid for local schools program. Appropriations for the past several years have addressed less than 25% of the amount needed to fully fund this program.

This bill proposed the following.

1. It would clarify the statutory provisions requiring the state share to be 55% of total state and local education allocations by indicating that the percentage of state funding must be determined by the amount of funds actually provided by the Legislature.
2. It would require that the state share of the total allocation that would have been payable to each school administrative unit for fiscal year 1999-00 must be paid to each school administrative unit over a three-year period beginning July 1, 1999; it would further require a supplemental appropriation to the general purpose aid for local schools program in fiscal year 1999-00 and fiscal year 2000-01 to fully fund 55% of the cost of the total allocation in fiscal year 1999-00.

3. It would repeal the "percentage rate" subsidy reduction method from the School Finance Act of 1985 and would require that reductions in state funds be made by applying a mill rate subsidy reduction to each school administrative unit rather than a percentage rate subsidy reduction.
4. It would remove the income and cost-of-living components from the distribution of funding for education under the School Finance Act of 1995, leaving relative property valuation as the only factor in determining a unit's fiscal capacity.

LD 1725 **An Act to Allow the Towns of Wells and Ogunquit to Withdraw from Their Community School District** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAWRENCE WHEELER G		

LD 1725 proposes to allow the Town of Wells and the Town of Ogunquit to withdraw from the Wells-Ogunquit Community School District. The bill has been carried over to the Second Regular Session and a committee letter sent to the two towns requesting that they mutually engage a mediator/fact finder to work with the towns to resolve their school funding differences and to report to the committee by December 31, 1999.

LD 1740 **An Act to Amend the Habitual Truancy Law** **PUBLIC 198**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAILHOT DOUGLASS	OTP-AM	H-276

LD 1740 proposed to amend the law regarding truancy by permitting the superintendent of the school district to meet with the parents or guardian of a truant student and explain the benefits of attending alternative education programs as well as school. The bill further proposed to change the truancy law by allowing the superintendent, instead of the school board, to notify the local law enforcement department that a student has been declared habitually truant, thus enabling a police officer to transport the student, after attempting to obtain the permission of the student's parents or guardian, to school if the officer sees the student off school grounds during school hours.

Committee Amendment "A" (H-276) proposed to retain the provision that allows the superintendent, instead of the school board, to notify local law enforcement that a student has been declared habitually truant. However, this amendment proposed to strike the provision that would have allowed a police officer to transport a student to school only after attempting to obtain parental consent. Under this amendment, the police officer would be required to first obtain verbal consent from the student's parent or guardian before transporting the student back to school.

Enacted law summary

Public Law 1999, chapter 198 amends the law regarding truancy by permitting the superintendent of the school district to meet with the parents or guardian of a truant student and explain the benefits of attending alternative education programs as well as school. The law also permits the superintendent, instead of the school board, to notify the local law enforcement department that a student has been declared habitually truant.

LD 1759

Resolve, Creating a Commission to Study the Multicultural Education Needs of Maine Teachers to Ensure Multicultural Awareness and Understanding for All Maine Students

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE PARADIS	OTP-AM MAJ ONTP MIN	

LD 1759 proposed to create a special commission to study the multicultural needs of Maine teachers to ensure that multicultural awareness and understanding is brought to the attention of all students.

Committee Amendment "A" (H-319) proposed to change the composition of the Commission to Assess the Multicultural Education Needs of Maine Teachers and would reduce the membership from 11 members to nine members. Under this amendment, the commission could request that the Steering Committee of the Education Research Institute include the survey of Maine teachers as one of the targeted research projects of the research institute for fiscal year 1999-00. The amendment would also permit the commission to request staffing assistance from the Legislative Council and would allow the legislative member and public members not otherwise compensated by their employers or other entities whom they represent to receive reimbursement of necessary expenses and a per diem for their attendance at authorized meetings of the commission.

LD 1761

An Act to Require that Tuition for Foster Children Attending a School in a Union be Paid by the State

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GILLIS	ONTP	

LD 1761 proposed to require the State to pay the school tuition costs for foster children placed in homes located in towns with a population of 200 or less that are members of a school union.

LD 1776

An Act to Establish a Standard Line-item Budget Format for All School Budgets

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NASS	ONTP MAJ OTP MIN	

LD 1776 proposed to change the school budget format from appropriating gross revenues to the school unit as a general rule to a procedure to implement a line-item budget format. This bill proposed to establish a uniform, 10-category line-item budget format that would apply to all school budgets, while retaining an authority for the voters to adopt alternative budget formats at referendum. The details of the line-item budget format would be developed by the Commissioner of Education through rulemaking. School units that had already adopted line-item formats would be grandfathered from any regulatory requirement to amend their formats. This bill also proposed to make explicit the detail of revenue, expenditure, enrollment and per pupil expenditure information that must be a part of the school budget documents.

LD 1779

An Act to Make Changes to the Student Incentive Scholarship Program

ONTP

Sponsor(s)
MURRAY

Committee Report
ONTP

Amendments Adopted

LD 1779 proposed to amend the student incentive scholarship program, which provides scholarships of \$1,000 to students attending institutions of higher learning in Maine and in other states with which Maine has a reciprocity agreement or that permit portability of funding. It also proposed to decrease the amount of a scholarship that may be awarded to a student attending an institution of higher learning outside of this State to half that awarded to a student attending a school in the State.

LD 1780

An Act to Provide Financial Incentives for the Initiation of Early Childhood Programs and Services in Public Schools

ONTP

Sponsor(s)
MITCHELL B
PLOWMAN

Committee Report
ONTP

Amendments Adopted

LD 1780 proposed an adjustment under the school funding formula as an incentive for public schools that do not currently offer such programs and services to provide full-day kindergarten, preschool classes and certain other in-school early childhood programs and services.

LD 1784

An Act to Establish School Assessment Tests for 2nd Graders

ONTP

Sponsor(s)
MILLS

Committee Report
ONTP

Amendments Adopted

LD 1784 proposed to require the Commissioner of Education to establish a statewide academic assessment of second grade students in reading, writing and mathematics.

