

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

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Legislative Document

No. 1295

H.P. 898

House of Representatives, March 31, 2009

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### **An Act To Establish the Middle School of Science and Mathematics**

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative SCHATZ of Blue Hill.  
Cosponsored by Representative: BERRY of Bowdoinham.

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

2 Sec. 1. 5 MRSA §12004-C, sub-§8 is enacted to read:

3 8.

4 Board of Trustees, Middle Expenses Only 20-A MRSA §8484  
5 School of Science and  
6 Mathematics

7 Sec. 2. 20-A MRSA c. 314 is enacted to read:

8 CHAPTER 314

9 MIDDLE SCHOOL OF SCIENCE AND MATHEMATICS

10 §8481. School established

11 The Middle School of Science and Mathematics is established as a public, chartered  
12 school pursuant to this chapter for the purpose of providing certain students from 4th  
13 grade to 9th grade with a challenging educational experience with an emphasis on math  
14 and science. The school is a body politic and corporate and is an instrumentality and  
15 agency of the State. The exercise by the school of the powers conferred by this chapter is  
16 the performance of an essential public function by and on behalf of the State.

17 §8482. Intent; funding

18 The school is established as a public school located on the Blue Hill peninsula and  
19 the following provisions apply.

20 1. Curriculum. The school's curriculum is designed to exceed existing state  
21 educational standards in the content areas of the statewide system of learning results  
22 established in section 6209.

23 2. Tuition; funding. Students from the region may attend the school free of tuition  
24 charges. Funding for students from the region is provided as follows.

25 A. For each pupil enrolled during the year of allocation, the State shall provide to the  
26 school the adjusted tuition and insured value factor amount that is calculated by  
27 multiplying the regional average tuition and regional average insured value factor  
28 amount by 1.6. This amount must be provided in 4 equal payments, and the  
29 payments must be made quarterly during the year of attendance. The first payment  
30 for the school year must be made by August 31st. The total amount provided for all  
31 pupils is limited to the amount appropriated for this purpose.

32 §8483. Definitions

33 As used in this chapter, unless the context otherwise indicates, the following terms  
34 have the following meanings.

1        1. Board of trustees. "Board of trustees" means the Board of Trustees of the Middle  
2        School of Science and Mathematics.

3        2. Chartered school. "Chartered school" means that the school may establish rules  
4        that delete, modify or add to current rules of the department.

5        3. Region. "Region" means the area within a radius of 25 miles of the school.

6        4. School. "School" means the Middle School of Science and Mathematics  
7        established under section 8481.

8        5. Trustee. "Trustee" means a member of the board of trustees.

9        **§8484. Board of trustees**

10       The Board of Trustees of the Middle School of Science and Mathematics as  
11       established in Title 5, section 12004-C, subsection 8 is the policy-making authority and  
12       the governing body of the school.

13       1. Membership. In appointing trustees to the board of trustees, the Governor shall  
14       give proper consideration to achieving regional representation and gender equity. The  
15       board of trustees consists of 9 voting members and 2 nonvoting members as follows:

16       A. The Commissioner of Education or the commissioner's designee;

17       B. Two members who are principals or heads of school of middle schools in the  
18       region, appointed by the Governor;

19       C. One member who is a school superintendent in the region, appointed by the  
20       Governor;

21       D. One member who is a citizen of the town in which the school is located and has  
22       an active interest in education, appointed by the Governor;

23       E. Two members who are citizens of the region and have an active interest in  
24       education, appointed by the Governor;

25       F. Two members who are teachers, one of whom is a teacher at the school who is a  
26       nonvoting member and is annually elected by members of the school's faculty and  
27       one of whom is a teacher in another school located in the region, appointed by the  
28       Governor;

29       G. One student member who has been elected as the presiding officer of the student  
30       body at the school; and

31       H. The superintendent of the school, who serves as the clerk of the board of trustees  
32       and is a nonvoting member.

33       2. Chair. The board of trustees shall choose annually one trustee to serve as chair.

34       3. Meetings. The board of trustees shall meet at least 4 times a year at regular  
35       intervals.

1            **4. Quorum.** A quorum for the transaction of business of the board of trustees is  
2 constituted by the trustees in attendance, and all official actions of the board of trustees  
3 require a majority vote of those trustees present and voting.

4            **5. Compensation.** Trustees are compensated pursuant to Title 5, section 12004-C,  
5 subsection 8.

6            **6. Terms.** The terms of the trustees who are appointed by the Governor are for 4  
7 years unless otherwise designated. Trustees may be appointed for consecutive terms.

8            **§8485. Powers and duties of the board of trustees**

9            The powers and duties of the board of trustees include the following:

10           **1. Policies.** To develop and adopt policies and rules necessary for the operation of  
11 the school;

12           **2. Administration.** To oversee the administration of the school, including the hiring  
13 of teachers and administrative support staff;

14           **3. Financial management.** To accept donations, bequests or other forms of financial  
15 assistance for any educational purpose from a public or private person or agency and to  
16 comply with rules and regulations governing grants from the Federal Government or from  
17 any other person or agency;

18           **4. Budget development.** To prepare and adopt an annual budget for the operation of  
19 the school and to exercise budgetary responsibility and allocate for expenditure by the  
20 school and programs under its jurisdiction all the resources available for the operation of  
21 the school and its programs;

22           **5. Indemnification.** To indemnify the trustees, officers, teaching staff and  
23 employees affiliated with the school and to purchase and maintain insurance to indemnify  
24 any such person to the extent provided in Title 13-B, section 714;

25           **6. Bonds.** To require security for the faithful performance of duties by the officers,  
26 trustees, employees and other agents of the school who are entrusted with the custody of  
27 the school securities or authorized to disburse the funds of the school. The security must  
28 consist of a bond, either a blanket bond or individual bond with a surety bond, or bonds  
29 having a minimum limitation of \$100,000 coverage for each insured person. The expense  
30 of a bond is assumed by the school;

31           **7. Property management.** To acquire by purchase any property, lands, buildings,  
32 structures, facilities or equipment and make improvements to facilities necessary to fulfill  
33 the purposes of this chapter;

34           **8. Courses of study.** To offer courses of study;

35           **9. Contracts and agreements.** To enter into any contracts and agreements, to the  
36 extent that funds are available, in the execution of its powers under this chapter;

