

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

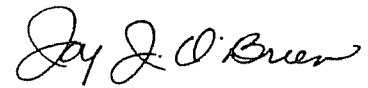
No. 2138

S.P. 830

In Senate, January 5, 1990

Submitted by the Department of Educational and Cultural Services pursuant to Joint Rule 24.

Reference to the Committee on Education suggested and ordered printed.


JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator GILL of Cumberland.

Cosponsored by Senator ESTES of York, Representative NORTON of Winthrop and Representative HANDY of Lewiston.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

An Act to Amend and Improve the Education Laws of Maine.



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

2

3 Sec. 1. 20-A MRSA §202, sub-§15, as amended by PL 1987, c.
4 395, Pt. A, §43, is further amended to read:

6 15. Educational bureaus. The Bureau of Adult and Secondary
7 Vocational Education, the Bureau of Instruction and the Bureau
8 of School Management and the Bureau of Administration;

10 Sec. 2. 20-A MRSA §203, sub-§1, ¶G, as amended by PL 1989, c.
11 414, §3, is further amended to read:

12

13 G. Federal and State Education Program Coordinator; and

14

15 Sec. 3. 20-A MRSA §203, sub-§1, ¶H, as enacted by PL 1989, c.
16 414, §3, is amended to read:

17

18 H. Executive Director, Interdepartmental Council; and

19

20 Sec. 4. 20-A MRSA §203, sub-§1, ¶I is enacted to read:

21

22 I. Associate Commissioner, Bureau of Administration.

23

24 Sec. 5. 20-A MRSA §4254, sub-§2, as amended by PL 1989, c.
25 548, §8, is repealed and the following enacted in its place:

26

27 2. First and 2nd years. Allowable costs are funded as
28 follows.

29

30 A. Allowable costs in the 2nd year of plans initially
31 funded during fiscal year 1989-90 are funded through a grant
32 made on the same matching basis as the division of state and
33 local shares in the unit's state and local allocation in the
34 year prior to the year of allocation.

35

36 B. Allowable costs in the first and 2nd years of plans
37 initially funded subsequent to fiscal year 1989-90 are
38 funded through a grant made from funds appropriated for that
39 purpose.

40

41 Sec. 6. 20-A MRSA §6001, as enacted by PL 1981, c. 693, §§5
42 and 8, is amended to read:

43

44 **§6001. Dissemination of information**

45

46 The United States Family ~~Education~~ Education Rights and
47 Privacy Act of 1974, Public Law 93-380, as amended by Public Law
48 93-568, and the United States Education of All Handicapped
49 Children Act, Public Law 94-142, shall govern the dissemination
50 of information about students. Applications for equivalent
51 instruction through home instruction, comments on the
52 completeness of those applications and all education records of

2 students receiving equivalent instruction through home
3 instruction are confidential.

4 Sec. 7. 20-A MRS §6202, sub-§3 is enacted to read:

6 3. National Assessment of Educational Progress Program.
7 Beginning in the school year starting in 1991, and continuing
8 thereafter, National Assessment of Educational Progress Program
9 tests must be administered in academic areas at the various
10 grades designated by the National Assessment of Educational
11 Progress Program. Schools selected will be required to
12 participate in the national assessment.

14 Sec. 8. 20-A MRS §9703, sub-§5, as enacted by PL 1987, c.
15 827, §1, is amended to read:

16 5. Line-item budget. A line-item budget submitted no later
17 than 90 days prior to the fiscal year in which the program will
18 operate. The proposed budget request may not exceed, on a per
19 student basis, the state average tuition rate for a total of 12
20 students as provided in sections 5804 and , 5805 and 15612.

22 Sec. 9. 20-A MRS §12501, sub-§1, as enacted by PL 1983, c.
23 859, Pt. F, §§1 and 2, is amended to read:

26 1. Academic achievement. "Academic achievement" means
27 graduation in the top 1/2 of the class for graduating high school
28 seniors, or earning a grade point average of 3.0 or more, based
29 on a 4.0 grade point system, or the equivalent, for currently
30 enrolled college students.