LD 1793

An Act Regarding Funding for Applied Technology Centers

PUBLIC 226

Sponsor(s)
KONTOS

Committee Report
OTP-AM

Amendments Adopted
S-159

LD 1793 proposed to allow reallocation of applied technology education costs for the Portland Arts and Technology High School and the Westbrook Regional Vocational Center beginning in fiscal year 2000-01. The bill also proposed authorizing the Commissioner of Education to approve similar amendments to the cost-sharing agreements of the other applied technology centers.

Committee Amendment "A" (S-159) proposed to correct an improper reference to a fiscal year and amend the title to reflect current terminology.

Enacted law summary

Public Law 1999, chapter 226 reallocates applied technology education costs for the Portland Arts and Technology High School and the Westbrook Regional Vocational Center based on the percentage of the number of students attending from each sending school unit beginning in fiscal year 2000-01. The Commissioner of Education may approve amendments to the cost-sharing agreements of the other applied technology centers.

LD 1798

**An Act to Implement the Recommendations of the Commission to Study
Providing Educators with More Authority to Remove Violent Students
from Educational Settings**

PUBLIC 351

Sponsor(s)

Committee Report
OTP-AM

Amendments Adopted
H-453

LD 1798 proposed to implement the following recommendations of the Commission to Study Providing Educators with More Authority to Remove Violent Students from Educational Settings.

1. It would require the Commissioner of Education to develop statewide standards of responsible and ethical student behavior;
2. It would require local school boards to adopt a student code of conduct for their students, develop a response plan for violent or potentially violent situations in each of its schools and adopt a policy that authorizes a teacher to send a student from a classroom to the principal's office and a school bus driver to recommend the revocation of a student's privilege of riding on a school bus;
3. It would provide for more timely reporting of student records between schools and provide that school administrative units retain discretion as to the admission of a student who has been suspended or expelled or is presently the subject of an expulsion proceeding;
4. It would provide that the Department of Education maintain current files on expelled students and provide information to school officials regarding the disciplinary status of students applying for transfer from one school unit to another;
5. It would amend the existing "anti-hazing" statute to include protections for educational personnel as well as students;
6. It would provide that school superintendents give information regarding violent offenses to law enforcement authorities; and
7. It would provide for immunity protections for school personnel.

Committee Amendment "A" (H-453) proposed the following.

It would remove the provision in the bill concerning input by teachers and other educational personnel regarding student disciplinary and placement decisions, and instead add this consideration to the list of policy items that must be included in the district-wide student code of conduct to be developed by school boards with input from educators, administrators, parents, students and community members.

It would remove the provision in the bill requiring a superintendent to report certain offenses that involve violence to appropriate law enforcement authorities, and instead add this consideration to the list of policy items that must be included in the district-wide student code of conduct to be developed by school boards with input from educators, administrators, parents, students and community members.

Finally, it would strike the section of the bill concerning transfer of education records and the creation of an expulsion record information database, and replace it with a new section that clarifies the process by which student records must be transferred between school administrative units when a student seeks admission or transfer to a new school from a school in the State or from a school outside of the State.

Enacted law summary

Public Law 1999, chapter 351 implements a number of the recommendations proposed by the Commission to Study Providing Educators with More Authority to Remove Violent Students from Educational Settings. The law establishes the following requirements.

1. It requires the Commissioner of Education, in consultation with educational stakeholders, to develop statewide standards of responsible and ethical student behavior;
2. It requires local school boards, with input from educators, parents, students and community members, to adopt a district-wide code of conduct for their students. The conduct code must define unacceptable student behavior, establish standards for student responsibility and prescribe consequences for conduct code violations. The conduct code must also describe appropriate referral procedures for students in need of special services and establish criteria to determine when further review of an the individual education plan is necessary for a student removed from class. The conduct code must further establish procedures concerning the removal of disruptive or violent students from class or a school bus and consider input by teachers and other educational personnel regarding student disciplinary and placement decisions. The conduct code must also establish guidelines concerning the circumstances when a superintendent may provide information to law enforcement authorities regarding a violent incident committed on school grounds or property.
3. It requires local school boards, in consultation with public safety, mental health and law enforcement officials, to develop a crisis response plan for violent or potentially violent situations in each of its schools.
4. It mandates that educational records follow any student who transfers to a school within the State from another school administrative unit or from out of state. The law provides for more timely reporting of student records between schools and provides that school administrative units retain discretion as to the admission of a student who has been suspended or expelled or is presently the subject of an expulsion proceeding.
5. It amends the existing "anti-hazing" statute to include protections for educational personnel as well as for students, and also expands the definition of "injurious hazing" to include harassment.
6. It provides for immunity protections for school personnel.

LD 1799

An Act Regarding the School Funding Formula

CARRIED OVER

Sponsor(s)
BRENNAN

Committee Report

Amendments Adopted

LD 1799 proposes to ensure that pupil equity and taxpayer equity are achieved through the school funding formula. This bill proposes the following.

1. It would clarify that the statutory provisions requiring the state share of school construction debt service costs must be supported by General Fund appropriations by:

- A. Indicating that the Legislature shall annually report the aggregate amount of the state share of the allocation for debt service costs as a separate line item and program account in the budget bill submitted to the Legislature for consideration; and
 - B. Indicating that the Legislature shall annually appropriate an amount to capitalize the state share of debt service costs that is separate from the appropriation for general purpose aid for local schools.
2. It would suspend the annual updating of the income weight in the School Finance Act of 1995 by establishing that the income weight used in fiscal year 1997-98 must be used beginning in fiscal year 1999-00 and must remain fixed at the level of the median household income data reported in the United States Census data. Fiscal year 1997-98 median household income data must be used for the statewide component and for the local municipality component of income weighting for each fiscal year until fiscal year 2001-02 when the department shall use the median household income data reported in the United States Census for 2000 report for each fiscal year until fiscal year 2011-12 when the data for the United States Census for 2010 must be used.
 3. It would replace the so-called "cost-of-living adjustment" in the School Finance Act of 1995 with a regionalized cost-adjustment model that is based on a public education price index. The cost-adjustment model must be updated every three years. The Department of Education shall develop a regional education cost-adjustment model based on a public education price index and this new regionalized cost-adjustment model will replace the National Chamber of Commerce model beginning in fiscal year 2000-01.
 4. It would provide a \$25,000 General Fund appropriation to the Department of Education to develop a regional education cost-adjustment model based on a public education price index.
 5. It would provide a \$29,493,680 General Fund appropriation to the Department of Education to fully fund actual local program costs in the school funding formula.

