

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 2219

6
7 H.P. 1569 House of Representatives, March 17, 1986
8 Submitted by the Department of Educational and Cultural Services
9 pursuant to Joint Rule 24.

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

EDWIN H. PERT, Clerk

Presented by Representative Nelson of Portland.

Cosponsored by Senator Brown of Washington, Representative Lawrence
of Parsonfield and Representative Connolly of Portland.

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-SIX
16

17 AN ACT to Provide Technical Assistance to
18 Schools on Truancy, Dropouts and
19 Alternative Educational Programs and
20 to Amend the Permanent School Fund.
21

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

24 Sec. 1. 5 MRSA §12004, sub-§10, ¶A, sub-¶(17-A)
25 is enacted to read:

26 (17-A) Education, Advisory Expenses 20-A MRSA
27 Truants and Committee Only §5152
28 Dropouts

29 Sec. 2. 13 MRSA §3167, as amended by PL 1973, c.
30 628, §5, is further amended to read:

31 §3167. Income to support schools

32 All income derived from ~~such~~ the ministerial and
33 school lands, and from the rents and profits of real

1 and personal estate held under section 3166, shall be
2 annually applied to the support of public schools in
3 the town or the schooling of resident students, and
4 expended like other school moneys money.

5 Sec. 3. 20-A MRSA §257, sub-§3, as enacted by PL
6 1981, c. 693, §§5 and 8, is amended to read:

7 3. Fees. The commissioner may charge a fee or
8 pay a fee under section 15002, subsection 3, suffi-
9 cient to defray operating costs for a certificate.
10 An honorably discharged or released veteran of the
11 Armed Forces of the United States or a person judged
12 by the commissioner to be economically disadvantaged
13 shall be exempt from payment of a fee. That fee
14 shall be paid from the income of the Permanent School
15 Fund.

16 Sec. 4. 20-A MRSA §4502, sub-§5, ¶L, as enacted
17 by PL 1983, c. 859, Pt. A, §§20 and 25, is amended to
18 read:

19 L. Prepare and implement an on-going school im-
20 provement process and annually update a written
21 school improvement plan, including a fully devel-
22 oped staff development plan, and a plan address-
23 ing truants, dropouts, alternative education,
24 prevention of truancy and return to school, cit-
25 ing progress and trends with respect to school
26 improvement.

27 Sec. 5. 20-A MRSA c. 211, sub-c. IV is enacted
28 to read:

29 SUBCHAPTER IV

30 TECHNICAL ASSISTANCE

31 §5151. Technical assistance for truants, dropout
32 prevention and return and alternative educa-
33 tion

34 The commissioner shall provide technical assist-
35 ance regarding truancy, dropouts and alternative edu-
36 cational programs. To do this, the commissioner
37 shall employ at least one consultant whose sole re-
38 sponsibility is to cover the area of truancy,

1 dropouts and alternative education. The consultant
2 shall have the following duties.

3 1. Qualifications. Any consultant must be
4 knowledgeable in the problems of truancy and dropouts
5 and policies and programs pertaining to the problem
6 and have this as his sole responsibility.

7 2. Duties. The consultant shall:

8 A. Provide technical assistance to school admin-
9 istrative units and private schools approved for
10 tuition purposes to establish alternative pro-
11 grams;

12 B. Develop screening tools for early identifica-
13 tion of potential dropouts;

14 C. Act as a clearinghouse for information on al-
15 ternative education programs in the State, on ex-
16 emplary programs in other states and on research
17 pertaining to the subject, and promote effective
18 programs;

19 D. Function as a liasion among the commissioner,
20 department staff, advisory committee and school
21 administrative units and private schools as it
22 pertains to truants, dropouts, alternative educa-
23 tion and adult education;

24 E. Develop model curricula and programs for al-
25 ternative educational schools and programs;

26 F. Assess and provide for the evaluation of al-
27 ternative educational programs consistent with
28 the standards established by the commissioner;

