

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 scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

smey
ROHS
2

Date: 6/16/15

Majority

L.D. 419
(Filing No. H-450)

EDUCATION AND CULTURAL AFFAIRS

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE
HOUSE OF REPRESENTATIVES
127TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 286, L.D. 419, Bill, "An Act To Promote Academic Opportunities for Maine Youth during Summer Months"

Amend the bill by striking out the title and substituting the following:

'An Act To Establish the Summer Success Program Fund'

Amend the bill by striking out everything after the enacting cause and inserting the following:

'Sec. 1. 20-A MRSA c. 317, sub-c. 2 is enacted to read:

SUBCHAPTER 2

SUMMER SUCCESS PROGRAM FUND

§8811. Definitions

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

1. Program fund. "Program fund" means the Summer Success Program Fund established in section 8812.

2. Social impact bond. "Social impact bond" means a performance-based bond that operates over a fixed period of time and for which repayment to an investor is contingent upon a specific social outcome being achieved.

3. Summer success program. "Summer success program" means a program offered by a public school that provides traditional and alternative teaching methods to ensure that every student has access to a high-quality extended school year program that helps the student improve the student's academic achievement and addresses the needs of the student to demonstrate content area proficiency based on the student's grade level.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41

R O F S

§8812. Summer Success Program Fund

1. Establishment. The Summer Success Program Fund is established as a nonlapsing, dedicated fund to be directed and administered by the commissioner within the department and held by the Treasurer of State. The State Controller shall set up and maintain an account for the money received from a social impact bond and other money paid into the program fund. The Treasurer of State shall invest and reinvest the program fund for the benefit of summer success programs.

2. Sources of money. The following sources of money may be paid into the program fund:

A. Money appropriated from the General Fund;

B. Any grants, gifts and other money from the State and from any unit of federal, state or local government or from any person, firm, partnership or corporation for deposit to the program fund;

C. All money received from a social impact bond. A social impact bond may involve the department or a school administrative unit partnering with a service provider or outside investor that provides the financing for the summer success program that is the object of the bond, which the department or a school administrative unit is not required to repay unless student achievement in the summer success program is demonstrated by a measurable outcome; and

D. All interest, dividends or other pecuniary gains from investment of money in the program fund.

3. Application of program fund. Money in the program fund must be continuously applied by the commissioner to carry out this section and may not be used for any other purpose. School administrative units must ensure that program funds made available to provide grants for expanded access to summer success programs for elementary and secondary school students supplement and do not supplant federal funding.

§8813. Standards; approval

The commissioner shall use the program fund to encourage the facilitation of high-quality summer success programs in school administrative units throughout the State.

1. Standards. The commissioner shall establish standards for summer success programs consistent with the basic school approval requirements as set forth in subchapter 1 for summer school programs offered at elementary or secondary schools in the State. In establishing standards for summer success programs, the commissioner may also consider the following:

A. Guidelines similar to, but not identical with, the requirements of the community learning centers program authorized under Title IV, Part B of the federal Elementary and Secondary Education Act of 1965, as amended by the federal No Child Left Behind Act of 2001, 20 United States Code, Chapter 70 to help students improve their academic achievement by providing educational opportunities that close the achievement gap between high-performing and low-performing students, including the gap between economically disadvantaged students and their peers;

ROW 5

1 B. Effective models of summer success programs that improve student achievement,
2 including model programs that involve networking and partnerships with community-
3 based organizations that provide a range of high-quality services to support student
4 learning and development. In order to partner with a summer success program, a
5 community-based organization must be exempt from federal income taxation under
6 the United States Internal Revenue Code of 1986, Section 501(a), pursuant to the
7 United States Internal Revenue Code of 1986, Section 501(c)(3); and

8 C. Implementation of the formative and summative assessment methods used by the
9 school administrative unit during the school year to measure student achievement in
10 order to monitor the progress of students participating in the summer success
11 programs.

12 2. Approval. A summer success program may be offered by a school administrative
13 unit with the approval of the commissioner. The commissioner may inspect a summer
14 success program, after which the commissioner shall approve and grant a certificate to a
15 school that maintains approval standards. The expense of inspection must be paid by the
16 department.

17 **§8814. Program fund grants; eligibility; calculation**

18 Beginning in fiscal year 2016-17 and each subsequent year, the department, through a
19 grant application process, shall provide from the program fund funding to cover 90% of
20 the costs of summer success programs in school administrative units with greater than
21 50% student participation in the free and reduced-price lunch program pursuant to section
22 6602, subsection 1, paragraph A. Any remaining available funds must be provided to
23 school administrative units with greater than 35% student participation in the free and
24 reduced-price lunch program.

25 1. Eligibility. To receive program fund money calculated pursuant to subsection 2, a
26 school administrative unit must be in compliance with any applicable standards and
27 program requirements for summer success programs established by the commissioner
28 pursuant to section 8813.

29 2. Program fund grants; calculation. The commissioner shall calculate one
30 amount of program fund money that may be made available as a grant to the elementary
31 school level and another amount of program fund money that may be made available as a
32 grant to the high school level in accordance with the following.

33 A. For fiscal year 2016-17, the commissioner shall establish a per-pupil amount for
34 program fund grants.

35 B. For fiscal year 2017-18 and each subsequent year, the commissioner shall
36 recalculate the per-pupil amount by using the amount calculated under paragraph A
37 as a base and adjusting for appropriate trends in the Consumer Price Index or other
38 comparable index.

