

# MAINE STATE LEGISLATURE

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# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 44

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H.P. 10

House of Representatives, January 13, 2021

### **An Act To Establish the Summer Success Pilot Program Fund**

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Received by the Clerk of the House on January 11, 2021. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative PIERCE of Falmouth.

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

2 **Sec. 1. 20-A MRSA c. 317, sub-c. 1** is enacted by adding before section 8801 the  
3 following to read:

4 **SUBCHAPTER 1**

5 **SUMMER SCHOOLS**

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

7 **SUBCHAPTER 2**

8 **SUMMER SUCCESS PILOT PROGRAM FUND**

9 **§8811. Definitions**

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

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

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

20 **§8812. Summer Success Pilot Program Fund**

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

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

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

32 **§8813. Standards; approval**

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

35 **1. Standards.** The commissioner shall establish standards for summer success pilot  
36 programs consistent with the basic school approval requirements as set forth in subchapter  
37 1 for summer school programs offered at elementary or secondary schools in the State. In

1 establishing standards for summer success pilot programs, the commissioner may also  
2 consider the following:

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

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

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

21 **2. Approval.** A summer success pilot program may be offered by a school  
22 administrative unit with the approval of the commissioner. The commissioner may inspect  
23 a summer success pilot program, after which the commissioner shall approve and grant a  
24 certificate to a school that maintains approval standards under subsection 1. The  
25 department shall pay the expense of the inspection.

26 **§8814. Program fund grants; eligibility**

27 **1. Program fund grants.** Beginning in fiscal year 2021-22 and each subsequent year,  
28 the department, through a grant application process, shall provide from the program fund  
29 funding to cover 90% of the costs of summer success pilot programs in school  
30 administrative units. Those school administrative units with greater than 50% student  
31 participation in the federal free and reduced-price lunch program pursuant to section 6602,  
32 subsection 1, paragraph A must be given priority in the distribution of funding from the  
33 program fund.

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

37 **§8815. Report**

38 The department shall report by June 30, 2022 and annually thereafter to the joint  
39 standing committee of the Legislature having jurisdiction over education and cultural  
40 affairs on the number of school administrative units administering summer success pilot  
41 programs, the nature of the summer success pilot programs receiving money from the  
42 program fund, the amount of money distributed and the number of children participating  
43 in a summer success pilot program. The report must also include a recommendation on

1 whether the summer success pilot program should continue as a pilot program, be modified  
2 or become a permanent program.

3 **Sec. 3. 20-A MRSA §15688-A, sub-§10** is enacted to read:

4 **10. Summer success pilot programs.** Beginning in fiscal year 2021-22 and for each  
5 subsequent fiscal year, the commissioner may expend and disburse funds to provide grants  
6 for access to summer success pilot programs for elementary and secondary school students  
7 pursuant to chapter 317, subchapter 2. The amounts of the grant funding provided to  
8 qualified school administrative units pursuant to chapter 317, subchapter 2 are limited to  
9 the amounts appropriated, allocated or authorized by the Legislature for the operation of  
10 summer success pilot programs. Any balance of funds appropriated, allocated or  
11 authorized by the Legislature remaining at the end of a fiscal year do not lapse and are  
12 carried forward to the next fiscal year to carry out the purposes of chapter 317, subchapter  
13 2.

14 **Sec. 4. Appropriations and allocations.** The following appropriations and  
15 allocations are made.

16 **EDUCATION, DEPARTMENT OF**

17 **Summer Success Pilot Program Fund N311**

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

| 19 <b>GENERAL FUND</b> | <b>2020-21</b> | <b>2021-22</b>   |
|------------------------|----------------|------------------|
| 20 All Other           | \$0            | \$243,000        |
| 21                     |                |                  |
| 22 GENERAL FUND TOTAL  | <u>\$0</u>     | <u>\$243,000</u> |

23 **SUMMARY**

24 This bill establishes the Summer Success Pilot Program Fund and requires the  
25 Commissioner of Education to use the fund to encourage the facilitation of high-quality  
26 summer success pilot programs in school administrative units throughout the State and does  
27 the following:

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

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

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

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

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

4 3. It provides that, beginning in fiscal year 2021-22, the department is required to  
5 provide grant funding from the fund, through a grant application process, to cover 90% of  
6 the costs of summer success pilot programs and that the department must prioritize  
7 distribution of funding to school administrative units with greater than 50% student  
8 participation in the federal free and reduced-price lunch program;

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

11 5. It requires the commissioner to annually report to the joint standing committee of  
12 the Legislature having jurisdiction over education and cultural affairs on the number of  
13 school administrative units administering summer success pilot programs, the nature of the  
14 summer success pilot programs receiving money from the fund, the amount of money  
15 distributed and the number of children participating in a summer success pilot program.  
16 The report must also include a recommendation on whether the pilot program should  
17 continue as a pilot program, be modified or become a permanent program.