The bill was carried over to the Second Regular Session.

LD 1802

An Act to Restore the Distribution Formula Between Private and Public Colleges within the Maine Student Incentive Scholarship Program

**PUBLIC 233
EMERGENCY**

Sponsor(s)
SMALL
RICHARD

Committee Report
OTP-AM

Amendments Adopted
S-158

LD 1802 proposed to revive the statutory provision that required student incentive scholarships awarded to students attending private institutions of higher education to be two times the amount of scholarships awarded to students attending public institutions of higher education. This bill also proposed to amend the length of scholarship provision by requiring that scholarship recipients who remain eligible under the demonstrated financial need criteria must be awarded a new scholarship for each year during the period required for completion of an eligible program of study.

Committee Amendment "A" (S-158) proposed to replace the original bill. Under this amendment, the minimum amount requirement of the Maine Student Incentive Scholarship Program would be repealed and replaced with a minimum award provision that establishes a differential rate for minimum scholarship amounts that are based on the status of the higher education institution where the eligible student is enrolled. The varying minimum award amounts under the Maine Student Incentive Scholarship Program would be determined as follows:

1. One thousand dollars for students attending public institutions of higher education within the State;
2. One thousand, two hundred and fifty dollars for students attending private institutions of higher education within the State;
3. Five hundred dollars for students attending public institutions of higher education outside the State; and
4. One thousand dollars for students attending private institutions of higher education outside the State.

Enacted law summary

Public Law 1999, chapter 233 restores the statutory provision that required student incentive scholarships awarded to students attending private institutions of higher education to be greater than the amount of scholarships awarded to students attending public institutions of higher education. Under this law, the minimum amount requirement of the Maine Student Incentive Scholarship Program is repealed and replaced with a minimum award provision that establishes a differential rate for minimum scholarship amounts that are based on the status of the higher education institution where the eligible student is enrolled. The varying minimum award amounts under the Maine Student Incentive Scholarship Program must be determined as follows:

1. One thousand dollars for students attending public institutions of higher education within the State;
2. One thousand, two hundred and fifty dollars for students attending private institutions of higher education within the State;
3. Five hundred dollars for students attending public institutions of higher education outside the State; and
4. One thousand dollars for students attending private institutions of higher education outside the State.

Chapter 233 was enacted as an emergency measure effective May 18, 1999.

LD 1815 **Resolve, to Create Grants for the Creation of After-school Child Care Programs in Public Elementary and Middle Schools** **ONTP**

<u>Sponsor(s)</u> O'NEIL	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1815 proposed to establish a grant program in the Department of Education to assist school administrative units with the start-up costs of establishing after-school child care centers in public schools. Each school unit would be eligible for a grant of up to \$3,000 in either of the next two school years.

LD 1826 **An Act to Adjust and Modify the School Funding Formula** **ONTP**

<u>Sponsor(s)</u> RUHLIN FISHER	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1826 was a concept draft pursuant to Joint Rule 208. This bill proposed to replace the School Finance Act of 1985 and the School Finance Act of 1995 with a school funding formula that would be designed using the concepts contained

within the essential programs and services model developed by the State Board of Education's Essential Programs and Services Committee. To accomplish this purpose, this bill proposed to:

1. Replace the current school funding formula, found in the Maine Revised Statutes, Title 20-A, chapters 606 and 606-A, with a new method for funding kindergarten to grade 12 public education based on the concepts contained in the essential programs and services model. The current method used to determine the resources necessary for financing education is based on the historical expenditures reported by school administrative units associated with providing public education. The basis for calculating education costs under the essential programs and services model would be the amount of resources necessary to permit each child to meet the standards established by the system of learning results;
2. Incorporate the concepts and components of the essential programs and services model recommended by the State Board of Education's Essential Programs and Services Committee in designing the new method for funding kindergarten to grade 12 public education. The new funding method would be based on the recommendations made by the Essential Programs and Services Committee, including:
 - A. The definition of essential programs and essential services;
 - B. The three prototypical school and grade configurations proposed for elementary, middle and secondary schools; and
 - C. A transition plan for implementing the new funding method based on the essential programs and services model; and
3. Require the State to pay local municipalities 55% of the total resources necessary to finance kindergarten to grade 12 public education under the new funding method based on the essential programs and services model.

LD 1833

An Act to Require All Students in Kindergarten to Grade 3 to be Bused to School

ONTP

Sponsor(s)
GERRY

Committee Report
ONTP

Amendments Adopted

LD 1833 proposed that all children in kindergarten and most students in grades one to three be bused to and from school regardless of the distance the children live from their schools. It proposed that kindergarten students must be picked up and dropped off at their residences. Children in grades one to three would have been required to be transported to within one block of their residences or could walk to school if their residences can be clearly seen from their schools.

LD 1834**An Act to Support Violence Prevention and Intervention Programs****ONTP**Sponsor(s)
SKOGLUNDCommittee Report
ONTPAmendments Adopted

LD 1834 proposed to implement part of the recommendations of the Commission to Study Providing Educators with More Authority to Remove Violent Students from Educational Settings. The bill proposed to direct and provide funding for the Department of Education to provide technical assistance to schools in developing violence prevention and intervention training for educators, staff and students. The bill also proposed to establish a grant program to be administered by the Department of Education to support the establishment of conflict resolution and peer mediation programs in schools. Finally, the bill proposed to provide funding support for the Attorney General's Civil Rights Team Project (see also LD 1305).

