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STUDY REPORT
OF THE

JOINT SELECT COMMITTEE ON VOCATIONAL EDUCATION

JANUARY, 1981

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Chairman

Julia L. Nault
Vice Chairman

SENATE

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PORTER D. LEIGHTON, HARRISON

STATE OF MAINE

ONE HUNDRED AND NINTH LEGISLATURE
COMMITTEE ON EDUCATION

January 28, 1981

Rep. Elizabeth H. Mitchell
Chairman
Legislative Council
State House
Augusta, Maine 04333

Dear Rep. Mitchell:

Attached is the Study Report of the Joint Select Committee on Vocational Education pursuant to H.P. 1489.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Leland C. Davis, Jr.'.

Rep. Leland C. Davis, Jr.
Chairman

SUMMARY

The Joint Select Committee on Vocational Education was established under H.P. 1489 by the first session of the 109th Legislature to study the underlying problems addressed by a large number of individual bills on vocational education submitted to that session.

Basic to all of the bills was a concern with defining the role of vocational education in the the total secondary education program. The Committee felt that while there was general agreement as to the guidelines for the "entering level skills - job training" goal of vocational education, ambiguity still existed in defining the boarder between the liberal arts, pre-vocational training goals of industrial arts and home economics and the job skills goals vocational programs. It was felt, however, that the ambiguity at the state level allowed for flexibility at the local level. The Committee favored providing local school boards the option to work with their cooperative board to arrive at a division of programs and responsibilities which best served the needs of their area.

The provision of vocational programs to handicapped students provided a second area of concern to the Committee. Handicapped students have the same right to vocational education as other students, however, their access to adequate prevocational and vocational programs has resulted in their having a less than equal opportunity to gain vocational skills. The Committee commended the work of the Bureau of Rehabilitation in the Department of Human Services and the Bureau of Vocational Education and Division of Special Education in the Department of Educational and Cultural Services

in developing a Cooperative Agreement to delineate their various roles in providing services to handicapped secondary school students. Previous to the Agreement their overlapping mandates had resulted in a tendency to pass responsibility on to other agencies and, with some notable exceptions at the local level, a general statewide lack of interagency coordination of services.

The Committee made two recommendations which they felt were necessary to aid the implementation of the Agreement. The first encouraged the Department of Educational and Cultural Services to consider the possibility of using educational monies (through the School Finance Act) to provide the state match for the federal rehabilitation programs made available to the schools through the Agreement. The feeling of the Committee was that the Agreement enabled schools to participate in a federal grant program and the implementation should neither take state matching money away from other eligible clients nor founder on the failure of the State to appropriate additional state matching dollars. The second recommendation recognized the need for technical assistance from the Department of Educational and Cultural Services to help local school administrative units implement the Agreement. The Committee felt the Department should either reassign its personnel to make sufficient staff available for implementation or ask the Legislature for an appropriation to cover additional staff needs. However good the Agreement, without the ability to help local units take full advantage of the opportunity, the State will not be able to take advantage of the potential for improving programs and increasing available federal funding for vocational programs.

A third problem area concerned the definition of the boundaries for vocational regions and centers. The present subdivision of the State seems to work well for most of the region or center groupings. However, the imposition of the boundaries by the Legislature limits the flexibility at the local level to adopt organizational forms to meet the needs and peculiarities of their local situation. The Committee developed a law proposal to vest the authority to establish center and region boundaries and organizational forms with the State Board of Education and to give local units the ability to seek approval for alternative methods of delivery from the State Board.

The final area of concern investigated by the Committee was the governance and finance of vocational regions and centers. The main governance issues for vocational centers were the status of the vocational director and the role of advisory committee. The Committee recommended law changes to give the director the status of a secondary school principal and to allow advisory committees to develop cooperative agreements delineating their duties and powers and devising a formula for sharing costs.

In regions, the problems centered on the financial responsibility of the member school administrative unit in the case of a budget deficit. The Committee made several recommendations to clarify the responsibility in this area. First, they proposed a law change to require the member school administrative unit to include the debt service on vocational buildings and equipment with the regular debt service portion of their school budget. Second, they proposed a definition for a budget failure and a requirement that in the case of a budget failure the state's share of the

vocational allocation would be paid directly to the cooperative board. Third, they proposed giving the cooperative board the authority to dispose of property. Finally, they proposed giving vocational regions the option of approving budgets through the existing municipality by municipality method, a referendum, or a district-wide meeting and basing passage on a majority vote of the district.

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STUDY REPORT

JOINT SELECT COMMITTEE ON VOCATIONAL EDUCATION

Background

Several bills were submitted in the first session of the 109th Legislature dealing with the delivery of vocational education to secondary school students. During its deliberations on these bills the Joint Committee on Education reached the conclusion that the legislative proposals represented piecemeal solutions to some broader underlying problems. The Joint Committee decided that these problems needed to be addressed directly and that the best mechanism would be to establish a Select Committee with representation from the Legislature, school officials and other knowledgeable professionals. HP 1489 established the Joint Select Committee to Study Secondary Vocational Education, charged with the task of analyzing the bills submitted to the first sessions of the 109th Legislature, determining the underlying issues they raise, and proposing a coordinated set of solutions. Appendices A, B and C contain copies of HP 1489, the vocational education bills submitted to the first session of the 109th Legislature and a list of the Joint Select Committee members.

Underlying Issues

Four basic issues emerged from the initial testimony and deliberations of the Select Committee. First, in response to the LD's 875 and 1145, there was the question of the role secondary vocational education should play in the delivery of a coordinated

continuance of services and educational programs for handicapped students. Second, LD's 31, 672, and 1266 raised issues concerning the governance and financial structure of vocational centers and vocational regions. Third, the issue of local support for vocational education, the desire of some municipalities to withdraw from their present regional affiliation, and the lack of vocational programs in one area lay behind LD 1180. Finally, common to these first three issues was a fourth! What is the role and purpose of secondary vocational education as a component of the total educational framework?

In dealing with the first three issues the committee divided into subcommittees. The recommendations of these subcommittees was approved by the whole committee as presented below. The fourth issue concerning the role of secondary vocational education was discussed in the committee without arriving at any uniformly applicable definition.

The federal legislation supporting secondary vocational education stipulates that there should be vocational training for "job entry level skills". The State's intent is to have the centers and regions serve as extensions of the regular secondary schools. The vocational programs should be a coordinated sequel to secondary school industrial arts, home economics and agriculture programs but should not replace or compete with them.

The Select Committee felt this practice was legitimate and that students should not be required to make occupational choices or preclude career advancement in order to participate in vocational

programs. Basing vocational education on a multiplicity of goals, however, does create a problem of coordinating programs with local high school course offerings. These courses are often required as prerequisites for admission into post secondary programs.

Similarly the effort to arrive at a clear definition, with statewide applicability, of the difference between secondary vocational education and programs found in high schools such as home economics, industrial arts, and business education proved difficult. Business education is occasionally attached to vocational centers. Industrial arts now plays an important role in pre-vocational skills and occupational awareness training.

While the differences in the general intent behind industrial arts and vocational education may be clear, the transition border between them is inherently fuzzy and varies according to the local situation. Also, the division of responsibilities and coordination of programs between the vocational centers and regions and their respective secondary schools is best left up to local agreements which take into account the particular needs and existing programs in the local area. While this conclusion does not provide a solution, it does delineate the governmental level on which it should be sought and places the responsibility for finding workable solutions on local school boards, cooperative boards, and advisory committees rather than the Legislature or the Department of Education.

In general the Select Committee applied the same philosophy in finding solutions to the other three sets of issues. Committee members saw their role as providing the mechanisms whereby individuals

at the school administrative unit, vocational region and center area level could find workable solutions applicable to their local needs. While recognizing the importance of the original intent behind strong state role establishment of vocational regions, they felt the present need was for a stronger local initiative in the future development of vocational education.

