

# 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 electronic originals  
(may include minor formatting differences from printed original)



# 130th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2022

---

Legislative Document

No. 1845

---

H.P. 1366

House of Representatives, December 22, 2021

### An Act To Amend the Education Statutes

---

Submitted by the Department of Education pursuant to Joint Rule 203.

Received by the Clerk of the House on December 20, 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 black ink that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative BRENNAN of Portland.

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

2 **Sec. 1. 20-A MRSA §8**, as enacted by PL 1991, c. 407, §1, is amended to read:

3 **§8. Restructuring public schools Public school innovation**

4 ~~The~~ In order to support a culture of research and development and elevate the  
5 professionalism of the State's education practitioners, the commissioner shall encourage  
6 school administrative units to pursue an ongoing process of school restructuring continuous  
7 improvement processes to identify opportunities to innovate school structures and policies  
8 as a means of more effectively meeting the learning needs and improving the academic  
9 performance of all students. The public and private postsecondary institutions of higher  
10 education in the State are urged to ~~cooperate~~ partner with the department, the state board  
11 and school administrative units to provide appropriate and timely professional development  
12 programs and other support services to educators employed in public schools engaged in  
13 school restructuring innovation efforts.

14 **1. School restructuring innovation.** For the purposes of this section, the term "school  
15 restructuring innovation" means the process by which schools and communities use pilot  
16 programs and make significant changes in the existing school structure, including the  
17 policies, roles, relationships, pathways and schedules that influence teaching and learning  
18 in the school. School restructuring innovation recognizes the critical educational role of  
19 technology and integrates technology and technological systems in the classroom, in school  
20 governance and in school record keeping. School restructuring innovation is based on:

- 21 A. The development of comprehensive educational goals establishing community  
22 expectations for what all students should know, the skills they should possess, the  
23 attitude toward work and learning they should hold upon completing school and the  
24 role of the school in the community;
- 25 B. A formal appraisal of the basic structures that govern operation of the school; and
- 26 C. A commitment to revise the basic school structure to achieve the comprehensive  
27 educational goals.

28 School restructuring innovation, which is most effectively carried out at the local level,  
29 depends on community and educator involvement and approval and student participation.  
30 School restructuring innovation includes ~~consideration of changing roles for empathetic~~  
31 understanding of the various roles of stakeholders, including parents, students, teachers,  
32 administrators, support staff, postsecondary education institutions and officials; and  
33 various segments of the community. It focuses on understanding and defining the root  
34 cause of challenges and innovates and tests solutions. School innovation may include a  
35 significantly broadened role for schools and school administrative units that engage in  
36 education research and development. The commissioner may designate a school  
37 administrative unit that engages in education research and development as a demonstration  
38 site.

39 ~~School restructuring may include schools and school administrative units combining efforts~~  
40 ~~to cooperatively pursue restructuring activities. When that occurs, one or more schools or~~  
41 ~~units may be designated as demonstration sites.~~

42 **2. Waiver of rules for local schools.** A school administrative unit undergoing school  
43 restructuring innovation may request that the commissioner waive the application of

1 specific rules to that unit, or to certain schools in that unit, if ~~such action~~ the waiver is  
2 necessary to achieve ~~school restructuring~~ the proposed innovation. The commissioner shall  
3 grant a waiver if the requesting unit, as determined by the commissioner, has:

4 A. Demonstrated that one or more state rules prevent or seriously handicap the unit's  
5 pursuit of its ~~restructuring~~ innovation goals;

6 B. Demonstrated that reasonable steps have been taken to provide the safeguards  
7 offered by the rules in question to allow continued educational progress by students  
8 and protect the continuity and integrity of the unit and employees of that unit;

9 C. Provided evidence that the necessary resources and community and staff support  
10 are present to ensure that the ~~restructuring~~ innovative changes requiring the waiver  
11 stand a reasonable chance of succeeding; and

12 D. Informed any bargaining agent or agents representing affected school employees  
13 of the waiver request; ~~and~~

14 ~~E. Established a working relationship regarding professional development with an~~  
15 ~~institution of higher education or a professional development service provider.~~

16 The request for the waiver must include documentation to substantiate the conditions of  
17 this subsection. If the request is denied, the commissioner shall provide the reasons for  
18 denying the request to the school unit.

