

MAINE STATE LEGISLATURE

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L D 829

Date 6-2-23

Majority

(Filing No H-287)

EDUCATION AND CULTURAL AFFAIRS

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to H.P. 518, L D 829, "An Act to Improve Behavioral Health Support for Students in Public Schools"

Amend the bill by striking out everything after the enacting clause and inserting the following

Sec. 1. 20-A MRSA §15672, sub-§1-E is enacted to read

1-E. Clinical mental health provider. "Clinical mental health provider" means a licensed clinical social worker, licensed clinical professional counselor, licensed alcohol and drug counselor or licensed pastoral counselor

Sec. 2. 20-A MRSA §15679, sub-§2, ¶A, as amended by PL 2017, c 284, Pt C, §33, is further amended by amending subparagraph (2) to read.

(2) The student-to-guidance staff ratio is ~~350~~ 250 1,

Sec. 3. 20-A MRSA §15679, sub-§2, ¶A, as amended by PL 2017, c 284, Pt C, §33, is further amended by enacting a new subparagraph (2-A) to read

(2-A) The student-to-clinical mental health provider ratio is 250 1.

Sec. 4. 20-A MRSA §15679, sub-§2, ¶A, as amended by PL 2017, c. 284, Pt C, §33, is further amended by enacting a new subparagraph (2-B) to read

(2-B) The student-to-school psychologist ratio is 500 1.

Sec. 5. 20-A MRSA §15679, sub-§2, ¶B, as amended by PL 2017, c 284, Pt. C, §33, is further amended by enacting a new subparagraph (2-A) to read

(2-A) The student-to-clinical mental health provider ratio is 250 1.

Sec. 6. 20-A MRSA §15679, sub-§2, ¶B, as amended by PL 2017, c 284, Pt C, §33, is further amended by enacting a new subparagraph (2-B) to read

(2-B) The student-to-school psychologist ratio is 500.1.

COMMITTEE AMENDMENT

1 **Sec. 7. Behavior analyst training pilot program authorized.** The Department
 2 of Education may establish a pilot program in conjunction with the University of Southern
 3 Maine to provide behavior analyst training skills for 15 to 20 public school staff. The staff
 4 who participate in the pilot program must be chosen from geographically diverse locations
 5 across the State. At the end of the pilot program, the University of Southern Maine shall
 6 report to the Department of Education on the participation in and success of the program.

7 **Sec. 8. Appropriations and allocations.** The following appropriations and
 8 allocations are made

9 **EDUCATION, DEPARTMENT OF**

10 **General Purpose Aid for Local Schools 0308**

11 Initiative Provides ongoing funds for the State's share of the cost of lowering the student-
 12 to-guidance staff ratio for elementary and middle schools from 350:1 to 250:1 when
 13 calculating salary and benefit costs in the essential programs and services funding formula

| | | | |
|----|---------------------------|--------------------|--------------------|
| 14 | GENERAL FUND | 2023-24 | 2024-25 |
| 15 | All Other | \$5,500,000 | \$5,500,000 |
| 16 | | | |
| 17 | GENERAL FUND TOTAL | <u>\$5,500,000</u> | <u>\$5,500,000</u> |

18 **General Purpose Aid for Local Schools 0308**

19 Initiative Provides ongoing funds for the State's share of the cost of establishing a student-
 20 to-clinical mental health provider ratio for elementary, middle and high schools at 250:1
 21 when calculating salary and benefit costs in the essential programs and services funding
 22 formula

| | | | |
|----|---------------------------|---------------------|---------------------|
| 23 | GENERAL FUND | 2023-24 | 2024-25 |
| 24 | All Other | \$36,300,000 | \$36,300,000 |
| 25 | | | |
| 26 | GENERAL FUND TOTAL | <u>\$36,300,000</u> | <u>\$36,300,000</u> |

27 **General Purpose Aid for Local Schools 0308**

28 Initiative Provides ongoing funds for the State's share of the cost of establishing a student-
 29 to-school psychologist ratio for elementary, middle and high schools at 500:1 when
 30 calculating salary and benefit costs in the essential programs and services funding formula

| | | | |
|----|---------------------------|---------------------|---------------------|
| 31 | GENERAL FUND | 2023-24 | 2024-25 |
| 32 | All Other | \$39,600,000 | \$39,600,000 |
| 33 | | | |
| 34 | GENERAL FUND TOTAL | <u>\$39,600,000</u> | <u>\$39,600,000</u> |

