

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

SMG  
R. J. S.

Date: 5/2/19

(Filing No. H-200)

Majority

EDUCATION AND CULTURAL AFFAIRS

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
129TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 359, L.D. 502, Bill, "An Act To Establish the Summer Success Program Fund"

Amend the bill by striking out the title and substituting the following:

'An Act To Establish the Summer Success Pilot Program Fund'

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

'Sec. 1. 20-A MRSA c. 317, sub-c. 2 is enacted to read:

SUBCHAPTER 2

SUMMER SUCCESS PILOT PROGRAM FUND

§8811. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Program fund. "Program fund" means the Summer Success Pilot Program Fund established in section 8812.

2. Summer success pilot program. "Summer success pilot program" means a pilot program offered by a public school that provides traditional and alternative teaching methods to ensure that every student has access to a high-quality extended school year program that helps the student improve the student's academic achievement and addresses the needs of the student to demonstrate content area proficiency based on the student's grade level.

**COMMITTEE AMENDMENT**

R.D.F.S

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

**§8812. Summer Success Pilot Program Fund**

**1. Establishment.** The Summer Success Pilot Program Fund is established as a General Fund carrying account within the department to be directed and administered by the commissioner and held by the Treasurer of State.

**2. Sources of money.** Money appropriated from the General Fund may be paid into the program fund.

**3. Application of program fund.** Money in the program fund must be continuously applied by the commissioner to carry out this section and may not be used for any other purpose. A school administrative unit shall ensure that program funds made available to the school administrative unit to provide grants for access to summer success pilot programs for elementary and secondary school students supplement and do not supplant federal funding.

**§8813. Standards; approval**

The commissioner shall use the program fund to encourage the facilitation of high-quality summer success pilot programs in school administrative units throughout the State.

**1. Standards.** The commissioner shall establish standards for summer success pilot programs consistent with the basic school approval requirements as set forth in subchapter 1 for summer school programs offered at elementary or secondary schools in the State. In establishing standards for summer success pilot programs, the commissioner may also consider the following:

A. Guidelines similar to, but not identical with, the requirements of the community learning centers program authorized under Title IV, Part B of the federal Elementary and Secondary Education Act of 1965, as amended by the federal Every Student Succeeds Act, 20 United States Code, Chapter 70, to help students improve their academic achievement by providing educational opportunities that close the achievement gap between high-performing and low-performing students, including the gap between economically disadvantaged students and their peers;

B. Effective models of summer success programs that improve student achievement, including model programs that involve networking and partnerships with community-based organizations that provide a range of high-quality services to support student learning and development. In order to partner with a summer success pilot program, a community-based organization must be exempt from federal income taxation under the United States Internal Revenue Code of 1986, Section 501(a), pursuant to the United States Internal Revenue Code of 1986, Section 501(c)(3); and

C. Implementation of the formative and summative assessment methods used by a school administrative unit during the school year to measure student achievement in order to monitor the progress of students in that school administrative unit who are participating in the summer success pilot programs.

**2. Approval.** A summer success pilot program may be offered by a school administrative unit with the approval of the commissioner. The commissioner may inspect a summer success pilot program, after which the commissioner shall approve and

1 grant a certificate to a school that maintains approval standards under subsection 1. The  
2 department shall pay the expense of the inspection.

3 **§8814. Program fund grants; eligibility**

4 **1. Program fund grants.** Beginning in fiscal year 2020-21 and each subsequent  
5 year, the department, through a grant application process, shall provide from the program  
6 fund funding to cover 90% of the costs of summer success pilot programs in school  
7 administrative units. Those school administrative units with greater than 50% student  
8 participation in the federal free and reduced-price lunch program pursuant to section  
9 6602, subsection 1, paragraph A must be given priority in the distribution of funding from  
10 the program fund.

11 **2. Eligibility.** To receive program fund money, a school administrative unit must be  
12 in compliance with any applicable standards and program requirements for summer  
13 success pilot programs established by the commissioner pursuant to section 8813.

14 **§8815. Report**

15 The department shall report by June 30, 2021 and annually thereafter to the joint  
16 standing committee of the Legislature having jurisdiction over education and cultural  
17 affairs on the number of school administrative units administering summer success pilot  
18 programs, the nature of the summer success pilot programs receiving money from the  
19 program fund, the amount of money distributed and the number of children participating  
20 in a summer success pilot program. The report must also include a recommendation on  
21 whether the summer success pilot program should continue as a pilot program, be  
22 modified or become a permanent program.