19 **3. Waiver of rules for educator preparation programs.** In order to prepare  
20 educators to work in ~~restructuring~~ innovative schools, an educator preparation program  
21 may request that the state board waive the application of specific rules governing approval  
22 of that program. The state board shall grant waiver requests if, in the board's opinion, the  
23 program has:

24 A. Demonstrated that the rules for which a waiver is requested prevent or seriously  
25 handicap the program in its pursuit of a plan to meet the educational needs of its  
26 students and the staffing needs of ~~restructuring~~ innovative schools;

27 B. Demonstrated that reasonable steps have been taken to provide the safeguards  
28 offered by the rules in question to allow continued educational progress by students  
29 and protect the continuity and integrity of the program and employees of that program;

30 C. Provided evidence that the necessary resources and support from the governing  
31 body and staff of an institution of higher education are present to ensure that the  
32 changes requiring the waiver stand a reasonable chance of succeeding;

33 D. Informed any bargaining agent or agents representing affected program employees  
34 of the waiver request; and

35 E. Developed service, research and teaching relationships with one or more  
36 ~~restructuring~~ innovative public schools.

37 The request for the waiver must include documentation to substantiate the conditions of  
38 this subsection. If the request is denied, the state board shall communicate the reasons for  
39 denying the request to the petitioning program.

40 **Sec. 2. 20-A MRSA §4502, sub-§2**, as amended by PL 2009, c. 313, §1, is further  
41 amended to read:

1           **2. Curriculum requirements.** Schools must meet all curriculum requirements  
2 established in chapter 207-A. Schools that offer public preschool programs shall  
3 demonstrate curriculum practice for those programs that implements the Maine early  
4 childhood learning guidelines and development standards established by the department  
5 and the Department of Health and Human Services and is appropriate for the age and  
6 development level of the children.

7           **Sec. 3. 20-A MRSA §4707**, as enacted by PL 1989, c. 80, is amended to read:

8           **§4707. Instruction in Braille and ~~Nemeth Code~~ Unified English Braille**

9           Schools may offer instruction in Braille and ~~Nemeth Code~~ Unified English Braille as  
10 part of the school curriculum. ~~When~~ If Braille or ~~Nemeth Code~~ Unified English Braille  
11 courses are offered, schools shall determine appropriate credit for completion of those  
12 courses.

13           **Sec. 4. 20-A MRSA §4709, sub-§1, ¶A**, as enacted by PL 1991, c. 292, §1, is  
14 amended to read:

15           A. "Braille" means the system of reading and writing through touch, ~~commonly known~~  
16 ~~as standard English Braille.~~

17           **Sec. 5. 20-A MRSA §4721, sub-§1**, as amended by PL 2021, c. 190, §3, is further  
18 amended to read:

19           **1. Comprehensive program of instruction.** A secondary school shall provide a  
20 comprehensive program of instruction ~~of at least 2 years in length~~, which must meet the  
21 requirements of this chapter and the parameters for essential instruction and ~~graduation~~  
22 diploma requirements established under section 6209. The program must include  
23 instruction for all students in life and career readiness, English language arts, health  
24 education and physical education, mathematics, science ~~and technology, engineering,~~  
25 social studies, visual and performing arts and world languages.

26           **Sec. 6. 20-A MRSA §4722, sub-§1**, as amended by PL 2019, c. 202, §1, is further  
27 amended to read:

28           **1. Minimum instructional requirements.** The instructional requirements leading to  
29 a high school diploma must ~~include a minimum 4-year~~ be part of a program of at least 4  
30 years that meets the requirements established by this section and any other instructional  
31 requirements established by the commissioner and the school board.

