

# MAINE STATE LEGISLATURE

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Date: 4/9/13

L.D. 92  
(Filing No. H-53)

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**EDUCATION AND CULTURAL AFFAIRS**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
126TH LEGISLATURE  
FIRST REGULAR SESSION**

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COMMITTEE AMENDMENT "A" to H.P. 74, L.D. 92, Bill, "An Act Relating to Private School Student Participation in Public School Cocurricular, Interscholastic and Extracurricular Activities"

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Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

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**Sec. 1. 20-A MRSA §5021-A, first ¶**, as enacted by PL 2011, c. 456, §1, is amended to read:

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A school administrative unit shall conform to the following standards in making public school resources and services available to a student enrolled in an equivalent instruction program. For the purposes of this section, "student enrolled in an equivalent instruction program" means a student otherwise eligible to attend school in that school administrative unit, including a student who resides in the unorganized territory, when the student is enrolled in an equivalent instruction program in a private school that is recognized as an equivalent instruction alternative under section 5001-A, subsection 3, paragraph A, subparagraph (1), division (a) or (b) and that is not a member of an association that promotes, organizes or regulates statewide interscholastic activities in both public and private schools.

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**Sec. 2. 20-A MRSA §5021-A, sub-§1, ¶A**, as enacted by PL 2011, c. 456, §1, is amended to read:

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A. The student or the student's parent or guardian, on behalf of the student, applies in writing to and receives written approval from the principal of the school or the principal's designee. The principal or the principal's designee may withhold approval only if the school does not have the capacity to provide the student with the opportunity to participate in the cocurricular activity. If approval is withheld, the principal or the principal's designee must provide a written explanation to the student or the student's parent or guardian stating the reason or reasons for the decision to withhold approval.

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**Sec. 3. 20-A MRSA §5021-A, sub-§1, ¶C** is enacted to read:

**COMMITTEE AMENDMENT**





# 126th MAINE LEGISLATURE

LD 92

LR 616(02)

## An Act Relating to Private School Student Participation in Public School Cocurricular, Interscholastic and Extracurricular Activities

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-53)

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

### Fiscal Note

Potential State Mandate - Unfunded

#### State Mandates

**Required Activity**

Limits the ability of a public school principal or principal's designee to deny students enrolled in certain equivalent instruction programs from participating in its cocurricular, extracurricular and interscholastic activities.

**Unit Affected**

School

**Local Cost**

Insignificant statewide

Requires principal to provide written explanation to student or student's parent/guardian if approval is withheld.

School

Insignificant statewide

The required local activities in this bill may represent a State mandate pursuant to the Constitution of Maine. Unless General Fund appropriations are provided to fund at least 90% of the additional costs or a Mandate Preamble is amended to the bill and two-thirds of the members of each House vote to exempt this mandate from the funding requirement, municipalities may not be required to implement these changes.