LD 1863**An Act to Allow School Officials to Provide Information Regarding Certain Juveniles to Other Agencies****ONTP**Sponsor(s)
FULLER
CATHCARTCommittee Report
ONTPAmendments Adopted

LD 1863 proposed to amend current law to permit a school counselor or school social worker to disclose information about a juvenile who is an habitual truant, expelled from school, having behavioral problems or suspected of having committed a crime if, in the counselor's or social worker's judgment, the disclosure is not against the juvenile's best interests. The bill also proposed to require schools and school employees to disclose information for rehabilitative purposes to state and municipal agencies about a juvenile who is a habitual truant, expelled from school, having behavioral problems or suspected of having committed a crime (see also LD 1933).

LD 1875**An Act to Improve Access for Students with Learning Disabilities to the University of Maine System****ONTP**Sponsor(s)
KONTOSCommittee Report
ONTPAmendments Adopted

LD 1875 was a concept draft pursuant to Joint Rule 208. It proposed to establish alternative admission requirements and criteria for learning disabled students to be used by the University of Maine System by investigating the current methods used and their effect on the admission of learning disabled students. It also proposed to require the examination of admission rates for learning disabled students and other students with special needs and the examination of the academic support services available to such students. Based upon that examination, this bill proposed to require the creation of evaluations other than grades and standardized testing to be used in determining admission.

LD 1907

An Act to Credit a Town for Payment of School Construction

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ANDREWS	ONTP MAJ OTP-AM MIN	

LD 1907 proposed to require that a school administrative unit that was authorized to issue securities for a nonstate funded school construction project must receive credit for the sum total of principal and interest costs paid from local funds without state participation at such time as the unit's project is approved for funding by the state board. Under this bill, the school administrative unit would be authorized to include principal and interest costs paid from local funds in the school administrative unit's debt service costs for state subsidy purposes. The bill also proposed to authorize the state board to adopt rules to carry out this purpose.

LD 1928

An Act to Authorize a General Fund Bond Issue for Repairs, Renovations and Additions to Public Schools

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT WATSON		

LD 1928 was referred to the Appropriations and Financial Affairs Committee and proposed a \$50,000,000 bond issue to be presented to the voters in November 1999. The bond issue would provide funds to be deposited into the School Revolving Renovation Fund established in the Maine Revised Statutes, Title 30-A, section 6006-F and must be used for the repair and renovation of public schools to correct health and safety violations and violations of the federal Americans with Disabilities Act. It would also allow funds to be used for additions to public schools when those additions are made in combination with correcting those violations.

LD 1946

An Act to Provide for Safe and Orderly Schools

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARDSON J	ONTP	

LD 1946 seeks to provide for a safe and more orderly environment for Maine's public school students by proposing to require that school administrative units disclose violent or threatening behavior by a student to counseling personnel within the unit and classroom teachers and by proposing to require alternative educational settings and community placement for students that are chronically disruptive, suspended or expelled (see also SP 0598).

LD 1951

Resolve, to Establish the Task Force to Study the Funding of and to Develop an Improved Decision-making Process for the Residential Treatment of Youth with Mental Health Issues

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE NUTTING J	ONTP	

LD 1951 proposed to establish the Task Force to Study the Funding of and to Develop an Improved Decision-making Process for the Residential Treatment of Youth with Mental Health Issues. The task force would have reviewed the current process and funding mechanism for the placement of youth with mental health issues into a residential treatment or day program and would have submitted its report along with any implementing legislation to the Joint Standing Committee on Education and Cultural Affairs by January 1, 2000.

LD 1957

An Act to Require Reimbursement to Municipalities for the Education of Foster Children

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHOREY CASSIDY	ONTP	

LD 1957 proposed to require that each school administrative unit in the State provide funds for the education of each student who is placed by a state agency in a foster home in that school unit. Under this bill, the Commissioner of Education would provide 100% reimbursement in the year of allocation to a school unit for the actual local per pupil education expenditure and approved transportation costs for each student who is placed by a state agency in a foster home in that school unit. The Department of Human Services would transfer funds to the Department of Education to reimburse school units that provide a public education for each student who is placed by a state agency in a foster home in the State.

LD 1958

An Act to Establish Educational Excellence for the Towns of Mechanic Falls, Minot and Poland

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SNOWE-MELLO BENNETT	ONTP MAJ OTP MIN	

LD 1958 proposed to modify the provisions of the special act of the Legislature enabling the towns of Poland, Minot and Mechanic Falls to combine to build a new school for grades seven to 12 in Poland to serve as the secondary school for all three towns. Under this bill, a governance structure would be established for the new school that would permit a joint committee, in its discretion, to pursue education reforms that could produce a better education for the students of those three communities. The bill also proposed to permit the joint committee to employ noncertified personnel on a limited basis and to employ or cease to employ personnel without the burdens presently imposed by tenure laws and contract grievance procedures. This bill further proposed to protect employees, however, by expressly requiring just cause for any personnel action involving nonrenewal of contract or termination of a principal or teacher. Finally, the bill proposed to permit the Town of Poland to charge tuition higher than the legal rate of tuition for secondary students coming from towns other than Minot or Mechanic Falls by agreement with the sending school unit.

LD 1964

An Act to Establish the Charter School Authority

CARRIED OVER

Sponsor(s)
WESTON

Committee Report

Amendments Adopted

LD 1964 proposes to establish the Charter School Authority to oversee the establishment, location and funding of charter schools throughout the State; to adopt a comprehensive charter school plan; to provide technical assistance for groups wishing to start a charter school; and to allocate funds for the creation of charter schools consistent with the plan. The bill was carried over to the Second Regular Session.