32           **Sec. 7. 20-A MRSA §4722, sub-§2**, as amended by PL 2019, c. 202, §1, is further  
33 amended to read:

34           **2. ~~Required subjects~~ Diploma requirements.** Instruction in the following subjects  
35 must be provided in separate ~~or, integrated study programs, and students or applied learning~~  
36 programs. Students may demonstrate achievement of the standards through multiple  
37 pathways, including those identified in section 4703, and by evidence documented by  
38 course and learning experiences using multiple measures, including examinations, quizzes,  
39 portfolios, performances, exhibitions, projects and community service. A diploma indicates  
40 that the graduate has completed the requirements described in this section and is ready to  
41 enter a postsecondary education program or a career as a clear and effective communicator,  
42 a self-directed and lifelong learner, a creative and practical problem solver, a responsible

1 and involved citizen and an informed and integrative thinker. Students must complete the  
2 following minimum requirements for a high school diploma:

- 3 A. English--4 years or the equivalent in standards achievement;
- 4 B. Social studies and history, including American history, government, civics and  
5 personal finance--2 years or the equivalent in standards achievement;
- 6 C. Mathematics--2 years or the equivalent in standards achievement;
- 7 D. Science, including at least one year of laboratory study--2 years or the equivalent  
8 in standards achievement; and
- 9 E. Fine arts, which may include art, music, forensics or drama--one year or the  
10 equivalent in standards achievement.

11 **Sec. 8. 20-A MRSA §4722, sub-§2-A**, as amended by PL 2019, c. 202, §1, is  
12 repealed.

13 **Sec. 9. 20-A MRSA §4722, sub-§2-B**, as enacted by PL 2019, c. 202, §1, is  
14 repealed.

15 **Sec. 10. 20-A MRSA §4722, sub-§3**, as amended by PL 2019, c. 202, §1, is further  
16 amended to read:

17 **3. Satisfactory completion.** A secondary school student may earn a diploma ~~may be~~  
18 ~~awarded to a secondary school if the student who~~ has satisfactorily completed all diploma  
19 requirements in accordance with the academic standards of the school administrative unit  
20 and this section. ~~All secondary school students must achieve the content standards of the~~  
21 ~~parameters for essential instruction and graduation requirements established pursuant to~~  
22 ~~section 6209.~~ A school administrative unit shall award a high school diploma to a child  
23 with a disability, as defined in section 7001, subsection 1-B, who satisfies the local diploma  
24 requirements in the manner specified by the child's individualized education plan ~~must be~~  
25 ~~awarded a high school diploma.~~ Career and technical students may, consistent with the  
26 ~~approval of the commissioner and the local school board,~~ satisfy the requirements of  
27 subsection 2 through separate or integrated study within the career and technical school  
28 curriculum, including through courses provided pursuant to section 8402 or 8451-A, on the  
29 approval of the commissioner and the local school board.

30 **Sec. 11. 20-A MRSA §5806, sub-§2**, as repealed and replaced by PL 2013, c. 497,  
31 §1, is amended to read:

32 **2. Maximum allowable tuition.** The maximum allowable tuition charged to a school  
33 administrative unit by a private school is the rate established under subsection 1 or the state  
34 average per public secondary student cost as adjusted, whichever is lower, plus an insured  
35 value factor. The insured value factor is computed by dividing 5% of the insured value of  
36 school buildings and equipment by the average number of pupils enrolled in the school on  
37 October 1st and April 1st of the year immediately before the school year for which the  
38 tuition charge is computed. From school year 2009-2010 to school year 2013-2014, a  
39 school administrative unit is not required to pay an insured value factor greater than 5% of  
40 the school's tuition rate or \$500 per student, whichever is less, unless the legislative body  
41 of the school administrative unit votes to authorize its school board to pay a higher insured  
42 value factor that is no greater than 10% of the school's tuition rate per student. For the  
43 2014-2015 school year, a school administrative unit is not required to pay an insured value

