

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2018

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Legislative Document

No. 1843

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S.P. 696

In Senate, February 22, 2018

### An Act To Amend Career and Technical Education Statutes

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Submitted by the Department of Education pursuant to Joint Rule 203.  
Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator LANGLEY of Hancock.  
Cosponsored by Representative TUELL of East Machias and  
Senators: DAVIS of Piscataquis, DIAMOND of Cumberland, DOW of Lincoln, KATZ of  
Kennebec, MAKER of Washington, Representatives: LOCKMAN of Amherst,  
MASTRACCIO of Sanford, SIROCKI of Scarborough.

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

2 **Sec. 1. 20-A MRSA §5809**, as amended by PL 2003, c. 477, §5 and c. 545, §§5  
3 and 6, is further amended to read:

4 **§5809. Students enrolled in career and technical educational programs**

5 Schools receiving tuition students who are enrolled in regular school day career and  
6 technical educational programs at career and technical education centers, satellites or  
7 career and technical education regions, under chapter 313, may charge a tuition rate up to  
8 2/3 of the maximum tuition rate as computed under ~~sections~~ section 5805 or 5806. ~~The~~  
9 ~~career and technical education center, satellite or region may charge a tuition rate of up to~~  
10 ~~1/3 of the maximum tuition rate as computed under section 5805 or 5806 for the student.~~

11 **Sec. 2. 20-A MRSA §8403-A, sub-§2**, as amended by PL 2011, c. 679, §13, is  
12 further amended to read:

13 **2. Procedure for authorizing career and technical education satellite programs.**  
14 Any affiliated unit that wishes to operate a career and technical education satellite  
15 program shall submit a written request to operate such a satellite program to the  
16 governing body of the center or region with which the unit is affiliated. The request must  
17 fully document the perceived need for the operation of a satellite program. The  
18 governing body of the center or region with which the unit is affiliated shall consider the  
19 request and forward its recommendation to the commissioner concerning whether that  
20 request should be approved. The commissioner shall act on the request pursuant to  
21 section 8306-B.

22 **Sec. 3. 20-A MRSA §8403-A, sub-§3**, as enacted by PL 1991, c. 518, §14, is  
23 repealed and the following enacted in its place:

24 **3. Financial responsibility for satellite programs.** A career and technical  
25 education center or region affiliated with a satellite program approved pursuant to  
26 subsection 2 shall provide financial support for the operating costs of that program as  
27 calculated pursuant to chapter 606-B and paid to the center or region affiliated with the  
28 program. The center or region shall transfer the financial support received pursuant to  
29 this subsection to the unit that operates the approved satellite program to support the  
30 operating costs of that program.

31 **Sec. 4. 20-A MRSA §8403-A, sub-§§5 and 6**, as corrected by RR 2003, c. 2,  
32 §57, are amended to read:

33 **5. Employment of teachers.** The superintendent of a unit operating a satellite  
34 program shall, in consultation with the career and technical education director of the  
35 center or region with which the unit is affiliated, employ teachers for that satellite  
36 program in accordance with the procedures established by section 13201.

37 **6. Supervision.** The superintendent of a unit operating a satellite program shall, in  
38 consultation with the career and technical education director of the center or region with  
39 which the unit is affiliated, supervise personnel working for that satellite program.

1           **Sec. 5. 20-A MRSA §15681-A, sub-§4**, as amended by PL 2017, c. 284, Pt. C,  
2 §40, is further amended to read:

3           **4. Career and technical education costs.** Career and technical education costs in  
4 the base year adjusted to the year prior to the allocation year. This subsection does not  
5 apply to the ~~2018-19~~ 2019-20 funding year and thereafter; ~~and~~

6           **Sec. 6. 20-A MRSA §15681-A, sub-§4-A** is enacted to read:

7           **4-A. Costs of plans for middle school career and technical education.** Beginning  
8 in fiscal year 2018-19, and in each subsequent fiscal year, costs approved pursuant to  
9 chapter 313 attributable to establishing and operating career and technical education  
10 experiences for middle school students. The commissioner may establish an allocation to  
11 school administrative units for plans under this subsection. The plans must be  
12 implemented within the school administrative unit; and

13           **Sec. 7. 20-A MRSA §15688-A, sub-§1**, as amended by PL 2017, c. 284, Pt. C,  
14 §45, is repealed and the following enacted in its place:

15           **1. Career and technical education program components.** Beginning in fiscal year  
16 2018-19, the allocation for career and technical education centers and career and  
17 technical education regions is based upon a model that recognizes program components  
18 that have been approved by the department pursuant to chapter 313 for:

19           A. Direct instruction. The direct instruction component includes personnel costs for  
20 teachers, education technicians for programs and clinical supervisors for health care  
21 programs. The allocation for direct instruction is the sum of the costs as determined  
22 based on the following components, which the commissioner shall determine  
23 annually:

24           (1) A teacher salary matrix. In determining the teacher salary matrix for each  
25 program, the commissioner shall give consideration to the most recent available  
26 data regarding years of education experience and years of professional work  
27 experience relevant to instructional assignment;

28           (2) Student-to-teacher ratios for each program;

