An Act To Establish the Summer Success Pilot Program Fund

Received by the Clerk of the House on January 11, 2021. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

ROBERT B. HUNT
Clerk

Presented by Representative PIERCE of Falmouth.
Be it enacted by the People of the State of Maine as follows:

Sec. 1. 20-A MRSA c. 317, sub-c. 1 is enacted by adding before section 8801 the following to read:

**SUBCHAPTER 1**

**SUMMER SCHOOLS**

Sec. 2. 20-A MRSA c. 317, sub-c. 2 is enacted to read:

**SUBCHAPTER 2**

**SUMMER SUCCESS PILOT PROGRAM FUND**

§8811. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Program fund. "Program fund" means the Summer Success Pilot Program Fund established in section 8812.

2. Summer success pilot program. "Summer success pilot program" means a pilot program offered by a public school that provides traditional and alternative teaching methods to ensure that every student has access to a high-quality extended school year program that helps the student improve the student's academic achievement and addresses the needs of the student to demonstrate content area proficiency based on the student's grade level.

§8812. Summer Success Pilot Program Fund

1. Establishment. The Summer Success Pilot Program Fund is established as a General Fund carrying account within the department to be directed and administered by the commissioner and held by the Treasurer of State.

2. Sources of money. Money appropriated from the General Fund may be paid into the program fund.

3. Application of program fund. Money in the program fund must be continuously applied by the commissioner to carry out this section and may not be used for any other purpose. A school administrative unit shall ensure that program funds made available to the school administrative unit to provide grants for access to summer success pilot programs for elementary and secondary school students supplement and do not supplant federal funding.

§8813. Standards; approval

The commissioner shall use the program fund to encourage the facilitation of high-quality summer success pilot programs in school administrative units throughout the State.

1. Standards. The commissioner shall establish standards for summer success pilot programs consistent with the basic school approval requirements as set forth in subchapter 1 for summer school programs offered at elementary or secondary schools in the State.
establishing standards for summer success pilot programs, the commissioner may also consider the following:

A. Guidelines similar to, but not identical with, the requirements of the community learning centers program authorized under Title IV, Part B of the federal Elementary and Secondary Education Act of 1965, as amended by the federal Every Student Succeeds Act, 20 United States Code, Chapter 70, to help students improve their academic achievement by providing educational opportunities that close the achievement gap between high-performing and low-performing students, including the gap between economically disadvantaged students and their peers;

B. Effective models of summer success programs that improve student achievement, including model programs that involve networking and partnerships with community-based organizations that provide a range of high-quality services to support student learning and development. In order to partner with a summer success pilot program, a community-based organization must be exempt from federal income taxation under the United States Internal Revenue Code of 1986, Section 501(a), pursuant to the United States Internal Revenue Code of 1986, Section 501(c)(3); and

C. Implementation of the formative and summative assessment methods used by a school administrative unit during the school year to measure student achievement in order to monitor the progress of students in that school administrative unit who are participating in the summer success pilot programs.

2. Approval. A summer success pilot program may be offered by a school administrative unit with the approval of the commissioner. The commissioner may inspect a summer success pilot program, after which the commissioner shall approve and grant a certificate to a school that maintains approval standards under subsection 1. The department shall pay the expense of the inspection.

§8814. Program fund grants; eligibility

1. Program fund grants. Beginning in fiscal year 2021-22 and each subsequent year, the department, through a grant application process, shall provide from the program fund funding to cover 90% of the costs of summer success pilot programs in school administrative units. Those school administrative units with greater than 50% student participation in the federal free and reduced-price lunch program pursuant to section 6602, subsection 1, paragraph A must be given priority in the distribution of funding from the program fund.

2. Eligibility. To receive program fund money, a school administrative unit must be in compliance with any applicable standards and program requirements for summer success pilot programs established by the commissioner pursuant to section 8813.

§8815. Report

The department shall report by June 30, 2022 and annually thereafter to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs on the number of school administrative units administering summer success pilot programs, the nature of the summer success pilot programs receiving money from the program fund, the amount of money distributed and the number of children participating in a summer success pilot program. The report must also include a recommendation on
whether the summer success pilot program should continue as a pilot program, be modified or become a permanent program.

Sec. 3. 20-A MRSA §15688-A, sub-§10 is enacted to read:

10. Summer success pilot programs. Beginning in fiscal year 2021-22 and for each subsequent fiscal year, the commissioner may expend and disburse funds to provide grants for access to summer success pilot programs for elementary and secondary school students pursuant to chapter 317, subchapter 2. The amounts of the grant funding provided to qualified school administrative units pursuant to chapter 317, subchapter 2 are limited to the amounts appropriated, allocated or authorized by the Legislature for the operation of summer success pilot programs. Any balance of funds appropriated, allocated or authorized by the Legislature remaining at the end of a fiscal year do not lapse and are carried forward to the next fiscal year to carry out the purposes of chapter 317, subchapter 2.

Sec. 4. Appropriations and allocations. The following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

Summer Success Pilot Program Fund N311

Initiative: Provides ongoing funding for the Summer Success Pilot Program Fund.

<table>
<thead>
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<th>GENERAL FUND</th>
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<tr>
<td>All Other</td>
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<tr>
<td>GENERAL FUND TOTAL</td>
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SUMMARY

This bill establishes the Summer Success Pilot Program Fund and requires the Commissioner of Education to use the fund to encourage the facilitation of high-quality summer success pilot programs in school administrative units throughout the State and does the following:

1. It provides that the fund is established as a General Fund carrying account within the Department of Education to be directed and administered by the commissioner and held by the Treasurer of State and that only General Fund appropriations may be paid into the fund;

2. It requires the commissioner to establish standards and approval for the allocation and use of fund money for summer success pilot programs offered at elementary and secondary schools in the State. It also allows the commissioner to include the following in the standards:

A. Guidelines similar to those of the federal 21st Century Community Learning Centers program to close the achievement gap between high-performing and low-performing students;

B. Effective models of summer success programs that involve networking and partnerships with community-based organizations that provide a range of high-quality services to support student learning and development; and
C. Implementation of the formative and summative assessment methods to measure student achievement in order to monitor the progress of students participating in summer success pilot programs;

3. It provides that, beginning in fiscal year 2021-22, the department is required to provide grant funding from the fund, through a grant application process, to cover 90% of the costs of summer success pilot programs and that the department must prioritize distribution of funding to school administrative units with greater than 50% student participation in the federal free and reduced-price lunch program;

4. It adds the fund to the enhancing student performance and opportunity provisions of the Essential Programs and Services Funding Act; and

5. It requires the commissioner to annually report to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs on the number of school administrative units administering summer success pilot programs, the nature of the summer success pilot programs receiving money from the fund, the amount of money distributed and the number of children participating in a summer success pilot program. The report must also include a recommendation on whether the pilot program should continue as a pilot program, be modified or become a permanent program.