MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 887

S.P. 295

In Senate, February 22, 2005

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

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

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

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator ANDREWS of York. Cosponsored by Representative NORTON of Bangor.

2	Sec. 1. 20-A MRSA §5021, first ¶, as amended by PL 2003, c.
4	181, §2, is further amended to read:
6	A school administrative unit shall conform to the following
8	standards in making public school resources and services available to a student enrolled in a home instruction program
10	under section 5001-A, subsection 3, paragraph A, subparagraph (4) for a student otherwise eligible to attend school in that school
12	administrative unit, including a student who resides in the unorganized territory.
14	Sec. 2. 20-A MRSA §6452, as amended by PL 1989, c. 730 and PL 2003, c. 689, Pt. B, §§6 and 7, is repealed.
16	Sec. 3. 20-A MRSA §6453, as enacted by PL 1981, c. 693, §§5
18	and 8, is repealed.
20	Sec. 4. 20-A MRSA §8605, sub-§3 is enacted to read:
22	3. Transfer student. The following provisions apply to the
24	transfer of a student from one school administrative unit to another when the student is not attending a public school and is
	enrolled in an adult education course.
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	A. The transferor superintendent and the transferee
28	superintendent may approve the transfer of a student from one school administrative unit to another if:
30	One school administrative unit to another it:
30	(1) They find that a transfer is in the student's best
32	interest; and
34	(2) The student's parent approves.
36	B. On the request of the parent of a student requesting transfer under paragraph A, the commissioner shall review
38	the transfer. The commissioner's decision is final and
40	binding.
4 ∪	C. The appropriate superintendents shall review annually
42	any transfer made under this subsection.
44	D. For purposes of state subsidy, a student transferred
	under this subsection is considered a resident of the school
46	administrative unit to which the student is transferred.
	The superintendent of the receiving unit shall certify to
48	the commissioner any transfer approved under this paragraph
50	when reporting the number of these students to the
50	<u>department.</u>

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

E. A school administrative unit may not charge tuition for a transfer approved under this subsection.

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6 SUMMARY

This bill amends the following provisions of the Maine education laws.

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- 1. The bill revises the statute regarding participation in public schools by students enrolled in equivalent instruction programs to allow legal resident pupils of the unorganized territory to participate in regular classes and cocurricular and extracurricular activities in the school administrative unit that the pupil would regularly attend if the pupil were not receiving equivalent instruction. Tuition would be determined as with all students enrolled in an equivalent instruction program.
- 2. The bill repeals the statutes that require schools to screen children for scoliosis and related spinal abnormalities and report findings from the screening.
- 24 The bill revises a section of the adult education laws reduce paperwork and provide a mechanism for school 26 administrative units to directly receive subsidy for secondary school-age students being served through adult education. 28 Currently, a school administrative unit is allowed to request subsidy only on those secondary school-age students who reside in that school unit. The adult education program often serves 30 secondary school-age students from neighboring kindergarten to 32 grade 12 districts and does not receive subsidy on those Under this bill, adult education programs would be students. 34 able to report all the secondary school-age learners in their regardless of residency, enabling their administrative unit to apply for direct subsidy on those students. 36