

MAINE STATE LEGISLATURE

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R. 018

L.D. 887

DATE: 5.6.05

(Filing No. S-133)

EDUCATION AND CULTURAL AFFAIRS

Reported by:

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STATE OF MAINE
SENATE
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S.P. 295, L.D. 887, Bill, "An Act To Amend the Education Laws Regarding Equivalent Instruction, Medical Screening and Adult Education"

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

'An Act To Amend the Education Laws Regarding Equivalent Instruction and Adult Education'

Further amend the bill by striking out all of sections 2, 3 and 4 and inserting in their place the following:

'Sec. 2. 20-A MRSA §8605, sub-§3 is enacted to read:

3. Transfer student. The following provisions apply to the transfer of a student who has not attained 20 years of age from one school administrative unit to another for the purposes of state subsidy when the student is not attending a public school and is enrolled in an adult education course.

A. The transferor superintendent and the transferee superintendent may approve the transfer of a student from one school administrative unit to another if they find that the transfer is in the student's best interest and the student is in agreement with that finding. If the student has not attained 18 years of age and is not an emancipated minor, the student's parent must approve of the transfer.

B. When a student has been denied a transfer under paragraph A, the student or the parent of a student who has

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not attained 18 years of age may request from the commissioner a review of the denial. The commissioner shall review the decision and may approve or disapprove the transfer. The commissioner's decision is final and binding.

C. A superintendent shall review annually any transfers made into or out of that superintendent's school administrative unit under this subsection.

D. For purposes of state subsidy, a student transferred under this subsection is considered a resident of the school administrative unit to which the student is transferred. The superintendent of the receiving unit shall certify to the commissioner any transfer approved under this subsection when reporting to the department the number of adult education students who have not attained 20 years of age.'

SUMMARY

This amendment removes those sections in the bill that repealed the requirement that schools screen children for scoliosis and related spinal abnormalities and report results of screening to a student's parents. It also clarifies that a parent's approval is not needed for school superintendents to approve a transfer for the purposes of subsidy when the student is at least 18 years of age or an emancipated minor.

FISCAL NOTE REQUIRED (See attached)



Approved: 04/26/05 *MAC*

122nd MAINE LEGISLATURE

LD 887

LR 0548(02)

An Act To Amend the Education Laws Regarding Equivalent Instruction, Medical Screening and Adult Education

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

Fiscal Note

No net State impact

Fiscal Detail and Notes

Allowing school administrative units to directly receive subsidy for all secondary school-age students served through the adult education programs, including those students from other school districts, may result in a minor redistribution of state subsidy provided to local school units . The amount can not be determined at this time.