Vocational Education for Handicapped Students

Frederick St. Cyr, Subcommittee Chairman

After receiving input from the Bureau of Vocational Education, the Division of Special Education, the Bureau of Rehabilitation and several private citizen groups, it became clear that the primary stumbling block to the development of adequate vocational programming for these students was the lack of a coordinated division of responsibilities among these three state agencies. The lack of clarity at the state level has lead to difficulty of implementation at the local level. Fortunately, coinciding with the subcommittee's interest was a federal concern with overlapping mandates and lack of coordination of federal programs in the areas of vocational education, special education, and rehabilitation. Those federal agencies had requested that their state counterparts develop cooperative agreements to clarify their interrelationships. The three state agencies jointly developed the Cooperative Agreement. The Agreement was signed by the commissioners with the Administrators Procedures Act hearings held in December. (A copy of the agreement can be found in Appendix D)

The subcommittee and Select Committee approved the direction

of the agreement and felt it was an important first step toward a continuance of educational programs for handicapped students. It showed a clear willingness on the part of the three state agencies to work together in providing needed services. Dr. Elwood Padham, Associate Commissioner, Bureau of Vocational Education, told the subcommittee he would make the provision of vocational education to handicapped students a priority item in his bureau. The subcommittee in concurrence with the Select Committee made several recommendations which it feels are needed in order for the Cooperative Agreement to be fully implemented. First, for the secondary schools to adequately provide pre-vocational training, they will require additional financial resources.

The Select Committee also concurred with the Subcommittee's reasoning that the effective implementation of the Agreement would require oversight and technical assistance from the three state agencies. It also recognized that the existing demands on these agencies were extensive and that they would be unlikely to complete their obligations under the Agreement without additional staff.

Recommendation 1. The Department of Educational and Cultural Services should explore the possibility of enabling educational dollars through the School Finance Act to be used as state matching dollars for additional counselors needed to serve the school age populations.

Recommendation 2. The Department of Educational and Cultural Services should either reassign existing personnel within the Department to provide technical assistance to school administrative

units or request additional personnel.

Finally, the ultimate success of the training will depend on occupational placements once students have completed their pre-vocational and vocational programs. It is hoped that the majority will, if the programs are adequate, enter the competitive labor market. However, a small minority will require sheltered employment and the State should develop sheltered workshops.

Reorganization of Vocational Centers and Regions

Richard Sawyer, Subcommittee Chairman

The initial creation of vocational center areas and vocational regions served to stimulate the development of vocational programs in most areas of the state. However, in two regions programs floundered and in others local support at budget time is often tenuous.* Local complaints are directed at the state role in creating and maintaining regional boundaries. The Subcommittee on Governance and Finance also addressed this issue because of the financial implications.

The two subcommittees agreed that there needed to be a mechanism allowing regions and centers to adjust their boundaries and organizational structure to meet local conditions. At the same time, they felt the state's interest in an economical delivery system and in a statewide system of programs needed to be considered. The mechanisms approved by the Select Committee allows for a local

*Hancock County's Special and Private Law authorizing the vocational center shall not be effected by the recommendations in this study.

initiative to develop a reorganizational plan but includes an oversight role by the State Board of Education.

Recommendation 3.

1. Repeal sections 2356-A.2 and 2356-G.2, and last paragraph of 2356-G.1. and
2. Add new section

§2355. Powers and duties of the State Board

- I. State Plan. The State Board shall approve or disapprove the State plans for vocational education.
- II. Center and Region Plans. The State Board shall approve center and region plans for vocational education. The plans shall include:
 - A. A survey of the educational needs;
 - B. A survey of employment opportunities
 - C. A description of the programs to be offered; and
 - D. A description of the areas and locations to be served.
- III. Boundaries of centers and regions.
 - A. The State Board shall have the final authority to define the boundaries of vocational regions and centers.
 - B. The State Board may in accordance with the procedures established in §2356, approve:
 - (1) changes in existing boundaries;
 - (2) changes in the status of a center to a region or a region to a center;
 - (3) the dissolution of existing regions and centers;
 - (4) the creation of new regions or centers; and
 - (5) the creation of alternative methods of delivering vocational education.

Recommendation 4.

1. Add a new section

§2356. Procedures for changing existing methods for the delivery of vocational education.

- I. Development of a Plan. One or more school boards or the Commissioner may prepare a plan for reorganizing the delivery of vocational education in an existing vocational region or vocational center area. The plan shall:
 - A. Describe the problem with the existing method of delivering vocational education in the region or vocational area.
 - B. Present an alternative method of delivering vocational education;
 - C. Present a method for the disposal of any joint property and indebtedness;
 - D. The governing body responsible for the delivery of vocational education must provide for a minimum of two public hearings.
 - E. Provide any other information requested by the State Board.
- II. State Board approval. The State board:
 - A. Shall request the commissioner to:
 - (1) Assess the impact of the plan on the delivery of vocational education in the vocational region or center area involved;
 - (2) Assess the fiscal impact on the State;
 - (3) Submit a written report of his findings to the State board.
In his report the commissioner may suggest revisions to the plan or an alternative plan.
 - B. May request additional information from the region or center involved or individual school administrative units within these

regions or center areas.

- III. If the Plan is approved. If the plan is approved by the State board, the school administrative unit or units requesting the change shall hold a public hearing in each unit to present the plan. The vocational director and the cooperative board or advisory committee and center school board shall be invited to participate at the public hearing or hearings.
- IV. After the Public Hearings. After the public hearings the school board or boards in the unit or units requesting a change shall submit the proposal to the voters in their school administrative unit or units in accordance with the relevant provisions for holding elections in section 255, Title 21 and Title 30.
- V. If Approved by a 2/3 Vote. If approved by a 2/3 vote in each school administrative unit requesting the change, the State board shall issue a certificate of approval.

Governance and Finance

Thomas Wheeler, Subcommittee Chairman

The problem confronting vocational centers revolved around three issues. First, the administrative status of the vocational director was not clearly defined. Second, centers and satellites felt burdened by the up front costs of new programs and inflation. Third, sending schools felt they had very little influence on how programs were run.

Under the present system the vocational director is responsible

to "an appropriate administrative officer" in the school administrative unit running the center. While this may provide for a desirable degree of local option, it can cause difficulties for the director in fulfilling his duties toward the satellite programs and the advisory committee. In the centers where the director has the same status as a high school principal, the position offers enough latitude to enable him to carry out these other duties. In the few centers where the director is administratively under the high school principal, the chain of command complicates his ability to carry them out. The Select Committee concurred in this analysis and supported a recommendation to clarify the directors status.

Recommendation 5.

1. Repeal §2356-A, sub §6 and;
2. Replace with a new §2356-A, sub §6

I. Local Director of Vocational Education. The administrative unit operating a vocational center shall employ on the staff of the center a local director of vocational education.

- A. Qualifications: The director shall meet such qualifications as may be prescribed by the State Board of Education.
- B. Administrative status: The director shall serve as chief administrative officer of the center and its satellites and have all the authorities and obligations of a secondary school principal in the school administrative unit operating the center.

The problem of financing up front costs in centers and satellites

stems from the provision giving the school administrative unit in which the programs are located full administrative and financial control over the programs. The financial responsibility does not cause a problem in maintaining current funding levels. Because of the way the state funding formula works, these ongoing costs are absorbed in the State's share and in effect require no local funds. Additional costs, however, must be funded by the local unit for two (2) years before they become part of the state aid formula. In a period of inflation and when it concerns start-up costs of new programs, the units operating programs have a legitimate concern over having to fund both the costs for their own students and those for the slots assigned to sending schools.

The sending schools, on the other hand, dislike the fact that they have little control over program content, costs, or administration. The responsibilities of the Advisory Committee are very limited. As long as they incur no financial obligations from sending their students to the programs, it does not create a major problem. However, the Select Committee agreed that it would be unreasonable to require sending units to share in the costs without giving them some real control over the operation of the programs.

The Select Committee's solution to the dilemma was to provide an option whereby the school administrative units in a center area could develop a cooperative agreement for both cost sharing and administrative control. This would allow those areas where the problem is acute to develop a solution which has local support without forcing the issue in those areas where the present system

functions adequately. Section §2356-G-4 provides for developing cooperative agreements which assures those interests of the school units and the State.

Recommendation 6.

Add the following two sentences to §2356-A, sub-§5.

The advisory committee may develop a cooperative agreement delineating the duties and powers of the advisory committee and a formula for sharing costs.

The central issues in vocational regions concerned the budget approval process. The school units in the region have a clear obligation to pay the debts they incur. However, the lack of a minimum budget provision to assure the region can collect the necessary funds to cover debt service has created a reluctance in the State Board to approve bond issues. This reluctance has some justification, given the difficulties which resulted in meeting bond payments in one region which failed to pass a budget. In addition, the lack of a minimum budget means there is no mechanism for an orderly phase-out of programs which would allow first year vocational students the opportunity to finish their training. A parallel problem is the lack of any authority to allow a region to divest itself of capital assets in the case where they wish to discontinue a program or disband the region. The Select Committee approved the following recommendations to deal with these issues.