1 factor greater than 6% of the school's tuition rate per student, unless the legislative body of  
2 the school administrative unit votes to authorize its school board to pay a higher insured  
3 value factor that is no greater than 10% of the school's tuition rate per student. Beginning  
4 in the 2015-2016 school year, a school administrative unit is not required to pay an insured  
5 value factor greater than the amount of the prior school year's insured value factor adjusted  
6 by a percentage equal to the percentage change in the state share percentage of the total  
7 cost of funding public education in the prior school year as ~~determined by~~ described in  
8 section 15671, subsection 7, ~~paragraph C~~ as compared to the applicable percentage for the  
9 current school year. In no case may the insured value factor be less than 6% or greater than  
10 10% of the school's tuition rate per student, unless the legislative body of the school  
11 administrative unit votes to authorize its school board to pay an insured value factor that  
12 exceeds the amount otherwise permitted by this subsection by no more than 5% of the  
13 school's tuition rate per student. For the 2013-2014 school year only, the maximum  
14 allowable tuition charged to a school administrative unit by a private school that  
15 participates in the Maine Public Employees Retirement System must be increased above  
16 the amount otherwise permitted under this section by an amount equal to the calculated  
17 normal cost of teacher retirement for that school divided by the number of enrolled students  
18 as of October 1, 2012.

19 **Sec. 12. 20-A MRSA §6213, sub-§10, ¶D**, as enacted by PL 2011, c. 446, §2, is  
20 amended to read:

21 D. The applicable federal statutes and regulations pertaining to student assessment as  
22 required by the federal ~~No Child Left Behind Act of 2001~~ Every Student Succeeds Act  
23 of 2015, 20 United States Code, Chapter 70; and

24 **Sec. 13. 20-A MRSA §6801-A, sub-§1**, as enacted by PL 1983, c. 859, Pt. A, §§24  
25 and 25, is amended to read:

26 **1. Authority to withhold state subsidy.** If, after giving due notice and an opportunity  
27 for a hearing, the commissioner finds that a school administrative unit or career and  
28 technical education region is not in compliance with the reporting, program or other  
29 requirements of this Title, the commissioner may withhold state subsidy from that unit or  
30 region. The withholding shall may continue only as long as necessary to achieve  
31 compliance.

32 **Sec. 14. 20-A MRSA §6801-A, sub-§2**, as amended by PL 1989, c. 414, §19 and  
33 c. 910, §1, is further amended to read:

34 **2. Authority to withhold state subsidy until reports are received.** Notwithstanding  
35 any other provision of law, if a school administrative unit or career and technical education  
36 region has failed to file the reports required by this Title in the format and within the time  
37 periods specified, the commissioner may withhold state subsidy payments until these  
38 reports are received.

39 **Sec. 15. 20-A MRSA §6801-A, sub-§3**, as amended by PL 1989, c. 414, §19, is  
40 further amended to read:

41 **3. Action by Attorney General.** If compliance cannot be achieved by withholding  
42 subsidy payment, or if withholding would be an inappropriate or unavailable remedy, or if  
43 a school ~~or~~ school unit ~~which is not eligible for state subsidy~~ or career and technical  
44 education region is out of compliance with this Title and that school, school unit or career

1 and technical education region is not eligible for state subsidy, the commissioner may refer  
2 the matter to the Attorney General for action. The Attorney General may seek injunctive  
3 relief to enjoin activities not in compliance with the governing law or seek any other  
4 remedy authorized by law.

5 **Sec. 16. 20-A MRSA §6801-A, sub-§5**, as amended by PL 1985, c. 797, §39, is  
6 further amended to read:

7 **5. Complaint process.** ~~A complaint that alleges person alleging~~ that a school  
8 administrative unit or career and technical education region is not in compliance with the  
9 requirements of this Title or of rules adopted by the department ~~shall be filed~~ may file a  
10 complaint pursuant to the requirements for a petition under section 258-A.

11 **Sec. 17. 20-A MRSA §15005, sub-§1**, as repealed and replaced by PL 1991, c.  
12 824, Pt. A, §37, is amended to read:

13 **1. Apportionments.** ~~Apportionments~~ The State shall pay apportionments to school  
14 administrative units, career and technical education regions and private schools, unless  
15 specifically directed by statute, ~~must be made~~ annually commencing in July ~~in the~~  
16 ~~following manner.~~ An The State shall pay an amount not to exceed 1/12 of the subsidy  
17 ~~must be paid~~ each month no later than the last day of the month. ~~Any~~ The State shall pay  
18 any balance must be paid within 7 days after the end of the fiscal year. If the State pays  
19 the balance of state subsidy for a fiscal year ~~is paid~~ after the end of the fiscal year, ~~the a~~  
20 school administrative unit, career and technical education region or private school may  
21 record the final payment ~~may be recorded~~ as an account receivable due from the State in  
22 that fiscal year.

