

MAINE STATE LEGISLATURE

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Date: 4/2/12

minority

L.D. 1854
(Filing No. H-886)

EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE HOUSE OF REPRESENTATIVES 125TH LEGISLATURE SECOND REGULAR SESSION

COMMITTEE AMENDMENT "B" to H.P. 1372, L.D. 1854, Bill, "An Act To Expand Educational Opportunities for Maine Students"

Amend the bill in Part A in section 2 in subsection 9 in the 2nd line (page 1, line 15 in L.D.) by striking out the following: "that is a public school"

Amend the bill in Part A in section 3 in §5207 in subsection 1 in paragraph A in the first 2 lines (page 1, lines 30 and 31 in L.D.) by striking out the following: ", and a private school approved for tuition purposes"

Amend the bill in Part A in section 3 in §5207 in subsection 4 in the last 3 lines (page 2, lines 33 to 35 in L.D.) by striking out the following: "Before accepting applications, an open enrollment school that is a private school shall publicize the school's cost for tuition and fees, and the amount of tuition that will be paid by the sending school unit."

Amend the bill in Part A in section 3 in §5207 by striking out all of subsection 5 and inserting the following:

'5. Eligible students. A student who resides in the State, but whose residence pursuant to section 5202 is outside the boundaries of the public school's school administrative unit, is eligible to apply to enroll under this section in an open enrollment school.'

Amend the bill in Part A in section 3 in §5207 in subsection 9 in the 2nd line (page 3, line 33 in L.D.) by striking out the following: "that is a public school"

Amend the bill in Part A in section 3 in §5207 by striking out all of subsection 11 and inserting the following:

'11. Funding of open enrollment students. The count of a student in an open enrollment school must be transferred pursuant to section 5205, subsection 9.'

Amend the bill in Part A by inserting after section 3 the following:

'Sec. A-4. 20-A MRSA §15689, sub-§12 is enacted to read:

1 **12. Minimum open enrollment student adjustment.** A school administrative unit
2 may receive an adjustment for open enrollment students, as defined in section 5207,
3 subsection 1, paragraph C, determined as follows.

4 A. A school administrative unit is eligible for the adjustment for open enrollment
5 students under the following conditions:

6 (1) The school administrative unit includes open enrollment students in its count
7 of subsidizable pupils pursuant to section 5205, subsection 9; and

8 (2) The school administrative unit receives an adjustment for the minimum state
9 allocation pursuant to subsection 1.

10 B. The amount of the adjustment for each open enrollment student is the sum of the
11 following:

12 (1) The school administrative unit's EPS per-pupil rate pursuant to section 15676
13 multiplied by the number of open enrollment students who are elementary
14 students multiplied by 50%; and

15 (2) The school administrative unit's EPS per-pupil rate pursuant to section 15676
16 multiplied by the number of open enrollment students who are secondary
17 students multiplied by 50%.'

18 SUMMARY

19 This amendment is the minority report. This amendment limits the open enrollment
20 program to public schools by removing references to private schools approved for tuition
21 purposes from the definition of "eligible school" and from sections of the bill relating to
22 student eligibility and funding. It also provides state subsidy to a minimum receiver
23 school unit, which is a school administrative unit that would otherwise not receive
24 additional state funding, as a result of the unit's accepting an additional student under the
25 open enrollment program.

26 FISCAL NOTE REQUIRED

27 (See attached)



Approved: 03/28/12 *MAC*

125th MAINE LEGISLATURE

LD 1854

LR 2775(03)

Resolve, To Require the Department of Education to Convene a Stakeholders Group To Recommend Changes to the Department of Education's Proposed School Choice Model

Fiscal Note for Bill as Amended by Committee Amendment "B" (H-886)

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

Fiscal Note

No State fiscal impact

Fiscal Detail and Notes

This legislation will not increase the total cost of Essential Programs and Services or the State's share of that cost. However, this bill will result in a redistribution of state subsidy to local school administrative units (SAU's) with subsidy increasing to those SAU's that receive open enrollment students and subsidy decreasing to those SAU's that send open enrollment students to open enrollment schools.