

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST SPECIAL SESSION-2021

Legislative Document

No. 1426

H.P. 1042

House of Representatives, April 12, 2021

**An Act To Provide for the Equitable Funding of Education Chosen
by Maine Families**

Received by the Clerk of the House on April 8, 2021. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

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

ROBERT B. HUNT
Clerk

Presented by Representative GREENWOOD of Wales.
Cosponsored by Senator TIMBERLAKE of Androscoggin and
Representatives: KINNEY of Knox, O'CONNOR of Berwick, SAMPSON of Alfred,
STANLEY of Medway.

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

2 **Sec. 1. 20-A MRSA §2951, sub-§2**, as enacted by PL 1981, c. 693, §§5 and 8, is
3 repealed.

4 **Sec. 2. 20-A MRSA §2951-A** is enacted to read:

5 **§2951-A. Amount of funding**

6 **1. Calculation of per-pupil rate for elementary and secondary students.**

7 Annually, each school administrative unit shall calculate the per-pupil tuition charges for a
8 secondary student who resides in that school administrative unit using the same formula
9 used to determine tuition rates pursuant to section 5805. Annually, each school
10 administrative unit shall calculate the per-pupil tuition charges for an elementary student
11 who resides in that school administrative unit using the formula specified in section 5805
12 but comparing elementary students.

13 **2. Payment.** Notwithstanding any provision of chapter 606-B or any other law to the
14 contrary, a school administrative unit shall pay to a student who resides in that school
15 administrative unit but does not attend public school in that school administrative unit the
16 lesser of:

17 A. The amount calculated pursuant to subsection 1; and

18 B. The total amount of the following, if applicable:

19 (1) Tuition paid to a private school or educational cooperative attended by that
20 student;

21 (2) The cost of a tutor paid by the student; and

22 (3) Reasonable costs incurred for homeschooling that student, including, without
23 limitation, transportation, educational materials and technology costs.

24 **SUMMARY**

25 This bill requires each school administrative unit to calculate the per-pupil tuition costs
26 for elementary and secondary students who reside in that school administrative unit and
27 provide no more than that amount to a student who resides in but does not attend public
28 school in that school administrative unit and who incurs education costs, such as for
29 attendance at a private school or educational cooperative, for a tutor or for costs associated
30 with homeschooling. This bill also repeals the restriction in current law on providing public
31 school funds to sectarian schools.