

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
108TH LEGISLATURE  
FIRST REGULAR SESSION

(Filing No. H-275)

COMMITTEE AMENDMENT"A" to H.P. 1025, L.D. 1273, Bill, "AN ACT to Require Towns without Secondary Schools to Provide Transportation to Secondary Schools."

Amend the bill by striking out all of section 1 and inserting in its place the following:

'Sec. 1. 20 MRSA §3561, as last amended by PL 1975, c. 746, §§22 and 22-A, is repealed and the following enacted in its place:

§3561. School location; closing or suspension; conveyance

1. Location; change of location; procedure.

A. The location of any school, legally established prior to the 17th day of March, 1893, continues unchanged, notwithstanding the administrative unit is abolished.

B. Any administrative unit at its annual meeting, or at a meeting called for the purpose, may determine the number and location of its schools and may discontinue them or change their location.

C. The discontinuance or change of location shall be made only on the written recommendation of the school committee or board of directors and on conditions proper to preserve the just rights and privileges of the inhabitants for whose benefits such schools are established.

2. Suspension of operation by school committee. In case any school shall hereafter have too few scholars for its proper maintenance, the school committee or board of directors may suspend the operation of such school for not more than one year, but shall not close such school for a longer period nor again thereafter suspend operation of such school unless so instructed by the vote of the administrative unit.

3. Automatic suspension; vote of the administrative unit. Any public school failing to maintain an average attendance for any school year of at least 8 pupils shall be suspended. If the school committee or board of directors has made a written recommendation that the school remain open and if voters of the administrative unit vote at its annual meeting or at a meeting called for that purpose to keep the school open, then the school committee or board of directors shall continue to maintain the school.

4. Conveyance of elementary and secondary students.

A. The school committee or board of directors shall decide the minimum distance from a school which a pupil must live to be eligible for free transportation to school. The committee or board shall determine the maximum distance between a pupil's residence and the school bus pick-up point to be designated by the superintendent of schools. Exceptions to these distances may be made by the committee or board in the interest of safety or to alleviate a hardship.

B. The superintendent of schools shall procure the conveyance of all eligible elementary and secondary pupils residing in his unit to and from the nearest suitable school. Trans-

portation shall be provided these students for the number of weeks which schools are maintained each year.

5. Conveyance of special education students. The superintendent of schools in each unit shall procure conveyance for special education pupils to and from classes even if the unit does not provide the necessary services and those classes are conducted by public or private schools outside the administrative unit.

6. Conveyance of secondary students in units without secondary schools. In units without secondary schools, the superintendent of schools shall, at a minimum, provide transportation to and from the secondary school which enrolls the largest number of students from the sending unit. The superintendent of schools may, at his discretion, provide transportation to and from other secondary schools.

7. Board in lieu of transportation; school committee's duty. If, in the judgment of the school committee or board of directors, it is impractical to make daily transportation available to secondary students in the administrative units without secondary schools, then the school committee or board of directors of those units shall negotiate an agreement with the parents or legal guardians of the students to pay toward transportation costs, or board in lieu of transportation costs, an amount not to exceed \$25 per week.

8. Safety of the children. In all cases, conveyance so provided shall conserve the comfort, safety and welfare of the children conveyed. A responsible driver shall have control over the conduct of the children conveyed.

9. Contracts. Contracts for the conveyance of school children may be made for a period not to exceed 5 years.

10. Board. The school committee or board of directors shall authorize the superintendent of schools to pay the board of any pupil or pupils an amount not to exceed \$25 per week per pupil at a suitable place near any established school instead of providing conveyance for the pupil or pupils, when in their judgment boarding is in the best interest of the pupil or pupils.'

Statement of Fact

This amendment to L.D. 1273 reorganizes section 3561. Subsections 4 and 5 of the redraft of section 3561 incorporates the change set forth in L.D. 1273. Subsection 4 also requires the school committee or board of directors to establish distances a child must live from school to be eligible for free transportation and authorizes the committee or board to grant exceptions to such distances. Subsection 6 of the reorganization to section 3561 is new language and would require those administrative units which do not have secondary schools to provide transportation to and from the secondary school which enrolls the largest number of their students.

Reported by the Majority of the Committee on Education.

Reproduced and distributed under the direction of the Clerk of the House.  
5/6/77

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