

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

SECOND REGULAR SESSION-1994

Legislative Document

No. 1958

S.P. 733

In Senate, March 1, 1994

**An Act to Establish the Maine School of Science and Mathematics and
the Task Force on the Maine School of Visual and Performing Arts.**

Reference to the Committee on Education suggested and ordered printed.

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator PARADIS of Aroostook. (GOVERNOR'S BILL).
Cosponsored by Senator KIEFFER of Aroostook, Representative MacBRIDE of Presque Isle and
Senators: AMERO of Cumberland, CARPENTER of York, DUTREMBLE of York, LUDWIG
of Aroostook, O'DEA of Penobscot, Representatives: AHEARNE of Madawaska, ANDERSON
of Woodland, CLUKEY of Houlton, DONNELLY of Presque Isle, JACQUES of Waterville,
MARTIN of Eagle Lake, MITCHELL of Vassalboro, PINETTE of Fort Kent, ROBICHAUD of
Caribou, SMALL of Bath, TRUE of Fryeburg, WHITCOMB of Waldo, YOUNG of Limestone.

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

PART A

Sec. A-1. 5 MRSA §12004-C, sub-§6 is enacted to read:

<u>6. Board of</u>	<u>Expenses</u>	<u>20-A MRSA</u>
<u>Trustees, Maine School of</u>	<u>Only</u>	<u>§8204</u>
<u>Science and Mathematics</u>		

Sec. A-2. 20-A MRSA §5805, sub-§3 is enacted to read:

3. Maine School of Science and Mathematics. The per pupil charge for all pupils resident in school administrative units is the adjusted tuition and insured value factor amount that is calculated by multiplying the state average tuition and state average insured value factor amount by 1.5. If necessary for bond repayment purposes described in Title 22, section 2053, subsection 4-B, the adjusted tuition and insured value factor amount is increased by no more than an additional 25% of the state average tuition and state average insured value factor amount.

Sec. A-3. 20-A MRSA c. 312 is enacted to read:

CHAPTER 312

MAINE SCHOOL OF SCIENCE AND MATHEMATICS

§8201. School established

The Maine School of Science and Mathematics is established as a public, chartered school pursuant to this chapter for the purpose of providing certain high-achieving high school students with a challenging educational experience.

§8202. Intent; funding

The school is established as a public, residential school located in Limestone and the following provisions apply.

1. Curriculum. The school's curriculum is designed to exceed existing state educational standards.

2. Tuition; funding. Students from this State may attend the school free of tuition and room and board expense. Funding for these students is provided as follows.

A. The sending school administrative unit provides an amount calculated by multiplying the state average secondary

2 tuition and insured value factor amount by its local share
3 percentage. This amount is considered to be a program cost
4 as described in section 15603, subsection 29-A.

5
6 B. For each pupil, the State provides to the school the
7 portion of the adjusted tuition and insured value factor
8 amount described in section 5805, subsection 3 that exceeds
9 the amount described in subsection 2, paragraph A. This
10 amount must be provided during the year of attendance. The
11 total amount provided for all pupils is limited to the
12 amount appropriated for this purpose.

13
14 3. Out-of-state tuition. Students from other states and
15 countries may attend the school on a space-available basis by
16 paying the cost of tuition, fees and room and board as
17 established by the board of trustees.

18 **§8203. Definitions**

19 As used in this chapter, unless the context otherwise
20 indicates, the following terms have the following meanings.

21
22
23 1. Board of trustees. "Board of trustees" means the Board
24 of Trustees of the Maine School of Science and Mathematics.

25
26 2. Chartered school. "Chartered school" means that the
27 school may establish rules and regulations that delete, modify or
28 add to current rules and regulations of the department.

29
30 3. School. "School" means the Maine School of Science and
31 Mathematics.

32
33 4. Sending school. "Sending school" means any school
34 administrative unit that has a student in attendance at the Maine
35 School of Science and Mathematics.

36
37 5. Trustee. "Trustee" means a member of the Board of
38 Trustees of the Maine School of Science and Mathematics.

39
40 **§8204. Board of trustees**

41
42 The board of trustees as established in Title 5, section
43 12004-C, subsection 6 is the policy-making authority and the
44 governing body of the school.

