

MAINE STATE LEGISLATURE

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February 1, 1974

Dean Fisher, Commissioner

Health and Welfare

Harrison B. Wetherill, Jr., AAG

Legal Division

Interpretation of P.L. 1973 Ch. 500, Educational Leave

The Bureau of Social Welfare has been operating an Educational Leave Program under 45 CFR Part 205.202. The Maine legislature passed P.L. 1973 Ch. 500 in order to establish a uniform program for educational leave for all state employees. Under the new Maine Statute an Educational Leave Advisory Board is to be established to administer the uniform program under regulations set up by the Board.

The rules and regulations established by the Educational Leave Advisory Board under P.L. 1973 Ch. 500 will apply to applications of Bureau of Social Welfare staff for educational leave.

P.L. 1973 Ch. 500 is entirely consistent with 45 CFR Part 205.202. The federal regulations require that there must be a state plan providing for paid educational leave but do not direct how that plan is to be administered. P.L. 1973 Ch. 500 provides a legitimate vehicle for the administration of the state plan.

HEW:mgm

NOT A FORMAL OPINION