

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



L.D. 1932

2 Date: 2-7-08

(Filing No. S- 416)

3 Reproduced and distributed under the direction of the Secretary of the Senate.

4 STATE OF MAINE
5 SENATE
6 123RD LEGISLATURE
7 SECOND REGULAR SESSION

8 SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 741,
9 L.D. 1932, Bill, "An Act To Amend the Laws Regarding School Funding"

10 Amend the amendment by inserting after section 2 the following:

11 'Sec. 3. 20-A MRSA §1461, sub-§3, ¶B, as enacted by PL 2007, c. 240, Pt.
12 XXXX, §13, is amended to read:

13 B. In order for the plan to be approved by the commissioner, the governing bodies of
14 school administrative units shall work within the following parameters.

15 (1) The proposed regional school unit must serve not fewer than 2,500 students,
16 except where circumstances relating to the following factors justify an exception:

17 (a) Geography, including physical proximity and the size of the current
18 school administrative unit;

19 (b) Demographics, including student enrollment trends and the composition
20 and nature of communities in the regional school unit;

21 (c) Economics, including existing collaborations to be preserved or enhanced
22 and opportunities to deliver commodities and services to be maximized;

23 (d) Transportation;

24 (e) Population density; or

25 (f) Other unique circumstances including the need to preserve existing or
26 developing relationships, meet the needs of students, maximize educational
27 opportunities for students and ensure equitable access to rigorous programs
28 for all students.

29 When circumstances justify an exception to the size requirement of 2,500
30 students, the unit must serve as close to 2,500 students as possible and in no case,
31 except for coastal islands and schools operated by tribal school committees and
32 previous education units in which the population density is less than 100
33 residents per square mile, may it serve fewer than 1,200 students.



SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 741, L.D. 1932

- 1 In addition to the exceptions provided in this subparagraph to the requirement
2 that a unit serve at least 1,200 students, the commissioner, in the commissioner's
3 discretion, may waive the 1,200-student requirement.
- 4 (2) The plan must provide comprehensive programming for all students from
5 kindergarten to grade 12 and must include at least one publicly supported
6 secondary school.
- 7 (3) The plan must be consistent with the policies set forth in section 1451.
- 8 (4) The plan may not displace teachers or students or close any schools existing
9 and operating during the school year immediately preceding reorganization,
10 except as permitted under section 1512.'
- 11 Amend the amendment by inserting before section 12 the following:
- 12 'Sec. 12. PL 2007, c. 240, Pt. XXXX, §36, sub-§6, ¶A is amended to read:
- 13 A. The proposed regional school unit must serve not fewer than 2,500 students,
14 except where circumstances relating to the following factors justify an exception:
- 15 (1) Geography, including physical proximity and the size of the current school
16 administrative unit;
- 17 (2) Demographics, including student enrollment trends and the composition and
18 nature of communities in the regional school unit;
- 19 (3) Economics, including existing collaborations to be preserved or enhanced
20 and opportunities to deliver commodities and services to be maximized;
- 21 (4) Transportation;
- 22 (5) Population density, including the rural nature of our communities;
- 23 (6) Other unique circumstances including the need to preserve existing or
24 developing relationships, meet the needs of students, maximize educational
25 opportunities for students and ensure equitable access to rigorous programs for
26 all students; or
- 27 (7) If, after performing due diligence to develop a regional plan that meets the
28 2,500 students enrollment requirement, a school administrative unit is unable to
29 achieve the enrollment goal due to the decision of geographically proximate
30 school administrative units to participate in a different regional unit.
- 31 When circumstances justify an exception to the requirement of 2,500 students, the
32 unit must serve at least 1,200 students, except for offshore islands ~~and~~, schools
33 operated by tribal school committees and previous education units as defined in the
34 Maine Revised Statutes, Title 20-A, section 1, subsection 20-A in which the
35 population density is less than 100 residents per square mile, which may serve fewer
36 than 1,200 students.
- 37 In addition to the exceptions provided in this paragraph to the requirement that a unit
38 serve at least 1,200 students, the commissioner, in the commissioner's discretion, may
39 waive the 1,200-student requirement.'

SUMMARY

This amendment allows a state-approved unit of school administration that was responsible for operating public schools prior to the reorganization of school administrative units pursuant to the Maine Revised Statutes, Title 20-A, chapter 103-A to serve fewer than 1,200 students if the area it serves has fewer than 100 residents per square mile. In addition to the exceptions provided by law to the requirement that a school unit serve at least 1,200 students, the amendment provides that the Commissioner of Education, in the commissioner's discretion, may waive the 1,200-student requirement.

FISCAL NOTE REQUIRED

(See attached)

SPONSORED BY: Walter R. Gooley

(Senator GOOLEY)

COUNTY: Franklin



Approved: 02/06/08 *MAC*

123rd MAINE LEGISLATURE

LD 1932

LR 3324(14)

An Act To Amend the Laws Regarding School Funding

Fiscal Note for Senate Amendment "*A*" to Committee Amendment "A"

Sponsor: Sen. Gooley of Franklin

Fiscal Note Required: Yes

Fiscal Note

Potential future biennium cost increase - General Fund

Fiscal Detail and Notes

Allowing certain school administrative units to serve fewer than 1,200 students if the area it serves has fewer than 100 residents per square mile may increase the total cost of K-12 public education in future biennia due to less savings being achieved versus what was anticipated in Public Law 2007, chapter 240, Part XXXX. The amount can not be determined at this time.