

MAINE STATE LEGISLATURE

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Date: 5/17/17 majority

EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 717, L.D. 1015, Bill, "An Act To Improve the Student Transfer Process"

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

'Resolve, To Study the Student Transfer Process'

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

Sec. 1. Commission To Study the Student Transfer Process. Resolved: That, notwithstanding Joint Rule 353, the Commission To Study the Student Transfer Process, referred to in this resolve as "the commission," is established; and be it further

Sec. 2. Membership. Resolved: That the commission consists of 11 members as follows:

- 1. One member of the Senate who is a member of the Joint Standing Committee on Education and Cultural Affairs, appointed by the President of the Senate;
2. Three members of the House of Representatives who are members of the Joint Standing Committee on Education and Cultural Affairs, appointed by the Speaker of the House;
3. One member who is a representative of the Maine School Superintendents Association, appointed by the President of the Senate;
4. One member who is a representative of the Maine Education Association, appointed by the Speaker of the House;
5. One member who is a principal, appointed by the President of the Senate;
6. One member who is a school board member, appointed by the Speaker of the House;
7. One member who is a parent of a student who requested a transfer from one school administrative unit to another, appointed by the President of the Senate;

COMMITTEE AMENDMENT

- 1 8. The chair of the State Board of Education or the chair's designee; and
- 2 9. The Commissioner of Education or the commissioner's designee; and be it further

3 **Sec. 3. Chairs. Resolved:** That the Senate member is the Senate chair and the
4 first-named House of Representatives member is the House chair of the commission; and
5 be it further

6 **Sec. 4. Appointments; convening of commission. Resolved:** That all
7 appointments must be made no later than 30 days following the effective date of this
8 resolve. The appointing authorities shall notify the Executive Director of the Legislative
9 Council once all appointments have been completed. After appointment of all members,
10 the chairs shall call and convene the first meeting of the commission. If 30 days or more
11 after the effective date of this resolve a majority of but not all appointments have been
12 made, the chairs may request authority and the Legislative Council may grant authority
13 for the commission to meet and conduct its business; and be it further

14 **Sec. 5. Duties. Resolved:** That the commission shall conduct a comprehensive
15 review of the appeal process under the laws governing the transfer of a student from one
16 school administrative unit to another school administrative unit pursuant to the Maine
17 Revised Statutes, Title 20-A, section 5205, subsection 6. The review must include, but is
18 not limited to, the following:

19 1. A review of the criteria used by the Commissioner of Education and the State
20 Board of Education to make a decision regarding a parent's request for the Commissioner
21 of Education or the State Board of Education to review a decision to not approve a
22 request for a student from one school administrative unit to transfer to another school
23 administrative unit; and

24 2. An examination of potential criteria for reviewing a parent's appeal request
25 regarding a request for a student to transfer from one school administrative unit to another
26 school administrative unit. As part of the examination, the commission shall consider
27 criteria that support the best interests of students and make the appeal process convenient
28 and simple for parents; and be it further

29 **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide
30 necessary staffing services to the commission; and be it further

31 **Sec. 7. Report. Resolved:** That, no later than December 6, 2017, the commission
32 shall submit a report that includes its findings and recommendations, including suggested
33 legislation, to the Joint Standing Committee on Education and Cultural Affairs. The Joint
34 Standing Committee on Education and Cultural Affairs may report out a bill to the
35 Second Regular Session of the 128th Legislature.'

36 **SUMMARY**

37 This amendment replaces the bill with a resolve that, like the bill, establishes the
38 Commission To Study the Student Transfer Process. The commission is directed to
39 conduct a review of the appeal process under the laws governing the transfer of a student

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1 from one school administrative unit to another school administrative unit. The
2 amendment adds 4 members to the commission.

3 **FISCAL NOTE REQUIRED**

4 **(See attached)**



128th MAINE LEGISLATURE

LD 1015

LR 1073(02)

An Act To Improve the Student Transfer Process

Fiscal Note for Bill as Amended by Committee Amendment

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

ACH-198

Fiscal Note

Legislative Cost/Study

Legislative Cost/Study

The general operating expenses of this study are projected to be \$2,250 in fiscal year 2017-18. The Legislature's proposed budget includes \$10,000 in fiscal year 2017-18 for legislative studies. Whether that amount is sufficient to fund all studies will depend on the number of studies authorized by the Legislative Council and the Legislature. The additional costs of providing staffing assistance to the study during the interim can be absorbed utilizing existing budgeted staff resources.

Fiscal Detail and Notes

Additional costs to the Department of Education and the State Board of Education associated with the Commissioner or the commissioner's designee and the Chair or the chair's designee serving on the commission can be absorbed within existing budgeted resources.