

MAINE STATE LEGISLATURE

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Date: 6/18/13

L.D. 963
(Filing No. H-545)

EDUCATION AND CULTURAL AFFAIRS

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

COMMITTEE AMENDMENT "A" to H.P. 677, L.D. 963, Bill, "An Act To Expand Access to Early Postsecondary Education"

Amend the bill by inserting after section 1 the following:

'Sec. 2. 20-A MRSA §4771, as amended by PL 2007, c. 240, Pt. VVV, §1, is repealed and the following enacted in its place:

§4771. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Eligible institution. "Eligible institution" means institutions of the University of Maine System, the Maine Community College System and the Maine Maritime Academy.

2. Secondary school student. "Secondary school student" means a student who is a Maine resident and is:

A. Enrolled in a public secondary school;

B. Enrolled in an adult education program as defined in section 8601-A, subsection 1;

C. Participating in an approved home instruction program pursuant to section 5001-A, subsection 3, paragraph A, subparagraph (4); or

D. Enrolled in a private school approved for the receipt of public funds pursuant to section 2951.

3. Semester. "Semester" means the fall, spring or summer term of an academic year.'

Amend the bill by striking out all of sections 4, 5 and 6 and inserting the following:

'Sec. 4. 20-A MRSA §4772-B is enacted to read:

COMMITTEE AMENDMENT

1 **§4772-B. Postsecondary courses; student eligibility**

2 **1. Student eligibility.** A secondary school student may be eligible to receive state
3 subsidy for postsecondary courses as specified in section 4775 if all the requirements of
4 subsection 2 are satisfied and the student:

5 A. Is enrolled in grade 11 or higher in the student's school; or

6 B. Maintains a minimum secondary school grade point average of at least 3.0 on a
7 scale of 4.0, or the equivalent of a "B" average, as determined by the school, unless
8 the student has been granted a waiver by the eligible institution.

9 **2. Postsecondary courses.** A student that meets the criteria pursuant to subsection 1
10 may be eligible to receive state subsidy for postsecondary courses as specified in section
11 4775 as long as:

12 A. The eligible institution has space available for the secondary school student and
13 not more than 1/3 of the students in a course are secondary school students;

14 B. The eligible institution has determined that the student has satisfactorily
15 completed all course prerequisites;

16 C. The school administration approves;

17 D. The student's parent approves; and

18 E. The student has received a recommendation to take a postsecondary course or
19 courses at an eligible institution from the student's school administration or one of the
20 student's secondary school teachers following an assessment of the student by the
21 school administration.

22 **Sec. 5. 20-A MRSA §§4774 and 4775**, as enacted by PL 1997, c. 758, §2, are
23 amended to read:

24 **§4774. Credits**

25 **1. High school credit.** A school ~~administrative unit~~ administration may grant
26 academic credit toward a high school diploma to a student who successfully completes a
27 course, including an online course, under this chapter. Prior to the student's enrollment in
28 the course, the school administration shall inform the student of the extent to which credit
29 will be awarded toward the high school diploma upon successful completion of the
30 course.

31 **2. Postsecondary credit.** The eligible institution shall grant full credit to any
32 student who successfully completes a course, including an online course, at the eligible
33 institution under this chapter. The course must apply to graduation requirements at the
34 eligible institution in which it was taken or be transferable to another eligible institution
35 on an equal basis with a course taken by any other student at the eligible institution.

36 **§4775. Payment; appropriations**

37 The department shall pay 50% of the in-state tuition for the first ~~3~~ 6 credit hours
38 taken each semester and up to 12 credit hours per academic year taken by a student
39 eligible under section 4772-B at an eligible institution and up to 6 credit hours per
40 academic year. The eligible institution may not make any additional tuition charges for

1 ~~the course~~ those courses but may impose fees and charges, other than tuition, that are
2 ordinarily imposed on students not covered by this chapter. The department may pay
3 these fees and charges for a high school student eligible for free or reduced-price lunch.
4 Funds appropriated to the department to carry out the purposes of this chapter must be in
5 addition to the customary and ongoing amounts appropriated for general purpose aid for
6 local schools.

7 **Sec. 6. 20-A MRSA §4776**, as enacted by PL 2007, c. 240, Pt. VVV, §2, is
8 amended to read:

9 **§4776. Distribution of available funding**

10 Not more than ~~10%~~ 5% of the total funding available to the department for
11 postsecondary education, either through a direct appropriation for postsecondary
12 education under this chapter or as part of the ongoing funds included in the appropriation
13 for general purpose aid for local schools, may be used for secondary students to take a
14 postsecondary course during the summer term.'

