

# MAINE STATE LEGISLATURE

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Date: 4/15/14

L.D. 906  
(Filing No. H-838)

**APPROPRIATIONS AND FINANCIAL AFFAIRS**

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

COMMITTEE AMENDMENT "B" to H.P. 630, L.D. 906, Bill, "An Act To Permit a School Administrative Unit Discretion Concerning Participation of Students from Charter Schools in School Extracurricular and Interscholastic Activities"

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

**'Mandate preamble.** This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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

**Sec. 1. 20-A MRSA §2415, sub-§2,** as enacted by PL 2011, c. 414, §5, is amended to read:

**2. Access to extracurricular and interscholastic activities.** A public charter school is eligible for ~~state-sponsored or school-administrative-unit-sponsored~~ statewide interscholastic leagues, competitions, awards, scholarships and recognition programs for students, educators, administrators and schools to the same extent as are noncharter public schools. A If a public charter school applies for and receives written approval from the superintendent of a school administrative unit or the superintendent's designee, who may withhold such approval, the public charter school is eligible for school administrative unit-sponsored interscholastic leagues, competitions, awards, scholarships and recognition programs for students, educators, administrators and schools to the same extent as are noncharter public schools. If a public charter school student applies for and receives written approval from the superintendent of the school administrative unit of the noncharter public school or the superintendent's designee, who may withhold such approval, the public charter school student is eligible to participate in extracurricular activities not offered by the student's public charter school at the noncharter public school within the attendance boundaries of which the student's custodial parent or legal guardian

**COMMITTEE AMENDMENT**

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1 resides or the noncharter public school from which the student withdrew for the purpose  
 2 of attending a public charter school. A The superintendent of the school administrative  
 3 unit or the superintendent's designee may withhold approval only if the public charter  
 4 school the student attends provides the same extracurricular or interscholastic activity or  
 5 if the noncharter public school does not have the capacity to provide the public charter  
 6 school student with the opportunity to participate in the extracurricular or interscholastic  
 7 activity. If approval is withheld, the superintendent of the school administrative unit or  
 8 the superintendent's designee shall provide a written explanation to the public charter  
 9 school student or the student's parent or guardian stating the reason or reasons for the  
 10 decision to withhold approval. If a public charter school student is allowed to participate  
 11 in the noncharter public school's extracurricular activities, the public charter school  
 12 student is eligible for extracurricular activities at a the noncharter public school subject to  
 13 eligibility standards applied to full-time students of the noncharter public school. A  
 14 school administrative unit or noncharter public school may not impose additional  
 15 requirements on a public charter school student to participate in extracurricular activities  
 16 that are not imposed on full-time students of the noncharter public school. Public charter  
 17 school students shall ~~shall~~ must pay the same fees as other students to participate in  
 18 extracurricular or cocurricular activities. For each public charter school student who  
 19 participates in an extracurricular or cocurricular activity at a noncharter public school, the  
 20 public charter school must pay a reasonable share of the noncharter public school's costs  
 21 for the activity, as determined through negotiations between the schools involved.'

22 **SUMMARY**

23 This amendment provides that the superintendent of a school administrative unit may  
 24 deny the request of a public charter school student to participate in an extracurricular or  
 25 interscholastic activity only if the public charter school the student attends already  
 26 provides that same activity or if the noncharter public school does not have the capacity  
 27 to provide the student with the opportunity to participate in the activity. If approval for  
 28 participation is withheld by the superintendent of the school administrative unit, the  
 29 superintendent must provide a written explanation to the student or the student's parent or  
 30 guardian stating the reason or reasons for the decision.

31 The amendment also adds a mandate preamble.

**FISCAL NOTE REQUIRED**  
(See attached)

**COMMITTEE AMENDMENT**



# 126th MAINE LEGISLATURE

LD 906

LR 1651(06)

## An Act To Permit a School Administrative Unit Discretion Concerning Participation of Students from Charter Schools in School Extracurricular and Interscholastic Activities

Fiscal Note for Bill as Amended by Committee Amendment *B(H-838)*  
Committee: Appropriations and Financial Affairs  
Fiscal Note Required: Yes

### Fiscal Note

State Mandate - Exempted

#### State Mandates

Required Activity	Unit Affected	Local Cost
Requires superintendents to provide a written explanation as to why a request from a student that attends a public charter school to participate in a local school administrative unit's extracurricular or interscholastic activity was denied.	School	Insignificant statewide

Pursuant to the Mandate Preamble, the two-thirds vote of all members elected to each House exempts the State from the constitutional requirement to fund 90% of the additional costs.