LD 1965

An Act to Establish the Maine Dental Education Loan Program

PUBLIC 496

Sponsor(s)
PEAVEY
MICHAUD

Committee Report
OTP-AM

Amendments Adopted
H-406
H-581 BRENNAN
S-324 LAWRENCE
S-410 MICHAUD

LD 1965 proposed establishment of the Maine Dental Education Loan Program under which the Finance Authority of Maine would award loans to Maine residents who have been accepted into dental school. Upon completion of the dental education, if the loan recipient elected to practice dentistry in an underserved area, a portion of the loan would be forgiven. The bill also proposed to establish a nonlapsing fund that would be used to recruit licensed dentists to serve in underserved areas by repaying portions of the dentists' education loans.

Committee Amendment "A" (H-406) proposed to expand application of the Maine Dental Education Loan Program established in the bill to offer loan forgiveness to assist a currently licensed dentist in paying off existing loans if the dentist practices dental medicine in an underserved population area. The amendment also proposed clarification of the loan default provisions of the program and addition of an appropriation section and fiscal note.

Senate Amendment "A" to Committee Amendment "A" (S-410) proposed to reduce the General Fund appropriation for the Maine Dental Education Loan Program in fiscal year 1999-00 to \$20,000 and eliminate General Fund support in fiscal year 2000-01. (Note: \$60,000 for FY 2000-01 is included in the Part II Budget, PL 1999, c. 401, Part NN.)

House Amendment "A" (H-581) proposed to change the manner of appointment of the 12 members of the Advisory Committee on Dental Education by providing for eight appointments by the presiding officers, two departmental appointments by the Commissioner of Human Services and two nonvoting appointments by the chief executive officer of the Finance Authority of Maine.

Senate Amendment "A" to House Amendment "A" (S-324) proposed to authorize the presiding officers to appoint members of the Advisory Committee on Dental Education from the Department of Human Services, Bureau of Health, Oral Health Program and from the Department of Human Services, Bureau of Medical Services, while allowing the Chief Executive Officer of the Finance Authority of Maine to make recommendations. It also proposed authorizing the presiding officers to appoint nonvoting members from the Finance Authority of Maine and from an office of primary health care.

Enacted law summary

Public Law 1999, chapter 496 establishes the Maine Dental Education Loan Program under one aspect of which the Finance Authority of Maine would award loans of up to \$20,000 a year to Maine residents who have been accepted into

major definitional changes proposed by the bill were to: (1) add three new handicapping conditions included in the 1997 IDEA--autism, traumatic brain injury and other health impairment, (2) add three new handicapping condition included in the 1999 federal regulations--deafness and blindness, multiple disabilities and developmental delay for children age five-nine (optional under the federal regulations), (3) replace impairment based on "behavior" with "emotional disturbance" and (4) replace impairment based on "cerebral or perceptual functions" with "specific learning disability;"

2. Make state law permitting discipline of exceptional students consistent with the requirements of the federal IDEA and clarify that the 10 days of suspension is for individual or cumulative days in one school year;
3. Make state law consistent with recent changes in the federal regulations governing the time frame in which an individual may request a complaint investigation. The appeal process would be amended to require an administrative hearing in order to appeal a complaint investigation report because recent amendments to the federal regulations governing complaint investigations have removed the provision permitting appeal to the United States Department of Education. It also proposed to extend the same statutory immunity to complaint investigators that currently exists for hearing officers in the Maine Revised Statutes, Title 20-A, section 7207;
4. Require the Commissioner of Education to amend the rules regarding the procedures for due process hearings to include procedures for determining the award of attorney's fees consistent with the requirements of the federal IDEA. It also would require the commissioner to amend the rules regarding the procedures for due process hearing rules to include a process for mediation of special education disputes and provide mediators the same immunity provided state employees under the Maine Tort Claims Act, making the immunity consistent with the requirements of the federal Individuals with Disabilities Education Act; and
5. Make state law consistent with the requirements of the federal IDEA by limiting special education services in adult correctional facilities to inmates 18 to 20 years of age who were identified as requiring special education and were actively receiving such services prior to incarceration in the adult correctional facility.

Part B of this bill proposed to correct a cross-reference to a section that is repealed in Part A; see also LD 209.

This bill was submitted on behalf of the Department of Education.

Committee Amendment "C" (H-669) proposed to repeal the category of impairment based on "behavior" in the definitions of "exceptional student" and "preschool handicapped child" and to replace that term with the term "emotional disability." The Department of Education would be directed to study the use of emotional and behavioral indicators in the identification of exceptional students and preschool handicapped children and report to the Joint Standing Committee on Education and Cultural Affairs by December 31, 1999.

The amendment also proposed to strike from the bill "developmental delay" as a category in the definitions of "exceptional student" and "preschool handicapped child" and direct the Department of Education to study the appropriateness and impact of including "developmental delay" as a category of disability under special education law and to report to the Joint Standing Committee on Education and Cultural Affairs by December 31, 1999.

The amendment further proposed to strike the section of the bill which would have limited special education services to incarcerated persons 18 to 20 years of age who had previously been identified as needing and who were actively receiving those services prior to incarceration in an adult correctional facility. Finally, it proposed to add a fiscal note to the bill.

Originally voted as a divided report with two OTP-AM committee reports, this bill was recommitted and reconsidered by the committee which unanimously supported Committee Amendment "C".

Enacted law summary

Public Law 1999, chapter 424 amends state special education law in several ways. In the definitions of "exceptional student" and "preschool handicapped child," it repeals the category of impairment based on "behavior" and replaces that term with the term "emotional disability." The Department of Education is directed to study the use of emotional and behavioral indicators in the identification of exceptional students and preschool handicapped children and report to the Joint Standing Committee on Education. The department is also directed to study the appropriateness and impact of including "developmental delay" (an optional category of disability under the federal Individuals with Disabilities Education Act) as a category of disability under state special education law. Both study reports are due to the Joint Standing Committee on Education and Cultural Affairs by December 31, 1999. Other major definitional changes accomplished by the bill are to: (1) add three new handicapping conditions included in the federal 1997 Individuals with Disabilities Education Act--autism, traumatic brain injury and other health impairment, (2) add three new handicapping condition included in the 1999 federal regulations promulgated under IDEA--deafness and blindness, multiple disabilities and developmental delay for children age five-nine (optional under the federal regulations) and (3) replace impairment based on "cerebral or perceptual functions" with "specific learning disability."