23 **Sec. 2. 20-A MRSA §15688-A, sub-§9** is enacted to read:

24 **9. Summer success pilot programs.** Beginning in fiscal year 2020-21 and for each  
25 subsequent fiscal year, the commissioner may expend and disburse funds to provide  
26 grants for access to summer success pilot programs for elementary and secondary school  
27 students pursuant to chapter 317, subchapter 2. The amounts of the grant funding  
28 provided to qualified school administrative units pursuant to chapter 317, subchapter 2  
29 are limited to the amounts appropriated, allocated or authorized by the Legislature for the  
30 operation of summer success pilot programs. Any balance of funds appropriated,  
31 allocated or authorized by the Legislature remaining at the end of a fiscal year do not  
32 lapse and are carried forward to the next fiscal year to carry out the purposes of chapter  
33 317, subchapter 2.

34 **Sec. 3. Maine Revised Statutes headnote amended; revision clause.** In the  
35 Maine Revised Statutes, Title 20-A, chapter 317, before section 8801, the headnote  
36 "subchapter 1, summer schools" is enacted and the Revisor of Statutes shall implement  
37 this revision when updating, publishing or republishing the statutes.

38 **Sec. 4. Appropriations and allocations.** The following appropriations and  
39 allocations are made.

40 **EDUCATION, DEPARTMENT OF**

41 **Summer Success Pilot Program Fund N311**

R.O.F.S

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40

Initiative: Provides ongoing funding for the Summer Success Pilot Program.

<b>GENERAL FUND</b>	<b>2019-20</b>	<b>2020-21</b>
All Other	\$0	\$243,000
<b>GENERAL FUND TOTAL</b>	\$0	\$243,000

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY**

This amendment strikes and replaces the title and the bill. The amendment establishes the Summer Success Pilot Program and corresponding fund to encourage the facilitation of high-quality summer success pilot programs in school administrative units throughout the State and does the following:

1. It provides that the fund is established as a General Fund carrying account within the Department of Education to be directed and administered by the Commissioner of Education and held by the Treasurer of State and that only General Fund appropriations may be paid into the fund;

2. It requires the Commissioner of Education to establish standards and approval for the allocation and use of fund money for summer success pilot programs offered at elementary and secondary schools in the State. It also allows the commissioner to include the following in the standards:

A. Guidelines similar to those of the federal 21st Century Community Learning Centers program to close the achievement gap between high-performing and low-performing students;

B. Effective models of summer success programs that involve networking and partnerships with community-based organizations that provide a range of high-quality services to support student learning and development; and

C. Implementation of the formative and summative assessment methods to measure student achievement in order to monitor the progress of students participating in summer success pilot programs;

3. It provides that, beginning in fiscal year 2020-21, the department is required to provide grant funding from the fund, through a grant application process, to cover 90% of the costs of summer success pilot programs and that the department must prioritize distribution of funding to school administrative units with greater than 50% student participation in the federal free and reduced-price lunch program;

4. It adds the fund to the enhancing student performance and opportunity provisions of the Essential Programs and Services Funding Act; and

5. It requires the Commissioner of Education to annually report to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs on the number of school administrative units administering summer success pilot programs, the

R O F S

COMMITTEE AMENDMENT "A" to H.P. 359, L.D. 502

1 nature of the summer success pilot programs receiving money from the fund, the amount  
2 of money distributed and the number of children participating in a summer success pilot  
3 program. The report must also include a recommendation on whether the pilot program  
4 should continue as a pilot program, be modified or become a permanent program.

5 **FISCAL NOTE REQUIRED**

6 **(See attached)**



Approved: 04/25/19 *MAC*

# 129th MAINE LEGISLATURE

LD 502

LR 700(02)

## An Act To Establish the Summer Success Program Fund

Fiscal Note for Bill as Amended by Committee Amendment

*A(H-200)*

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

### Fiscal Note

	FY 2019-20	FY 2020-21	Projections FY 2021-22	Projections FY 2022-23
<b>Net Cost (Savings)</b>				
General Fund	\$0	\$243,000	\$243,000	\$243,000
<b>Appropriations/Allocations</b>				
General Fund	\$0	\$243,000	\$243,000	\$243,000

#### Fiscal Detail and Notes

This bill includes ongoing General Fund appropriations of \$243,000 in fiscal year 2020-21 to a newly created Summer Success Pilot Program Fund within the Department of Education to provide grants to school administrative units (SAU's) for 90% of the cost of the pilot program. The estimated annual cost of the pilot program provided by the Department of Education is based on the assumption that one SAU in each of the 9 superintendent regions in the State will participate in the pilot program at a cost of \$27,000 per SAU (\$30,000 x 90%). The cost-per-region assumes the need for 3 teachers for 4 half-day sessions with 30 children participating. The estimate also includes transportation costs.

Additional costs to the Department of Education to establish and administer the program can be absorbed within existing budgeted resources.