

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

SECOND REGULAR SESSION-2010

Legislative Document

No. 1564

H.P. 1101

House of Representatives, December 21, 2009

An Act To Update the Laws Concerning the Maine School of Science and Mathematics

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

Received by the Clerk of the House on December 17, 2009. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative SUTHERLAND of Chapman.
Cosponsored by Senator JACKSON of Aroostook and
Representatives: BUTTERFIELD of Bangor, CAIN of Orono, DUCHESNE of Hudson,
MARTIN of Eagle Lake, ROTUNDO of Lewiston, Senators: DAMON of Hancock,
GOODALL of Sagadahoc, SHERMAN of Aroostook.

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

2 **Sec. 1. 20-A MRSA §8202, sub-§2, ¶B,** as enacted by PL 1995, c. 368, Pt. LL,
3 §2, is amended to read:

4 B. Except as otherwise provided in this paragraph, effective July 1, 1996, the
5 student or the student's parent or guardian shall pay to the school the cost of room and
6 board for the school year. In the case of financial need, the State shall pay to the
7 school the difference between the cost of room and board and the student's or the
8 student's family's ability to pay that cost. The board of trustees shall adopt rules
9 governing the determination of financial need and the cost and schedule of payment
10 of room and board under this paragraph. The determination of financial need must be
11 based on a nationally recognized public or private school financial needs assessment
12 system. A student may use scholarship funds in place of payment for all or part of
13 the cost of room and board and any other fees or expenses incurred as a result of that
14 student's enrollment at the school.

15 **Sec. 2. 20-A MRSA §8202, sub-§3,** as enacted by PL 1993, c. 706, Pt. A, §4, is
16 amended to read:

17 **3. Out-of-state tuition.** Students from other states and countries and students
18 pursuing a postgraduate high school year of education may attend the school on a space-
19 available basis by paying the cost of tuition, fees and room and board as established by
20 the board of trustees.

21 **Sec. 3. 20-A MRSA §8202, sub-§4,** as enacted by PL 1995, c. 665, Pt. FF, §2, is
22 amended to read:

23 **4. Scholarship fund.** The school must demonstrate its ability to raise private funds
24 to support a scholarship fund. Based on this ability, the Legislature may provide General
25 Fund appropriations to the scholarship fund. Funds available in the scholarship fund may
26 not be used to offset, reduce or eliminate the appropriation of state funds described in
27 subsection 2. The existence of the scholarship fund may not reduce or eliminate the
28 State's funding obligations described in subsection 2.

29 **Sec. 4. 20-A MRSA §8202, sub-§5** is enacted to read:

30 **5. Educational enhancement fund.** The school may raise private funds to support
31 an educational enhancement fund to enrich the educational experience of students
32 enrolled at the school. The Legislature may provide General Fund appropriations to the
33 educational enhancement fund. Funds available in the educational enhancement fund
34 may not be used to offset, reduce or eliminate the appropriation of state funds described
35 in subsection 2. The existence of the educational enhancement fund may not reduce or
36 eliminate the State's funding obligations described in subsection 2.

37 **Sec. 5. 20-A MRSA §8204, sub-§1, ¶C,** as amended by PL 2003, c. 4, §1, is
38 repealed and the following enacted in its place:

1 C. A member of the regional school unit board of the regional school unit in which
2 the school is located, who must be from the community in which the school is
3 located, or the member's designee;

4 **Sec. 6. 20-A MRSA §8204, sub-§1, ¶F,** as enacted by PL 1993, c. 706, Pt. A,
5 §4, is amended to read:

6 F. Three members who are teachers, one of whom is a full-time teacher at the
7 school who is a nonvoting member and is annually elected by members of the
8 school's faculty and 2 of whom are teachers in the State representing different
9 geographic regions of the State, appointed by the Governor. Both full-time and part-
10 time teachers at the school may vote in the election of a faculty member to serve on
11 the board of trustees, and the election must be by secret ballot;

12 **Sec. 7. 20-A MRSA §8204, sub-§1, ¶I,** as enacted by PL 1993, c. 706, Pt. A, §4,
13 is amended to read:

14 I. One student member who is a nonvoting member and has been elected as the
15 presiding officer of the student body; and

16 **Sec. 8. 20-A MRSA §8204, sub-§4,** as enacted by PL 1993, c. 706, Pt. A, §4, is
17 amended to read:

18 **4. Quorum.** A quorum for the transaction of business is constituted by the ~~members~~
19 ~~in~~ attendance of 1/3 of all voting members and all official actions of the board of trustees
20 require a majority vote of those members present and voting.

21 **Sec. 9. 20-A MRSA §8204, sub-§7** is enacted to read:

22 **7. Conflict of interest.** A board of trustees member shall attempt to avoid conflicts
23 of interest by disclosure or by abstention.

24 **Sec. 10. 20-A MRSA §8205, sub-§7,** as amended by PL 1997, c. 772, §1, is
25 further amended to read:

26 **7. Property management.** To lease and to acquire by purchase any property, lands,
27 buildings, structures, facilities or equipment and make improvements to facilities
28 necessary to fulfill the purposes of this chapter. Any lease or lease-purchase agreement
29 must have a term not to exceed 10 years and must be subject to annual appropriation of
30 funds. ~~The community of Limestone~~ Eastern Aroostook Regional School Unit retains
31 ownership of the Limestone Elementary School and the Limestone Junior Senior High
32 School and shares those facilities with the school;

33 **Sec. 11. 20-A MRSA §8206, sub-§3,** as enacted by PL 1993, c. 706, Pt. A, §4, is
34 amended to read:

35 **3. School admission.** ~~Admittance of high school juniors and seniors; early~~
36 ~~admittance of students whose abilities or special circumstances are so exceptional as to~~
37 ~~warrant early entry; and consideration by the board of trustees for admittance of~~
38 ~~sophomore students after the junior and senior year programs are fully implemented~~

1 students based on the enrollment criteria established by the board of trustees as provided
2 in section 8205, subsection 11. Students who apply and are accepted by the school are
3 allowed to attend as provided in section 5205, subsection 6;

4 **Sec. 12. 20-A MRSA §8206, sub-§5**, as enacted by PL 1993, c. 706, Pt. A, §4, is
5 amended to read:

6 **5. Telecommunications.** ~~Integration of the University of Maine System interactive~~
7 ~~television system~~ Utilization of distance learning technologies to allow transmission of
8 certain specialty courses conducted at the school for the benefit of high-achieving
9 students attending school units throughout the State.

10 **SUMMARY**

11 This bill updates the laws concerning the Maine School of Science and Mathematics.
12 It provides that students may use scholarship funds in place of payment for all or part of
13 the cost of room and board and any other fees or expenses incurred as a result of their
14 enrollment at the school. It allows postgraduate high school students to attend at full
15 cost. It clarifies that private scholarship funds may not be used to offset state funds and
16 creates a general purpose educational enhancement fund with the same provision. This
17 bill makes necessary changes to reflect the newly created regional school unit. It
18 provides that one of the 3 teacher members of the board of trustees is a full-time teacher
19 and clarifies that both full-time and part-time faculty members may participate in the
20 election of a faculty representative to the board of trustees. It also provides that the
21 student member of the board of trustees is a nonvoting member. It strengthens the
22 quorum requirement from members in attendance to 1/3 of all voting members. Finally,
23 it removes references to high school sophomores, juniors and seniors in the laws
24 governing admission to the school and provides that admittance of high school students
25 must be based on criteria established by the board of trustees.