23 **Sec. 18. 20-A MRSA §15671, first ¶**, as amended by PL 2017, c. 284, Pt. C, §14,  
24 is further amended to read:

25 Essential programs and services are those educational resources that are identified in  
26 this chapter necessary to ensure the opportunity for all students to meet the standards in the  
27 8 content standard subject areas and goals of the system of learning results established in  
28 chapter 222. In order to achieve this system of learning results, school funding based on  
29 essential programs and services must be available in all schools on an equitable basis.  
30 Essential programs and services utilize resources that are currently provided or could be  
31 adapted to implement a system of learning results, as well as additional resources, including  
32 federal funds, that are ~~also~~ needed to ensure that these programs and services are available  
33 to all students. These essential programs and services ~~must~~ provide the basis for the system  
34 of school funding ~~no later than 2007-08~~. School funding must be adequate to fully provide  
35 for all of the staffing and other material resource needs of the essential programs and  
36 services identified by the Legislature.

37 **Sec. 19. 20-A MRSA §15671, sub-§1**, as amended by PL 2019, c. 398, §29, is  
38 further amended to read:

39 **1. State and local partnership.** The State and each local school administrative unit  
40 are jointly responsible for contributing to the cost of the components of essential programs  
41 and services described in this chapter. ~~The state contribution to the cost of the components~~  
42 ~~of essential programs and services must be made in accordance with this subsection:~~



1 A. ~~The level of the state share of funding attributable to the cost of the components of~~  
2 ~~essential programs and services must be at least 50% of eligible state and local General~~  
3 ~~Fund education costs statewide, no later than fiscal year 2006-07; and~~

4 B. ~~By fiscal year 2008-09~~ Beginning in fiscal year 2021-22, and in each subsequent  
5 fiscal year, the state share of the total cost of funding public education from  
6 kindergarten to grade 12, as described by the components of essential programs and  
7 services, must be is 55%. Beginning in fiscal year 2005-06 and in each fiscal year until  
8 fiscal year 2008-09, the state share of essential programs and services described costs  
9 must increase toward the 55% level required in fiscal year 2008-09.

10 ~~Beginning in fiscal year 2005-06 and in each fiscal year thereafter, the commissioner shall~~  
11 ~~use the funding level determined in accordance with this section as the basis for a~~  
12 ~~recommended funding level for the state share of the cost of the components of essential~~  
13 ~~programs and services.~~

14 **Sec. 20. 20-A MRSA §15671, sub-§1-A**, as amended by PL 2015, c. 389, Pt. C,  
15 §2, is repealed.

16 **Sec. 21. 20-A MRSA §15671, sub-§6**, as amended by PL 2017, c. 284, Pt. C, §17,  
17 is further amended to read:

18 **6. Targeted funds.** Funds for technology, implementation of a standards-based  
19 system and the costs of additional investments in educating children in kindergarten to  
20 grade 2 as described in section 15681 must be provided as targeted allocations. ~~School~~  
21 ~~administrative units shall submit a plan for the use of these funds and receive funding based~~  
22 ~~on approval of the plan by the commissioner.~~ State funds for extended learning provided  
23 above the basic economically disadvantaged student adjustment in section 15675,  
24 subsection 2 must also be provided as targeted allocations and restricted to approved  
25 programs that benefit economically disadvantaged students.

26 **Sec. 22. 20-A MRSA §15671, sub-§7**, as amended by PL 2021, c. 398, Pt. C, §1,  
27 is repealed and the following enacted in its place:

28 **7. Targets.** To achieve the system of school funding based on essential programs and  
29 services required by this section, the base total calculated pursuant to section 15683 is  
30 100%, and the target for the state share percentage of the statewide adjusted total cost of  
31 the components of essential programs and services is 55%.