39 3. Budget recommendation. By December 15, 2015 and prior to December 15th of
40 each subsequent year, the commissioner shall recommend to the Governor and to the
41 Department of Administrative and Financial Services, Bureau of the Budget the funding
42 levels for the program fund for payment in the next fiscal year. The commissioner shall
43 include these funding levels in the department's request to the Legislature for

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41

ROF §

appropriations from the General Fund, allocations from federal funds and authorizations of Other Special Revenue Funds and social impact bonds to carry out the purposes of this subchapter.

4. Appropriations and allocations. The commissioner shall provide funds authorized by the Legislature to carry out the purposes of this subchapter as grants to eligible school administrative units.

§8815. Report

The department shall report by June 30, 2017 and annually thereafter to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs on the number of school administrative units administering summer success programs, the nature of the summer success programs receiving money from the program fund, the amount of money distributed and the number of children participating in a summer success program.

§8816. Rules

The commissioner shall adopt rules for the standards, approval and administration of the program fund, including the establishment of program fund requirements and specifications and procedures for the application and distribution of available funds, and to otherwise carry out the purposes of this subchapter. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

Sec. 2. 20-A MRSA §15688-A, sub-§5 is enacted to read:

5. Summer success programs. Beginning in fiscal year 2016-17 and for each subsequent fiscal year, the commissioner may expend and disburse funds to provide grants for expanded access to summer success programs for elementary and secondary school students pursuant to chapter 317, subchapter 2. The amounts of the grant funding provided to qualified school administrative units pursuant to chapter 317, subchapter 2 are limited to the amounts appropriated, allocated or authorized by the Legislature for the operation of summer success programs. Any balance of funds appropriated, allocated or authorized by the Legislature remaining at the end of a fiscal year do not lapse and are carried forward to the next fiscal year to carry out the purposes of chapter 317, subchapter 2.

Sec. 3. Maine Revised Statutes headnote amended; revision clause. In the Maine Revised Statutes, Title 20-A, chapter 317, before section 8801, the headnote "subchapter 1, summer schools" is enacted and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

Sec. 4. Report. The Commissioner of Education shall submit a report to the Joint Standing Committee on Education and Cultural Affairs by December 15, 2015 containing an outline of the routine technical rules proposed by the Department of Education to implement the Summer Success Program Fund, established in the Maine Revised Statutes, Title 20-A, chapter 317, subchapter 2, by the 2016-2017 school year.

Sec. 5. Appropriations and allocations. The following appropriations and allocations are made.

R O F S

EDUCATION, DEPARTMENT OF

Summer Success Program N215

Initiative: Provides base allocations for the Summer Success Program Fund.

OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$500</u>	<u>\$500</u>

Summer Success Program N215

Initiative: Provides funds for one Education Specialist III position and related All Other costs to implement and administer the Summer Success Program Fund.

GENERAL FUND	2015-16	2016-17
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$70,716	\$93,043
All Other	\$6,013	\$6,351
GENERAL FUND TOTAL	<u>\$76,729</u>	<u>\$99,394</u>

EDUCATION, DEPARTMENT OF
DEPARTMENT TOTALS

	2015-16	2016-17
GENERAL FUND	\$76,729	\$99,394
OTHER SPECIAL REVENUE FUNDS	\$500	\$500
DEPARTMENT TOTAL - ALL FUNDS	<u>\$77,229</u>	<u>\$99,894</u>

SUMMARY

This amendment, which is the majority report of the committee, replaces the concept draft to establish the Summer Success Program Fund, a dedicated fund to be directed and administered by the Commissioner of Education and held by the Treasurer of State, to encourage the facilitation of high-quality summer success programs in school administrative units throughout the State. The amendment accomplishes the following.

1. It provides that money paid into the fund may include General Fund appropriations, as well as grants, gifts and other money from any unit of federal, state or local government or from any person, firm, partnership or corporation for deposit to the fund and money received from a social impact bond. It requires that school administrative units ensure that grants provided from the fund for expanding access to summer success programs supplement and not supplant federal funding.

It adds an appropriations and allocations section.

(See attached)



Approved: 06/14/15 *mac*

127th MAINE LEGISLATURE

LD 419

LR 1664(02)

An Act To Promote Academic Opportunities for Maine Youth during Summer Months

Fiscal Note for Bill as Amended by Committee Amendment
Committee: Education and Cultural Affairs
Fiscal Note Required: Yes

H-450

Fiscal Note

	FY 2015-16	FY 2016-17	Projections FY 2017-18	Projections FY 2018-19
Net Cost (Savings)				
General Fund	\$76,729	\$99,394	\$103,116	\$106,986
Appropriations/Allocations				
General Fund	\$76,729	\$99,394	\$103,116	\$106,986
Other Special Revenue Funds	\$500	\$500	\$500	\$500

Fiscal Detail and Notes

This bill includes General Fund appropriations of \$76,729 in fiscal year 2015-16 and \$99,394 in fiscal year 2016-17 to a newly established Summer Success Program within the Department of Education for one Education Specialist III position and related all other costs to implement and administer the Maine Summer Success Program.

This bill also includes Other Special Revenue Funds base allocations of \$500 per year beginning in fiscal year 2015-16 in the event that funds are received from other sources such as grants, gifts or other monies from State, federal or local sources, from any person, firm, partnership or corporation and from social impact bonds.

The Department of Education is required to provide funding to cover 90% of the costs of summer success programs in eligible school administrative units beginning in fiscal year 2016-17 through a grant application process. If sufficient funding is not available to support this requirement through the alternative sources of funding listed in the bill, additional General Fund appropriations will be required.