

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

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Legislative Document

No. 1587

S. P. 448

In Senate, April 13, 1977

Referred to the Committee on Education. Sent down for concurrence and 1,800 ordered printed.

MAY M. ROSS, Secretary

Presented by Senator Merrill of Cumberland.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SEVEN

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AN ACT Creating an Educational Choice Act.

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

Sec. 1. 20 MRSA 933, sub-§ 3, as enacted by PL 1975, c. 706, § 2, is amended by adding at the end the following new paragraph to read:

Each positive action committee shall convene at least monthly when notified by the superintendent that any youth has requested that all or part of his tuition money be used for alternative education, instruction or training and shall approve in whole or in part or disapprove the pupil's request. A request shall be approved by the committee whenever a plan for an appropriate alternative to school has been presented by the pupil, and the superintendent shall forthwith act to implement any approved plan.

Sec. 2. 20 MRSA § 934 is enacted to read:

§ 934. Educational choice

Any youth who has withdrawn or been expelled from school or who intends to withdraw from school, may request approval by the positive action committee, of his plan for an appropriate alternative to school. The plan shall contain a short statement of the youth's educational, instructional or training need, accompanied by a short statement by an individual or organization qualified to provide such education, instruction or training of willingness to provide it to the youth, a brief outline of the course to be provided and a statement of the cost of the course.

When such a plan is approved in whole or in part by the positive action committee, the superintendent shall make available to the youth all or such

portion of the average tuition expense, as will enable the youth to obtain the approved education, training or instruction. The superintendent shall require the individual or organization, which provides the youth an appropriate alternative to school to make regular reports as to the youth's attendance and progress in the course of education, instruction or training and shall withhold further tuition moneys when indicated by such reports.

Within the limits of school policy and state educational requirements, the youth shall be given credit toward promotion or graduation for progress under an approved plan.

To the extent that tuition money is unexpended under an approved plan, a youth shall be entitled to participate in regular school programming. Receipt of tuition money shall not of itself make a youth ineligible to participate in the school's athletic program or in extracurricular activities. The principal and guidance counselor of the youth's regular school, shall be informed of any approved plan, shall receive copies of all reports received by the superintendent and shall be reasonably available to the youth for consultation.

A youth under 15 years of age shall have the written approval of a parent or guardian before submitting a plan under this section.

#### STATEMENT OF FACT

This bill allows students whose needs are not met by existing school curriculums to organize a more appropriate educational or training program for themselves, i.e., by drawing up a proposal or learning plan and presenting it, along with a letter from the person or agency who will provide instruction, to the positive action committee.

This way a student with a strong interest in music, for example, who cannot afford private lessons and whose school does not provide adequate music instruction could use his allotted amount of public school tuition money to study with a professional musician or attend music school.

A student leaning toward a trade, such as plumbing or electrical work, could use the tuition money to pay a master plumber or electrician to teach him the trade; and a student whose major needs are taken care of but could benefit from a math or English or art course at a different school would be able to take a portion of the tuition money and transfer it to the other school.

This bill would provide alternative types of education at no administrative cost. The planning and work of drawing up a proposal and arranging the appropriate training or education would be done by the student.

This bill offers greater flexibility than a straight voucher system and allows the student more responsibility in planning his own education.