29 G. Develop training programs for superintend-
30 ents, principals and school attendance officers
31 to improve effectiveness in performance of their
32 duties as pertains to truants, dropouts and al-
33 ternative education;

34 H. Develop and submit a plan on behalf of the
35 commissioner for the joint standing committee of
36 the Legislature having jurisdiction over educa-
37 tion and the state board on the prevalence of

1 truancy and dropouts, assess alternative and
2 adult educational programs and prepare positive
3 strategies to prevent and remedy the problems
4 identified;

5 I. Have the responsibility for preventive and
6 alternative programs;

7 J. Collect data on the scope of the dropout and
8 truancy problem in the State;

9 K. Evaluate the scope of the problem of dropouts
10 and truants and programs and policies directed to
11 meet it;

12 L. Provide staff services to the advisory com-
13 mittee; and

14 M. Plan and coordinate programs and grant writ-
15 ing to stimulate programs and research on the
16 problem of dropouts, truants, alternative educa-
17 tion and adult education.

18 §5152. Advisory committee

19 1. Commissioner. The commissioner shall appoint
20 an advisory committee on truancy, dropouts and alter-
21 native education.

22 2. Duties of the advisory committee, as ap-
23 pointed by the commissioner. The advisory committee
24 shall advise the commissioner on the development and
25 implementation of state and local policies and pro-
26 grams that are needed to deal effectively with the
27 incidence of truancy and dropouts in state schools.
28 They should consider their mandate in a broad context
29 to assess the causes of truancy and dropouts, the ef-
30 fectiveness of alternative and prevention programs
31 and the social and educational programs or changes
32 needed to encourage students to remain in school.

33 3. Membership. The advisory committee shall
34 have a broad membership reflecting the range of indi-
35 viduals and public and private institutions which are
36 involved or interested in the problem and its solu-
37 tion. These shall include a representative from each
38 of the following groups:

- 1 A. Teachers;
- 2 B. Elementary school principals;
- 3 C. Secondary school principals;
- 4 D. Guidance counselors;
- 5 E. Adult education teachers with experience in
6 high school completion education;
- 7 F. Superintendents;
- 8 G. Administrators from private schools involved
9 in alternative education;
- 10 H. Representatives from each of the following:
- 11 (1) Department of Human Services;
- 12 (2) Department of Mental Health and Mental
13 Retardation;
- 14 (3) Department of Corrections;
- 15 (4) Department of Labor; and
- 16 (5) A local positive action committee on
17 truant, dropout and alternative programs;
- 18 I. Representatives from the business community;
19 and
- 20 J. Other individuals who the commissioner feels
21 will contribute to the development of effective
22 policies and programs.
- 23 Two of the representatives in paragraphs A to D shall
24 be directly involved in alternative education. There
25 shall be no more than 15 members on the committee.
- 26 4. Term of office. The members of the advisory
27 committee shall serve for 2 years and may be reap-
28 pointed.
- 29 5. Expenses. Members of the advisory committee
30 shall be reimbursed for expenses only for attending

1 meetings or performing other functions authorized by
2 the committee.

3 §5153. Rules

4 The commissioner shall establish rules to imple-
5 ment this subchapter by January 1987.

6 Sec. 6. 20-A MRSA §15002, as enacted by PL 1981,
7 c. 693, §§5 and 8, is repealed:

8 Sec. 7. 20-A MRSA §15002-A is enacted to read:
9 §15002-A. Permanent School Fund

10 The Treasurer of State shall keep a separate ac-
11 count of all money received from sales of lands ap-
12 propriated for the support of schools or from notes
13 taken therefor and of any other money appropriated
14 for the same purpose. Those sums shall constitute a
15 Permanent School Fund, which shall be invested in
16 such securities as are legal investments for savings
17 banks under Title 9. The income from these invest-
18 ments shall be placed in a dedicated revenue, inter-
19 est-bearing account and shall be available to be used
20 as follows:

