

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 887

S.P. 295

In Senate, February 22, 2005

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### **An Act To Amend the Education Laws Regarding Equivalent Instruction, Medical Screening and Adult Education**

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Submitted by the Department of Education pursuant to Joint Rule 204.  
Reference to the Committee on Education and Cultural Affairs suggested and ordered  
printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator ANDREWS of York.  
Cosponsored by Representative NORTON of Bangor.

2  
3 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 20-A MRSA §5021, first ¶**, as amended by PL 2003, c.  
5 181, §2, is further amended to read:

6 A school administrative unit shall conform to the following  
7 standards in making public school resources and services  
8 available to a student enrolled in a home instruction program  
9 under section 5001-A, subsection 3, paragraph A, subparagraph (4)  
10 for a student otherwise eligible to attend school in that school  
11 administrative unit, including a student who resides in the  
12 unorganized territory.

14 **Sec. 2. 20-A MRSA §6452**, as amended by PL 1989, c. 730 and PL  
15 2003, c. 689, Pt. B, §§6 and 7, is repealed.

16 **Sec. 3. 20-A MRSA §6453**, as enacted by PL 1981, c. 693, §§5  
17 and 8, is repealed.

18 **Sec. 4. 20-A MRSA §8605, sub-§3** is enacted to read:

19 **3. Transfer student.** The following provisions apply to the  
20 transfer of a student from one school administrative unit to  
21 another when the student is not attending a public school and is  
22 enrolled in an adult education course.

23 A. The transferor superintendent and the transferee  
24 superintendent may approve the transfer of a student from  
25 one school administrative unit to another if:

26 (1) They find that a transfer is in the student's best  
27 interest; and

28 (2) The student's parent approves.

29 B. On the request of the parent of a student requesting  
30 transfer under paragraph A, the commissioner shall review  
31 the transfer. The commissioner's decision is final and  
32 binding.

33 C. The appropriate superintendents shall review annually  
34 any transfer made under this subsection.

35 D. For purposes of state subsidy, a student transferred  
36 under this subsection is considered a resident of the school  
37 administrative unit to which the student is transferred.  
38 The superintendent of the receiving unit shall certify to  
39 the commissioner any transfer approved under this paragraph  
40 when reporting the number of these students to the  
41 department.