Recommendation 7. To deal with debt service the following paragraph shall be added to §2356-G, sub-§7.

I. For the Purpose of Appropriating Money to Repay Bonds.

- A. Each school administrative unit shall include as part of the debt service portion of its regular school budget an amount sufficient to cover that school administrative unit's share of debt service.
- B. Debt service shall not be included in the vocational region's budget article.

Recommendation 8. To deal with the problem of providing a phase out budget, a new subsection should be added to §2356-G.

I. Budget Failure.

- A. If a budget failure* exists after August 1, the Cooperative Board shall submit to the State Board a financial statement with an operational plan indicating how the program will be phased out.
- B. When a budget failure exists, the State shall pay directly to the Cooperative Board the sum of each unit's State share of the vocational education allocation of the units within the region.**

*Add definition of budget failure to Section §2351-A. (A budget who's total is less than the sum of the State allocation for vocational education in that unit).

**Authority to spend this revenue would be authorized in §2356-B.

Recommendation 9. To give a region the authority to divest itself of capital assets, the following subsection should be added to §2356-G.

I. Sale of Vocational Region Capital Assets.

- A. Vocational regions have the right in case of a shutdown to sell buildings and equipment owned by the vocational region when the sale is approved by the State board.
- B. The proceeds of the sale shall first be used to reduce any outstanding indebtedness.
- C. Any remaining receipts shall be used to meet outstanding obligations.
- D. Any remaining surplus shall be returned to the Department of Education and Cultural Services.

The method of voting on budgets also appeared to create difficulties in certain instances. In the case of a budget defeat at a regular budget meeting, the follow-up district meeting would be difficult to implement because of the lack of a physical structure in many regions large enough to house such a meeting. The system of serial budget votes in each participating unit and weighted votes on the cooperative board has its own disadvantages. In one case it created the anomalous situation where the regional budget was defeated in spite of the fact that the total popular vote in the district supported the budget. The Select Committee agreed that regions should have some option to select the voting procedure best adapted to their local needs.

Recommendation 10. The following paragraph should be added after the first paragraph in §2356-G, sub §6.

I. Budget Presentation. The cooperative board may select one of the following three methods for submitting the budget to the member units of the region.

A. The referendum method as provided in §225.

B. The regular budget approval method as outlined in §2356-G-6.

C. The district meeting method as outlined in §2356-G-B.

The first district budget vote must be held before July 1.

II. In the Case of a Budget Defeat.

A. The cooperative board shall submit their revised budgets for a vote on or before August 1.

Recommendation 11.

1. Repeal Section §2356-G-6, Paragraph 5, Sentence 5:

The cooperative board members shall report in writing and each shall cast his ballot in the affirmative or in the negative in accordance with the majority vote of the unit or units represented.

2. Replace it with:

Approval of the regional budget will be determined by the majority vote of the citizens within the region.

Recommendation 12. Add the following sentence after the second sentence in the third paragraph in §2356-G, sub-§3:

At least one representative from each representative unit within a vocational region shall be a member of a school board or committee within that representative unit.

APPENDIX A

STUDY ORDER

Ed. Study

~~Printed~~
~~Order~~

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, vocational education at the secondary school level has become a vital part of local educational programs; and

Whereas, vocational education programs have grown and received strong support in many areas of the State; and

Whereas, some areas have nevertheless experienced problems involving the governance and administration of vocational programs; and

Whereas, these problems have resulted in the introduction of a variety of bills containing proposed solutions; and

Whereas, testimony was presented that the magnitude of the questions raised by these bills calls for a careful response based on thorough study; now, therefore, be it

Ordered, the Senate concurring, that a joint select committee to study secondary vocational education is created, composed of 15 members, as follows:

1. Three superintendents appointed by the Maine Superintendents Association, one each from a vocational center, a vocational region and a school sending students to a vocational center;
2. Two directors appointed by the Maine Association of Vocational Education Administrators, one each from a vocational center and a vocational region;
3. Two faculty members appointed by the Maine Vocational Association, one each from a vocational center and a vocational region;

4. One industrial arts teacher appointed by the Maine Association of Industrial Education;
5. One vocational guidance counselor appointed by the Maine Guidance Association;
6. One member of the State Board of Education appointed by the chairman of the State Board of Education;
7. Two members of the Joint Standing Committee on Education appointed by the cochairmen of the Committee;
8. One state plan advisory committee member appointed by the State Board of Education;
9. One member of a local school committee or board of directors appointed by the Maine State School Board's Association; and
10. One active craft committee member appointed by the Maine Advisory Council on Vocational Education; and be it further Ordered, that all appointments to the Committee shall be subject approval of the President of the Senate and the Speaker of the use of Representatives; and be it further

Ordered, subject to the Legislative Council's review and determinations hereinafter provided, that the committee shall conduct a comprehensive review of the laws relating to both vocational regions and vocational centers and any legislation introduced in the First Regular Session of the 109th Legislature which did not receive approval, review the areas where vocational schools are not operating and report its findings and recommendations, together with all necessary implementing legislation in accordance with the Joint Rules, to the Legislative Council for submission in final form at the Second Regular Session of the 109th Legislature; and be it further

Ordered, that the membership of this committee shall be con-
stituted not more than 30 days following the passage of this order
shall be reported to the Commissioner of Educational and Cul-
tural Services; and be it further

Ordered, that within 30 days thereafter the Commissioner of Ed-
ucational and Cultural Services shall call a meeting of the appointed
members, at which meeting the members shall organize and elect their
chairman and vice-chairman, and that the members of the committee
shall receive \$25 per diem plus actual expenses in relation to each
meeting attended; and be it further

Ordered, that there shall be allocated from the Legislative
Account a sum of \$7,000 for the per diem and expenses of the committee;
and be it further

Ordered, that upon passage of this Order in concurrence a copy
of this Order shall be sent to the Speaker of ^{the} House, to the President
of the Senate and to the Commissioner of Educational and Cultural
Services, and that upon appointment of the committee, a copy of this
Order shall be sent to each member of the committee.

(Birt)
NAME:
TOWN: East Millinocket

(Mrs. Beaulieu)
Cosponsor:
TOWN: Portland

HP1459

[Handwritten signatures and notes]
JUN 5 1973
TOWN: Portland

APPENDIX B

LEGISLATIVE DOCUMENTS

FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 31

H. P. 14

House of Representatives, January 10, 1979

Referred to the Committee on Education sent up for concurrence.

EDWIN H. PERT, Clerk

Presented by Mrs. Lewis of Auburn.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

**AN ACT to Permit High School Sophomores to Attend Vocational Education
Institutes.**

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

20 MRSA § 2356-A, first sentence, as repealed and replaced by PL 1977, c. 205, § 2, is amended to read:

The vocational centers operated at Augusta, Bath, Biddeford, SAD #61 (Bridgton), Caribou, SAD #46 (Dexter), SAD #9 (Farmington), Lewiston, Portland, SAD #1 (Presque Isle), Sanford, SAD #54 (Skowhegan), Waterville and Westbrook shall offer a program of vocational education at Grades 10, 11 and 12.

STATEMENT OF FACT

The purpose of this bill is to permit sophomore high school students to attend certain of the vocational centers in the State. Previously, only juniors and seniors could attend these centers.

FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 672

H. P. 541

House of Representatives, February 21, 1979

Referred to the Committee on Education. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mrs. Kany of Waterville.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Permit a Vocational Center to Bill Other Communities Sending Students to the Center in the Year of Actual Service.

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

20 MRSA § 4748, sub-§ 5, ¶ B, as enacted by PL 1977, c. 625, § 8 is repealed and the following enacted in its place:

B. Any vocational center may bill a member unit a tuition charge which shall be computed as follows: The vocational education expenditures of the center for the period July 1st to June 30th of the year immediately prior to the school year for which the tuition charge is computed, minus the vocational education allocation for the same year, shall be divided by the average number of vocational education pupils enrolled in the center on October 1st and April 1st of the year immediately prior to the school year for which the tuition charge is computed. The tuition rate thus determined shall be adjusted by the average change in vocational education costs for the 2 years immediately prior to the school year for which the tuition charge is computed, except that the adjustment shall be limited to a 6% increase.