45
46 1. Membership. The board of trustees consists of 16 voting
47 members and one nonvoting member as follows:

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49 A. The Commissioner of Education or the commissioner's
50 designee;

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B. The Chancellor of the University of Maine System or the chancellor's designee;

C. The chair of the Limestone School Board;

D. One member who is a citizen of Limestone and has an active interest in education, appointed by the Governor;

E. The President of the Maine Technical College System or the president's designee;

F. One member who is a teacher at the school and who is annually elected by members of the school's faculty;

G. Eight members of the general public, at least 5 of whom must be scientists, engineers or mathematicians employed within the business or industrial community appointed by the Governor and subject to review by the joint standing committee of the Legislature having jurisdiction over education matters and subject to confirmation by the Legislature;

H. The President of the Maine Science and Technology Foundation or the president's designee;

I. One student member who has been elected as the presiding officer of the student body; and

J. The superintendent of the school, who serves as the clerk of the board of trustees and is a nonvoting member.

2. Chair. The board of trustees shall choose annually one of its members to serve as chair.

3. Meetings. The board of trustees shall meet at least 4 times a year at regular intervals.

4. Quorum. A quorum for the transaction of business is constituted by the members in attendance and all official actions of the board of trustees require a majority vote of those members present and voting.

5. Compensation. Members are compensated pursuant to Title 5, section 12004-C, subsection 6.

6. Terms. The terms of the members of the board of trustees who are appointed by the Governor are for 4-year terms unless otherwise designated.

2 The terms of the 8 members of the general public are staggered.
3 Of the initial appointees, 4 are appointed for terms of 2 years
4 and 4 for terms of 4 years. Members may be appointed for
5 consecutive terms.

6 **§8205. Powers and duties of the board of trustees**

8 The powers and duties of the board of trustees include the
9 following:

10 1. Policies. To develop and adopt policies and rules
11 necessary for the operation of the school;

12 2. Administration. To oversee the administration of the
13 school, including the hiring of teachers and administrative
14 support staff;

15 3. Financial management. To accept donations, bequests or
16 other forms of financial assistance for any educational purpose
17 from a public or private person or agency and to comply with
18 rules and regulations governing grants from the Federal
19 Government or from any other person or agency;

20 4. Budget development. To prepare and adopt an annual
21 budget for the operation of the school and to exercise budgetary
22 responsibility and allocate for expenditure by the school and
23 programs under its jurisdiction all the resources available for
24 the operation of the school and its programs;

25 5. Indemnification. To indemnify the trustees, officers,
26 teaching staff and employees affiliated with the school and to
27 purchase and maintain insurance to indemnify any such person to
28 the extent provided in Title 13-B, section 714;

29 6. Bonds. To require security for the faithful performance
30 of duties by the officers, trustees, employees and other agents
31 of the school who are entrusted with the custody of the school
32 securities or authorized to disburse the funds of the school.
33 The security must consist of a bond, either a blanket bond or
34 individual bond with a surety bond, or bonds having a minimum
35 limitation of \$100,000 coverage for each insured person. The
36 expense of a bond is assumed by the school;

37 7. Property management. To acquire by purchase any
38 property, lands, buildings, structures, facilities or equipment
39 and make improvements to facilities necessary to fulfill the
40 purposes of this chapter. The community of Limestone retains
41 ownership of the Limestone Elementary School and the Limestone
42 Junior Senior High School and shares those facilities with the
43 school;

2 8. Certificates and diplomas. To offer courses of study
4 and grant diplomas and certificates on completion of courses of
 study. This may be done in cooperation with the sending school;

6 9. Contracts and agreements. To enter into any contracts
8 and agreements, to the extent that funds are available, in the
 execution of its powers under this chapter;

10 10. Delegation. To delegate duties and responsibilities as
 necessary for the efficient operation of this chapter;

12 11. Criteria for enrollment. To establish criteria to be
14 used in determining eligibility of applicants for enrollment.
16 The criteria must include methods of ensuring gender equity for
 students selected;

18 12. Student conduct. To prepare and adopt procedures,
20 rules and regulations to ensure the smooth operation of student
 conduct standards;

22 13. Geographical basis. To develop and adopt a formulated
24 system by which students are selected on a geographically
 proportional statewide basis; and

26 14. Fees and charges. To establish and collect necessary
28 fees and to set policies relating to other appropriate charges
 for students.