21 1. Alternative education, school dropouts and
22 truants. Financing the department's obligation to
23 provide services to encourage the development of al-
24 ternative educational programs, including high school
25 completion programs through adult education programs
26 and shall address other needs of school dropouts and
27 truants as more specifically set forth in sections
28 5151 to 5153;

29 2. Allocation to school units. Allocations to
30 school administrative units for the purpose of sur-
31 veying school systems and developing school plans.
32 The allocations shall not in any case exceed 1/2 of
33 the cost of those surveys or plans; and

34 3. Fees for equivalency certificates. Payment
35 of the cost of fees established for high school
36 equivalency certificates for honorably discharged or
37 released veterans of the United States Armed Forces
38 or for those persons determined by the commissioner
39 to be economically disadvantaged.

1 Sec. 8. 20-A MRS §15006 is enacted to read:

2 §15006. Ministerial and school lands

3 All income derived from ministerial and school
4 lands within a municipality from rents and profits of
5 real and personal estate held under Title 13, section
6 3166, shall be annually applied to the support of
7 public schools in the municipality or the schooling
8 of resident students and expended like other school
9 money.

10 Sec. 9. Allocation. The following funds are al-
11 located from the Permanent School Fund to carry out
12 the purposes of this Act.

13 1986-87

14 EDUCATIONAL AND CULTURAL SERVICES,
15 DEPARTMENT OF

16	Administration - Education	
17	Positions	(2)
18	Personal Services	\$41,880
19	All Other	35,000
20	Capital Expenditures	4,500
21	Total	<u>\$81,380</u>
22	Advisory Committee on Truancy	
23	Dropouts and Alternative	
24	Education	
25	All Other	<u>\$10,000</u>
26	TOTAL ALLOCATIONS	\$91,380

27 Sec. 10. Effective date. Section 4 of this Act
28 shall take effect August 1, 1988.

1

FISCAL NOTE

2 Passage of this bill will result in an annual
3 cost of approximately \$91,380 a year to cover the de-
4 livery of required services. Funds for these ser-
5 vices will be covered by proceeds from the Permanent
6 School Fund and will not require any General Fund
7 participation.

8

STATEMENT OF FACT

9 Section 1 adds the advisory committee on truancy,
10 dropouts and alternative education to the list in the
11 Maine Revised Statutes, Title 5.

12 Section 2 updates Title 13, section 3167, to
13 clarify that ministerial and school lot funds may be
14 used for any legitimate school purpose. Since not
15 all administrative units maintain schools within each
16 town, this change clarifies that money may be used to
17 pay assessments to a school administrative district,
18 community school district or union school outside the
19 boundaries of the town.

20 Section 3 amends section 257, subsection 3. The
21 deleted language is transferred to the Maine Revised
22 Statutes, Title 20-A, section 15002, subsection 3.

23 Section 4 amends the school improvement plan to
24 require an assessment of the truancy, dropout, alter-
25 native education, prevention and return problems and
26 policies in each school unit.

27 Section 5 creates a position in the department to
28 deal with the problem of truancy, dropouts and alter-
29 native education. The intent is to define a unit
30 within the department. The commission will have the
31 authority to determine the location of the unit with-
32 in the department. The section also establishes an
33 advisory committee to the commissioner.

34 Sections 6 and 7 correct a mistake made during
35 the recodification of Title 20. In the recodifica-

1 tion the Permanent School Fund was merged with refer-
2 ence to the permanent school funds of the municipali-
3 ties as though they were one fund. These sections
4 reestablish their correct distinct identities. In
5 addition, incorrect references to the management of
6 school lands are removed. Also, the commission is
7 given authority to use income from the Permanent
8 School Fund to finance the state-operated program to
9 address alternative education, dropouts and truants
10 authorized in this bill.

11 Section 9 authorizes the allocation of \$91,380 to
12 fund the delivery of services identified in this
13 bill.

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