STATEMENT OF FACT

The purpose of this bill is to permit a vocational center to bill other communities sending students to the center in the year of actual service. The bill

will permit the financial burden of inflation and of new programs to be shared by all of the communities using the vocational center. This bill requires no fiscal note since it will result in no additional cost to the State. It will merely allow a fairer arrangement regarding the local share of vocational education costs in the year of actual service.

FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1119

H. P. 903

House of Representatives, March 9, 1979

On Motion of Mr. Connolly of Portland, referred to the Committee on Education. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mrs. Lewis of Auburn.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT Concerning the Governance of Vocational Centers.

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

Sec. 1. 20 MRSA § 2356-A, sub-§ 6, 2nd sentence, as repealed and replaced by PL 1977, c. 205, § 2, is amended to read:

The director shall be responsible to the appropriate administrative officers of the administrative school unit operating the center and, for the establishment and maintenance of programs, shall be responsible to the program committee.

Sec. 2. 20 MRSA § 2356-A, sub-§ 8 is enacted to read:

8. Program committee.

A. A program committee shall be established in each vocational center.

B. The program committee shall be the sole authority for the establishment and maintenance of vocational education programs in the center.

C. The program committee shall be composed of the members of the advisory committee, the superintendent of schools of the unit operating the center and a member of the school committee or board of directors of the unit operating the center chosen by the respective committee or board.

D. Voting of the program committee shall be on the basis of 1,000 weighted votes apportioned to each member, as follows:

- (1) Divide the average number of resident pupils on October 1st and April 1st in vocational education, in the participating unit in the year prior to the year of allocation of funds, by the average number of resident pupils on the same days in vocational education in the center in the same year;
- (2) Multiply the quotient computed in subparagraph (1) by 1,000; and
- (3) Divide the product computed in subparagraph (2) by 2.

Sec. 3. 20 MRSA § 4743, sub-§ 23, as enacted by PL 1977, c. 625, § 8, is repealed and the following enacted in its place:

23. Vocational education costs. "Vocational education costs," for subsidy purposes, shall include the following:

A. All costs incurred by the vocational regions, centers or satellites in providing approved secondary school vocational education programs as defined in section 2356-A, subsection 3; and

B. All tuition for secondary school vocational education programs, as defined in section 2356-A, subsection 3, paid by participating units in vocational centers.

Sec. 4. 20 MRSA § 4748, sub-§ 5, as enacted by PL 1977, c. 625, § 8, is repealed and the following enacted in its place:

5. Vocational education allocation; tuition authority; billing authority; appeal to the commissioner; payment of the state subsidy.

A. The vocational education allocation shall be the unit's expenditures for vocational education costs minus any tuition received for vocational programs, as authorized in paragraph B.

B. Any vocational center may bill any participating unit a tuition charge which shall be computed as follows:

- (1) Subtract the unit's state-local allocation for vocational education from the estimated costs of vocational education for the year of allocation of funds; and
- (2) Divide the result computed in subparagraph (1) by the average number of resident pupils in vocational education in the unit on October 1st and April 1st in the year prior to the year of allocation.

C. If any bill authorized under paragraph B is not paid within 30 days after submission, the vocational center or region may appeal to the commission under section 1292.

STATEMENT OF FACT

The purposes of this bill are to:

1. Authorize vocational centers to charge tuition to participating units for vocational education programs; and
2. Provide that a program committee, composed by representatives from the participating units as well as the center, has the sole authority for the establishment and maintenance of vocational education programs.

(EMERGENCY)
FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1145

H. P. 931

House of Representatives, March 12, 1979

Referred to the Committee on Education. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mrs. Lewis of Auburn.

Cosponsor: Mr. Rolde of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Require ^{P. Proposal} Vocational-technical Institutes to Provide Vocational
Education for Handicapped Students.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, education for exceptional children includes vocational education; and

Whereas, there is a need for a planned and coordinated policy and for a demonstration project in the area of vocational education for exceptional children; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Commissioner's duties. In order to encourage the development of vocational education for exceptional children, as defined in the Revised Statutes, Title 20, section 3123, subsection 1, the Commissioner of Educational and Cultural Services shall:

1. **Coordination of services.** Develop a plan for a coordinated approach to providing vocational education to exceptional children; *add here*

2. **Cooperation.** Assure that the department, through the Bureau of Vocational Education and the Division of Special Education, encourages the participation of the Bureau of Vocational Rehabilitation and representatives from business and community groups in the development of the plan;

3. **Pilot project.** Through a competitive grant process, select a site for the establishment of a pilot project which will demonstrate the effective delivery of vocational education to exceptional children;

4. **Funding of project.** Provide funds for the designated pilot project through existing funds available for vocational education for exceptional children;

5. **Report.** Present a report to the Second Regular Session of the 109th Legislature which includes the plan, a description of the progress on pilot project and any recommendations and legislation required to implement the plan; and

6. **Staff.** Carry out the purposes of this Act with existing staff.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

The purpose of this bill is to:

1. Require the Commissioner of Educational and Cultural Services to prepare and present a plan for providing vocational education to exceptional children; and

2. Direct the commissioner to establish a pilot project to demonstrate the delivery of vocational education to exceptional children.

FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1180

H. P. 945

House of Representatives, March 13, 1979

On Motion of Mr. Connolly of Portland, referred to the Committee on Education. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Wood of Sanford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT Establishing a Procedure Under the Education Statutes for Withdrawal
of a Municipality From a Vocational Region.

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

20 MRSA § 2356-G, sub-§ 11 is enacted to read:

11. Withdrawal of municipality from vocational region.

When the inhabitants of a municipality have indicated their desire to withdraw from a vocational region established under this section by a 2/3 vote of the legal voters in that town present and voting at a special meeting, called and held in the manner provided by law for the calling and holding of town meetings, that withdrawal may be authorized by special act of the Legislature upon such terms as shall be contained in that special act. The special act shall specify the disposition or allocation of the municipality's portion of the region's outstanding indebtedness at the time of withdrawal.

STATEMENT OF FACT

This bill establishes a procedure for withdrawal of a municipality from a vocational region established under Title 20, section 2356-G. The procedure basically states that when 2/3 of the voters of a municipality vote for withdrawal, the Legislature may enact a special act permitting authorizing that withdrawal. The bill also states that the authorizing special act must specify the disposition or allocation of the withdrawing municipality's portion of any indebtedness of that vocational region on the effective date of the withdrawal.

(EMERGENCY)
FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1214

S. P. 396

In Senate, March 14, 1979

Referred to the Committee on Education. Sent down for concurrence and ordered printed.

Presented by Senator Collins of Knox.

Cosponsors: Senators Shute of Waldo and Perkins of Hancock.

MAY M. ROSS, Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT Relating to Vocational Education Regions.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, vocational programs at the secondary school level are vital to the education of Maine students; and

Whereas, because of changes in state laws relating to the financing of education, public support for secondary school vocational programs in some regions of the State has been undermined; and

Whereas, legislation is required to encourage renewed support of these programs; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 20 MRSA § 4750, sub-§ 5, as enacted by PL 1977, c. 625, § 8, is repealed and the following enacted in its place:

5. State allocation payments to vocational regions; adjustment of payments on certain projects.

A. The state allocation for debt service on bonds issued by the cooperative board of any vocational region shall be paid directly to the treasurers of the board, notwithstanding any other statute.

B. Notwithstanding any other provision of this chapter, the state allocation for debt service on bonds issued by the cooperative board of any vocational region for any construction project approved between January 1, 1974 and July 1, 1977, shall be adjusted to include the total amount of the local allocation for debt service on the project.

Sec. 2. Appropriation. The following funds shall be appropriated from the General Fund to carry out the purposes of this Act.

1978-79

EDUCATIONAL AND CULTURAL SERVICES,
DEPARTMENT OF

Debt service for vocational regions \$22,999

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved unless otherwise indicated, and payments authorized under the Act shall be made retroactive to July 1, 1978.

STATEMENT OF FACT

The purpose of this bill is to ensure that the State includes the local allocation for debt service on projects approved between January 1, 1974 and July 1, 1977, in vocational regions as part of its payment of the state allocation for debt service on these projects.

FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1266

S. P. 402

In Senate, March 15, 1979

Referred to the Committee on Education. Sent down for concurrence and ordered printed.

Presented by Senator Trotzky of Penobscot.

MAY M. ROSS, Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Amend the Statutes Governing Vocational Regions.

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

- Sec. 1. 20 MRSA § 2356-B, 3rd sentence, as enacted by PL 1977, c. 690, § 10-B, is amended to read:

Cooperative boards of vocational regions are authorized to expend available revenues to meet debt service and security and maintenance of property costs and to accept and expend special grants from state and federal sources, notwithstanding any other statute.

- Sec. 2. 20 MRSA § 2356-G, sub-§ 1, last paragraph, as repealed and replaced by PL 1975, c. 513, § 10, is amended to read:

~~The boundaries of the 11 regions shall not be changed except by action of the Legislature, provided that any~~ Any unit contracting for secondary education outside of its region shall become a part of the region or center where such a contract exists.

- Sec. 3. 20 MRSA § 2356-G, sub-1, as last amended by PL 1977, c. 205, §§ 8 and 9, is further amended by adding at the end a new paragraph to read:

A region may be subdivided into 2 or more vocational regions upon the submission of a plan by the cooperative board of that region to the State Board of Education

for approval. If outstanding debt exists in a region, subdivision requires a plan approved by the Legislature for the payment of the debt. Whenever a new region is organized, it shall be a separate administrative unit to deliver vocational education to its member units in accordance with this Title.

Sec. 4. 20 MRSA § 2356-G, sub-§ 3, 3rd paragraph, 2nd sentence, as amended by PL 1977, c. 205, § 10, is repealed and the following enacted in its place:

Membership of the cooperative board shall consist of citizens of the region. A majority of the members shall be elected members of a school committee, board of directors, or are elected municipal officials of the member administrative units. Each member administrative unit shall be represented on the cooperative board in approximately the same ratio to the total membership of the board as the unit's latest federal decennial census is to the latest federal decennial census of the member units. Those citizens who hold another office which has duties conflicting with those of the cooperative board shall not be selected.

Sec. 5. 20 MRSA § 2356-G, sub-§ 6, 3rd paragraph, as repealed and replaced by PL 1977, c. 690, § 11-A, is repealed and the following enacted in its place:

Each unit's total share and net share of the vocational budget as finally approved by the cooperative board shall be placed in the unit's local school budget. The unit's net share shall be the difference between the unit's total share and the state allocation for vocational education paid to the treasurer of the cooperative board on behalf of the unit. Initial costs for starting new vocational education programs may be financed by a local tax outside of any additional appropriation now authorized in section 4751, subsection 3.

Sec. 6. 20 MRSA § 2356-G, sub-§ 6, 5th paragraph, as repealed and replaced by PL 1977, c. 205, § 15, is repealed and the following enacted in its place

A vote on the budget of the vocational region shall be completed at the same time as the regular school budget. Whenever the budget fails to pass, or when a special region budget meeting is called by the cooperative board after having declared that an emergency exists, the cooperative board shall prepare the new budget, or special budget, and submit the necessary articles to the budget meeting of the vocational region called in the manner set forth in this subsection.

Sec. 7. 20 MRSA § 4750, sub-§ 3, as enacted by PL 1977, c. 625, § 8, is amended by adding at the end a new sentence to read:

State allocation payments for vocational education allocations in regions shall be paid directly to the treasurers of the cooperative boards.

Sec. 8. 20 MRSA § 4750, sub-§ 5, as enacted by PL 1977, c. 625, § 8, is repealed.

Sec. 9. Validation. Any regular or special budget adopted as authorized by section 6 of this Act prior to the effective date of this Act shall be validated, approved and declared legal.

STATEMENT OF FACT

The purpose of this bill is to make it possible for:

1. The state portion of vocational education allocations to be paid directly to the treasurers of the cooperative boards;
2. Giving authorization to cooperative boards to expend available revenues;
3. The subdivision of existing regions;
4. Giving assurance that the majority of the membership of cooperative boards be elected officials; and
5. The preparation of new or special budgets to be prepared by the cooperative board when any emergency exists.

APPENDIX C

LIST OF COMMITTEE MEMBERS

Membership of the Secondary Vocational Education Study Committee

1. Three superintendents appointed by the Maine Superintendents Association:

Dale Doughty, SAD #9, Farmington - Vocational Center
Paul Kelly, SAD #27, Fort Kent - Vocational Region
Richard Sawyer, SAD #41, Milo - Sending Unit

2. Two directors appointed by the Maine Association of Vocational Education Administrators:

Frederick St. Cyr, Sanford -- Vocational Center
Thomas Wheeler, Northern Oxford County -- Vocational Region

3. Two faculty members appointed by the Maine Vocational Association:

Roberta Stearns, Westbrook -- Vocational Center
Merle Fenlason, Houlton -- Vocational Region

4. One industrial arts teacher appointed by the Maine Association of Industrial Education:

Richard Bray, Oak Hill High School, Sabattus

5. One vocational guidance counselor appointed by the Maine Guidance Association:

William Stone, Anson

6. One member of the State Board of Education appointed by the Chairman of the State Board of Education:

Mary Adams, Garland

7. Two members of the Joint Standing Committee on Education appointed by the co-chairmen of the Committee:

Representative Edith Beaulieu, Portland
Representative Lee Davis, Monmouth

8. One State Plan Advisory Committee member appointed by the State Board of Education:

Julia Nault, Machias

9. One member of a local school committee or board of directors appointed by the Maine State School Boards Association:

Joyce Rogers, Portland

10. One active craft committee member appointed by the Maine Advisory Council on Vocational Education:

Fred West, Portland

APPENDIX D

COOPERATIVE AGREEMENT

COOPERATIVE AGREEMENT

*Department of Human Services, Bureau of Rehabilitation and
Department of Educational & Cultural Services,
Bureau of Vocational Education and
Division of Special Education*

I. PHILOSOPHY

It is the philosophy of the Maine Department of Human Services, Bureau of Rehabilitation and Department of Educational & Cultural Services, Bureau of Vocational Education and Division of Special Education, that all handicapped students are afforded a free, appropriate public education and appropriate rehabilitation services necessary to realize their full academic and vocational potential. To this end, these Bureaus and Division are committed to coordinated delivery of services and cooperative planning in keeping with the Education of All Handicapped Children Act of 1975 (PL 94-142); Vocational Education Act (PL 94-482); Rehabilitation Act of 1973 (PL93-112) as amended; Maine Law 20 MRSA 3121 et seq.; 20 MRSA §1-B; 22 MRSA §3051 et seq.; and 22 MRSA 3500 et seq.

The delivery of a continuum of appropriate programs and services to handicapped students requires the cooperative efforts of Special Education, Vocational Education and the Bureau of Rehabilitation. The cornerstone of this process is an integrated services delivery system as set forth in this agreement. It is agreed that the Division of Special Education, Bureau of Vocational Education, and Bureau of Rehabilitation will cooperate in the development of programs designed to provide educational, vocational, occupational, supportive and job placement services for handicapped students.

In so doing, it is agreed to work together to provide the best possible services to handicapped persons by:

- A. Assuming primary responsibility for assisting local education agencies in the development and implementation of career planning, vocational programs and services for handicapped students.
- B. Assuring that all handicapped students (as defined under PL 94-142) and those handicapped students eligible for Vocational Rehabilitation services (as defined by PL 93-112 as amended), for the Eye Care Education Program and for Vocational Education (as defined under PL94-482) receive appropriate services. It is acknowledged and agreed that the Bureau of Rehabilitation will give priority to severely disabled students as defined by the Rehabilitation Services Administration.

- C. Assuring that the rights of handicapped persons are protected in compliance with Title V of the Rehabilitation Act of 1973.

II. DUE PROCESS

Because we believe that the due process rights of the recipients of our services must be protected and ensured, and because each party to this agreement has its own respective policies and procedures providing due process, we have concluded that any recipient of services under this agreement shall look to any of the agencies involved which has existing participation and jurisdiction at the time the rights of the recipient have been affected.

Pursuant to this end, it is incumbent upon all parties to this agreement to ensure that communication of due process be given throughout the process both orally and written to the recipient, parent, guardian, or other representative who is competent to understand the rights of the individual as it relates to the various programs and services offered by the parties to this agreement.

