MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

SECOND REGULAR SESSION-1998

Legislative Document

No. 2040

H.P. 1449

House of Representatives, January 15, 1998

An Act to Amend the Law Relating to Special Education Out-of-district Placements.

Submitted by the Department of Education pursuant to Joint Rule 204.

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

OSEPH W. MAYO, Clerk

Presented by Representative BAKER of Bangor. Cosponsored by Representative BELANGER of Caribou, Senators: CATHCART of Penobscot, SMALL of Sagadahoc.

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

Sec. 1. 20-A MRSA §15612, sub-§11, as repealed and replaced by PL 1989, c. 878, Pt. D, §7, is amended to read:

Special education tuition and costs for out-of-district placement adjustment. A school administrative unit which that places a student in an out-of-district placement shall, in a regional program established consistent with section 7253 or in a regional program recognized by the department prior to July 1, 1997 must receive an adjustment equal to the amount, if any, by which the tuition, treatment and room and board costs for an approved out-of-district special education placement in the year of allocation exceeds 3 times the secondary foundation per pupil operating rate for that year, or a prorated amount if the placement is less than a full year. State payments to school administrative units pursuant to this subsection shall must be made during the year of allocation. The funds for the adjustment limited to the amount appropriated by the shall--be are Legislature for that purpose, and the department is authorized to prorate payments to units if the amount appropriated is insufficient to make full payments to all units.

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SUMMARY

This bill clarifies that a school administrative unit that places a special education student in a regional program must receive an out-of-district adjustment for the costs of that placement even when the school administrative unit is the host unit for the regional program.