15 Amend the bill in section 7 in §4777 in subsection 1 in the 3rd line (page 2, line 33 in
16 L.D.) by striking out the following: "19" and inserting the following: '20'

17 Amend the bill in section 7 in §4777 in subsection 1 in paragraph A in the first line
18 (page 2, line 35 in L.D.) by striking out the following: "Three" and inserting the
19 following: 'Four'

20 Amend the bill in section 7 in §4777 in subsection 1 in paragraph A in subparagraph
21 (2) in the 2nd line (page 2, line 38 in L.D.) by striking out the following: "and"

22 Amend the bill in section 7 in §4777 in subsection 1 in paragraph A in subparagraph
23 (3) in the 2nd line (page 3, line 2 in L.D.) by inserting after the following: "designee;"
24 the following: 'and'

25 Amend the bill in section 7 in §4777 in subsection 1 in paragraph A by inserting after
26 subparagraph (3) the following:

27 '(4) The Chief Executive Officer of the Finance Authority of Maine or the chief
28 executive officer's designee;'

29 Amend the bill in section 7 in §4777 in subsection 3 by striking out all of paragraphs
30 E and F (page 4, lines 5 to 8 in L.D.) and inserting the following:

31 'E. Establishing and overseeing an evaluation process of the early postsecondary
32 programs; and

33 F. Making recommendations regarding funding to support the development and
34 expansion of early postsecondary education programs.'

35 Amend the bill by striking out all of section 8 (page 4, lines 27 to 30 in L.D.) and
36 inserting the following:

37 **'Sec. 8. 20-A MRSA §8406** is enacted to read:

1 **§8406. Academic skills testing**

2 Assessment tests to determine college-level academic skills must be administered at
3 an approved site. A career and technical education center shall provide an approved site
4 for the test.'

5 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
6 section number to read consecutively.

7 **SUMMARY**

8 This amendment makes several changes to the bill:

9 1. It adds the definition of "secondary school student" to the definitions in the Maine
10 Revised Statutes, Title 20-A, chapter 208-A in order for the definition to apply to the
11 entire chapter and clarifies that "secondary school student" includes a student enrolled in
12 an adult education program or participating in an approved home instruction program;

13 2. It requires that in order to be eligible to receive state subsidy for postsecondary
14 courses, a secondary school student must be a Maine resident;

15 3. It limits the total number of secondary school students enrolled in a postsecondary
16 school course to no more than 1/3 of the total number of students enrolled in the course;

17 4. It requires the school administrative unit to inform a student enrolled in a
18 postsecondary school course of the extent to which high school credit will be granted
19 toward graduation requirements as a result of successfully completing the course;

20 5. In current law, the department pays 50% of the in-state tuition for the first 3 credit
21 hours taken each semester. The amendment doubles the amount to 6 credits;

22 6. It reduces the percentage of total funding available that can be used to support
23 secondary school students enrolled in summer term courses; and

24 7. It increases the membership of the Commission on Expanding Early Postsecondary
25 Access for High School Students from 19 to 20.

FISCAL NOTE REQUIRED
(See attached)



126th MAINE LEGISLATURE

LD 963

LR 906(02)

An Act To Expand Access to Early Postsecondary Education

Fiscal Note for Bill as Amended by Committee Amendment 'A' (H-545)
 Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

Fiscal Note

Potential future biennium revenue decrease - Higher Educational Institutions
 Legislative Cost/Study

Legislative Cost/Study

The additional costs for Legislators to serve on the commission are projected to be \$2,000 annually beginning in fiscal year 2013-14. The Legislature's proposed budget includes \$10,000 in fiscal year 2013-14 and \$10,000 in fiscal year 2014-15 for legislative studies. Whether the amounts are sufficient to fund all studies will depend on the number of studies authorized by the Legislative Council and the Legislature.

Fiscal Detail and Notes

Increasing the number of credit hours per academic year that eligible secondary students may take at eligible institutions will increase the amount of tuition revenue that must be waived by the University of Maine System, the Maine Community College System and the Maine Maritime Academy. The impact will depend on the actual increase in the number of credit hours taken by eligible students per academic year.

LD 1509, the 2014-2015 biennial budget, as amended, provides General Fund support to the General Purpose Aid for Local Schools program within the Department of Education of \$400,000 per year for fiscal year 2013-14 and fiscal year 2014-15 for eligible secondary students to take postsecondary classes. This funding is the same amount of funding that has been provided in previous fiscal years and may limit participation in the program. The Department estimates that an additional \$600,000 per year of General Fund support would need to be provided in order to ensure that sufficient funding is available to support the anticipated demand.

Additional costs to the Department of Education, the University of Maine System, the Finance Authority of Maine and the Maine Community College System to serve on the Commission on Expanding Early Postsecondary Access for High School Students can be absorbed within existing budgeted resources.