

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

SECOND REGULAR SESSION-1992

Legislative Document

No. 2375

H.P. 1695

House of Representatives, February 20, 1992

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.
Reference to the Joint Select Committee on Corrections suggested and ordered printed.

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

EDWIN H. PERT, Clerk

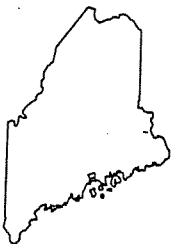
Presented by Representative ANTHONY of South Portland.

Cosponsored by Senator GILL of Cumberland, Senator ESTES of York and Representative OLIVER of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-TWO

An Act Relating to the Arthur R. Gould School.



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

2 Sec. 1. 5 MRSA §12004-I, sub-§15-A is enacted to read:

4 15-A. Policy Review Expenses 34-A MRSA
6 Education: Council Only §3815
8 Arthur R.
 Gould School

10 Sec. 2. 34-A MRSA §3815 is enacted to read:

12 §3815. Arthur R. Gould School

14 1. Purpose. The Arthur R. Gould School, located at the
16 Maine Youth Center, is devoted to the education and instruction
 of persons committed to the center.

18 2. Responsibility for maintaining school. The State,
20 through the Department of Corrections, has the responsibility and
22 expense of maintaining the school with additional financial
 support from school administrative units in accordance with
 subsection 7.

24 3. Governance. The school is governed by a board of
26 trustees. The board of trustees, with assistance from the policy
28 review council, shall establish education policy and ensure
30 school compliance with all elementary and secondary state
32 education requirements for public schools and private schools
 approved for tuition purposes established in Title 20-A. The
 board of trustees shall employ a superintendent. The
 superintendent shall employ teachers and other necessary
 personnel to carry out the functions of the school.

34 4. Board of trustees. Provisions for a board of trustees
36 are as follows.

38 A. The board of trustees consists of 5 members. One
40 representative of the Department of Corrections and one
42 representative of the Department of Education are chosen
44 jointly by the Commissioner of Corrections and the
46 Commissioner of Education. Three members must be
 representatives of the general public with a knowledge of
 education; one member chosen by the Governor, one member by
 the President of the Senate and one member by the Speaker of
 the House of Representatives.

48 B. Trustees appointed by the Commissioner of Corrections
50 and the Commissioner of Education serve for a term specified
 by the commissioners.

2 C. Trustees appointed by the Governor, the President of the
4 Senate and the Speaker of the House of Representatives may
6 serve multiple terms. The first and subsequent trustees
8 chosen by the Governor serve a 4-year term. The first
10 trustee appointed by the President of the Senate serves a
12 3-year term. Subsequent trustees appointed by the President
14 of the Senate serve a 4-year term. The first trustee
16 appointed by the Speaker of the House of Representatives
18 serves a 2-year term. Subsequent trustees appointed by the
20 Speaker of the House of Representatives serve a 4-year term.

22 5. Policy review council. The Commissioner of Corrections
24 and the Commissioner of Education shall appoint a 7-member policy
26 review council as authorized by Title 5, chapter 379.

28 A. The term of office is 3 years.

30 B. The initial appointments are as follows:

32 (1) Three members for 3 years;

34 (2) Two members for 2 years; and

36 (3) Two members for one year.

38 C. Replacements for council members who do not complete
40 their term of office are for the remainder of the unexpired
42 term.

44 D. A Legislator may not serve on the council.

46 E. The council members must be representative of a broad
48 range of professionals, parents and citizens interested in
50 the education of students at the Arthur R. Gould School and
52 include the parents of a current or former Arthur R. Gould
54 School student. In addition, council members may include:

56 (1) Professionals not employed by the Arthur R. Gould
58 School who serve or have served students in a
60 corrections setting;

62 (2) Representatives of advocacy groups for the
64 handicapped;

66 (3) School administrative unit administrators or
68 special education directors; and

70 (4) Interested citizens.

2 F. The council must have access to the school, but may not
3 participate in the administration of the day-to-day
4 operations of the school.

5 G. The duties of the council include, but are not limited
6 to:

7 (1) Making annual recommendations to the board of
8 trustees, and sending copies of the recommendations to
9 the members of the joint standing committee of the
10 Legislature having jurisdiction over education matters;

11 (2) Making policy recommendations to the
12 superintendent, the Commissioner of Education and the
13 Commissioner of Corrections;

14 (3) Reviewing policy development by the superintendent
15 and the board of trustees;

16 (4) Reviewing the implementation of policy;

17 (5) Reviewing staff recruitment, retention, promotion
18 and evaluation policies and procedures;

19 (6) Holding hearings for staff, parents, students,
20 alumni, special education directors and the general
21 public and otherwise soliciting the opinions of
22 individuals in those groups concerning the operation
23 and role of the school; and

24 (7) Conducting exit interviews with staff members
25 terminating employment with the school.

26 H. Members of the council are entitled to reimbursement for
27 expenses as provided by Title 5, chapter 379.

28 6. School privileges. A juvenile client committed to and
29 residing at the Maine Youth Center is eligible to attend the
30 Arthur R. Gould School and receive education, vocational
31 education and special education services in accordance with all
32 state and federal requirements.

33 7. Tuition. The Arthur R. Gould School receives tuition
34 payments from the Maine school administrative unit the student
35 attended prior to placement at the Maine Youth Center or from
36 another administrative unit as established by rule by the
37 Commissioner of Education. The maximum tuition payment may not
38 exceed the Arthur R. Gould School per student cost for the
39 preceding year. The school board of the sending unit may vote to
40 pay a higher tuition rate.

2 Tuition payments for a student attending less than a full
4 academic year must be established by rule by the Commissioner of
6 Education in accordance with the Maine Administrative Procedure
8 Act.

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STATEMENT OF FACT

This bill clarifies that the Arthur R. Gould School, located at the Maine Youth Center in South Portland, is subject to the same education requirements as Maine public schools and private schools approved for tuition purposes. The bill grants authority for governing the school to a 5-member board of trustees and creates a policy review council to recommend and review education policy at the school. The bill also requires that sending school administrative units provide tuition payments for students committed to the youth center who attend the school.