Chapter 424 also makes state law permitting discipline of exceptional students consistent with the requirements of the federal IDEA and clarifies that the 10 days of suspension is for individual or cumulative days in one school year. Similarly it makes state law consistent with recent changes in the federal regulations governing the time frame in which an individual may request a complaint investigation. The appeal process is amended to require an administrative hearing in order to appeal a complaint investigation report because recent amendments to the federal regulations governing complaint investigations have removed the provision permitting appeal to the United States Department of Education. It also extends the same statutory immunity to complaint investigators as currently exists for hearing officers in the Maine Revised Statutes, Title 20-A, section 7207.

The new law requires the Commissioner of Education to amend the rules regarding the procedures for due process hearings to include a process for determining the award of attorney's fees consistent with the requirements of the federal IDEA. It also requires the commissioner to amend the rules regarding the procedures for due process hearing rules to include procedures for mediation of special education disputes and to afford mediators the same immunity provided state employees under the Maine Tort Claims Act, making that immunity consistent with the requirements of the federal Individuals with Disabilities Education Act.

LD 2027

An Act to Enable the Formation of Public Charter Schools

CARRIED OVER

Sponsor(s)
 POWERS
 AMERO

Committee Report

Amendments Adopted

LD 2027 proposes to allow certain educational bodies to approve the establishment of charter schools, a new type of public school, to be a part of the State's program of public education. Charter schools are created to offer students and parents a choice of public schools. This bill would accomplish the following.

1. It would establish that charter schools may be existing public schools or school units, new schools or existing nonprofit, nonsectarian schools that convert to charter status. Sponsors may include a local school board, the board of a Maine postsecondary institution or an identified governmental entity charged with approving and overseeing charter schools.
2. It would establish that charter school staff include teachers holding teaching certificates. Teachers in charter schools may be employees of the charter school and have the right to organize and bargain collectively in a separate unit; or teachers may choose to operate the charter school themselves, as partners or members of a cooperative.
3. It would require that charter schools are open to all students equally, though they may specialize in serving a particular age group, a specific geographic area or a student population with specific needs. A charter school could

also require a demonstration of interest from students if it offers a specific curriculum or teaching methodology.

- 4. It would establish that charter schools may not be affiliated with religious institutions and must be nonsectarian in their programs, practices and policies.
- 5. It would require funding for charter schools to be paid directly by the State in an amount equal to the average amount per pupil spent statewide. Approved special education costs incurred beyond that amount would be paid by the student's resident school administrative unit.

The bill was carried over to the Second Regular Session.

LD 2033 **An Act to Provide the Opportunity for Students from All Parts of the State to Benefit from funding for Higher Education** **ONTP**

<u>Sponsor(s)</u> LONGLEY	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 2033 proposed to require that at least 1/32 of the funds appropriated for high school students taking postsecondary courses under the Post-secondary Enrollment Options Act be distributed within each county for students from that county.

LD 2050 **An Act to Permit the Establishment of the Kennebec Valley Center for Arts Education** **ONTP**

<u>Sponsor(s)</u> WATSON DAGGETT	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 2050 proposed to permit the University of Maine at Augusta to oversee the establishment of the Kennebec Valley Center for Arts Education, a regional and cooperative-based charter school and other such charter schools.

LD 2053 **An Act to Reimburse Program Costs to School Districts at 100% of Actual Cost** **ONTP**

<u>Sponsor(s)</u> MAILHOT DOUGLASS	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 2053 proposed to require that school administrative units receive state subsidy for the following program costs: early childhood education program costs, special education costs, vocational education costs, transportation operating costs and bus purchase costs. This bill proposed to ensure that the State's subsidy through the General Purpose Aid for Local Schools program includes 100% of the state share of actual local program costs incurred by school administrative units by providing an additional amount of General Fund appropriations for the General Purpose Aid for Local Schools program to fully fund the state share of actual local program costs.

LD 2054**An Act to Extend New Teachers' Probationary Periods****CARRIED OVER**Sponsor(s)
PIEHCommittee ReportAmendments Adopted

LD 2054 proposes to provide that a probationary period may not exceed two years for a person who has been employed as a teacher for more than three years or three years for a person who has been employed as a teacher for three or fewer years. The bill was carried over to the Second Regular Session and the Maine School Management Association and the Maine Education Association have been requested by committee letter to review and report to the committee next session on this bill and related probationary period issues.

LD 2074**An Act to Allow Local School Officials Greater Freedom in Disciplining Students****ONTP**Sponsor(s)
FULLERCommittee Report
ONTPAmendments Adopted

LD 2074 proposed to allow school superintendents to establish methods of discipline that may be used by teachers and principals. It also proposed to provide that a teacher or principal who uses an approved method may not be held civilly liable; and would require a parent who challenges the use of a method of discipline to submit a complaint to binding arbitration. This bill further proposed to amend the school truancy provisions to allow a school board to exempt from attendance requirements any student whom the board determines is habitually truant. Under this bill, a court could order the parent of an habitually truant student to pay a fine, attend classes with the student or reimburse the school for staff time incurred due to the student's misconduct. The court could also order the appointment of a surrogate parent or have the student placed under the aegis of the Department of Human Services, which then must develop a plan that ensures the student's attendance. Finally, the bill proposed that an habitually truant student may not be expelled or suspended unless that student is classified as an exceptional student due to behavioral problems or the student is placed in another program.

