

MAINE STATE LEGISLATURE

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Majority

EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
124TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 69, L.D. 79, "Resolve, Regarding Legislative Review of Portions of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects, a Major Substantive Rule of the Department of Education"

Amend the resolve in section 1 in the last line (page 1, line 18 in L.D.) by striking out the following: "is authorized." and inserting the following: 'is authorized, but only if the rule is amended as follows:'

Amend the resolve by inserting after section 1 the following:

1. In Section 1, subsection 34, the definition of "One Campus" is amended by striking out the reference to a physical or virtual presence and specifying that the term "One Campus" refers to a campus that contains the elements of an integrated, consolidated 9-16 educational facility promoting the development of a design where all facilities are located on one site and provide a streamlined and integrated learning experience for students of all ages.

2. Section 15, subsection 1 is amended to clearly specify that:

A. The regional high school, the career and technical education center, the higher education center and the industry training center, the 4 components of the one campus, must each have a physical presence on the campus and use facilities on that campus to deliver courses;

B. Each of the 4 components must offer teacher and student interaction that is not separated in space or space and time as characterizes distance learning. The Internet, videoconferencing and other technology employed in distance learning may be used to complement or expand offerings; and

C. Courses may be provided using the Internet, videoconferencing and other technology employed in distance learning to complement real-time, shared-space learning.

COMMITTEE AMENDMENT

2008

1 3. Section 15, subsection 2, paragraph C, subparagraph 4 is amended by removing
2 the following: "Where will these courses be offered? On same campus? Virtually? At
3 another site?"

4 4. Section 15, subsection 2, paragraph C, subparagraph 4 is also amended to remove
5 language that indicates ratings must be based, in part, on a listing of courses and
6 programs to be offered by a higher education unit and instead include language that
7 indicates that ratings must be based, in part, on a list of strategies and approaches to be
8 used to ensure that the higher education courses and programs are offered in facilities
9 located on one site, providing a streamlined and integrated learning experience for
10 students of all ages.

11 The State Board of Education is not required to hold further hearings or conduct other
12 formal proceedings prior to final adoption of the rule as amended in accordance with this
13 resolve; and be it further

14 **Sec. 2. Emergency rule invalid. Resolved:** That the emergency rule adopted by
15 the State Board of Education on September 15, 2008 for the purpose of expediently
16 selecting a qualified applicant to implement the innovative model does not reflect the
17 intent of Resolve 2007, chapter 223 and does not have legal effect.'

18 **SUMMARY**

19 This amendment is the majority report of the Joint Standing Committee on Education
20 and Cultural Affairs. It authorizes final adoption of the provisionally adopted rule if
21 certain revisions are made. It requires a revision to the definition of "One Campus" and
22 to elements of Section 15 that outline the criteria with which projects are rated. It
23 requires that each of the 4 educational components, the regional high school, the career
24 and technical high school, the higher education center and the industry training center,
25 have a physical presence on the campus. It precludes any one component from offering
26 only distance learning opportunities on campus.

27 It declares the emergency rule authorized and adopted under Resolve 2007, chapter
28 223 to be invalid.

FISCAL NOTE REQUIRED

(See attached)



124th MAINE LEGISLATURE

LD 79

LR 655(02)

Resolve, Regarding Legislative Review of Portions of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects, a Major Substantive Rule of the Department of Education

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

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

Fiscal Note

Future biennium cost increase - General Fund

Fiscal Detail and Notes

Requiring the Commissioner of Education to recommend an increase to the debt ceiling effective in fiscal year 2011-12 to create a pool of available resources for the innovative model in addition to what is available for new school construction projects that are prioritized and selected under current guidelines will increase the total state and local cost of K-12 public education in future biennia. The amount can not be determined at this time.

Additional costs to the State Board of Education associated with making the required changes to portions of Chapter 61 can be absorbed within existing budgeted resources.