

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 2198

H.P. 1607 House of Representatives, February 5, 1988
Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 26.

Reference to the Committee on Education suggested and
ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative BOST of Orono.

Cosponsored by Senators PERKINS of Hancock, ESTES of York
and Representative CASHMAN of Old Town.

STATE OF MAINE

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

1 AN ACT to Reduce Special Education Costs to
2 Local School Administrative Units.
3

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

6 Sec. 1. 20-A MRSA §15603, sub-§22, ¶B, as
7 amended by PL 1985, c. 487, §4, is further amended to
8 read:

1 B. The costs of tuition and board to other
2 schools for programs which have been approved by
3 the commissioner and not paid directly by the
4 State under section 15607, subsection 9, paragraph
5 A. Medical costs shall not be allowable as part of
6 a tuition charge;

7 Sec. 2. 20-A MRSA §15607, sub-§§10 and 11, as
8 enacted by PL 1983, c. 859, Pt. G, §§2 and 4, are
9 amended to read:

10 10. Appropriation for audit adjustments.
11 Appropriate the necessary funds for audit
12 adjustments; and

13 11. Appropriation for nonpublic school services.
14 Appropriate the necessary funds for reimbursement for
15 nonpublic school services under section 15613,
16 subsection 4; and

17 Sec. 3. 20-A MRSA §15607, sub-§12 is enacted to
18 read:

19 12. Appropriation for special education tuition
20 and costs for out-of-district placements. Appropriate
21 the necessary funds for special education tuition
22 under section 15612, subsection 10.

23 Sec. 4. 20-A MRSA §15612, sub-§10 is enacted to
24 read:

25 10. Special education tuition and costs for
26 out-of-district placement adjustment. The following
27 provisions shall apply to payment of tuition,
28 treatment and room and board costs for out-of-district
29 placements. The State shall pay the balance of the
30 difference between the costs under section 15605,
31 subsection 2, paragraph E, and 2 times the statewide
32 average secondary school per pupil operating costs.

33 The commissioner may promulgate rules in accordance
34 with the Maine Administrative Procedure Act, Title 5,
35 chapter 375, to administer this section.

1

STATEMENT OF FACT

2

3

4

5

6

School administrative units in the State are experiencing significant drains on their budgets as a result of out-of-district placements of children in need of special education services. This bill attempts to alleviate this burden by:

7

8

9

1. Establishing a ceiling for costs which local administrative units will have to pay for out-of-district placements each year; and

10

11

12

13

14

2. Mandating that the commissioner appropriates adequate funds to reimburse providers of services for costs above the ceiling. The Commissioner of Educational and Cultural Services shall promulgate rules to accomplish this process.

15

4078012188