Nothing in this agreement should be interpreted as to prohibiting an individual from pursuing due process rights against one or more parties should the individual be in more than one program at any given time.

III. COOPERATIVE PLANNING AND FUNDING

STATE PLANNING

The delivery of appropriate services to individual handicapped students is the ultimate goal. The Bureau of Rehabilitation, Bureau of Vocational Education and Division of Special Education agree to mutually plan and develop their respective State Plans as they relate to the needs of the handicapped. Participatory review of these plans will be indicated by the signatures of the Director, Bureau of Rehabilitation; Associate Commissioner, Bureau of Vocational Education; and Director, Division of Special Education.

LOCAL PLANNING

Additionally, the Division of Special Education and Bureau of Vocational Education will require that local school systems follow the same procedure in planning and development of local plans for special education and vocational education. The participatory review of local plans will be indicated by the signatures of the Superintendent of Schools and Vocational Administrators.

The Division of Special Education will require that all proposals for Education of the Handicapped Act (EHA) Part B funds submitted by local education agencies relating to the provision of pre-vocational and vocational education services for the handicapped will be cooperatively developed by Special Education and Vocational Education personnel at the local level. The Division of Special Education (DSE) will require that all such projects are reviewed by Vocational Education personnel at the state level. This information will be shared with the Bureau of Rehabilitation for planning purposes.

The Bureau of Vocational Education will require that all proposals involving handicapped students be cooperatively developed with Special Education personnel at the local level to assure that the programs are consistent with the Special Education Plan and are designed to meet the specific needs of handicapped students within the local school system. Additionally, the Bureau of Vocational Education (BVE) will require that all such projects are reviewed by Special Education personnel at the state level. This information will be shared with the Bureau of Rehabilitation for planning purposes.

*IV. COOPERATIVE STUDENT PLANNING AND SERVICES TO INCLUDE
OUTREACH, PUPIL EVALUATION TEAM, REFERRAL, SERVICES*

A. OUTREACH RESPONSIBILITY

It is agreed that Bureau of Rehabilitation, Vocational Rehabilitation Counselors are responsible for providing information about the Vocational Rehabilitation program and encourage the referral of potentially eligible students at the local level.

Vocational Rehabilitation will assure that all schools whose students may be covered under this agreement (ages 14-20) are visited a minimum of once per year to educate appropriate school personnel on the goals and objectives of Vocational Rehabilitation; to explain eligibility for Vocational Rehabilitation, to encourage referrals and to identify students potentially needing Vocational Rehabilitation services.

B. PUPIL EVALUATION TEAM

It is agreed that the Division of Special Education will require local education agencies to have a Vocational Education representative and Vocational Rehabilitation Counselor participate in the Pupil Evaluation Team (PET) process and in the development of the Individual Education Program (IEP) when a vocational education program or vocational rehabilitation services are anticipated or being provided.

It also is agreed that where Eye Care Education Program services are anticipated, or being provided, the Eye Care Coordinator of Services for Blind Children will participate in the PET process and IEP development.

The Bureau of Vocational Education and the Bureau of Rehabilitation will insure that their appropriate representative and counselors participate in the Pupil Evaluation Team process and in the development of the Individual Education Program when Vocational Education or Vocational Rehabilitation services are anticipated and appropriately required.

It also is agreed that the student's Individual Education Program and Individual Written Rehabilitation Program will be written to reflect the integration of goals, objectives, services and time frames, and that any significant amendments to that program will be shared in a timely manner.'

C. REFERRAL GUIDELINES

REFERRAL TO BUREAU OF REHABILITATION, VOCATIONAL REHABILITATION

OUT OF SCHOOL STUDENT

The Bureau of Rehabilitation will accept the responsibility for the provision of vocational rehabilitation services for vocational rehabilitation eligible handicapped persons age 14 and over who have voluntarily withdrawn from school and are referred by an official of the local education agency. This does not preclude a referral by parents, the student or another interested party. In instances where the student has dropped out of school, Vocational Rehabilitation will first determine if the individual is interested in returning to school. If the student is interested, the Vocational Rehabilitation Counselor will request a meeting of the Pupil Evaluation Team.

IN SCHOOL STUDENT

Referral by the Pupil Evaluation Team to Vocational Rehabilitation can occur at age 14 for determination of eligibility. These students will be maintained in the programs provided by the local education agency, and eligibility for Vocational Rehabilitation services will be determined by that agency. If eligible, Vocational Rehabilitation's role generally will be limited to evaluation, services to family members, supportive services and consultation with the Pupil Evaluation Team on career planning.

1. Referrals will be initiated by the Pupil Evaluation Team.
2. Written consent of parents or guardian is required for students under age 18 for referral. However, if an emancipated minor, the student may be self-referred.

3. At the time of referral, Local Education Agencies will be responsible for providing Vocational Rehabilitation Counselors with the following information:
 - available medical information
 - educational/social information
 - psychological, speech, language information
 - pre-vocational assessment and pre-vocational programming results
 - any other relevant information.

4. When a student is referred to Vocational Rehabilitation the Vocational Rehabilitation Counselor shall participate in any appropriate Pupil Evaluation Team meetings pending determination of eligibility, at which point:
 - if the student is not eligible, results of the evaluation, reasons for the ineligibility decision and recommendations will be provided to the Pupil Evaluation Team.
 - if found eligible, the Vocational Rehabilitation Counselor will continue as part of the Pupil Evaluation Team so long as the student is involved in the Vocational Rehabilitation Program.

5. Referral of students attending private schools to Vocational Rehabilitation is the responsibility of the local education agency. However, this does not preclude referral by parents or guardians.

If additional or more up-to-date information is required to determine Vocational Rehabilitation eligibility, Vocational Rehabilitation is responsible for obtaining such material.

*REFERRAL TO BUREAU OF REHABILITATION, DIVISION OF EYE CARE
EDUATION PROGRAM*

AGES 0 - 5

Children under 5 years, suspected of having a potential visual impairment, will be referred to an Eye Care Coordinator of Services for Blind Children for evaluation to determine eligibility for it's education program. It will be Eye Care's responsibility to inform the local education agencies about the Eye Care pre-school program.

Each local education agency through Project Childfind will have responsibility to refer any child suspected of having visual impairment to an Eye Care Coordinator of Services for Blind Children.

AGES 5 - 20

1. Referrals will be made by the Pupil Evaluation Team.
2. The Division of Eye Care will provide and/or pay for an eye exam for any child who appears to have a serious visual impairment to determine eligibility for services as long as it is pre-authorized by an Eye Care Coordinator of Services for Blind Children. In addition, if needed to determine Eye Care eligibility, Eye Care will pay for or obtain from sources other than the school, the following:
 - general medical evaluation
 - audiological evaluation
 - orientation/mobility screening
 - psychological evaluation

When a student is referred to the Eye Care Education Program, the Eye Care Coordinator of Services for Blind Children shall participate in the Pupil Evaluation Team. If the child is not Eye Care eligible, results of the evaluation, reason for the ineligibility decision, and recommendations will be provided to the Pupil Evaluation Team. If found eligible, the Coordinator of Services for Blind Children will continue as part of the Pupil Evaluation Team as long as the student is in the Eye Care Education Program. If the student is Eye Care eligible, Eye Care will provide/pay for Low Vision Evaluations. This pertains to all Eye Care eligible clients, legally blind or 20/70 visual acuity or less with best correction.

3. The local education agency is responsible to provide and/or pay for:
 - speech and language evaluations.

REFERRAL TO VOCATIONAL EDUCATION

It is agreed that special education students will be provided pre-requisite counseling and pre-vocational skills by the home school's general agriculture, industrial arts, career education and home economics programs or other similar programming prior to referral to Vocational Education.

1. Referrals to Vocational Education centers and regions will occur through the Pupil Evaluation Team.
2. When a student is referred to Vocational Education, the Vocational Education representative shall participate in any appropriate Pupil Evaluation Team meeting, pending determination of Vocational Education eligibility, at which point:

- if the student is not eligible, reason for the ineligibility decision will be provided to the Pupil Evaluation Team
 - if found eligible, the Vocational Education representative will continue as part of the Pupil Evaluation Team so long as the student is enrolled in a Secondary Vocational Education program.
3. At the time of referral, Local Education Agencies will be responsible for providing Vocational Education representatives the following information:
- pre-vocational assessment and programming results.
 - available medical information
 - educational/social information
 - psychological, speech, language information
 - any other relevant information.

