

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

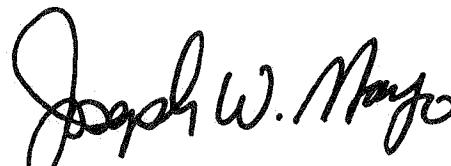
No. 1165

H.P. 860

House of Representatives, February 20, 1997

An Act to Allow School Choice.

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative SNOWE-MELLO of Poland.
Cosponsored by Senator AMERO of Cumberland and
Representatives: FOSTER of Gray, GOODWIN of Pembroke, KASPRZAK of Newport,
LAYTON of Cherryfield, MacDOUGALL of North Berwick, MACK of Standish, MERES of
Norridgewock, SAVAGE of Union.

2 1. Consolidation. To provide a statewide school choice
3 program based on current practices of individual school
4 administrative units by:

6 A. Consolidating into a statewide education policy various
7 regional and local school choice policies and programs in
8 the area of public school access for home school and private
9 school children;

10 B. Consolidating into a statewide policy those isolated
11 local policies that allow children to be tuitioned to
12 private and religious schools in full or for just one class;
13 and

14 C. Consolidating into a statewide program public services
15 to private and religious schools, including the provision of
16 textbooks for religious schools from local tax money, except
17 for religious textbooks that are not approved by either the
18 state board or the department;

19 2. Experimental environment. To provide an experimental
20 environment in the State for encouraging new educational
21 entrepreneurs to try new curricula, pedagogy and concepts before
22 the adoption of those methods in public schools. The program
23 encourages ambitious teachers to set up small schools centered
24 around new concepts and ideas with freedom to implement a unique
25 educational philosophy;

26 3. Emerging technology. To make publicly funded emerging
27 education technology available to all students regardless of
28 where their schooling occurs; and

29 4. Improvement in education system. To improve the entire
30 education system by:

31 A. Broadening the options of parents and students with
32 respect to the selection of schools both within and outside
33 their public school unit;

34 B. Inducing a limited form of competition for students
35 among public and private schools; and

36 C. Making a provider of an alternative education program
37 directly responsible and accountable to the parents and
38 students who hold a voucher.

39 **\$19003. Comprehensive School Choice Office**

40 There is created within the department the Comprehensive
41 School Choice Office. The office is responsible, with advice
42 from the council, for the administration of this chapter. In

2 addition to other functions identified in this chapter, the
3 office is authorized and directed to work toward the achievement
4 of the goals identified in section 19002.

5 1. Staff. The office consists of a director and sufficient
6 employees to carry out this chapter.

7 2. Funding. The office is funded solely from general
8 purpose aid to local schools. The level of funding for the
9 office for a given year may not exceed the difference between
10 \$3,000 and \$2,250 times the total number of vouchers awarded for
11 that year.

12 3. Advice of Attorney General. The office shall consult
13 with the Attorney General to ensure that the operation of the
14 program complies with the Constitution of Maine and the United
15 States Constitution.

16 4. Technical assistance. The office shall provide
17 technical assistance to persons seeking to set up alternative
18 education programs.

19 5. Annual conference. The office shall explore the
20 advisability of conducting an annual conference on alternative
21 education programs and sponsoring regional school choice fairs.

22 6. Referral. The office shall provide referral services to
23 parents seeking alternative education programs.

24 **§19004. School Choice Advisory Council**

25 1. Membership. The School Choice Advisory Council as
26 established under Title 5, section 12004-I, subsection 7-C is
27 created with the following 9 members appointed by the Governor:

28 A. The commissioner or the commissioner's designee;

29 B. Two representatives of public school systems, one
30 representing an urban system and one representing a rural
31 system;

32 C. Two representatives of private schools, one representing
33 a private school with 50 or more students and one
34 representing a private school with fewer than 50 students;

35 D. One representative of families providing home schooling;

36 E. Two members representing families with children in the
37 public school system; and

38 F. One member representing property taxpayers who do not
39 have children in a school system.

2 2. Chair. The council shall choose a chair from among its
membership.

4
6 3. Terms of office; vacancies. Members serve for 3 years
and may be reappointed. Vacancies must be filled in the same
8 manner as the original appointments. A member appointed to fill
a vacancy serves for the remainder of the vacant term.

10 4. Expenses. Members are not entitled to receive
compensation but may receive reimbursement for reasonable
12 expenses incurred in attending meetings and conducting other
council business.

14
16 5. Duties. The council advises the office in the
performance of its duties under this chapter.

