An Act To Provide Support to Students, Staff and Faculty at Postsecondary Educational Institutions for Temporary Closures Due to Infectious Diseases

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.
Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

 Presented by Representative FECTEAU of Augusta.
Cosponsored by Senator POULIOT of Kennebec and Representatives: DRINKWATER of Milford, FAULKINGHAM of Winter Harbor, RUDNICKI of Fairfield, SAMPSON of Alfred.
Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, certain postsecondary educational institutions in the State have temporarily suspended classes and are requiring students to remain off campus due to safety concerns caused by COVID-19, an infectious disease; and

Whereas, students and staff and faculty of these institutions may be financially affected by the temporary suspensions; and

Whereas, this legislation must take effect before the end of the 90-day period to address, as soon as possible, the financial effects on students and staff and faculty; 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-A MRSA §10015 is enacted to read:

§10015. Temporary suspension of classes due to infectious disease

1. Reimbursement. A postsecondary educational institution in the State that temporarily suspends classes and requires students to remain off campus due to safety concerns caused by an infectious disease, including the novel coronavirus disease referred to as COVID-19 by the World Health Organization and referred to in this section as "COVID-19," shall reimburse a student on a pro rata basis any unused fees previously paid to the institution by the student, including, but not limited to, the cost of room and board and fees for parking, student activities, labs and technology and, if classes are not conducted remotely or through an alternate method as determined appropriate by the institution, tuition.

2. Plan for certain students' housing and dining. A postsecondary educational institution in the State that temporarily suspends classes and requires students to remain off campus due to safety concerns caused by an infectious disease, including COVID-19, shall develop a plan to allow certain students, based on a student's individual circumstances, to remain on campus and to provide housing and dining options to those students.

3. Plan for staff and faculty. A postsecondary educational institution in the State that temporarily suspends classes and requires staff and faculty to remain off campus due to safety concerns caused by an infectious disease, including COVID-19, shall develop a plan, in consultation with the department and the Department of Labor, to compensate staff and faculty for lost compensation due to the temporary suspension.

Sec. 2. Retroactivity. This Act applies retroactively to February 1, 2020.
Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

This bill requires a postsecondary educational institution in the State that temporarily suspends classes and requires students, staff and faculty to remain off campus due to an infectious disease, including COVID-19, to:

1. Reimburse students on a pro rata basis any unused fees previously paid to the institution by the student, and, if classes are not conducted remotely or through an alternate method as determined appropriate by the institution, tuition;

2. Develop a plan to allow certain students, based on a student's individual circumstances, to remain on campus and to provide housing and dining options to those students; and

3. Develop a plan, in consultation with the Department of Labor and the Department of Education, to compensate staff and faculty for lost compensation due to the temporary suspension.

This bill applies retroactively to February 1, 2020.