D. SERVICES

It is recognized that services to students may be provided by one or more agencies, depending on federal and state laws and regulations. To alleviate confusion, each agency agrees to follow these guidelines when determining responsibility for services or programs. Services and programs will be provided to meet the student's Individual Education Program and/or Individualized Written Rehabilitation Program goals and objectives.

F =
S =
N =

EXPLANATION OF MATRIX

(Pages 9-11)

1. Limited to the extent of federal funding.
2. Limited to the extent of federal funding.
3. Limited to Cooperative Program.
4. Follow up for Vocational Education is defined as a periodic check every one, three and five years as mandated by federal regulations.
5. Instructional devices only.
6. Limited to the extent of federal funding.
7. Responsible if needed for educational but not vocational purposes.
8. Vocational Education limited to federal funds.
9. Vocational Education limited to federal funds.
10. School related only.
11. In school only.
12. In school only.

N = No Responsibility

<i>GUIDELINES FOR SERVICES FOR STUDENTS</i>	<i>General Education</i>	<i>Special Education</i>	<i>Vocational Education</i>	<i>Vocational Rehabilitation Includes Eye Care</i>	<i>Eye Care Education</i>
<i>Pre-Vocational Assessment</i>		P	N	N	N
<i>Pre-Vocational Programming</i> <i>Industrial Arts</i> <i>General Agriculture</i> <i>Home Economics</i>	P	S	N	N	N
<i>Work Assessment or Evaluation</i>		S	N	P	N
<i>Situational Assessment</i>		S	N	P	P
<i>Tutorial Instruction</i>		P	¹ S	S	N
<i>Remedial Instruction</i>		N	² S	S	N
<i>Independent Living Skills Training</i>		P	N	S	P
<i>Personal Adjustment Training</i>		S	N	S	N
<i>Work Adjustment Training</i>		S	N	S	N
<i>Out of School Vocational Skill Development</i>		N	N	P	N
<i>Career Planning</i>	P	N	N	P	P
<i>Vocational Guidance</i>		N	P	P	S
<i>Regular Vocational Education in Approved Programs</i>		N	P	N	N
<i>Adapted Approved Vocational Education Programs</i>		N	P	N	N

<i>GUIDELINES FOR SERVICES FOR STUDENTS</i>	<i>General Education</i>	<i>Special Education</i>	<i>Vocational Education</i>	<i>Vocational Rehabilitation Includes Eye Care</i>	<i>Eye Care Education</i>
<i>Cooperative Vocational Education</i>		N	P	N	N
<i>On-The-Job Training</i>		N	N	P	N
<i>Unpaid Work Experience</i>		S	N	S	S
<i>Identification of Job Sites</i>		N	S	P	N
<i>Job Development</i>		N	³ S	P	N
<i>Job Placement and Follow-Up</i>		N	⁴ P	P	N
<i>Sheltered Workshop Placement</i>		S	N	P	N
<i>Work Activity Center Placement</i>		S	N	P	N
<i>Post Employment Services</i>		N	N	P	N
<i>Special Tools, Devices, Equipment (school-based)</i>		⁵ P	⁶ S	S	N
<i>Special Tools, Devices, Equipment (employment-based)</i>		N	P	P	N
<i>Residential Treatment Programs</i>		P	N	S	N
<i>Room & Board</i>		⁷ P	N	S	N
<i>Transportation to and from School Programs</i>		P	S	N	N

GUIDELINES FOR SERVICES FOR STUDENTS	General Education	Special Education	Vocational Education	Vocational Rehabilitation Includes Eye Care	Eye Care Education
Interpreter Services for the Deaf		S	8 S	S	N
Teacher of Hearing Impaired		P	9 S	N	N
Reader Services for the Blind		S	S	S	N
Mobility Orientation		P	N	S	N
Occupational Therapy, Physical Therapy, Speech Therapy		P	N	S	N
Planned Physical Restoration		N	N	P	N
Planned Mental Therapy		10 P	N	P	N
Personal Care Attendant		11 P	N	S	N
Services to Family Members		N	N	P	P
Maintenance Money While in Training		N	N	P	N
Restricted Home Modification		N	N	P	N
Monitoring Individual's Program Plan		P	12 P	P	P

GUIDELINES FOR AREAS OF OVERLAPPING RESPONSIBILITIES

It is agreed that all services will be provided in accordance with the student's Individual Education Program and/or Individual Written Rehabilitation Program.

Residential Treatment Programs

The Division of Special Education is responsible for the Education program component of handicapped students attending residential treatment programs. The Division assumes responsibility only for individual counseling as it relates to classroom performance.

Although the Division of Special Education has the primary responsibility, the Bureau of Rehabilitation can provide treatment and room and board.

Mobility Orientation and Training

The Division of Special Education will assume responsibility for mobility and orientation training for those children age 5-20 who require such training.

The Division of Eye Care will assume responsibility for this training for children ages 14-20 years, if identified in the Individual Written Rehabilitation Program.

Physical Therapy, Occupational Therapy, Speech Therapy

The Division of Special Education will be responsible to provide such services for those students participating in an educational program.

The Bureau of Rehabilitation may provide these services if needed to achieve an employment goal.

If the student's need is reflected both in the Individual Education Program and the Individual Written Rehabilitation Program, costs will be shared by the Division of Special Education and the Bureau of Rehabilitation. Shared costs will be negotiated at the local level according to individual need.

School-based Special Tools, Devices, Equipment

The Bureau of Vocational Education will have primary responsibility to provide additional adaptive equipment or to modify existing equipment, tools, devices, to allow participation of handicapped students in approved Vocational Education programs.

The Bureau of Rehabilitation will have secondary responsibility to provide adaptive equipment, tools and devices if indicated in the Individual Written Rehabilitation Program, after all Vocational Education federal funds are expended.

Job Development and Job Placement and Follow Up

Job Placement and Follow Up is both a Bureau of Rehabilitation and Bureau of Vocational Education responsibility. Generally, vocational education teachers and vocational counselors within the vocational school can provide this service. However, it is agreed that Vocational Rehabilitation Counselors will have primary responsibility for job placement and follow-up of those Vocational Rehabilitation eligible students. The vocational school's teachers and counselors will cooperate with the Vocational Rehabilitation Counselors by the sharing of information. In order to facilitate communication between the Vocational Rehabilitation Counselor and the Vocational Education school, it is agreed that the contact person at Vocational Education centers will be the Vocational Education Counselor or Vocational Administrator; and at Satellite Vocational Programs it will be the high school principal, vocational administrator or their designee.

Job Development is a vocational education responsibility for only those students enrolled in Cooperative Education Programs.

CONFIDENTIALITY

It is agreed that the Division of Special Education and Bureau of Vocational Education will follow confidentiality procedures outlined by the federal Family Educational Rights & Privacy Act of 1974 as amended, and the Education for All Handicapped Children Act of 1975. Legislation and regulations applicable to education records allow rather free access by the individual to his own records. Because vocational rehabilitation case files often contain information from sources that restrict further release, it is agreed that the Bureau of Rehabilitation will follow confidentiality regulations outlined under Section 1361.47 of the Vocational Rehabilitation federal regulations.

JOINT STAFF TRAINING AND TECHNICAL ASSISTANCE

The Bureau of Rehabilitation, Bureau of Vocational Education and Division of Special Education agree to mutually plan and deliver in-service training to explain this agreement to all local education agency, vocational region and center, and rehabilitation field office personnel. It is further agreed to provide ongoing technical assistance to field personnel, particularly with regard to clarification of each agency's role and responsibility and to resolve problems or issues as they are identified.

Each agency will assign a staff person responsibility to assure that such training and technical assistance is completed prior to July 1, 1981.

JOINT EVALUATION AND FOLLOW-UP OF AGREEMENT

The Bureau of Rehabilitation, Division of Special Education and Bureau of Vocational Education agree to develop an evaluation method, implement and periodically review this agreement.

Each agency will assign a staff person responsibility to meet a minimum of six times per year to review implementation of this agreement, to discuss issues, problems and successful projects. These staff will assume responsibility to assure a yearly evaluation of and amendment of this agreement as needed.

APPENDIX E
Legislative Proposals

AN ACT to Enable Towns Within a Vocational Region or Vocational Center to Withdraw and Develop an Alternative Plan for Providing Vocational Education.