32 **Sec. 23. 20-A MRSA §15671-A, sub-§2, ¶B**, as amended by PL 2021, c. 398, Pt.  
33 C, §§2 and 3, is repealed and the following enacted in its place:

34 B. The commissioner shall calculate the full-value education mill rate that is required  
35 to raise the statewide total local share. The full-value education mill rate is calculated  
36 for each fiscal year by dividing the applicable statewide total local share by the  
37 applicable statewide valuation. The full-value education mill rate must be applied  
38 according to section 15688, subsection 3-A, paragraph A to determine a municipality's  
39 local cost share expectation. The full-value education mill rate is the amount necessary  
40 to result in a 45% statewide total local share.

41 **Sec. 24. 20-A MRSA §15672, sub-§1-A**, as enacted by PL 2005, c. 2, Pt. D, §36  
42 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is repealed.

1           **Sec. 25. 20-A MRSA §15672, sub-§1-C**, as amended by PL 2005, c. 519, Pt. J,  
2 §1, is further amended to read:

3           **1-C. Bus purchase costs.** "Bus purchase costs" includes expenditures for bus  
4 purchase payments approved by the commissioner and made during the year prior to the  
5 allocation year. ~~For bus purchases approved in fiscal year 2004-05 only, 50% of first year~~  
6 ~~approved payments must be allocated in fiscal year 2006-07 and 50% of first year approved~~  
7 ~~payments must be allocated in fiscal year 2007-08.~~

8           **Sec. 26. 20-A MRSA §15672, sub-§1-D**, as amended by PL 2017, c. 171, §12, is  
9 repealed.

10           **Sec. 27. 20-A MRSA §15672, sub-§2-A, ¶B**, as amended by PL 2017, c. 284, Pt.  
11 VVVVV, §9, is further amended by repealing subparagraph (1).

12           **Sec. 28. 20-A MRSA §15672, sub-§2-A, ¶B**, as amended by PL 2017, c. 284, Pt.  
13 VVVVV, §9, is further amended by amending subparagraph (2), division (a) to read:

14           (a) A school administrative unit with state-approved need for instructional  
15 space may lease temporary or interim space, with state support, for a maximum  
16 of 5 years. A school administrative unit may appeal to the commissioner if  
17 this limitation presents an undue burden. When making a determination on a  
18 school administrative unit's request for relief based on undue burden, the  
19 commissioner may consider, ~~but is not limited to considering,~~ the following:

20                   (i) Fiscal capacity;

21                   (ii) Enrollment demographics; ~~and~~

22                   (iii) Unforeseen circumstances not within the control of the appealing  
23 school administrative unit; ~~and~~

24                   (iv) Other relevant factors.

25           An extension granted by the commissioner beyond the 5-year maximum for  
26 state support is limited to a period of one year. ~~Any~~ An additional request for  
27 ~~extensions~~ an extension must be submitted and reviewed on an annual basis.  
28 The commissioner's decision is final.

29           **Sec. 29. 20-A MRSA §15672, sub-§9**, as amended by PL 2005, c. 2, Pt. D, §36  
30 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is repealed.

31           **Sec. 30. 20-A MRSA §15672, sub-§23**, as amended by PL 2017, c. 381, §16, is  
32 repealed and the following enacted in its place:

33           **23. Property fiscal capacity.** "Property fiscal capacity" means the average of the  
34 certified state valuations for the 3 most recent years prior to the most recently certified state  
35 valuation or the certified state valuation for the most recent prior year, whichever is lower.

36           **Sec. 31. 20-A MRSA §15680, sub-§2**, as enacted by PL 2003, c. 504, Pt. A, §6, is  
37 repealed.

38           **Sec. 32. 20-A MRSA §15680, sub-§3**, as enacted by PL 2003, c. 504, Pt. A, §6, is  
39 amended to read:

1           **3. Fiscal year 2006-07 and beyond.** For fiscal year 2006-07 and for each subsequent  
2 year, the commissioner shall recalculate the per-pupil amounts for additional cost  
3 components under subsection 1 using the amounts approved by the state board ~~under~~  
4 ~~subsection 2~~ for the previous year as a base and including appropriate trends in the  
5 Consumer Price Index or other comparable index.

6           **Sec. 33. 20-A MRSA §15680-A**, as amended by PL 2019, c. 213, §§1 and 2, is  
7 further amended to read:

8           **§15680-A. System administration allocation**

9           ~~Beginning in fiscal year 2017-18, the commissioner shall determine~~ The system  
10 administration allocation ~~in accordance with this section is \$135 per pupil~~ based on the  
11 number of subsidizable students determined pursuant to section 15674.

12           ~~**3. Fiscal year 2019-20.** For fiscal year 2019-20, the system administration allocation~~  
13 ~~is \$141 per pupil. Of this amount, \$47 must be allocated to the school administrative unit~~  
14 ~~for system administration and \$94 must be allocated as a targeted amount to school~~  
15 ~~administrative units that have established regionalized administrative services pursuant to~~  
16 ~~chapter 123.~~

17           ~~**4. Beginning in fiscal year 2020-21.** Beginning in fiscal year 2020-21, the system~~  
18 ~~administration allocation is \$135 per pupil.~~

19           **Sec. 34. 20-A MRSA §15681-A, sub-§4**, as amended by PL 2017, c. 284, Pt. C,  
20 §40, is repealed.

21           **Sec. 35. 20-A MRSA §15683, first ¶**, as amended by PL 2005, c. 2, Pt. D, §47 and  
22 affected by §§72 and 74 and c. 12, Pt. WW, §18, is further amended to read:

23           For each school administrative unit, that unit's total operating allocation is the base  
24 total set forth in subsection 1 ~~as adjusted in accordance with subsection 2~~ and including the  
25 total amount of other subsidizable costs as described in section 15681-A.

26           **Sec. 36. 20-A MRSA §15683, sub-§2**, as amended by PL 2005, c. 2, Pt. D, §47  
27 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is repealed.

28           **Sec. 37. 20-A MRSA §15689, sub-§12**, as enacted by PL 2011, c. 655, Pt. C, §10,  
29 is repealed.

30           **Sec. 38. 20-A MRSA §15689, sub-§13**, as amended by PL 2017, c. 284, Pt. C,  
31 §52, is repealed.

32           **Sec. 39. 20-A MRSA §15689-B, sub-§7-A**, as enacted by PL 2007, c. 539, Pt. C,  
33 §14, is amended to read:

34           **7-A. Penalty for late submission of required data.** Notwithstanding any other  
35 provision of this Title, the commissioner may ~~implement the following~~ assess a subsidy  
36 penalty for a school administrative unit or career and technical education region ~~that is not~~  
37 ~~in compliance with subsection 7.~~ If a school administrative unit has not filed the required  
38 data pursuant to subsection 7 within 3 months of the due date, ~~a penalty in an amount~~ equal  
39 to 1% of that unit's or region's monthly subsidy check times the number of months past due  
40 is assessed.

41           **Sec. 40. 20-A MRSA §15689-B, sub-§9** is enacted to read:

1 **9. Career and technical education region.** This section applies to a career and  
2 technical education region in the same manner as to a school administration unit.

3 **Sec. 41. 20-A MRSA §15901, sub-§4-A,** as amended by PL 2005, c. 683, Pt. B,  
4 §13, is repealed.

5 **Sec. 42. 20-A MRSA §15904, first ¶,** as amended by PL 2013, c. 167, Pt. B, §4,  
6 is further amended to read:

7 Prior to design and funding approval by the state board, a school construction project;  
8 ~~except a small scale school construction project as defined in section 15901, subsection~~  
9 ~~4-A,~~ must receive a favorable vote conducted in accordance with the following.

10 **Sec. 43. 20-A MRSA §15905, sub-§1,** as amended by PL 2019, c. 616, Pt. C, §§9  
11 and 10, is further amended to read:

12 **1. Approval authority.** The state board must approve each school construction  
13 project, unless it is a ~~small scale school construction project as defined in section 15901,~~  
14 ~~subsection 4-A,~~ a nonstate funded project as defined in section 15905-A or a permanent  
15 space lease-purchase project.

