

MAINE STATE LEGISLATURE

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EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE

SENATE

124TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 588, L.D. 1532, Bill, "An Act To Align Education Laws with Certain Federal Laws"

Amend the bill in section 1 by striking out all of subsection 3-A (page 1, lines 3 to 12 in L.D.) and inserting the following:

3-A. Students placed by the Department of Health and Human Services. Notwithstanding subsection 3, a student who is placed by the Department of Health and Human Services with an adult who is not the child's parent or legal guardian in accordance with the educational stability provisions of the federal Fostering Connections to Success and Increasing Adoptions Act of 2008, Public Law 110-351, 122 Stat. 3949 is considered a resident of either the school administrative unit where the student resides during the placement or the school administrative unit where the student resided prior to the placement based on the best interest of the student. The Department of Health and Human Services, in consultation with the department and the school administrative units, shall determine which of the 2 units is appropriate and notify that unit in writing of its determination. The school administrative unit that provides public education for the student shall count the student as a resident student for subsidy purposes.'

Amend the bill by inserting after section 1 the following:

Sec. 2. 20-A MRS §6004, sub-§2, ¶B, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

B. Students who attend school under section 5205, subsections 2, 3-A, 4, 5 and 6, shall must be counted in the school administrative unit in which they attend school.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment provides that the Department of Health and Human Services shall consult with the Department of Education, the school administrative unit where the student resides and the school administrative unit where the student is placed with an

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1 adult that is not the child's parent or legal guardian when the department is determining
2 the appropriate school administrative unit for providing public education for the student.
3 The amendment also provides that, after this determination is made, the school
4 administrative unit that provides public education for a student shall count the student as
5 part of its annual student count for subsidy purposes.

FISCAL NOTE REQUIRED
(See Attached)



124th MAINE LEGISLATURE

LD 1532

LR 2404(02)

An Act To Align Education Laws with Certain Federal Laws

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

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

Fiscal Note

Potential current biennium savings - General Fund

Fiscal Detail and Notes

Changing the requirement that all special education programs receive a visit from the Department of Education from at least once every 5 years to as often as necessary to comply with federal requirements may result in savings to both the General Purpose Aid for Local Schools program and the Child Development Services program. The amount can not be determined at this time and will depend on actual experience.

Providing that a student placed by the Department of Health and Human Services under certain conditions be considered a resident of either the school administrative unit (SAU) where the student resides during placement or the SAU where the student resided prior to placement based on the best interest of the student will not impact the total cost of State and local education. This provision, however, may affect the distribution of state subsidy to local school administrative units, with some units receiving more subsidy and some units receiving less subsidy. The impact to individual school administrative units can not be determined at this time.

Additional costs to the Department of Health and Human Services can be absorbed by the Department utilizing existing budgeted resources.