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## **An Act To Ensure Adequate Funding for Students of Alternative Schools**

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

**Sec. 1. 20-A MRS §5104-A**, as enacted by PL 1989, c. 415, §31, is amended to read:

### **§ 5104-A. Alternative programs outside the school administrative unit**

**1. Alternative programs in another school administrative unit.** If the superintendents approve, a school administrative unit may enroll a student in an alternative program in another school administrative unit ~~or in an approved private alternative program.~~

**1-A. Alternative programs in an approved private school.** If the governing board of an approved private school approves, a student may enroll in an approved private alternative program outside the school administrative unit in which the student resides.

**1-B. Notification.** Upon enrollment of a student properly approved for enrollment under subsection 1 or subsection 1-A, the governing board of the receiving school administrative unit or approved private school shall provide written documentation of the student's enrollment date to the governing board of the school administrative unit where the student resides.

**2. Student count.** A student properly approved for enrollment under subsection 1 ~~shall~~or subsection 1-A must be counted as a 1.0 student on school administrative unit counts for each semester, or its equivalent, of alternative program.

**2-A. Funding.** Notwithstanding section 5204, subsection 1, funding for a student properly approved for enrollment under subsection 1 or subsection 1-A must be provided as follows.

A. The school administrative unit that enrolls a student in an alternative program outside the school administrative unit under subsection 1 shall provide an amount equal to the school administrative unit's state contribution and local contribution to the EPS per-pupil rate to the alternative program outside the school administrative unit.

B. The school administrative unit that formerly enrolled a student that has been properly enrolled in an approved private alternative program under subsection 1-A shall provide an amount equal to the school administrative unit's state contribution and local contribution to the EPS per-pupil rate to the approved private alternative program.

C. The amount provided by the school administrative unit in accordance with paragraph A or B must be transferred on the first day of the semester or quarter following the student's enrollment date. The amount provided by the school administrative unit must be prorated for the term of the

student's enrollment in the alternative program. Transfer of funds must continue for each term that the student is enrolled in the alternative program, except that funding may not exceed 4 years of alternative education.

**3. Rules.** The commissioner shall adopt rules ~~in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375,~~ to administer this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

## SUMMARY

This bill amends the existing statutes to clarify the responsibility for funding alternative education programs, including private programs, for public school students who enroll in alternative education programs outside the school administrative units in which they reside.