

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIRST LEGISLATURE

Legislative Document

No. 1532

H. P. 1067

House of Representatives, April 25, 1963

Reported by Minority of the Committee on Education and ordered printed under Joint Rules No. 10.

HARVEY R. PEASE, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-THREE

AN ACT Providing for State Support of Education Foundation Program and the Financing Thereof.

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

Sec. 1. R. S., c. 41, § 237-C, amended. Section 237-C of chapter 41 of the Revised Statutes, as enacted by section 1 of chapter 364 and as repealed and replaced by section 1 of chapter 443, both of the public laws of 1957, and as amended by section 14 of chapter 366 of the public laws of 1961, is further amended to read as follows:

'Sec. 237-C. The 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:

I. 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;

II. 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, **including 90% of the receipts of Public Law 874 in federally impacted areas**, as prescribed in section 237-D, shall constitute the net operating cost for the purposes of section 237-E.

III. 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;
- C. The term "average daily membership" 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.

IV. Transportation. If the unit does not operate an approved secondary school, it shall arrange for the education of all pupils that satisfactorily complete grade 8 at approved secondary schools, and shall ascertain that all pupils have transportation to school. If it becomes necessary for the unit to furnish transportation for all or some of the pupils it shall do so.

V. Resident pupils. The term "resident pupils" shall mean all pupils enrolled and attending the public schools operated by the unit, or in other schools at the expense of the unit, in grades subprimary through 12, and residing in the unit on April 1st.

~~The term "average daily membership" as used in this chapter 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'~~

Sec. 2. R. S., c. 41, § 237-D, repealed and replaced. Section 237-D of chapter 41 of the Revised Statutes, as enacted by section 1 of chapter 364 and as repealed and replaced by section 1 of chapter 443, both of the public laws of 1957 and as amended, is repealed and the following enacted in place thereof:

'Sec. 237-D. Net foundation program cost; meeting the foundation program. The net foundation program cost for each administrative unit, except community school districts, which do not offer education programs for both grades and high school pupils, shall be determined as follows:

The average of resident pupils in the unit for the 2 years next preceding the biennial convening of the Legislature shall be multiplied by the applicable dollar allowance in Table I below. This shall be the total foundation program. From this total foundation program shall be subtracted the average of the 2 preceding years' tuition collections and other school maintenance incidental receipts, including 90% of the receipts of Public Law 874 in federally impacted areas. The result thus obtained represents the net foundation program cost for the unit, which shall be computed biennially.

TABLE I

Size of School Administrative Unit Based on Average Resident Pupils	Elementary Schools Grades Subprimary to 8	Secondary Schools Grades 9 to 12
1 - 25	\$3,000 + \$120 per pupil	\$6,500 + \$145 per pupil
1 - 25	\$240 per pupil	\$400 per pupil
26 - 50	\$235 per pupil	\$390 per pupil
51 - 100	\$230 per pupil	\$385 per pupil
101 - 200	\$220 per pupil	\$375 per pupil
201 - 300	\$215 per pupil	\$370 per pupil
301 - 500	\$215 per pupil	\$355 per pupil
501 - 800	\$210 per pupil	\$340 per pupil
801 and over	\$210 per pupil	\$310 per pupil

If the "net operating cost" of the unit as defined in section 237-C, subsection II, equals its "net foundation program cost" and the other requirements of section 237-C are met, the unit is meeting the foundation program.

If on the basis of all information available at the time of approval of its annual budget, a unit appropriates sufficient funds to meet the foundation program and the funds are expended for the program, the unit shall be considered as meeting the foundation program during the budget year.'

Sec. 3. R. S., c. 41, § 237-E, repealed and replaced. Section 237-E of chapter 41 of the Revised Statutes, as enacted by section 1 of chapter 364 and as repealed and replaced by section 1 of chapter 443, both of the public laws of 1957, and as amended, is repealed and the following enacted in place thereof:

'Sec. 237-E. State support of foundation program. On the basis of information available in the office of the Commissioner of Education 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, cities, towns, plantations, School Administrative District and community school districts, for each of the next 2 years according to the following plan:

- I. First 50 pupils. Each administrative unit shall receive a subsidy of \$250 for each of its first 50 resident pupils.
- II. Meeting foundation program and over 50 pupils. Each administrative unit that is meeting the foundation program shall receive a subsidy of \$200 for each of its resident pupils over 50.
- III. Not meeting foundation program and over 50 pupils. Each administrative unit that is not meeting the foundation program shall receive a subsidy of \$180 for each of its resident pupils over 50.
- IV. Transportation. Each administrative unit that contracts for the education of all resident pupils in grades 9 to 12 at an approved secondary school,

and each School Administrative District and community school district that transports public school pupils at public expense to an approved secondary school outside the municipality of their residence shall receive a subsidy of \$50 for each pupil so transported.

V. Community school districts. 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 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 shall receive a subsidy based on the total number of resident pupils in the town schools and in the district schools.

VI. Application. The gross amount determined for each administrative unit under subsections I to V shall be reduced by an amount equal to 10 mills on the valuation of the unit as determined by the Board of Equalization under chapter 16, sections 66 and 67, but

A. No School Administrative District shall receive a smaller net subsidy than it received in 1963; and

B. No administrative unit shall receive a net subsidy greater than 82% of its net operating cost.

VII. Eligibility. A unit may make itself eligible for the subsidy under subsection II by meeting the foundation program in the year in which subsidies are payable.

VIII. Payable. Subsidies shall be payable in December.'

Sec. 4. R. S., c. 41, §§ 237-G and 237-H, repealed. Sections 237-G and 237-H of chapter 41 of the Revised Statutes, as enacted by section 1 of chapter 364 and as repealed and replaced by section 1 of chapter 443, both of the public laws of 1957 and as amended, are repealed.

Sec. 5. Effective date. This act shall become effective on January 1, 1964.

Sec. 6. Appropriation. In addition to the funds appropriated for general purpose educational subsidies to cities and towns by the 101st Legislature there is appropriated from the General Fund the sum of \$3,250,000 for educational subsidies payable under this act for the fiscal year ending June 30, 1965.