

MAINE STATE LEGISLATURE

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EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 632, L.D. 857, "Resolve, to Determine the Appropriate Tuition Rate for Public High School Students Who Live in a Municipality without a High School"

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

'Resolve, to Establish a Task Force to Determine the Tuition Rates of a Receiving School for a Student from Another School District'

Further amend the resolve by striking out everything after the title and before the summary and inserting in its place the following:

'Emergency preamble. Whereas, Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this legislation establishes a task force to determine the tuition rates of a receiving school for a student from another school district; and

Whereas, this legislation is necessary as an emergency measure to afford adequate time for the issues to be appropriately addressed by the task force; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

COMMITTEE AMENDMENT

2 **Sec. 1. Task force established. Resolved:** That the Task Force to
Determine the Tuition Rates of a Receiving School for a Student
4 from Another School District, referred to in this resolve as the
"task force," is established; and be it further

6 **Sec. 2. Membership. Resolved:** That the task force consists of
8 7 members who have wide experience in public education,
kindergarten to grade 12, in the State and extensive knowledge of
10 school finance policies, school administrative unit governance
and tuition reimbursement issues. In nominating and appointing
12 members to the task force, proper consideration must be given to
achieving statewide geographical representation and gender
14 equity. Members are as follows:

16 1. The Commissioner of Education or the commissioner's
designee;

18 2. Two members nominated by the Commissioner of Education;
20 and

22 3. Four members appointed by the Commissioner of Education
from a list of nominees provided as follows:

24 A. One member of the Joint Standing Committee on Education
26 and Cultural Affairs nominated by the committee chairs;

28 B. Two public school superintendents, one from a sending
and one from a receiving school administrative unit,
30 nominated by the Maine Schools Superintendents Association;
and

32 C. One member nominated by the Maine Association of
34 Independent Schools; and be it further

36 **Sec. 3. Appointments; meeting. Resolved:** That all nominations
must be made no later than 30 days following the effective date
38 of this resolve. The nominating authorities shall notify the
Commissioner of Education upon making their nominations. When
40 the appointment of all members is complete, the Commissioner of
Education shall call and convene the first meeting of the task
42 force no later than August 1, 1997. The task force shall select
a chair from among its appointed members at the first meeting;
44 and be it further

46 **Sec. 4. Duties. Resolved:** That the task force shall review the
current methods used by the State and local school administrative
48 units to determine tuition reimbursement rates for students who
are educated in a school administrative unit other than their own
50 or in a private school. In reviewing tuition reimbursement
policies, the task force shall examine school finance

and governance issues in public schools, kindergarten to grade 12, including, but not limited to:

A. The affordability, efficiency and fairness of state tuition reimbursement policies and the options, costs and benefits of a policy utilizing a maximum allowable tuition rate instead of an average state share percentage;

B. The impact of tuition policies and practices on school administrative units that have higher operating expenditures per student than the state reimbursement rate;

C. The needs of school administrative units that receive lower state subsidies and for which tuition rates are higher than the operating costs;

D. The effect of tuition rates with respect to the number of tuitioned students; capital costs associated with tuitioned students, including the use of facilities, new construction or renovation costs, transportation and special education costs; and the ability of local communities to pay a fair price for the education of their students;

E. The efficiency and fairness of extending to public schools the insured value factor that private schools currently receive; and

F. The timeliness of the State in determining the tuition reimbursement rate and the impact on the budget development process of the local school administrative unit; and be it further

Sec. 5. Staff assistance. Resolved: That the task force request staffing and clerical assistance from the Department of Education; and be it further

Sec. 6. Expenses. Resolved: That members of the task force are not entitled to reimbursement for travel or any other expenses; and be it further

Sec. 7. Report; recommended legislation. Resolved: That the task force shall report its findings and may submit any recommended legislation to the Joint Standing Committee on Education and Cultural Affairs by January 15, 1998. After reviewing the task force report and any accompanying legislation, the committee may submit legislation to the Second Regular Session of the 118th Legislature; and be it further

Sec. 8. Budget authorization. Resolved: That the Commissioner of Education shall utilize the department's existing

2 budgeted resources to review and report on the matters pursuant
to section 4 of this resolve. The commissioner may accept and
4 administer any outside funds contributed to support the work of
the task force.

6 **Emergency clause.** In view of the emergency cited in the
preamble, this resolve takes effect when approved.'

8
10 Further amend the resolve by inserting at the end before the
summary the following:

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14 **FISCAL NOTE**

The additional costs associated with providing staffing,
16 clerical and other support services to the Task Force to
Determine the Tuition Rates of a Receiving School for a Student
18 from Another School District can be absorbed by the Department of
Education utilizing existing budgeted resources.'

20
22 **SUMMARY**

24 This amendment replaces the resolve and authorizes the
Commissioner of Education to establish a task force to review the
26 current methods used by the State and local school administrative
units to determine tuition reimbursement rates for students who
28 are educated in a school administrative unit other than their own
or in a private school. In reviewing these methods, the task
30 force will examine school finance and governance issues in public
schools, kindergarten to grade 12. The task force will report
32 its findings and any recommended legislation to the Joint
Standing Committee on Education and Cultural Affairs on or before
34 January 15, 1998. This amendment also changes the title of the
resolve to more accurately reflect the legislation in the resolve.