

# 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)

**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 1, 2010 to June 29, 2011**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 28, 2011**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

---

---

**Augusta, Maine**  
**2011**

**Sec. 1. 20-A MRSA §5801-A** is enacted to read:

**§5801-A. Acceptance of tuition students; online learning programs**

A school board may decide whether a school in its school administrative unit accepts tuition students who reside, and whose parents reside, outside the State in an online learning program.

This section is repealed July 1, 2014.

**Sec. 2. 20-A MRSA §5805, sub-§5** is enacted to read:

**5. Online learning program.** Tuition for students in an online learning program who reside, and whose parents reside, outside the State is not subject to the limitations of this section.

This subsection is repealed July 1, 2014.

**Sec. 3. 20-A MRSA §5810, sub-§3** is enacted to read:

**3. Online program tuition.** A school administrative unit shall collect tuition for students in an online learning program who reside, and whose parents reside, outside the State.

This subsection is repealed July 1, 2014.

**Sec. 4. 20-A MRSA §6004, sub-§3** is enacted to read:

**3. Online learning program.** Tuition students in an online learning program who reside, and whose parents reside, outside the State must be reported separately to the commissioner and are not included in the annual student count required by subsections 1 and 2.

This subsection is repealed July 1, 2014.

**Sec. 5. 20-A MRSA §19152, sub-§3**, as enacted by PL 2009, c. 330, §4, is amended to read:

**3. Educational options.** Use existing educational resources, along with technology, to provide parents a broader range of educational options and to help students in the State improve their academic achievement; and

**Sec. 6. 20-A MRSA §19152, sub-§4**, as enacted by PL 2009, c. 330, §4, is amended to read:

**4. Public school educational opportunities.** Increase the capacity of school administrative units to provide public school educational opportunities for students whose educational needs are not being met in the regular public school program; and

**Sec. 7. 20-A MRSA §19152, sub-§5** is enacted to read:

**5. Nonresident tuition students.** Permit school administrative units to provide online educational op-

portunities to nonresident tuition students who reside, and whose parents reside, outside the State.

This subsection is repealed July 1, 2014.

**Sec. 8. 20-A MRSA §19156** is enacted to read:

**§19156. Applicable laws**

A tuition student enrolled in an online learning program who resides, and whose parents reside, outside the State is not counted for purposes of essential programs and services under chapter 606-B, is not included in the statewide assessment program established pursuant to chapter 222 and is not subject to chapter 223, subchapters 1, 2 and 4. Notwithstanding section 1001, subsection 9, the participation in any online learning program by a student who resides, and whose parents reside, outside the State may be terminated at the discretion of the superintendent after providing the student with an online opportunity to be heard.

This section is repealed July 1, 2014.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective June 15, 2011.

---



---

**CHAPTER 354**

**S.P. 161 - L.D. 569**

**An Act To Support and Encourage the Use of Online Textbooks**

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

**Sec. 1. 20-A MRSA §254, sub-§13** is enacted to read:

**13. Technical assistance; professional development and training for instruction in digital literacy; clearinghouse for information on use of online learning resources.** The commissioner shall develop a program of technical assistance, including professional development and training for instruction in digital literacy and the establishment of a clearinghouse for information on the use of online learning resources that may be made available to all school administrative units, including those schools that participate in the learning through technology program under section 15689-A, subsection 12-A, which provides one-to-one wireless computers for 7th grade, 8th grade and high school students and educators.

The technical assistance must include, but is not limited to:

A. A model for instruction that promotes digital literacy for students;

B. A clearinghouse for information on the use of online learning resources, including best practices in the use of open educational resources and open-source textbooks; and

C. Professional development and training for educators in the effective use of online learning resources, including open educational resources and open-source textbooks.

The program of technical assistance provided by the department may be used by those schools and educators who choose to provide instruction in digital literacy and who choose to use online learning resources, including best practices in the use of open educational resources and open-source textbooks. The program of technical assistance provided by the department must be available to all school administrative units in the State and posted on the department's publicly accessible website.

**Sec. 2. 20-A MRSA §15689-A, sub-§12-A,** as amended by PL 2009, c. 213, Pt. C, §11, is further amended to read:

**12-A. Learning through technology.** The commissioner may pay costs attributed to staff support consisting of one Education Team and Policy Director position, 2 Education Specialist III positions, one Planning and Research Associate I position, one Director of Special Projects position and 2 Education Specialist II positions, professional development and training in the use of open educational resources and open-source textbooks and system maintenance for a program that promotes learning through technology. A transfer of All Other funds from the General Purpose Aid for Local Schools account to the All Other line category in the Learning Through Technology General Fund nonlapsing account sufficient to support the All Other costs and the agreement that provides one-to-one wireless computers for 7th grade, 8th grade and high school students and educators may occur annually by financial order upon recommendation of the State Budget Officer and approval of the Governor.

**Sec. 3. 20-A MRSA c. 803** is enacted to read:

**CHAPTER 803**

**DIGITAL LITERACY AND ONLINE LEARNING RESOURCES**

**§19251. Digital Literacy Fund**

**1. Fund established.** The Digital Literacy Fund, referred to in this section as "the fund," is established as an interest-bearing account administered by the department.

**2. Revenue.** Any private or public funds appropriated, allocated or dedicated to the fund must be

deposited into the fund as well as income from any other source directed to the fund. All interest earned by the fund becomes part of the fund. Any balance remaining in the fund at the end of the fiscal year does not lapse but is carried forward into subsequent fiscal years.

**3. Use of fund; technical assistance.** Balances in the fund may be used for the necessary expenses of the department in the administration of the fund. Balances in the fund may be used to pay for the development of a program of technical assistance pursuant to section 254, subsection 13 that designs instructional materials that promote digital literacy, teacher professional development and training on the use of online learning resources, new administrative costs and other expenses not related to a learning through technology program funded under section 15689-A, subsection 12-A and for the implementation of a new clearinghouse for information on the use of online learning resources, including best practices in the use of open educational resources and open-source textbooks for elementary schools, middle schools and high schools.

**Sec. 4. Report.** The Commissioner of Education shall develop a program of technical assistance under the Maine Revised Statutes, Title 20-A, section 254, subsection 13 for use by school administrative units beginning in school year 2012-2013. The commissioner shall report to the Joint Standing Committee on Education and Cultural Affairs by January 15, 2012 on the status of the development of the program of technical assistance.

**Sec. 5. Appropriations and allocations.** The following appropriations and allocations are made.

**EDUCATION, DEPARTMENT OF**

**Digital Literacy Fund N122**

Initiative: Provides base allocations for the Digital Literacy Fund to support the development of a technical assistance program that designs instructional materials that promote digital literacy, teacher professional development and training in the use of online learning resources and the implementation of a new clearinghouse for information on the use of online learning resources.

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

See title page for effective date.