

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1434

H.P. 989

House of Representatives, April 13, 2017

**An Act To Clarify the Laws Regarding Education in the
Unorganized Territories**

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

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative TUELL of East Machias.

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

2 **Sec. 1. 20-A MRSA §3251**, as amended by PL 2001, c. 454, §11, is further
3 amended to read:

4 **§3251. School privileges in the unorganized territories**

5 Subject to such reasonable rules as the commissioner may adopt, all persons who
6 have attained the age of 5 years on October 15th and have not reached 20 years of age
7 before the start of the school year and who reside with a parent in the unorganized
8 territory or who are resident emancipated minors or residents at least 18 years old are
9 eligible to attend elementary and secondary schools and to receive appropriate special
10 education and related services without charge to themselves or their parents. Education
11 must be provided in alignment with the system of learning results as established in
12 section 6209 under the direction of the commissioner, must meet the requirements of
13 section 4722-A and must meet the general standards for elementary and secondary
14 schooling and special education established pursuant to this Title.

15 **Sec. 2. 20-A MRSA §3301, sub-§§1 and 2**, as amended by PL 1985, c. 490, §9,
16 are repealed.

17 **Sec. 3. 20-A MRSA §3301, sub-§2-A** is enacted to read:

18 **2-A. Administrative services.** The commissioner shall make contractual
19 arrangements for school administrative services for the unorganized territory with
20 neighboring school administrative units.

21 **Sec. 4. 20-A MRSA §3351, sub-§6** is enacted to read:

22 **6. Finance report.** By June 30, 2018 and annually thereafter, the department shall
23 for that completed fiscal year report the amount appropriated under subsection 1,
24 expended under subsection 2 and carried forward under subsection 3-A, as well as any
25 gifts and bequests credited under subsection 4, to the joint standing committee of the
26 Legislature having jurisdiction over education and cultural affairs and publish the report
27 on the department's publicly accessible website.

28 **Sec. 5. 20-A MRSA §6209, first ¶**, as amended by PL 2015, c. 489, §3, is further
29 amended to read:

30 The department in consultation with the state board shall establish and implement a
31 comprehensive, statewide system of learning results, which may include a core of
32 standards in English language arts and mathematics for kindergarten to grade 12
33 established in common with the other states, as set forth in this section and in department
34 rules implementing this section and other curricular requirements. The department must
35 establish accountability standards at all grade levels in the areas of mathematics; reading;
36 and science and technology. The department shall establish parameters for essential
37 instruction in English language arts; mathematics; science and technology; social studies;
38 career and education development; visual and performing arts; health, physical education
39 and wellness; and world languages. Only a public school, a public charter school as

1 defined in section 2401, subsection 9, a public school located in an unorganized territory
2 or a private school approved for tuition purposes that enrolls at least 60% publicly funded
3 students, as determined by the previous school year's October and April average
4 enrollment, is required to participate in the system of learning results set forth in this
5 section and in department rules implementing this section and other curricular
6 requirements. The commissioner shall develop accommodation provisions for instances
7 where course content conflicts with sincerely held religious beliefs and practices of a
8 student's parent or guardian. The system must be adapted to accommodate children with
9 disabilities as defined in section 7001, subsection 1-B.

10 **Sec. 6. 20-A MRSA §6214, first ¶**, as enacted by PL 2015, c. 500, §1, is
11 amended to read:

12 Beginning with the 2018-2019 school year, for public schools, public charter schools,
13 public schools located in an unorganized territory and private schools approved for tuition
14 purposes that enroll at least 60% publicly funded students, the commissioner shall
15 implement a school accountability system to measure school performance and student
16 proficiency in achieving the knowledge and skills described in the parameters for
17 essential instruction and graduation requirements established under section 6209,
18 subsection 2 and that meets the reporting requirements of the federal Every Student
19 Succeeds Act of 2015, 20 United States Code, Section 6311(h) and related regulations.

20 SUMMARY

21 This bill clarifies the following state laws related to education in the unorganized
22 territories.

23 1. It requires the Department of Education to collect and publish academic outcome
24 data for any public school located in an unorganized territory. The data must be collected
25 and published in accordance with existing kindergarten to grade 12 educational reporting
26 guidelines.

27 2. It requires the Department of Education to develop and publish budget data for
28 any public school located in an unorganized territory. The data must be collected and
29 published in accordance with existing kindergarten to grade 12 educational reporting
30 guidelines.

31 3. It eliminates the Commissioner of Education's power to appoint agents and special
32 attendance officers in the unorganized territories and requires that the Department of
33 Education contract for school administrative services for the unorganized territories with
34 neighboring school administrative units.

35 4. It provides that public schools located in unorganized territories are subject to the
36 requirements of the system of learning results.