29           (3) The number of education technicians required for purposes of instructional  
30 support, based on student enrollment and program requirements. The  
31 commissioner shall calculate the education technician allocation by multiplying  
32 the number of education technicians required by the statewide average salary for  
33 full-time education technicians, based on the most recent available salary data,  
34 but shall ensure that each career and technical education center or career and  
35 technical education region is allocated at least one full-time education technician;  
36 and

37           (4) The clinical supervision staffing level necessary for each program requiring  
38 such staffing, based on student enrollment as determined pursuant to paragraph  
39 G;

1 B. Central administration. The central administration component includes personnel  
2 costs for directors, assistant directors and clerical staff working in career and  
3 technical education centers and career and technical education regions, as well as  
4 business managers working in career and technical education regions. The central  
5 administration allocation is the sum of:

6 (1) Costs for personnel for each career and technical education center and career  
7 and technical education region, as follows:

8 (a) A director, the allocation for which must be for one full-time equivalent;

9 (b) An assistant director, the allocation for which must be based on student  
10 enrollment as determined pursuant to paragraph G;

11 (c) Clerical staff, the allocation for which must be for at least one full-time  
12 equivalent, with additional clerical staff allocations based on student  
13 enrollment as determined pursuant to paragraph G;

14 (d) A career and technical education region business manager, the allocation  
15 for which must be for one full-time equivalent; and

16 (e) Benefit costs for employees in central administration, which must be  
17 calculated pursuant to section 15678, subsection 5, paragraph B; and

18 (2) Nonpersonnel costs, which the commissioner shall calculate annually based  
19 upon the relationship of the most recent available career and technical education  
20 expenditures for nonpersonnel costs to personnel costs;

21 C. Supplies and other expenditures such as purchased services, dues and fees for  
22 instructional programs. The allocation for supplies and other expenditures is the sum  
23 of:

24 (1) A per-program allocation for supplies, as determined by the commissioner  
25 based on the most recent available career and technical education expenditures  
26 amount, adjusted to the year prior to the allocation year; and

27 (2) A per-pupil allocation for each student in each career and technical education  
28 center and each career and technical education region, determined by the  
29 commissioner by dividing the amount determined pursuant to subparagraph (1)  
30 by student enrollment, as determined pursuant to paragraph G;

31 D. Plant operation and maintenance, including all costs for operating and  
32 maintaining buildings and grounds. The commissioner shall determine the allocation  
33 for plant operation and maintenance costs for each career and technical education  
34 center and each career and technical education region by multiplying the square  
35 footage of the career and technical education center or career and technical education  
36 region building by an amount per square foot, as determined by the commissioner;

37 E. Other student and staff support, which includes costs for student services  
38 coordination, career preparation, instructional technology, professional development,  
39 student assessment and program safety. The other student and staff support  
40 allocation is the sum of the costs for:

1 (1) A counselor, the allocation for which must be for one full-time equivalent, to  
2 collaborate with sending school guidance counselors in order to maximize  
3 student participation at the middle school and high school grade levels;

4 (2) A career and technical education center or career and technical education  
5 region student services coordinator, the allocation for which must be based on  
6 student enrollment, as determined pursuant to paragraph G, but no less than one  
7 full-time equivalent;

8 (3) Benefit costs for employees under this paragraph, calculated pursuant to  
9 section 15678, subsection 5, paragraph B; and

10 (4) Instructional technology, staff professional development, student assessment  
11 and program safety. The commissioner shall calculate a per-pupil allocation for  
12 this allocation based upon student enrollment, as determined pursuant to  
13 paragraph G, and the relationship of the most recent available career and  
14 technical education expenditures for these costs to total costs, adjusted to the year  
15 prior to the allocation year;

16 F. Equipment provided pursuant to subsection 6; and

17 G. Student enrollment, which is determined as follows.

18 (1) For established programs or plans, student enrollment is a 3-year average of  
19 the attending student counts on October 1st for each program or plan.

20 (2) For new programs or plans, student enrollment must be based on the  
21 estimated attending student count submitted in accordance with the application  
22 for the program or plan approval. This estimated student count must be used  
23 until the program or plan has 3 consecutive years of actual attending student  
24 counts on October 1st.

25 The total allocation for a career and technical education center or career and technical  
26 education region must be calculated by comparing the sum of the components in  
27 paragraphs A to E to the most recent expenditure data, as adjusted to the year prior to the  
28 allocation year. A career and technical education center or career and technical education  
29 region may not receive less than the adjusted expenditures or more than the adjusted  
30 expenditures plus 5%.

31 The commissioner shall authorize monthly payment of allocations to career and technical  
32 education centers and career and technical education regions in an amount equal to 1/12  
33 of the allocation. Payments for satellite programs as approved pursuant to chapter 313  
34 must be made within this schedule to the responsible career and technical education  
35 center or career and technical education region; it is the responsibility of the career and  
36 technical education center or career and technical education region to provide the state  
37 support for the approved satellite program to the school administrative unit that operates  
38 the approved satellite program.

39 If a school administrative unit operating a career and technical education center or career  
40 and technical education region has any unexpended funds at the end of the fiscal year,  
41 these funds must be carried forward for the purposes of career and technical education.

42 **Sec. 8. 20-A MRS §15688-A, sub-§8** is enacted to read:

