

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 691

S. P. 242

In Senate, February 22, 1979

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

Presented by Senator Devoe of Penobscot.

MAY M. ROSS, Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Provide that SAD's May Contract for High School Education for its Students with any Other Approved School.

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

Sec. 1. 20 MRSA § 213-A is enacted to read:

§ 213-A. District program; secondary facility

1. K-12 program. A School Administrative District shall maintain a program which includes kindergarten through grade 12.

2. Secondary facility. A district shall provide a secondary school facility as follows.

A. A district which enrolls more than 700 pupils in grades 9 through 12 may operate more than one 4-year school.

B. A district which enrolls less than 700 pupils in grades 9 through 12 shall provide grades 10 through 12 in one facility within 4 years from the date of the district's formation.

C. Secondary school facilities may be operated as 4-year schools or combined with grades 7 and 8 to form a 6-year school or 2 or more 3-year schools, except for children living in an area remote from a public school, as provided in section 912.

D. Notwithstanding any other provision of this section, a district may meet the requirement of providing a secondary school facility by contracting with any nearby administrative unit or with a private academy for all or part of its pupils for a term of from 5 years to 20 years.

Sec. 2. 20 MRSA § 220, as last amended by PL 1977, c. 625, § 1, is repealed and the following enacted in its place:

§ 220. Transportation

The superintendent of a School Administrative District, with the approval of the board of directors, shall provide for the transportation of all public school pupils residing in the district as follows.

1. Elementary pupils. All elementary pupils shall be transported a part or the whole of the distance to and from the nearest suitable school.

2. Secondary pupils. All secondary pupils shall be transported a part or the whole of the distance to and from the secondary school in the district. If a district does not maintain a secondary school, all secondary pupils shall be transported a part or the whole of the distance to and from the secondary school in the unit with which the district has contracted for secondary school privileges. The district may transport secondary school pupils attending other secondary schools at the discretion of the board of directors.

3. Duration of transportation services. Transportation shall be provided for the number of weeks for which the schools are maintained in each year when these public school pupils reside at such a distance from the school as in the judgment of the school directors shall render transportation necessary.

4. Transportation safety. In all cases, transportation provided shall conserve the comfort, safety and welfare of the pupils transported and shall be in charge of a responsible driver who shall have the control over the conduct of the pupils while they are being transported.

5. Contracts. Contracts for transportation shall be made as follows.

A. Contracts for transportation may be made for a period not to exceed 5 years.

B. These contracts shall be executed by the superintendent of the School Administrative District with the approval of the school directors.

6. Expenditures. The expenditures for transportation shall be considered as an expense of operation of the school in the district.

Sec. 3. 20 MRSA § 1291, first sentence, as amended by PL 1971, c. 223, § 14, is repealed and the following enacted in its place:

Any youth whose parent or legal guardian maintains a house for his family in any administrative unit which does not support or maintain an approved secondary school or does not contract to provide secondary school privileges for

all of its pupils may attend any approved secondary school to which he may gain admission.

Sec. 4. 20 MRSA § 3456, as repealed and replaced by PL 1973, c. 556, § 14, is repealed.

STATEMENT OF FACT

This bill authorizes any School Administrative District (S.A.D.) which does not maintain its own secondary school to contract for some of its pupils and to permit other pupils to attend other secondary schools on a tuition basis. The bill also provides that an S.A.D. is obligated to provide transportation for only those secondary pupils who either attend a secondary school in the district or attend a secondary school in a unit with which the district has a contract. The S.A.D. is not obligated to transport secondary pupils who are attending other secondary schools on a tuition basis.