

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 579, L.D. 830, Bill, "An Act to Provide Full Pupil Subsidies for Home School Students"

Amend the bill by striking out the title and substituting the following:

'An Act Regarding Subsidies to Public Schools for Home School Students'

Further amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 20-A MRSA §5001-A, sub-§3, ¶A, as repealed and replaced by PL 1989, c. 537, is amended to read:

A. Equivalent instruction alternatives are as follows.

(1) A person shall ~~be~~ is excused from attending a public day school if the person obtains equivalent instruction in:

(a) A private school approved for attendance purposes pursuant to section 2901;

(b) A private school recognized by the department as providing equivalent instruction;

(c) A manner approved by the commissioner pursuant to subparagraph (3); or

(d) Any other manner arranged for by the school board and approved by the commissioner.

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2 (2) A student shall-be is credited with attendance at
4 a private school only if a certificate showing the
6 name, residence and attendance of the person at the
school, signed by the person or persons in charge of
the school, has been filed with the school officials of
the administrative unit in which the student resides.

8 (3) A person who wishes to obtain approval of
10 equivalent instruction under rules established by the
commissioner for equivalent instruction through home
12 instruction shall simultaneously submit a completed
application for approval to the local board and to the
14 commissioner. ~~The local board shall provide for review~~
~~of the application. The purpose of local review shall~~
~~only be to facilitate cooperation between local~~
~~educators and students receiving equivalent instruction~~
~~and to permit local boards and educators to provide~~
~~initial review of the application for completion of~~
~~information required by state rules.~~ The local board
20 may review the application and submit comments on the
22 application to the commissioner within 30 days of
receipt of the application. Within 30 60 days of
24 receipt of the application, the local board shall
submit its comments on the completeness of the
26 application to the commissioner. Within 30 days of
receipt of local comments, the commissioner, using
28 state criteria established by rule, shall decide
whether to approve the equivalent instruction
30 application. If the commissioner denies the
32 application, the applicant may, within 30 days of
receiving the denial, amend and resubmit the
34 application directly to the commissioner. The
commissioner shall make a decision within 30 days of
36 receiving the amended application. If the amended an
application is approved, the applicant commissioner
shall send a copy notice of the amended application
38 approval to the local board for information purposes.
Notice provided to local boards under this section of
40 applications for approval of equivalent instruction
through home instruction and of the commissioner's
42 decision on those applications is only for
informational purposes. Local boards are not required
44 to play any role in the application, review and
approval, or oversight of home instruction programs.

46 Sec. 2. 20-A MRSA §5001-A, sub-§3, ¶C, as enacted by PL 1987,
c. 114, is repealed.

48 Sec. 3. Appropriation. The following funds are appropriated
50 from the General Fund to carry out the purposes of this Act.

1992-93

2
4 **EDUCATION, DEPARTMENT OF**

6 **General Purpose Aid to Local Schools**

8 All Other (\$1,680,000)

10 Deappropriates funds no longer necessary due
12 to the elimination of subsidy to school
administrative units for home school
students.

14 **Sec. 4. Effective date.** This Act takes effect on July 1, 1992.

16 **FISCAL NOTE**

18
20 1992-93

22 **APPROPRIATIONS/ALLOCATIONS**

24 General Fund (\$1,680,000)

26 This bill eliminates the state subsidy to public schools for
home school students and will result in General Fund savings to
the Department of Education, General Purpose Aid to Local Schools
28 of approximately \$1,680,000 beginning in fiscal year 1992-93.
These estimates are based on the commissioner's recommended
30 funding level. However, the Governor's current services budget
proposes level funding for General Purpose Aid for Local Schools,
32 which could ultimately affect the actual savings realized.'

34
36 **STATEMENT OF FACT**

38 This amendment eliminates the state subsidy to public
schools for home school students living in the school
40 administrative unit. It also relieves school board of the
responsibility to review and formulate recommendations on each
42 application for home schooling submitted by a family living in
the school unit. Although the school board will continue to
44 receive notice of the filing of an application and of the
department's decision on the application, the school board is not
46 required to participate in the application process. This
amendment takes effect on July 1, 1992.