

MAINE STATE LEGISLATURE

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(New Draft of H.P. 592, L.D. 803)
(New Title)
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1810

H.P. 1326 House of Representatives, June 11, 1987.
Reported by Representative BOST from the Committee on
Education and printed under Joint Rule 2.

EDWIN H. PERT, Clerk

Original bill sponsored by Representative HOGLUND of
Portland. Cosponsored by Representatives FOSS of Yarmouth,
CROWLEY of Stockton Springs, and Senator BRANNIGAN of
Cumberland.

STATE OF MAINE

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

AN ACT to Create the Post-secondary
Enrollment Options Act.

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

Sec. 1. 20-A MRSa c. 208 is enacted to read:

CHAPTER 208

POST-SECONDARY ENROLLMENT OPTIONS ACT

§4751. Citation

This chapter may be cited as the "Post-secondary
Enrollment Options Act."

1 §4752. Definitions

2 As used in this chapter, unless the context indi-
3 cates otherwise, the following terms have the follow-
4 ing meanings.

5 1. Course. "Course" means a course or program
6 offered by an eligible institution.

7 2. Eligible institution. "Eligible institution"
8 means a public 2-year or 4-year post-secondary insti-
9 tution in the State.

10 §4753. Eligibility; notification; rules

11 1. Students. Students may take courses at eli-
12 gible institutions under this chapter if they meet
13 the admissions requirements of the institution and
14 the requirements of their school administrative unit,
15 established under subsection 3.

16 2. Eligible institutions. Eligible institutions
17 which admit students under this chapter shall send
18 written notice to the student, the school administra-
19 tive unit in which the student normally attends
20 school and the commissioner of:

21 A. The notification shall include a description
22 of the course, the number of course hours, the
23 date and time of classes, examinations and vaca-
24 tions; and

25 B. Formally reported interim and final grades.

26 3. Participating school administrative units.
27 School administrative units shall count credits
28 earned in eligible institutions toward high school
29 graduation requirements in accordance with the fol-
30 lowing.

31 A. The school administrative unit has adopted a
32 policy to allow students to participate under
33 this chapter.

34 B. The school unit shall establish rules govern-
35 ing the following:

1 (1) Criteria for student participation un-
2 der this chapter. Participation may not be
3 limited to gifted and talented students;

4 (2) The method of determining the high
5 school credit given for the course;

6 (3) An attendance policy; and

7 (4) A needs-based method of paying for any
8 or all of the cost of textbooks, course fees
9 and transportation for students participat-
10 ing under this chapter.

11 C. The school unit shall provide counseling or
12 guidance services to the students and their par-
13 ents before the students enroll in a course.
14 This shall include:

15 (1) Information on the Post-secondary En-
16 rollment Options Act;

17 (2) An assessment of the students strengths
18 and appropriateness of the student taking a
19 course;

20 (3) Information on how courses fit in with
21 the school unit's high school graduation re-
22 quirements; and

23 (4) A plan as to how a particular course to
24 be attended would fit in with the student
25 meeting the school units graduation require-
26 ments.

27 §4754. Dissemination of information

28 School units shall provide general information
29 about the options available to parents and students.

30 §4755. Credits

31 1. High school credit. A school unit shall
32 grant academic credit toward a high school diploma in
33 accordance with rules established under section 4753,
34 subsection 3, to a student who successfully completes
35 a course under this chapter.

1 2. Post-secondary credit. The eligible
2 post-secondary institution shall grant full credit to
3 any student who successfully completes a course at
4 the institution under this chapter. The course shall
5 count toward graduation requirements at the institu-
6 tion in which it was taken or be transferrable to an-
7 other post-secondary institution on an equal basis
8 with a course taken by any other student at the in-
9 stitution.

10 §4756. Financial arrangement

11 1. Distribution of costs. Costs shall be dis-
12 tributed in the following manner.

13 A. If an eligible institution requires tuition
14 payment, a school administrative unit may pay up
15 to the instate tuition rate for courses attended
16 by students under this chapter.