18 6. Meetings. The council shall meet once each month and at
other times requested by the chair or by a majority of the
20 members.

22 7. Quorum. A majority of the members constitutes a quorum.

24 §19005. School choice implementation plan

26 1. Initial activities. The office, with advice from the
council, shall determine the following:

28 A. The capacity of the nonpublic education system to absorb
30 students from public schools;

32 B. The average tuition at nonpublic schools to be used in
34 determining an appropriate voucher level for elementary and
secondary schools;

36 C. The relative harm done to public schools, including loss
of personnel and loss of space, when public school funding
38 is reduced as students receive vouchers for alternative
education programs;

40 D. The relative benefits to public schools in terms of
42 diminished need for new school construction, reduced
overcrowding and reinvigorated curricula;

44 E. The relative benefits for the economy as private schools
46 expand and alternative education programs are created; and

48 F. The need for the establishment of a special needs grant
to supplement vouchers for children with special needs.

50 2. Implementation planning. In order to implement the
52 program, the office, with advice from the council, shall:

- 2 A. Set up a system for supervising the awarding of vouchers
4 so that there is the widest degree of equity and
 availability, with a preference for promising students from
6 low-income families in isolated sections of the State;
- 8 B. Set up a system for redeeming the vouchers based on
10 documentation of services rendered, courses taken,
 verifiable attendance and corresponding invoices for
 legitimate educational expenses;
- 12 C. Set up a system for awarding credit for courses taken in
14 nonpublic schools that can be accepted in public schools if
 a student enters or reenters a public school;
- 16 D. Explore competency-based testing, both in the area of
18 work and higher education, allowing 2 diplomas to be awarded
 depending on the aspirations of the students and based on
20 their overall performance; and
- 22 E. Determine which schools and alternative education
 programs are eligible to receive vouchers.

24 3. Report. The office and the council shall report
26 annually to the Governor and the Legislature on the academic and
 other achievements of the students participating in the program.
28 The report must include the number of students participating in
30 the program; the number of students in each category of
 schooling; the number of dropouts, suspensions and expulsions
32 during the school year; the amount of savings to the State and
 local units in the cost of public education; and the positive and
34 negative effects of the program on public schools and the State's
 economy. The report may include any recommendations regarding
 the program.

36 4. Implementation. The plan must be implemented in the
38 following manner.

40 A. The plan is a 5-year pilot program beginning with the
42 school year starting in September, 1998. Before the
 awarding of vouchers, the office and the council shall
44 conduct a survey and create a list of eligible schools and
 alternative education programs. Vouchers must be made
46 available to parents of students currently enrolled in
 public schools. Vouchers may be used for any eligible
 school or alternative education program.

48 B. In the first year, the office shall award 100 vouchers.
50 A person awarded a voucher for a student in any year of the
 plan must be awarded a voucher for that student in each
52 subsequent year of the plan if that person so chooses and if
 the requirements of this Part are met. In subsequent years

2 of the plan, the office shall award a number of vouchers
4 equal to 100 plus the number of vouchers awarded in the
6 prior year that are not being awarded again in the current
8 year to the prior year's recipients. Vouchers must be
10 awarded for 5 years.

12 C. The office shall create a set of prioritized categories
14 for awarding vouchers. The office shall organize and
16 conduct a statewide lottery to determine who will be awarded
18 vouchers. The lottery may be weighted to favor the
20 prioritized categories identified in this paragraph or to
22 achieve the goals identified in subsection 2, paragraph A.
24 The lottery must be conducted at a time that is synchronized
26 with school calendars, admission policies and public school
28 budgeting schedules.

30 D. The value of each voucher is \$3,000 minus the cost of
32 operating the office spread equally among all the vouchers
34 awarded in a given year. The value of each voucher must be
36 at least \$2,250.

22 **SUMMARY**

24 This bill establishes the Comprehensive School Choice
26 Program by phasing in over 5 years a system of vouchers for
28 students who will attend private alternative education programs.
30 It is the intent of the bill to improve the quality and
32 efficiency of education in the State by encouraging nonpublic
34 alternative education programs to compete with public school
36 programs. It is further the intent of this bill to provide
relief to the State's economy by partially subsidizing families
who choose nonpublic education and relieving property taxpayers
of the burden of supporting children in the public schools who
would prefer to choose nonpublic alternatives.

38 The bill creates the Comprehensive School Choice Office
40 within the Department of Education to administer the program
42 assisted by the School Choice Advisory Council. The office
administers the program, provides technical assistance and
referral and reports on the program to the Governor and the
Legislature.