

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

SECOND REGULAR SESSION-2024

Legislative Document

No. 2042

H.P. 1304

House of Representatives, December 13, 2023

An Act to Update the Laws Governing Education in the Unorganized Territory

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

Received by the Clerk of the House on December 11, 2023. 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 "R 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2 **Sec. 1. 20-A MRSA §3251**, as amended by PL 2001, c. 454, §11, is repealed and
3 the following enacted in its place:

4 **§3251. Eligibility to enroll in education in the unorganized territory**

5 The following provisions apply to enrollment in elementary schools and secondary
6 schools in the unorganized territory.

7 **1. Eligibility to enroll; school year.** A person meeting the minimum age requirements
8 of subsection 2 or section 7001, subsection 1-B, paragraph B and who has not reached 20
9 years of age before the start of the school year may enroll as a full-time student or, with the
10 permission of the administration, as a part-time student in the elementary school or
11 secondary school where the student is assigned in the unorganized territory. The school
12 year, for the purpose of this subsection, is defined as starting on July 1st and ending on the
13 following June 30th.

14 **2. Minimum ages.** The following are minimum ages necessary for student enrollment
15 in elementary schools in the unorganized territory.

16 A. A person who will be at least 5 years of age on October 15th of the school year may
17 enroll in school.

18 B. A person who will be at least 4 years of age on October 15th of the school year may
19 enroll in a public preschool program prior to kindergarten if it is offered.

20 **3. Exceptions.** The following are exceptions to this section.

21 A. A war veteran who has not completed high school before the veteran's 18th birthday
22 may enroll in the elementary schools and secondary schools in the unorganized
23 territory until the veteran graduates or until the end of the school year in which the
24 veteran reaches 25 years of age.

25 B. A person who has enrolled in a public kindergarten or grade one in another state
26 may enroll in kindergarten or grade one, as the case may be, in an elementary school
27 in the unorganized territory.

28 C. A person who was enrolled in a public kindergarten in this State under paragraph
29 B may enroll in grade one upon satisfactory completion of kindergarten.

30 D. A person who was enrolled in a public kindergarten in another state and was
31 promoted to grade one may enroll in grade one in an elementary school in the
32 unorganized territory.

33 E. The eligibility for a child with a disability is governed by section 7001, subsection
34 1-B.

35 **Sec. 2. 20-A MRSA §3252, sub-§5**, as amended by PL 2007, c. 541, Pt. C, §1, is
36 further amended to read:

37 **5. Transportation and board.** The costs of transportation or board for students under
38 this section may be paid in full or in part by the commissioner except that the commissioner
39 may not provide or reimburse parents for providing transportation of students over roads
40 that have not been accepted by the county as public roads or do not meet Department of

1 Transportation standards. ~~Beginning with fiscal year 2009-10, the commissioner may not~~
2 ~~reimburse parents for the transportation of a student.~~

3 **Sec. 3. 20-A MRSA §3271, sub-§3**, as amended by PL 2011, c. 614, §8, is further
4 amended to read:

5 **3. Exceptions.** Attendance at school or an alternative education program is not
6 required of:

7 A. A person who has graduated from high school before the person's 17th birthday;

8 B. A person who is at least 15 years old, has completed the 9th grade and has
9 permission to leave school to participate in a suitable program of training or combined
10 work and study from a parent and the commissioner; ~~and~~

11 C. A person who has been adjudged a truant and has been excused from attendance
12 pursuant to procedures established by the commissioner;

13 D. A person who has matriculated and is attending an accredited postsecondary
14 degree-granting institution as a full-time student. An exception to attendance in public
15 school under this paragraph must be approved by the commissioner; or

16 E. A person who is enrolled in an online learning program or course, unless the person
17 is enrolled in a virtual public charter school as defined in section 2401, subsection 11.

18 **Sec. 4. 20-A MRSA §3272, sub-§3, ¶B**, as amended by PL 2007, c. 304, §2, is
19 further amended to read:

20 B. An appointment with a health professional that must be made during the regular
21 school day ~~and the absence has prior approval;~~

22 SUMMARY

23 This bill amends the laws governing education in the unorganized territory as they
24 relate to eligibility to enroll in education, compulsory attendance and truancy to be
25 comparable to the laws governing public education in organized areas. The bill also amends
26 the laws governing the transportation of elementary students in the unorganized territory
27 by removing the provision that prohibits the Commissioner of Education from reimbursing
28 parents for the transportation of a student.