

MAINE STATE LEGISLATURE

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CHAPTER 511
FOUNDATION PROGRAM

Sec.

3721. Foundation program, defined.

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3723. —State support of.

§ 3721. Foundation program, defined

To help equalize educational opportunity and guarantee a minimum program of education for all children throughout the State there is established a foundation program or level of education, expressed in terms of a minimum dollar cost per pupil, in which the State will participate financially on a percentage basis rendering greater financial assistance to the less able administrative units.

Criteria for the foundation program shall be:

1. Scope. The scope of the school program shall include pre-primary or kindergarten education for 5-year old children and all grades through grade 12;

2. Cost. The cost of the foundation program shall include expenditures for teachers' salaries and board, conveyance of pupils, school bus purchases, fuel, janitors' services, tuition, board of pupils, textbooks, reference books, school supplies for desk or laboratory use, public utility services, flags, replacement of instructional equipment, fire insurance, compensation for superintendent and his assistants, school committee, community school committee or school directors, office, attendance officers and medical inspection;

Expenditures made for the purposes listed in this subsection, as reduced by tuition collections and other school maintenance incidental receipts, as prescribed in section 3722, except that income received from a ministerial and school fund shall not be deducted, shall constitute the net operating cost for the purposes of section 3723;

1961, c. 366, § 14; 1963, c. 383, § 1; c. 408, § 1; c. 432, § 1.

3. Employ and pay teachers. School administrative units shall:

A. Pay teachers in accordance with the minimum salary law;

B. Employ at least one teacher for each 30 elementary school pupils in average daily membership except in the pre-primary or kindergarten where the ratio shall not exceed one teacher to 60 pupils and at least one teacher for each 25 high school pupils.

The term "average daily membership" as used in this Title shall represent the sum of the days present and absent of all pupils in the schools under consideration divided by the number of days school is maintained.

1957, c. 364, § 1; c. 443, § 1; 1961, c. 366, § 14; 1963, c. 383, § 1; c. 408, § 1; c. 432, § 1.

§ 3722. —Allowance

The foundation program allowance for each administrative unit, except community school districts which do not offer educational programs for both grades and high school pupils, shall be determined as follows:

The average of the 2 preceding years' resident average daily membership of the pupils attending school in the unit shall be multiplied by the applicable dollar allowance in Table I below. To this amount shall be added the average of the unit's 2 preceding years' expenditure for tuition, pupil transportation and board. The total of these items will be the total foundation program. From this total foundation program shall be subtracted the average of the 2 preceding years' school maintenance incidental receipts, not including tuition receipts, except that income received from a ministerial and school fund shall not be subtracted. The net cost thus obtained represents the net foundation program allowance on which state subsidy shall be computed biennially in accordance with this section.

Resident average daily membership, as used in this section, shall represent the sum of the days present and absent of all resident pupils in the schools under consideration divided by the number of days school is maintained.

TABLE I

Size of School Administrative Unit Based on Average Daily Membership	Necessary Elementary Schools Grades Sub-primary to 8	Necessary Secondary Schools
	1 - 25	\$3,000+\$140 per pupil (1)
26 - 50	\$250 per pupil (1)	\$470 per pupil (1)
51 - 100	\$240 per pupil (1)	\$465 per pupil (1)
101 - 200	\$235 per pupil (1)	\$435 per pupil (1)
201 - 300	\$230 per pupil	\$430 per pupil (1)
301 - 500	\$230 per pupil	\$390 per pupil
501 - 800	\$225 per pupil	\$380 per pupil
801 and over	\$225 per pupil	\$350 per pupil

(1) Secondary school footnotes shall apply to those units which operate schools. If within 15 miles of a school operated in a neighboring administrative unit by the nearest suitable highway, compute all administrative units except School Administrative Districts as follows:

At \$280 per pupil if 100 or fewer average daily membership.

At \$300 per pupil if 101 to 200 average daily membership.

At \$320 per pupil if 201 to 300 average daily membership.

It is the intent of the Legislature that Table I of this section should be revised each biennium to the end that amendments may be enacted consistent with the changes in the educational expenditures of the towns. On or before October 1st of each year prior to the convening of the Legislature, it shall be the duty of the commissioner to make recommendations to the Governor for such revision which may be used as the basis for budget needs and recommendation for state school subsidies for appropriation by the subsequent session of the Legislature.

