

# MAINE STATE LEGISLATURE

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# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 1274

S.P. 395

In Senate, March 23, 2011

### An Act To Restore Equity in Education Funding

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

*Joseph G. Carleton Jr.*

JOSEPH G. CARLETON, JR.  
Secretary of the Senate

Presented by President RAYE of Washington.  
Cosponsored by Representative MARTIN of Eagle Lake and  
Senators: LANGLEY of Hancock, MASON of Androscoggin, SAVIELLO of Franklin,  
SHERMAN of Aroostook, THOMAS of Somerset, Representatives: AYOTTE of Caswell,  
BRIGGS of Mexico, BURNS of Whiting, CRAY of Palmyra, EDGECOMB of Caribou,  
GIFFORD of Lincoln, JOHNSON of Greenville, LONG of Sherman, MAKER of Calais,  
McFADDEN of Dennysville, RICHARDSON of Carmel, TURNER of Burlington.

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

2 **Sec. 1. 20-A MRSA §15672, sub-§23**, as amended by PL 2005, c. 2, Pt. D, §36  
3 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is further amended to read:

4 **23. Property fiscal capacity.** "Property fiscal capacity" means the lesser of the  
5 certified state valuation for the year prior to the most recently certified state valuation and  
6 the average of the certified state valuation for the 3 years prior to the most recently  
7 certified state valuation.

8 **Sec. 2. 20-A MRSA §15676, sub-§1**, as amended by PL 2005, c. 2, Pt. D, §39  
9 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is further amended to read:

10 **1. Teaching staff costs.** The salary and benefit costs for school level teaching staff  
11 that are necessary to carry out this Act, calculated in accordance with section 15678,  
12 adjusted by the regional adjustment under section 15682 ~~and reduced by the amount of~~  
13 ~~funds received by the school administrative unit during the most recent fiscal year under~~  
14 ~~Title 1 of the federal Elementary and Secondary Act of 1965, 20 United States Code,~~  
15 ~~Section 6301 et seq.;~~

16 **Sec. 3. 20-A MRSA §15676, sub-§2**, as amended by PL 2005, c. 2, Pt. D, §39  
17 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is further amended to read:

18 **2. Other staff costs.** The salary and benefit costs for school-level staff who are not  
19 teachers, but including substitute teachers, that are necessary to carry out this Act,  
20 calculated in accordance with section 15679, adjusted by the regional adjustment under  
21 section 15682 ~~and reduced by the amount of funds received by the school administrative~~  
22 ~~unit during the most recent fiscal year under Title 1 of the federal Elementary and~~  
23 ~~Secondary Act of 1965, 20 United States Code, Section 6301 et seq.; and~~

24 **Sec. 4. 20-A MRSA §15679, sub-§2**, as enacted by PL 2003, c. 504, Pt. A, §6, is  
25 amended to read:

26 **2. Students-to-staff ratios.** In calculating the salary and benefit costs pursuant to  
27 this section, the commissioner shall utilize the ~~following~~ student-to-staff ratios specified  
28 in paragraphs A and B and adjusted as provided in paragraph C.

29 A. For the elementary school level and the middle school level:

- 30 (1) The student-to-education technician ratio is 100:1;
- 31 (2) The student-to-guidance staff ratio is 350:1;
- 32 (3) The student-to-librarian ratio is 800:1;
- 33 (4) The student-to-media assistant ratio is 500:1;
- 34 (5) The student-to-health staff ratio is 800:1;
- 35 (6) The student-to-school administrative staff ratio is 305:1; and
- 36 (7) The student-to-clerical staff ratio is 200:1.

1 B. For the high school level:

2 (1) The student-to-education technician ratio is 250:1;

3 (2) The student-to-guidance staff ratio is 250:1;

4 (3) The student-to-librarian ratio is 800:1;

5 (4) The student-to-media assistant ratio is 500:1;

6 (5) The student-to-health staff ratio is 800:1;

7 (6) The student-to-school administrative staff ratio is 315:1; and

8 (7) The student-to-clerical staff ratio is 200:1.

9 C. If the total student population for a school administrative unit is less than 1,200  
10 students, the commissioner shall reduce the ratios set forth in paragraphs A and B by  
11 10%. Any change in the allocations to school administrative units with a total student  
12 population of 1,200 or more students resulting from this adjustment must be  
13 apportioned ratably among those school administrative units. This adjustment may  
14 not require any change in the total allocations to all school administrative units nor  
15 require any increase in state contributions for essential programs and services.

16 **Sec. 5. 20-A MRSA §15682**, as amended by PL 2009, c. 213, Pt. C, §6, is further  
17 amended to read:

18 **§15682. Regional adjustment**

19 The commissioner shall make a regional adjustment in the total operating allocation  
20 for each school administrative unit determined pursuant to section 15683. The regional  
21 adjustment must be based on the regional differences in teacher salary costs, exclusive of  
22 benefit costs, for labor market areas in which the school administrative unit is located, as  
23 computed by a statewide education policy research institute, and must be applied only to  
24 appropriate teacher salary ~~and benefits~~ costs as calculated under section 15678 and salary  
25 ~~and benefit~~ costs of other school-level staff who are not teachers as calculated under  
26 section 15679.

27 **SUMMARY**

28 This bill amends several provisions of the Essential Programs and Services Funding  
29 Act to more equitably allocate state funds that are appropriated for essential programs and  
30 services. The bill makes the following changes.

31 1. It amends the definition of "property fiscal capacity" in order to base the local  
32 school administrative unit's fiscal capacity on the most recent certified state valuation or  
33 the average of the certified state valuation for the 3 years prior to the most recently  
34 certified state valuation, whichever is lower. This change provides a more accurate  
35 determination of a school administrative unit's fiscal capacity while protecting those  
36 school administrative units that are experiencing increasing property valuation.

37 2. It amends the staffing ratios established to determine the calculation of salary and  
38 benefit costs for school-level staff positions by providing a 10% reduction in the staffing

1 ratios for school administrative units with a total school population of less than 1,200  
2 students. This change recognizes that school administrative units with fewer than 1,200  
3 students still have to provide certain levels of instruction, support and administrative  
4 positions that do not conform to the existing staffing ratios, which are based on  
5 enrollment assumptions that do not apply to approved smaller school administrative units.

6 3. It amends the EPS per-pupil rate calculated by the Commissioner of Education for  
7 each school administrative unit by removing the reduction of federal Title I funds from  
8 the calculation for teacher salaries and benefit costs. This change reflects the fact that  
9 federal Title I funding is one of several sources of revenue that are allocated to school  
10 administrative units and expended to support essential programs and services.

11 4. It amends the regional adjustment in the total operating allocation for school  
12 administrative units based on the regional differences in teacher salary costs for the labor  
13 market areas in which school administrative units are located by removing the benefits  
14 costs for teachers and other school-level staff from the calculation of salary costs. This  
15 change addresses the inequitable treatment of school administrative units with lower  
16 teacher salary costs relative to statewide averages due to local economic circumstances.