32 Sec. 10. 20-A MRS §12501, sub-§1-A, as amended by PL 1989, c.
33 414, §21 and c. 596, Pt. M, is further amended to read:

34 1-A. College students. "College students" means those
35 students who graduated from a Maine high school or the equivalent
36 and are residents of Maine or who did not graduate from a Maine
37 high school or the equivalent but have been residents of Maine
38 for 5 years and are attending an institution of higher education
39 on a full-time basis at the time of application for program
40 participation.

42 Sec. 11. 20-A MRS §12501, sub-§3-A, as amended by PL 1989, c.
43 414, §22, is further amended to read:

44 3-A. Graduating high school seniors. "Graduating high
45 school seniors" means those students who are residents of Maine,
46 who graduate from high school or its equivalent at the end of the
47 academic year and who will be entering their first year in an
48 institution of higher education at the beginning of the next
49 academic year. Academic year is considered to be a September to
50 June time period.
51
52

2 Sec. 12. 20-A M.R.S.A. §12502, as amended by PL 1987, c. 611, §2,
4 is further amended to read:

6 §12502. Blaine House Scholars and Financial Assistance Program

8 There is established the Blaine House Scholars and Financial
10 Assistance Program to recognize graduates from Maine high school
12 graduates schools, or the equivalent, who attain high academic
14 achievement, and to provide financial assistance for
16 post-secondary education of graduating high school seniors and
college students and advanced degree or continued study by
teachers. The program shall recognize outstanding graduating
high school seniors and college students as described in section
12503 and disburse interest free loans as described in section
12504. The program shall be administered by the commissioner.

18 Sec. 13. 20-A M.R.S.A. §15612, sub-§10, as repealed and replaced
20 by PL 1989, c. 502, Pt. B, §19, and as repealed and replaced by
22 PL 1989, c. 554, §2, is repealed and the following enacted in its
place:

24 10. Adjustment for cost of educating eligible students in
26 long-term drug treatment centers. A school administrative unit
28 that operates an educational program, approved pursuant to
sections 9701 to 9706 to serve eligible students in licensed drug
treatment centers, must be reimbursed in the year in which costs
are incurred as follows.

30 A. Reimbursements must be limited to a maximum of 12 state
32 average tuition rates a year for each approved plan.

34 B. The rate of reimbursement per student may not exceed the
36 state average tuition rates in effect during the year of
38 placement as computed under sections 5804 and 5805. The
tuition rates will be computed based on the state average
secondary tuition rate and may be adjusted if the program is
approved to operate beyond the 180-day school year.

40 C. The funds for the adjustment must be limited to the
42 amount appropriated by the Legislature for that purpose.

44 **STATEMENT OF FACT**

46 This bill amends the laws governing education in the
48 following ways.

50 1. It extends the eligibility for a Blaine House
52 Scholarship to currently enrolled college students with the
equivalent of grade point averages of 3.0 or more.

- 2 2. It extends the eligibility for a Blaine House
4 Scholarship to college students who have graduated from a high
 school or its equivalent.
- 6 3. It extends the eligibility for a Blaine House
8 Scholarship to high school seniors who are graduating from a high
 school or its equivalent.
- 10 4. It expands the Blaine House Scholars and Financial
12 Assistance Program to include recognition of and assistance to
 students who have graduated from the equivalent of a high school.
- 14 5. It provides for the proration of tuition rates for
16 programs for students in long-term day treatment centers if the
 program is approved to operate beyond the 180-day school year.
- 18 6. It cross-references the provisions of the Maine Revised
20 Statutes, Title 20-A, section 15612.
- 22 7. It requires selected schools to participate in the
24 National Assessment of Educational Progress Program beginning in
 school year 1991.
- 26 8. Because funds appropriated by the 114th Legislature for
28 the early childhood education plans grants program are
30 insufficient to support local programs going into their 2nd year
 as well as new local programs, it restores the local matching
 requirement for existing programs that was eliminated last
 session in the expectation of additional funds.
- 32 9. Because the Attorney General's office has advised that
34 it is unclear whether the education records of home-schooled
36 students are protected from disclosure to 3rd parties, this bill
 extends to the families of home-schooled students the same
 general protection against disclosure enjoyed by the families of
 public school students.
- 38 10. It makes statutory provision for a Bureau of
40 Administration and an associate commissioner for that bureau
42 within the Department of Educational and Cultural Services.