1957, c. 364, § 1; c. 443, § 1; 1959, c. 353, § 16; 1961, c. 389, § 1; c. 417, §§ 128, 129; 1963, c. 383, § 2; c. 403, § 8-A; c. 408, § 2.

§ 3723. —State support of

On the basis of information available in the office of the commissioner on September 1st for the 2 years next preceding the biennial convening of the Legislature, as provided in returns of educational statistics required by him, the commissioner shall apportion subsidies to the school administrative units of the State for each of the next 2 years according to the following plan:

The several administrative units (cities, towns, plantations and School Administrative Districts) shall be divided into 21 classifications according to their valuations per resident school child being educated at public expense. The valuation shall be as determined by the Board of Equalization in the statement filed by it, as provided in Title 36, section 381, and the number of children shall be the average of the last 2 enrollment reports of resident pupils being educated at public expense on April 1st annually. Such computation shall be subject to correction in accordance with the final statement filed by the Board of Equalization on December 1st.

For each classification, except School Administrative Districts, the subsidy allocation thereafter shall be the same for each of the 2 years of the biennium and shall be the applicable percentage of the average net foundation program allowance for the preceding 2 years, as defined in section 3722 obtained from Table II below. Subsidy for School Administrative Districts shall be computed in accordance with this section.

TABLE II

Class	State Valuation per Resident Pupil	Percentage of State Support of Foundation Program
1	\$3,000 and under	66%
2	3,001-3,500	64
3	3,501-4,000	62
4	4,001-4,500	60
5	4,501-5,000	58
6	5,001-5,500	55
7	5,501-6,000	52
8	6,001-6,500	49
9	6,501-7,000	46
10	7,001-7,500	44
11	7,501-8,000	41
12	8,001-8,500	38
13	8,501-9,000	36
14	9,001-9,500	34
15	9,501-10,000	32
16	10,001-10,500	30
17	10,501-11,000	28
18	11,001-11,500	26
19	11,501-12,000	24
20	12,001-12,500	21
21	12,501 and over	18

Whenever any administrative unit's average net operating cost in any biennium is less than the amount provided for in the average net foundation program, its state subsidy for the next

2 years will be decreased accordingly, that is, the percentage that the net operating cost is of the net foundation program allowance will be applied to that unit's preliminary allotment to determine the final subsidy.

When a School Administrative District is formed during the biennium, following January 1st of a legislative year, the subsidy for the School Administrative District during that biennium shall be computed as follows:

The subsidy for a newly formed School Administrative District shall be the sum of the amounts that the towns would have received plus a 10% bonus. During the next succeeding biennium a School Administrative District, regardless of the previous net operating costs of the subordinate administrative units, shall receive its subsidy based on the average net foundation program of the district plus the additional bonus as provided in section 3456.

Any administrative unit in which the average net operating cost in any biennium exceeds the amount of the average net foundation program allowance shall be entitled to an additional subsidy allocation on that part of its average net operating cost which exceeds its net foundation program allowance, computed by multiplying the amount that the average net operating cost exceeds its net foundation program allowance by 10% of the percentage to which said administrative unit is entitled to receive in Table II.

In figuring subsidy to community school districts, the following shall apply.

Those community school districts offering a school program which includes pre-primary or kindergarten through the 12th grade shall be subsidized as a single administrative unit, and payment made directly to the community school district rather than to the participating towns. In those community school districts where only part of this program is offered, the district cannot be considered as an administrative unit for subsidy purposes but each participating town's share of the operating cost of such district shall be treated as a tuition expenditure in the subsidy tabulation for that town and its subsidy figured accordingly.

The allocation made to each such town because of its share in the allowable operating cost of the community school district shall be paid to the community school district and credited to the town's share of the cost of operating the school with the remainder of each participating town's subsidy being paid directly to the town.

When a School Administrative District has taken over the operation of the public schools within its jurisdiction, the subsidy payment that would normally be paid to the subordinate administrative units which operated the public schools within the confines of the School Administrative District prior to the formation of said district shall be paid directly to the School Administrative District.

1957, c. 364, § 1; c. 443, § 1; 1959, c. 353, §§ 17-19; c. 363, § 31; c. 378, § 37; 1963, c. 408, § 3.