LD 2077**An Act to Transfer the Child Development Services System to the Department of Human Services****ONTP**Sponsor(s)
QUINT
RANDCommittee Report
ONTPAmendments Adopted

LD 2077 proposed a transfer of the responsibility for administering the Child Development Services System from the Department of Education to the Department of Human Services, effective July 1, 2000.

LD 2080**An Act to Provide Public School Choice****ONTP**Sponsor(s)
LIBBYCommittee Report
ONTPAmendments Adopted

LD 2201 proposed to create the John H. Reed-Kenneth M. Curtis Peace Fellowship, administered by the Department of Education, to provide funds for 10 Maine teenagers each summer for three years to attend the Seeds of Peace International Camp in Otisfield, Maine. This fellowship is named for former Maine Governor John H. Reed and Governor Kenneth M. Curtis, both of whom served as United States Ambassadors.

Committee Amendment "A" (S-195) proposed to clarify that the Department of Education will develop a process to select fellowship recipients. The amendment also proposed to add an emergency preamble and emergency clause to the resolve so that peace fellowship funds will be available for the 1999 summer camp.

Enacted law summary

Resolve 1999, chapter 71 creates the John H. Reed-Kenneth M. Curtis Peace Fellowship, administered by the Department of Education, to provide funds for 10 Maine teenagers each summer for three years to attend the Seeds of Peace International Camp in Otisfield, Maine. Under this law, the Department of Education is required to develop a process to select fellowship recipients.

LD 2243, chapter 71 was enacted as an emergency measure effective June 11, 1999.

LD 2221

An Act to Restore Majority State Funding of Public Education in Maine

ONTP

Sponsor(s)
BRENNAN
LAWRENCE

Committee Report

Amendments Adopted

LD 2221 which was jointly referred to the Taxation Committee (the lead committee) and the Education and Cultural Affairs Committee proposed to amend current law that requires that revenue derived from 0.5% of the sales tax be transferred to the Maine Rainy Day Fund for each month following a fiscal year in which General Fund revenue exceeds 8% of projection and that the following October this transfer be replaced with a drop of 0.5% in the rate of the sales tax. The bill was rereferred to the Appropriations and Financial Affairs committee. This bill proposed to amend current law to require that:

1. An amount equal to that generated by 0.5% of the sales tax would be transferred into the program for the general purpose aid for local schools, referred to in this summary as "GPA" rather than the Maine Rainy Day Fund if the GPA provides 51% or less of the State's kindergarten, elementary and secondary school actual operating and program costs and debt service;
2. Any funds provided to the GPA pursuant to this bill must be built into the GPA's base appropriation for future budget years;
3. The transfer to the GPA would not include funds dedicated to municipal revenue sharing;
4. That the tax rate could not be lowered if the tax rate is 5% or lower or if the GPA provides 51% or less of the State's kindergarten, elementary and secondary school actual operating and program costs and debt service; and
5. That any funds transferred to the Maine Rainy Day Fund under current law for the fiscal year ending June 30, 2000 be transferred to the GPA.

Sponsor(s)

Committee Report

Amendments Adopted

LD 2243 was a committee bill of the Joint Select Committee on Research and Development that proposed to appropriate money for research and development. The bill proposed to incorporate the Research and Development Committee recommendations assembled from numerous bill which were jointly referred to the Joint Select Committee on Research and Development (the lead committee) and other legislative committees, including the Education and Cultural Affairs Committee. The bill proposed to accomplish the following:

Part A proposed to appropriate \$1,000,000 per year in the next biennium to the Maine Technical College System for the initial capitalization of new or expanded catalog programs at the technical colleges to serve new and emerging high-technology industries.

Part B proposed to appropriate funds to the Maine Economic Improvement Fund, administered by the Board of Trustees of the University of Maine System Board of Trustees, to support applied research and development and product innovation in target areas within the University of Maine System.

Part C proposed to appropriate a total of \$10,000,000 for the biennium to the Department of Economic and Community Development for research and development grants for the Maine Technology Institute. It also would transfer \$200,000 in each fiscal year of the biennium from the Maine Technology Investment Fund for the Maine Technology Institute.

Part D proposed to increase the borrowing authority of the University of Maine System. It would appropriate funds to fund debt service payment on a university bond issue for capital construction in the University of Maine System to renovate and construct research facilities for use by university researchers and students, research collaborators and private sector partners.

Part E proposed to designate the Raymond H. Fogler Library at the University of Maine as the State Research Library for Business, Science and Technology. It also would appropriate funds to the University of Maine System for the purchase of information resources, equipment and staff support for the State Research Library for Business, Science and Technology.

Part F proposed to appropriate funds to the Governor's Marine Studies Fellowship Program to provide support for undergraduate and graduate students enrolled in state-chartered colleges and universities to work with researchers in academic institutions, marine industries and marine industry associations.

Part G proposed to appropriate funds to create and support a Center for Advanced Law and Management at the University of Southern Maine. The center would strengthen the competitive advantage of Maine firms and entrepreneurs by creating a forum to address many of the complex issues that affect technology-based businesses.

Part H proposed to appropriate funds to the Foundation for Blood Research for the ScienceWorks for ME equipment donation program. This funding would support expansion of the program to reach more schools with more equipment.

Part I proposed to appropriate funds to the Maine Science and Technology Foundation for the Maine Research Internships for Teachers and Students (MERITS) program. This funding would allow the MERITS program to continue.

Part J proposed to appropriate funds to support the expansion of the Department of Education's partnership with the National Aeronautic and Space Administration (NASA). Through the partnership, the Department of Education would

use NASA materials and technology for professional development, curriculum development and teacher and student internships.

Part K proposed to establish the Maine Technology Institute as a private nonprofit corporation with a public purpose. The institute would be governed by a board of 9 private sector members appointed by the Governor; the Commissioner of Economic and Community Development; the Chancellor of the University of Maine System; the President of the Maine Science and Technology Foundation, who serves as a nonvoting member; the Director of the State Planning Office, who serves as a nonvoting member; and the Maine Technology Institute Director, who serves as a nonvoting member. The position of Maine Technology Institute Director at the Department of Economic and Community Development would be appointed by the Governor and approved by a majority of the board to serve as president of the institute.