30 §8206. Programs and operations

32 The programs and operations of the school include:

34 1. School year. Operating on a calendar year that meets or
36 exceeds the minimum number of statewide student instructional
 days;

38 2. Courses of study; programs. Offering short courses,
40 workshops, seminars, weekend instructional programs and other
42 innovative programs that meet the purpose of the school and
 assist in the professional development of the State's science and
 mathematics teachers;

44 3. School admission. Admittance of high school juniors and
46 seniors; early admittance of students whose abilities or special
48 circumstances are so exceptional as to warrant early entry; and
 consideration by the board of trustees for admittance of
 sophomore students after the junior and senior year programs are
 fully implemented. Students who apply and are accepted by the

2 school are allowed to attend as provided in section 5205,
3 subsection 6;

4 4. Extracurricular activities. Participation in all
5 extracurricular activities offered at Limestone Junior Senior
6 High School; and

8 5. Telecommunications. Integration of the University of
9 Maine System interactive television system to allow transmission
10 of certain specialty courses conducted at the school for the
11 benefit of high-achieving students attending school units
12 throughout the State.

14 Sec. A-4. 20-A MRSA §15603, sub-§26-A, ¶B, as enacted by PL
15 1993, c. 410, Pt. F, §15, is amended to read:

16 B. "Actual local program costs" includes the following:

18 (1) Bus purchase costs as defined in subsection 7;

20 (2) Early childhood educational program costs as
22 defined in subsection 10;

24 (3) Special education costs as defined in subsection
25 22;

26 (4) Transportation operating costs as defined in
28 subsection 29; and

30 (5) Vocational education costs as defined in
31 subsection 30; and

32 (6) Tuition and insured value factor costs as
34 described in subsection 29-A.

36 Sec. A-5. 20-A MRSA §15603, sub-§29-A is enacted to read:

38 29-A. Tuition and insured value factor costs for the Maine
39 School of Science and Mathematics. "Tuition and insured value
40 factor costs for the Maine School of Science and Mathematics"
41 means all costs of school administrative units to send resident
42 pupils to the Maine School of Science and Mathematics during the
43 year before the year of allocations.

44 Sec. A-6. 22 MRSA §2053, sub-§4-B, as enacted by PL 1979, c.
45 680, §4, is repealed and the following enacted in its place:

48 4-B. Institution for higher education. "Institution for
49 higher education" means:

2 A. Any private, nonprofit or charitable institution or
4 organization engaged in the operation of, or formed for the
6 purpose of operating, an educational institution within this
 State that, by virtue of law or charter, is an educational
 institution empowered to provide a program of education
 beyond the high school level; and

8 B. The Maine School of Science and Mathematics, as
10 established in Title 20-A, chapter 312. To repay any
12 necessary outstanding construction bonds, the adjusted
14 tuition and insured value factor amount defined in Title
16 20-A, section 5805, subsection 3, may be increased as
 specified in that definition. The adjustment may be used
 solely to repay bonds from the authority and expires when
 the bond is retired.

18 **Sec. A-7. Appropriation.** The following funds are appropriated
 from the General Fund to carry out the purposes of this Act.

20 1994-95

22 **EDUCATION, DEPARTMENT OF**

24 **Maine School of Science and**
 Mathematics

26 All Other \$400,000

28 Provides funds for start-up costs of the
30 Maine School of Science and Mathematics for
32 fiscal year 1994-95.

34 **PART B**

36 **Sec. B-1. Task force; establishment.** The Task Force on the
38 Maine School of Visual and Performing Arts, referred to in this
40 Part as the "task force," is established to develop a plan to
 implement a school for the arts in the greater Portland area to
 open in September of 1996.

