

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 116

H.P. 92

House of Representatives, January 11, 2005

An Act To Ensure Funding for After-school Programs

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative BARSTOW of Gorham.
Cosponsored by Senator COWGER of Kennebec and
Representatives: BLANCHETTE of Bangor, CAIN of Orono, FARRINGTON of Gorham,
FISCHER of Presque Isle, GERZOFSKY of Brunswick, PINGREE of North Haven.

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

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Sec. 1. 20-A MRSA c. 318 is enacted to read:

CHAPTER 318

AFTER-SCHOOL PROGRAMS

§8901. After-school programs; standards; approval

The after-school program is established to encourage the facilitation of high-quality after-school programs in school administrative units throughout the State. The commissioner shall administer the program within the department. Standards and approval for after-school programs are as follows.

1. Standards. The state board and the commissioner shall jointly adopt rules to establish standards consistent with basic school approval requirements for after-school programs offered at elementary or secondary schools in the State.

2. Approval. An after-school program may be offered by any school administrative unit with the approval of the commissioner. The commissioner may inspect any after-school program, after which the commissioner may approve and grant a certificate to a school that maintains approval standards. The expense of inspection must be paid by the department.

§8902. Authority to raise, appropriate, receive and expend money

A school administrative unit may:

1. Fund after-school programs. Raise, appropriate, receive and expend money for after-school programs. After-school programs are provided under the direction and supervision of the school board; and

2. Fund tuition costs. Raise, appropriate, receive and expend money to pay tuition charged to any resident of a municipality served by the school administrative unit who attends an after-school program offered by another school administrative unit if the after-school program is not offered by the school administrative unit that serves the person's residence.

§8903. Authority to operate programs not receiving state subsidy

A school administrative unit may make available facilities for children enrolled in after-school programs not reimbursable by the State. These after-school programs may be financed by tuition fees, by funds made available by the school administrative unit, by funds from other sources or by a combination of these.

§8904. Eligibility

2 1. General right. The following persons may attend
4 after-school courses offered by a school administrative unit in
accordance with that entity's published program criteria and
6 admission standards:

8 A. A resident of a municipality served by the school
administrative unit who meets the student eligibility
10 requirements of chapter 213 to enroll in a public elementary
or secondary school; and

12 B. A resident of a municipality served by another school
administrative unit who meets the student eligibility
14 requirements of chapter 213 to enroll in a public elementary
or secondary school if the person's school administrative
16 unit does not offer an after-school program that serves the
18 person's residence.

20 Priority to enroll in any after-school course offered by a school
administrative unit must be given to residents of municipalities
22 served by that school administrative unit.

24 **§8905. Reimbursement procedures**

26 1. Definition. For the purposes of this section,
"foundation year" means the fiscal year prior to the fiscal year
28 in which funds are distributed.

30 2. Budget recommendation. The commissioner shall include
the required funding levels for after-school programs, which must
32 be equal to 0.5% of the annual General Fund appropriation for
kindergarten to grade 12 public education, in the department's
34 request to the Legislature for appropriations from the General
Fund to carry out the purposes of this chapter.

36 3. State reimbursement. The state reimbursement for
expenditures for after-school programs must be based on each
38 school administrative unit's actual after-school program costs in
the foundation year.

40 A. The state reimbursement must be based on the school
administrative unit's expenditures for the foundation year
42 in accordance with the maximum allowable expenditures as
44 determined by the commissioner.

46 B. The state reimbursement must be paid to each eligible
school administrative unit during the 2nd quarter of the
48 State's fiscal year.

2 4. State administration. The commissioner shall add to the
3 funding level an amount sufficient to provide for the
4 administration of this section.

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6 **§8906. Report**

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8 The department shall report by June 30, 2006 and annually
9 thereafter to the joint standing committee of the Legislature
10 having jurisdiction over education and cultural affairs on the
11 number of participants in the program, the nature of the
12 after-school programs receiving funds, the amount of funds
13 distributed and the number of children participating in the
14 program.

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16 **§8907. Rules**

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18 The commissioner shall adopt rules for the implementation
19 and administration of the after-school program, including the
20 establishment of program requirements and specifications and
21 procedures for the application and distribution of available
22 funds, and to otherwise carry out the purpose of this program.
23 Rules adopted pursuant to this section are routine technical
24 rules as defined by Title 5, chapter 375, subchapter 2-A.

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26 **Sec. 2. Appropriations and allocations.** The following
27 appropriations and allocations are made.

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28 **EDUCATION, DEPARTMENT OF**

28

30 **After-school Program**

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32 Initiative: Provides funds for the facilitation of after-school
33 programs. The appropriation is based on after-school programs
34 receiving an amount equal to 0.5% of the annual General Fund
35 appropriations for kindergarten to grade 12 public education.

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| 38 GENERAL FUND | 2005-06 | 2006-07 |
|-----------------------------|--------------------|--------------------|
| 39 All Other | \$4,042,836 | \$4,257,653 |
| 40 GENERAL FUND TOTAL | <u>\$4,042,836</u> | <u>\$4,257,653</u> |

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42 **SUMMARY**

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46 This bill establishes the after-school program as an ongoing
47 program to be implemented and administered by the Department of
48 Education. This bill also requires the ongoing funding for the

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2 after-school program to be equal to 0.5% of the annual General Fund appropriation for kindergarten to grade 12 public education.