17 B. An eligible institution may not assess fees
18 unrelated to the courses attended by a student
19 participating under this chapter.

20 C. The student or student's parents shall pay
21 for textbooks, course fees and transportation
22 costs. A school unit may pay all or part of
23 these expenses in accordance with rules estab-
24 lished under section 4753, subsection 3.

25 2. Tuition; textbooks; course fees; transpora-
26 tion costs. The tuition, textbooks, course fees and
27 transportation costs paid by a school unit are allow-
28 able program costs under section 15603, subsection
29 22, paragraph E.

30 3. Per pupil count. At the time the final state
31 subsidy calculation is made for a school unit partic-
32 ipating under this chapter, the school unit's pupil
33 count shall be reduced by .1 student for every 3
34 credit-hour semester course taken by a student under
35 this chapter. This reduction shall not be applied to
36 the first course taken by a student. The reduction
37 shall be applied only to the calculation of the
38 school unit's subsidy calculation and not to the
39 State's calculation of the average per pupil expendi-
40 ture under chapter 606.

1 §4757. Limit; state obligation

2 The cost of courses taken in addition to the nor-
3 mal per semester course load for high school students
4 in the school unit may not be included as allowable
5 expenditures under section 15603, subsection 22, par-
6 agraph E. This limitation shall not restrict stu-
7 dents from taking courses during the summer vacation
8 period under this chapter.

9 §4758. Space; assistance

10 The department shall make available reasonable
11 office space, clerical assistance and other support
12 to ensure that the purposes of this chapter will be
13 carried out.

14 §4759. Guidelines; implementation

15 The commissioner shall promulgate guidelines to
16 aid the implementation of this chapter.

17 §4760. Evaluation

18 The department shall evaluate the program and
19 submit a report to the joint standing committee of
20 the Legislature having jurisdiction over education on
21 the implementation of this chapter by January 15,
22 1989. This evaluation shall include at a minimum in-
23 formation on the rules established by school adminis-
24 trative units governing student participation in the
25 program, the guidelines suggested by the commis-
26 ioner, the number of students participating in the pro-
27 gram, appropriate statistics on the number of courses
28 taken each semester and year per student, the grades
29 received by students, the number failing to complete
30 courses in which they enrolled, an analysis of the
31 reasons for noncompletion and the cost of the program
32 to the eligible institutions, school administrative
33 units, the State and students or students' parents.

34 Sec. 2. 20-A MRSA §15603, sub-§22, ¶C, as re-
35 pealed and replaced by PL 1985, c. 737, Pt. A, §45,
36 is amended to read:

37 C. The cost of programs for gifted and talented
38 students which have been approved by the commis-

1 sioner. Federal and state grants used for gifted
2 and talented programs approved by the commission-
3 er may be included as allowable costs under this
4 program; and

5 **Sec. 3. 20-A MRSA §15603, sub-§22, ¶D,** as
6 amended by PL 1985, c. 487, §5, is further amended to
7 read:

8 D. Starting in 1986-87 for expenditures in the
9 base year 1984-85, the following preschool handi-
10 capped services:

11 (1) The salary and benefit costs of certi-
12 fied professional, assistants and aides or
13 persons contracted to perform preschool
14 handicapped services which have been ap-
15 proved by the commissioner; and

16 (2) The cost of tuition to other schools
17 for programs which have been approved by the
18 commissioner; and

19 **Sec. 4. 20-A MRSA §15603, sub-§22, ¶E** is enacted
20 to read:

21 E. The cost of tuition, books, fees and trans-
22 portation for courses taken at post-secondary in-
23 stitutions under chapter 208.

24 FISCAL NOTE

25 The costs of this program are included in the
26 School Finance Act of 1985. They will be first paid
27 by the school administrative unit and 2 years later
28 included as allowable costs under the formula.

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STATEMENT OF FACT

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This new draft keeps the basic intent of the original bill to allow students to take post-secondary level courses before high school graduation. It gives the school administrative units authority to set requirements for participating students participate and makes the cost of the courses allowable program costs under the School Finance Act of 1985.

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