

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 804

H.P. 593 House of Representatives, March 17, 1987  
Reference to the Committee on Education suggested and  
ordered printed.

EDWIN H. PERT, Clerk  
Presented by Representative NORTON of Winthrop.  
Cosponsored by Senators KANY of Kennebec, BRAUN of Knox,  
and Representative GWADOSKY of Fairfield.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT to Provide for School Approval for  
2 Hurricane Island Outward Bound School.  
3

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

6 20-A MRSA §2907 is enacted to read:

7 §2907. Requirement for nontraditional school approv-  
8 al

9 1. Requirements. A private school, not other-  
10 wise approved under this subchapter, may operate as  
11 an approved nontraditional private school if it dem-  
12 onstrates a commitment to the educational process and  
13 to the State's youth by possessing the following:

1 A. An incorporated council, board of trustees or  
2 directors or any governing board composed of a  
3 cross section of the community which the school  
4 serves;

5 B. A set of concrete goals and the financial re-  
6 sources sufficient to meet those goals;

7 C. An established curriculum with appropriate  
8 instructional strategies and sufficient instruc-  
9 tional equipment;

10 D. A set of facilities which comply with state  
11 fire and safety codes;

12 E. A staff qualified by education and necessary  
13 experience directly related to the courses taught  
14 and services provided;

15 F. The unique equipment necessary to the ser-  
16 vices provided;

17 G. An intent to cooperate and work in conjunc-  
18 tion with state public schools; and

19 H. Scholarship assistance to the State's youth.

20 The commissioner shall promulgate, rules pursuant to  
21 the Maine Administrative Procedure Act, Title 5,  
22 chapter 375, which shall incorporate the requirements  
23 set forth in this subsection. Notwithstanding the  
24 Maine Administrative Procedure Act, Title 5, chapter  
25 375, no rule may take effect without the approval of  
26 the advisory committee created in subsection 3.

27 2. Approval. The commissioner shall base his  
28 approval of a school under this section based on the  
29 school's ability to meet the criteria set forth in  
30 subsection 1, at the time of the consideration for  
31 approval.

32 3. Advisory committee. A school granted approv-  
33 al under this section shall be granted representation  
34 in any rule-making process in which the department is  
35 involved. The department may create an advisory com-  
36 mittee, consisting of representatives from the school  
37 which is granted approval under this section, to pro-

1 vide information and assistance to the department in  
2 the approval process.

3 4. Ineligible for state subsidy. A school eli-  
4 gible for approval under this section shall not be  
5 eligible for state subsidy, but may contract with  
6 public schools or schools approved for tuition pur-  
7 poses by the department to provide services to youth.

8 5. Credit. High school credit for programs com-  
9 pleted at a school approved under this section may be  
10 granted to students by the school in which they are  
11 enrolled full time.

12 6. Unique quality. The school approval process  
13 for private schools under this section acknowledges  
14 the unique features of such schools, such as organi-  
15 zation, curricula, mode of instruction, time and  
16 place of instruction, education and experiences of  
17 instructional staff, as being different from public  
18 and private academic institutions.

19 STATEMENT OF FACT

20 This bill seeks to provide Department of Educa-  
21 tional and Cultural Services approval to schools  
22 presently not covered by existing law. These schools  
23 provide substantive service to Maine youth by provid-  
24 ing educational services and experiential activities  
25 unique in Maine. In asking for approval, schools  
26 covered by this bill, desire equity with approved  
27 public schools and private schools approved for tui-  
28 tion purposes and wish to be viewed as providing an  
29 important educational alternative to Maine youth.

30 Hurricane Island Outward Bound School, one of the  
31 schools seeking approval under this section, has pro-  
32 vided over \$450,000 to Maine youth to participate in  
33 its programs in the last 3 years. This is a demon-  
34 stration of this school's commitment to Maine youth.

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