

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1462

H.P. 1051

House of Representatives, May 3, 1989

Reference to the Committee on Education suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative PINES of Limestone.

Cosponsored by Senator THERIAULT of Aroostook, Representative SMALL of Bath and Representative O'GARA of Westbrook.

STATE OF MAINE

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

Resolve, to Establish the Commission to Study Alternative Education.



1 **Sec. 1. Commission established. Resolved:** That the Commission
to Study Alternative Education is established; and be it further

3 **Sec. 2. Commission membership. Resolved:** That the commission
5 shall consist of the following 10 members:

7 1. Three Legislators serving on the Joint Standing
Committee on Education to be appointed jointly by the President
9 of the Senate and the Speaker of the House of Representatives;

11 2. The Commissioner of Educational and Cultural Services or
the commissioner's designee; and

13 3. One member from each of the following groups, to be
15 appointed by the Governor:

17 A. The Maine Elementary Principals Association;

19 B. The Maine Secondary School Principals' Association;

21 C. The Maine School Management Association;

23 D. The Maine Teachers Association;

25 E. The Maine School Boards Association; and

27 F. The Maine Home School Association; and be it further

29 **Sec. 3. Appointments; meetings. Resolved:** That all
31 appointments shall be made no later than 30 days following the
effective date of this resolve. The Executive Director of the
33 Legislative Council shall be notified by all appointing
authorities once the selections have been made. The Chair of the
35 Legislative Council shall call the first meeting of the
commission. The commission shall select a chair from its
membership; and be it further

37 **Sec. 4. Duties. Resolved:** That the commission shall undertake
39 a study of alternatives to attendance at public day schools with
a primary goal of ensuring that any such alternative in the State
41 will be an equivalent instruction alternative. As part of the
study, the commission shall:

43 1. Investigate and evaluate methods of measuring student
45 achievement and determining teacher proficiency;

47 2. Establish minimum instructor requirements and testing
mechanisms to ensure that those requirements are met;

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1 3. Develop a supervision system which would require an
3 appropriate authority to supervise an alternative instructor and
to prepare written evaluation reports;

5 4. Determine at which level, whether, local school boards
7 or the Department of Educational and Cultural Services, overall
supervision and implementation of alternative instruction
programs should occur;

9 5. Determine whether, to what degree and under what
11 circumstances certain public school facilities and programs
13 should be made available to students in alternative instruction
programs;

15 6. Evaluate the current education funding formula in
17 relation to alternative instruction, taking into account any
determinations made under subsections 5 and 9;

19 7. Study the issue of teacher certification requirements
21 for alternative instructors and whether a differentiation should
be made based upon the grade level being taught;

23 8. Define "home schooling" and prepare proposed legislation
25 to regulate home schooling statutorily; and

27 9. Assess issues of liability and develop a method to
29 assign liability for education and personal injury; and be it
further

31 **Sec. 5. Report. Resolved:** That the commission shall submit
33 its report, together with any necessary implementing legislation,
to the Second Regular Session of the 114th Legislature by January
31, 1990; and be it further

35 **Sec. 6. Staff assistance. Resolved:** That the commission shall
37 request from the Legislative Council sufficient staff assistance
to carry out these duties; and be it further

39 **Sec. 7. Reimbursement. Resolved:** That the members of the
41 commission who are Legislators shall receive the legislative per
diem, as defined in the Maine Revised Statutes, Title 3, section
43 2, for days of attendance at commission meetings. All members of
the commission who are not state employees shall receive
45 expenses, as defined in the Maine Revised Statutes, Title 5,
section 12002, upon application to the Executive Director of the
Legislative Council for those expenses; and be it further

47 **Sec. 8. Appropriation. Resolved:** That the following funds are
49 appropriated from the General Fund to carry out the purposes of
this resolve.

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1989-90

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LEGISLATURE

Study Commission - Funding

Personal Services	\$990
All Other	4,850

Provides funds for the per diem, travel, printing and miscellaneous expenses of the Commission to Study Alternative Education.

**LEGISLATURE
TOTAL**

\$5,840

STATEMENT OF FACT

This resolve establishes the Commission to Study Alternative Education. The commission will look at many issues concerning alternative instruction, including methods to determine teacher and student proficiency, instructor supervision, overall responsibility for that instruction, funding, home schooling and issues of liability.