The purpose of the institute would be to encourage, promote, stimulate and support research and development activity leading to the commercialization of new products and services in the State's technology-intensive industrial sectors to create new jobs for Maine people. The institute would disburse funds through grants, direct investments and loans to private companies, targeted technology incubators and nonprofit research laboratories.

The institute would be dissolved on December 31, 2006, and on that date would return to the State all property purchased with General Fund appropriations and transfers to the General Fund all unencumbered appropriations.

Part L would require the submission of a plan for a comprehensive evaluation of state investments in research and development by December 31, 1999 and would require the submission of a comprehensive evaluation every 5 years.

Part M proposed to delete the authority of the Maine Technology Investment Fund to make direct investments in market-oriented technology extension, commercialization and development opportunities and would provide for the transfer of direct investment activities from the Maine Technology Investment Fund to the Maine Technology Institute. It also would change the name of the Maine Technology Investment Fund to the Maine Technology Capacity Fund.

Senate Amendment "A" (S-429) proposed to eliminate several appropriations that were included in the original bill. It also proposed to deappropriate funds from the Maine Science and Technology Foundation to offset funding for the ScienceWorks for ME program, the Maine Research Internships for Teachers and Students program and to expand the Department of Education's partnership with the National Aeronautics and Space Administration.

Enacted law summary

Private and Special 1999, chapter 33 deappropriates funds from the Maine Science and Technology Foundation to offset funding for the Science Works for ME program, the Maine Research Internships for Teachers and Students program and to expand the Department of Education's partnership with the National Aeronautics and Space Administration.

The provisions of the original bill were subsequently amended and incorporated into the Part 2 budget (Public Law 1999, chapter 401, Parts TT, UU, VV, AAA, BBB and CCC). Please also see summaries for other bills jointly referred to the Research and Development Committee (the lead committee) and the Education and Cultural Affairs Committee (LDs 293, 373, 452, 492, 643, 654, 666, 686, 698 and 930).

SP 0598

JOINT ORDER - Relative to Establishing the Task Force to Study the Implementation of Alternative Programs and Interventions for Violent and Chronically Disruptive

PASSED

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CATHCART BERRY R PARADIS RAND	OTP-AM	

SP 0598 proposed to implement one of the recommendations of the Commission to Study Providing Educators with More Authority to Remove Violent Students from Educational Settings. This joint study order proposed to establish a Task Force to Study the Implementation of Alternative Programs and Interventions for Violent and Chronically Disruptive Students as part of a successful response to ensuring safe schools and the need to provide resources to students and their families.

Committee Amendment "A" (S-276) proposed to accomplish the following.

1. It would strike the membership subsection of the joint study order and replace it with a nine-member task force composed of six Legislators and three public members involved in school-based or community-based violence prevention and intervention programs;
2. It would expand the duties charged to the task force, including requesting assistance from certain state agencies and inviting the participation of experts and interested parties; and
3. It would permit public members of the task force to receive reimbursement of necessary expenses and provide a per diem equal to the legislative per diem for their attendance at authorized task force meetings.

House Amendment "A" (H-766) proposed to make technical change in the joint study order to comply with drafting guidelines for studies by clarifying that public members are not entitled to an amount equal to the legislative per diem.

Passed joint order summary

Senate Paper 598 was read and passed in both chambers, and it establishes the Task Force to Study the Implementation of Alternative Programs and Interventions for Violent and Chronically Disruptive Students. This joint study order implements one of the recommendations proposed by the Commission to Study Providing Educators with More Authority to Remove Violent Students from Educational Settings. The task force established by the joint study order will be part of a successful response to ensuring safe schools and the need to provide resources to students and their families.

HP 1183

JOINT ORDER - Relative to a Task Force to Redesign the Governance System of the Governor Baxter School for the Deaf

DIED IN CONCURRENCE

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WATSON SMALL	OTP-AM	

HP 1183 proposed to implement one of the recommendations of the Committee to Review the Governance Structure of the Governor Baxter School for the Deaf. This joint study order proposed to establish a Task Force to Redesign the Governance System of the Governor Baxter School for the Deaf as part of a successful response to ensure that the

governance system of the Baxter School is designed to meet the school board's need to effectively and efficiently govern the school and to give the school greater autonomy in managing its affairs.

Following the withdrawal of HP 1183, the House and Senate subsequently read and passed a separate joint study order to review the educational program and the governance system of the Governor Baxter School for the Deaf (see HP 1587).

HP 1587 **JOINT ORDER - Relative to the Task Force to Review the Educational Program and the Governance System of the Governor Baxter School for the Deaf** **PASSED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRENNAN BERUBE		

HP 1587, which as not referred to the Education and Cultural Affairs Committee, proposed to establish a Task Force to Review the Educational Program and the Governance System of the Governor Baxter School for the Deaf to ensure that the school is meeting its statewide obligation and role of helping local schools educate deaf and hard-of-hearing children in an efficient and effective manner. This joint study order proposed to review the efficiency and effectiveness of the educational program at the Baxter School in the context of the range of alternative educational models and placements that are available to deliver appropriate educational programs and services that meet the unique educational needs of children and youth who are deaf and hard-of-hearing. The joint study order also proposed to ensure that the governance system of the Baxter School is designed to meet the school's need for effective and efficient governance.

Passed joint order summary

House Paper 1587 was read and passed in both chambers and establishes the Task Force to Review the Educational Program and the Governance System of the Governor Baxter School for the Deaf. This joint study order establishes a task force to review the efficiency and effectiveness of the educational program at the Baxter School in the context of the range of alternative educational models and placements that are available to deliver appropriate educational programs and services that meet the unique educational needs of children and youth who are deaf and hard-of-hearing. The task force established by this joint study order shall also ensure that the governance system of the Baxter School is designed to meet the school's need for effective and efficient governance.