

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 889

H.P. 616

House of Representatives, March 5, 2013

An Act To Adjust Funding Forwarded from School Districts to Charter Schools

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative BENNETT of Kennebunk. (BY REQUEST)

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

2 **Sec. 1. 20-A MRS §2413, sub-§2, ¶A**, as amended by PL 2011, c. 679, §2, is
3 further amended to read:

4 A. For each public charter school student, the school administrative unit in which the
5 student resides must forward 50% of the per-pupil allocation to the public charter
6 school attended by the student as follows.

7 (1) The per-pupil allocation amount is the EPS per-pupil rate for the school
8 administrative unit in which the student resides, as calculated pursuant to section
9 15676, based on the student's grade level and adjusted as appropriate for
10 economic disadvantage and limited English proficiency pursuant to section
11 15675, subsections 1 and 2. Debt service and capital outlays may not be included
12 in the calculation of these per-pupil allocations. The department shall adopt rules
13 governing how to calculate these per-pupil allocations, including those for career
14 and technical education programs, targeted funds for assessment technology and
15 kindergarten to grade 2 programs.

16 (2) For students attending public charter schools, the school administrative unit
17 of residence shall forward the per-pupil allocations described in subparagraph (1)
18 directly to the public charter school attended. These per-pupil allocations must
19 be forwarded to each public charter school on a quarterly basis, as follows. For
20 each fiscal year, allocations must be made in quarterly payments on September
21 1st, December 1st, March 1st and June 1st. The September payment must be
22 based on the number of students enrolled or anticipated to be enrolled in the
23 public charter school at the opening of school for that school year, which may not
24 exceed the maximum enrollment approved in the charter contract for that year
25 unless a waiver is obtained from the authorizer. In February of the school year, if
26 the number of students is higher or lower than the number of students at the
27 beginning of the school year, adjustments must be made in the June payment,
28 with ~~50%~~ 25% of the annual per-pupil allocation added for additional students or
29 subtracted if the total number of students is lower.

30 (3) For transportation expenses, the average per-pupil expense in each school
31 administrative unit of residence must be calculated and an amount equal to a
32 proportion, up to but not more than ~~100%~~ 50%, of that per-pupil allocation
33 amount must be forwarded to the public charter school attended on the same
34 basis as the per-pupil allocations for operating funds. The percentage of that per-
35 pupil expense must be determined by the authorizer of the public charter school
36 and must be based on the cost of transportation services provided by the public
37 charter school to the student.

38 (4) The department shall pay to the public charter school any additional
39 allocation assigned to the public charter school for gifted and talented students
40 pursuant to section 15681-A, subsection 5 in the year in which the allocation is
41 assigned.

42 A school administrative unit is not required to send funds to a public charter school
43 for a student enrolled in the public charter school's preschool or prekindergarten

1 program if the school administrative unit of the student's residence does not offer that
2 program to its own residents nor is a school administrative unit required to send funds
3 to a public charter school for a student who, in the year prior to first enrolling in the
4 public charter school, was either a homeschooled student or enrolled in a private
5 school and therefore not included in a public school's EPS pupil count in this State.

6 **SUMMARY**

7 This bill reduces the amount a school administrative unit in which a student who
8 attends a public charter school resides must forward to that public charter school from
9 100% of the per-pupil allocation to 50% of the per-pupil allocation. It also provides that a
10 school administrative unit is not required to send funds to a public charter school for
11 certain students who were not enrolled in a public school before enrolling in a public
12 charter school.