36 **EDUCATION, DEPARTMENT OF**
 37 **DEPARTMENT TOTALS**

| | | | |
|----|-------------------------------------|----------------------------|----------------------------|
| 38 | | 2023-24 | 2024-25 |
| 39 | GENERAL FUND | \$81,400,000 | \$81,400,000 |
| 40 | | | |
| 41 | DEPARTMENT TOTAL - ALL FUNDS | <u>\$81,400,000</u> | <u>\$81,400,000</u> |

42

1 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
2 number to read consecutively

3 **SUMMARY**

4 This amendment, which is the majority report of the committee, replaces the bill and
5 changes the title. It provides that, for the purpose of the calculation of salary and benefit
6 costs in the school funding formula for elementary schools, middle schools and high
7 schools, the following ratios apply.

8 1. For the student-to-guidance staff ratio, it lowers the ratio for the elementary and
9 middle school level from 350:1 to 250:1

10 2. It adds a student-to-clinical mental health provider ratio for the elementary, middle
11 school and high school levels at 250:1. The amendment defines "clinical mental health
12 provider" to include licensed clinical social workers, licensed clinical professional
13 counselors, licensed alcohol and drug counselors and licensed pastoral counselors.

14 3. It adds a student-to-school psychologist ratio for the elementary, middle school and
15 high school levels at 500:1.

16 The amendment also provides that the Department of Education may establish a pilot
17 program in conjunction with the University of Southern Maine to provide behavior analyst
18 training skills for 15 to 20 public school staff, chosen from geographically diverse locations
19 across the State, and it directs the University of Southern Maine to report to the department
20 on the participation in and success of the program.

21 **FISCAL NOTE REQUIRED**

22 (See attached)



131st MAINE LEGISLATURE

LD 829

LR 1143(02)

An Act to Improve Behavioral Health Support for Students in Public Schools

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-287)
 Committee: Education and Cultural Affairs
 Fiscal Note Required: Yes

Fiscal Note

Current biennium cost increase - local school administrative units

| | FY 2023-24 | FY 2024-25 | Projections FY 2025-26 | Projections FY 2026-27 |
|-----------------------------------|--------------|--------------|---------------------------|---------------------------|
| Net Cost (Savings) | | | | |
| General Fund | \$81,400,000 | \$81,400,000 | \$81,400,000 | \$81,400,000 |
| Appropriations/Allocations | | | | |
| General Fund | \$81,400,000 | \$81,400,000 | \$81,400,000 | \$81,400,000 |

Fiscal Detail and Notes

This bill makes changes to the calculation of salary and benefit costs in the essential programs and services funding model beginning in fiscal year 2023-24. The changes include lowering the student-to-guidance staff ratio for the elementary and middle school levels from 350:1 to 250:1, establishing a student-to-clinical mental health provider ratio for the elementary, middle and high school levels at 250:1 and establishing a student-to-school psychologist ratio for the elementary, middle and high school levels at 500:1. The Department of Education estimates that these provisions will increase the total cost of public education from kindergarten to grade 12 by \$148.0 million per year beginning in fiscal year 2023-24. The bill includes General Fund appropriations totaling \$81.4 million per year to the General Purpose Aid for Local Schools program for the State's share (55%) of that cost. The table below provides a breakdown of the cost of each provision.

| | State share (55%) | Local share (45%) | Total |
|---|----------------------|----------------------|-----------------------|
| Student-to-guidance staff ratio lowered from 350:1 to 250:1 | \$ 5,500,000 | \$ 4,500,000 | \$ 10,000,000 |
| Establishes student-to-clinical mental health provider ratio of 250:1 | \$ 36,300,000 | \$ 29,700,000 | \$ 66,000,000 |
| Establishes student-to-school psychologist ratio of 500:1 | \$ 39,600,000 | \$ 32,400,000 | \$ 72,000,000 |
| Total annual cost | \$ 81,400,000 | \$ 66,600,000 | \$ 148,000,000 |

This fiscal note assumes that, if the Department of Education establishes a behavior analyst training program in conjunction with the University of Southern Maine, it will do so within existing budgeted resources and no General Fund appropriations will be required.