42 **Sec. B-2. Task force; membership.** The task force consists of
44 the following 20 members, to be appointed by the Governor:

- 46 1. One member representing the Legislature;
- 48 2. One member representing the State Board of Education;

- 2 3. One superintendent of schools from the greater Portland
area;
- 4 4. One school principal from the greater Portland area;
- 6 5. One member representing the Portland Museum of Art;
- 8 6. One member representing the Portland Ballet Company;
- 10 7. One member representing the Portland Symphony Orchestra;
- 12 8. One member representing the Portland Stage Company, the
14 Mad Horse Theater Company or the Young People's Theater Group in
Brunswick;
- 16 9. One member representing the University of Southern Maine;
- 18 10. One member representing the Maine Alliance for Arts
20 Education;
- 22 11. One professional visual artist or professional musician;
- 24 12. One member representing the Portland School Committee
or a school board from the greater Portland area;
- 26 13. One member representing the Maine College of Art;
- 28 14. One member representing the greater Portland business
30 community;
- 32 15. One member representing the greater Portland corporate
community;
- 34 16. The Commissioner of Education;
- 36 17. One member representing the Maine Arts Commission;
- 38 18. One member representing Maine public broadcasting;
- 40 19. One secondary art education teacher; and
- 42 20. One secondary music education teacher.

44 **Sec. B-3. Appointments; meetings; chair; subcommittees.** All
46 appointments must be made no later than 30 days following the
effective date of this Part. The task force shall select a chair
48 from among its members. When the appointment of the members is
completed, the Governor shall call the first meeting within 30
days. The task force may form subcommittees within its

2 membership to advise the task force on its assigned duties and
3 other related issues.

4 **Sec. B-4. Duties.** The task force is directed to make
5 recommendations regarding the establishment of a school for the
6 arts, to be located in the greater Portland area and to develop
7 an implementation plan for the school. The plan must include a
8 curriculum component that provides the opportunity for study in
9 the visual arts, including graphics, ceramics, crafts, sculpture
10 and painting; the media arts, including advertising, television,
11 film and photography; dance; theater; music; and creative
12 writing. The plan must also provide for a program of instruction
13 that meets the curriculum requirements and the high school
14 diploma standards pursuant to the Maine Revised Statutes, Title
15 20-A, chapter 207-A, for 11th and 12th grade students. The plan
16 must also include, but is not limited to, the following other
17 components:

- 18 1. The policy-making authority and governing body of the
19 school;
- 20 2. Administration and staffing;
- 21 3. Student selection procedures;
- 22 4. Tuition;
- 23 5. Transportation and housing;
- 24 6. Capital and operational budgets;
- 25 7. Funding provisions and sources; and
- 26 8. The role of the school as a statewide resource in arts
27 education.

28 **Sec. B-5. Staff assistance.** The Department of Education shall
29 provide necessary technical assistance and staff support to the
30 task force.

31 **Sec. B-6. Compensation.** The members of the task force are
32 not entitled to per diem, but those members who are not state
33 employees may be reimbursed for expenses, as defined in the Maine
34 Revised Statutes, Title 5, section 12002, upon application to the
35 Executive Director of the Legislative Council for those expenses.

36 **Sec. B-7. Funding.** The task force is authorized to accept
37 funds and may contract for services in carrying out the duties
38 set forth in section B-4.

2 **Sec. B-8. Report.** The task force shall present its report
together with any implementing legislation to the Governor, the
4 joint standing committee of the Legislature having jurisdiction
over education matters and the Executive Director of the
6 Legislative Council by December 15, 1994.

8 **STATEMENT OF FACT**

10 Part A of the bill establishes the Maine School of Science
and Mathematics. The school is intended to provide certain
12 high-achieving high school students with an intensive curriculum
emphasis in math and science. The school will be located in
14 Limestone and will serve students from throughout the State.
Students from other states and countries may attend on a
16 space-available basis.

18 Part B of the bill establishes a task force to develop a
plan for a school for the visual and performing arts to open in
20 September of 1996 in the greater Portland area. The task force
shall present its plan together with any recommended legislation
22 to the Governor and the Executive Director of the Legislative
Council by December 15, 1994.
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28 **This document has not yet been reviewed to determine the**
30 **need for cross-reference, stylistic and other technical**
amendments to conform existing law to current drafting standards.