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

Sec. 1. Repeal Section 2356-A, sub-§2 as amended by PL 1969, c. 440 and §2356-G, sub-§2 as enacted by PL 1965, c. 440.

Sec. 2. 20 MRSA §2356-G, sub-§1, last ¶, as repealed and replaced by PL 1975, c. 513, §10, is repealed.

Sec. 3. 20 MRSA §2355-A and §2355-B are enacted to read:

§2355-A. Powers and duties of the State Board of Education

1. State plan. The State Board of Education shall approve or disapprove the state plans for vocational education.

2. Center and region plans. The board shall approve center and region plans for vocational education. The plans shall include:

A. A survey of the educational needs;

B. A survey of employment opportunities;

C. A description of the programs to be offered; and

D. A description of the areas and locations to be served.

3. Boundaries of centers and regions. The board:

A. Shall have the final authority to define the boundaries of vocational regions and centers; and

B. May, in accordance with the procedures established in section 2355-B, approve:

(1) Changes in existing boundaries;

(2) Changes in the status of a center to a region or a region to a center;

- (3) The dissolution of existing regions and centers;
- (4) The creation of new regions or centers; and
- (5) The creation of alternative methods of delivering vocational education.

§2355-B. Procedures for changing existing methods for the delivery of vocational education

1. Development of a plan. One or more school boards or the commissioner may prepare a plan for reorganizing the delivery of vocational education in an existing vocational region or vocational center area. The plan shall:

A. Describe the problem with the existing method of delivering vocational education in the region or vocational area;

B. Present an alternative method of delivering vocational education;

C. Present a method for the disposal of any joint property and indebtedness;

D. Provide, through the governing body responsible for the delivery of vocational education, for a minimum of 2 public hearings; and

E. Provide any other information requested by the board.

2. State Board of Education approval. The board:

A. Shall request the commissioner to:

(1) Assess the impact of the plan on the delivery of vocational education in the vocational region or center area involved;

(2) Assess the fiscal impact on the State; and

(3) Submit a written report of his findings to the board. In his report the commissioner may suggest revisions to the plan or an alternative plan;

B. May request additional information from the region or center involved or individual school administrative units within these regions or center areas; and

C. May approve the plan as submitted by the school administrative unit or units requesting the change, the commissioners revised plan, a third plan devised by the board or no change.

3. Public Hearing. If a plan is approved by the board, the school administrative unit or units requesting the change shall hold a public hearing in each unit to present the plan. The vocational director and the cooperative board or advisory committee and center school board shall be invited to participate at the public hearing or hearings.

4. Voter approval. After the public hearings the school board or boards in the unit or units requesting a change shall submit the proposal to the voters in their school administrative unit or units in accordance with the relevant provisions for holding elections in section 225, Titles 21 and 30. The plan must receive a 2/3 vote in each unit requesting the change to be approved.

5. Certificate of approval. If approved in each school administrative unit requesting the change, the board shall issue a certificate of approval.

STATEMENT OF FACT

The bill gives the State Board the final authority to establish the boundaries of vocational regions and centers. Second, it makes the procedure for approving plans for vocational education similar for vocational centers and regions. Finally, it provides a mechanism which allows a town(s) to petition the State Board to withdraw from vocational regions or centers. The petitioning

town(s) must develop the plan and secure both the approval of the State Board and 2/3 of the voters in their municipality.

AN ACT to Give the Vocational Director in a Vocational Center the Status of a Secondary School Principal.

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

Sec. 1. 20 MRSA §2356-A, sub-§6, as repealed and replaced by PL 1977, c. 205, §2, is repealed and the following enacted in its place:

6. Local director of vocational education. The administrative unit operating a vocational center shall employ on the staff of the center a local director of vocational education.

A. The director shall meet such qualifications as may be prescribed by the State Board of Education.

B. The director shall serve as chief administrative officer of the center and its satellites and have all the authority and obligations of a secondary school principal in the school administrative unit operating the center.

STATEMENT OF FACT

The bill changes the status of the vocational director from one "responsible to the appropriate administrative officer in the school unit" to one having the status of a secondary school principal.

AN ACT to Further Delineate the Authority of the Advisory Committee in a Vocational Center.

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

Sec. 1. 20 MRSA §2356-A, sub-§5, as amended by PL 1979, c. 691, §13, is further amended by adding at the end a new sentence to read:

The advisory committee may develop a cooperative agreement delineating the duties and powers of the advisory committee and a formula for sharing costs.

STATEMENT OF FACT

The bill gives the advisory committee in a vocational region the right to define its duties and powers and to establish a method of sharing costs.

AN ACT to Clarify the Fiscal Responsibility of Vocational Regions in the Case of a Budget Failure.

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

Sec. 1. 20 MRSA §2351-A, sub-§3 is enacted to read:

3. Budget failure. "Budget failure" means a budget total that is less than the sum of the state allocation for vocational education in that unit.

Sec. 2. 20 MRSA §2356-G, sub-§7, as enacted by PL 1975, c. 513, §10, is amended by adding at the end a new paragraph to read:

For the purpose of appropriating money to repay bonds each school administrative unit shall include as part of the debt service portion of its regular school budget an amount sufficient to cover that school administrative unit's share of debt service. Debt service shall not be included in the vocational region's budget article.

Sec. 3. 20 MRSA §2356-G, sub-§§11 and 12 are enacted to read:

11. Budget failure. The following provisions apply in the event of a budget failure.

A. If a budget failure exists after August 1st, the cooperative board shall submit to the State Board of Education a financial statement with an operational plan indicating how the program will be phased out.

B. When a budget failure exists, the State shall pay directly to the cooperative board the sum of each unit's state share of the vocational education allocation of the units within the region.

12. Sale of vocational region capital assets. The following provisions apply to the sale of vocational region capital assets.

- A. The cooperative board of a vocational region has the right, in case of a shutdown, to sell buildings and equipment owned by the vocational region when the sale is approved by the State Board of Education.
- B. The proceeds of the sale shall first be used to reduce any outstanding indebtedness.
- C. Any remaining receipts shall be used to meet outstanding obligations.
- D. Any remaining surplus shall be returned to the Department of Educational and Cultural Services.

STATEMENT OF FACT

The bill provides for a method of phasing out of vocational programs and for meeting debt obligations in the case of a budget failure in a region. Budget failure is defined as a budget which is less than the state share. In the case of a budget failure the state shall pay its share directly to the cooperative board. This direct payment would provide funds to allow the board to provide programs for those second year students already enrolled in vocational region programs. The money budgeted for the repayment of bonds is placed under the regular debt service portion of the member school administrative unit's budgets thereby avoiding the situation where a vocational budget failure means the region fails to cover its debt service obligations.

AN ACT to Amend the Method of Approving Budgets in Vocational Regions.

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

Sec. 1. 20 MRSA §2356-G, sub-§6, as last amended by PL 1979, c. 387, §2, is further amended by adding after the first paragraph a new paragraph to read:

The cooperative board may select either the referendum method provided in section 225, the regular budget approval method outlined in this subsection or the district meeting method outlined in paragraph B for submitting the budget to the member units of the region. The first district budget vote must be held before July 1st after the effective date of this paragraph. In case the budget is defeated on the first vote, the cooperative board shall submit their revised budget for a vote of the district on or before August 1st of each year. The board may select any one of the three methods outlined above to obtain the approval of their revised budget.

Sec. 2. 20 MRSA §2356-G, sub-§6, 4th ¶, 5th sentence, as repealed and replaced by PL 1977, c. 205, §15, is repealed and the following enacted in its place:

Approval of the regional budget shall be determined by the majority vote of the citizens within the region.

STATEMENT OF FACT

The bill allows vocational regions to use one of three methods of approving their budget-referendum, municipal budget meetings, or district wide budget meeting. It also changes the "electoral college" method of recording votes under the municipal budget meeting method to a majority of those voting.

AN ACT to Require that School Board Members be Represented on the Cooperative Board in Vocational Regions.

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

Sec. 1. 20 MRSA §2356-G, sub-§3, 3rd ¶, as amended by PL 1977, c. 205, §10, is further amended by adding after the 2nd sentence a new sentence to read:

At least one representative from each representative unit within a vocational region shall be a member of a school board or committee within that representative unit.

STATEMENT OF FACT

The bill requires that a school administrative unit include at least one school board member among those appointed to represent the unit on the cooperative board.