16 A. The state board may approve projects as long as no project approval will cause debt  
17 service costs, as defined in section 15672, subsection 2-A, paragraph A and pursuant  
18 to Resolve 2007, chapter 223, section 4, to exceed the maximum limits specified in  
19 Table 1 and Table 2 in subsequent fiscal years.

20 Table 1

21	Major Capital	Integrated, Consolidated
22		Secondary and Postsecondary
23		Project
24	Fiscal year	Maximum Debt Service Limit
25	1990	\$ 48,000,000
26	1991	\$ 57,000,000
27	1992	\$ 65,000,000
28	1993	\$ 67,000,000
29	1994	\$ 67,000,000
30	1995	\$ 67,000,000
31	1996	\$ 67,000,000
32	1997	\$ 67,000,000
33	1998	\$ 67,000,000
34	1999	\$ 69,000,000
35	2000	\$ 72,000,000
36	2001	\$ 74,000,000
37	2002	\$ 74,000,000
38	2003	\$ 80,000,000
39	2004	\$ 80,000,000
40	2005	\$ 84,000,000
41	2006	\$ 90,000,000
42	2007	\$ 96,000,000
43	2008	\$100,000,000
44	2009	\$104,000,000
45	2010	\$108,000,000

1	2011	\$126,000,000	
2	2012	\$116,000,000	
3	2013	\$116,000,000	
4	2014	\$126,000,000	\$10,000,000
5	2015	\$126,000,000	\$10,000,000
6	2016	\$126,000,000	\$10,000,000
7	2017	\$126,000,000	\$10,000,000
8	2018	\$126,000,000	\$10,000,000
9	2019	\$126,000,000	\$10,000,000
10	2020	\$126,000,000	\$20,000,000
11	2021	\$126,000,000	\$20,000,000
12	2022	\$126,000,000	\$20,000,000
13	2023	\$126,000,000	\$20,000,000

Table 2

Fiscal year	Maximum Debt Service Limit
2024	\$150,000,000
2025	\$150,000,000
2026	\$150,000,000
2027	\$150,000,000

A-1. Beginning with the second regular session of the Legislature in fiscal year 1990 and every other year thereafter, on or before March 1st, the commissioner shall recommend to the Legislature and the Legislature shall establish maximum debt service limits for the next 2 biennia for which debt service limits have not been set for capital projects, including major projects and integrated, consolidated secondary and postsecondary projects.

B. Nonstate funded projects, such as school construction projects or portions of projects financed by proceeds from insured losses, money from federal sources, other noneducational funds or local funds that are not eligible for inclusion in an administrative unit's state-local allocation, are outside the total cost limitations set by the Legislature.

### SUMMARY

This bill makes the following changes to the law governing primary and secondary education.

1. It changes the name of and references to restructuring schools to innovative schools.
2. It updates a reference to the early learning and development standards established by the Department of Education and the Department of Health and Human Services.
3. It updates the name of the system used for teaching mathematical notation to students who are blind and the definition of Braille in regard to educating students who are blind.
4. It changes the general requirements for secondary school programs, including program length and required subjects.
5. It changes the requirements for obtaining a high school diploma.
6. It updates a reference to the federal Every Student Succeeds Act of 2015.

- 1           7. It expands compliance and information requirements for career and technical  
2 education regions.
- 3           8. It removes an outdated deadline for calculating the basis for the system of school  
4 funding.
- 5           9. It sets the state contribution for essential programs and services in primary and  
6 secondary education and removes previous methods of calculating that contribution.
- 7           10. It sets the full-value education mill rate.
- 8           11. It removes outdated limits on allocations for bus purchase costs and system  
9 administration.
- 10          12. It removes outdated provisions regarding:
- 11           A. Administrative space leases;
- 12           B. Calculation of property fiscal capacity;
- 13           C. Per-pupil cost components; and
- 14           D. School unit operating allocations.
- 15          13. It removes provisions governing state share increases for bus refurbishing costs.
- 16          14. It removes references to small scale school construction projects.