

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Amend Standards for Participation in Certain Public School Services by Students Who Are Homeschooled**

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

**Sec. 1. 20-A MRSA §5021, sub-§3**, as enacted by PL 1995, c. 610, §1, is repealed and the following enacted in its place:

**3. Special education services.** For purposes of eligibility for special education services and reimbursement, students receiving home-school instruction are treated the same as subsidizable pupils, with the following conditions:

A. The special education services must be provided on premises of the school administrative unit or another location mutually agreed upon by the parent or guardian of the student and the school administrative unit;

B. Notwithstanding any provision of law to the contrary, the school administrative unit providing the special education services is entitled to receive state subsidy for the student. The rate of reimbursement must be based on the average amount of time per day that the student receives special education services.

For purposes of this subsection, "subsidizable pupils" has the same meaning as in section 15672, subsection 32.

**Sec. 2. 20-A MRSA §5021, sub-§9** is enacted to read:

**9. Participation in postsecondary enrollment.** A student receiving home-school instruction is eligible to receive a state subsidy for postsecondary courses, as specified in section 4775, if the following requirements are satisfied.

A. The eligible institution has space available for the student;

B. The eligible institution has determined that the student has satisfactorily completed all course prerequisites;

C. The student's parent approves; and

D. The student has received a recommendation to take a postsecondary course or courses at an eligible institution from the school administrative unit in which the student resides following an assessment of the student by the school administrative unit. The assessment must include a review and approval of the letter and annual assessment provided pursuant to section 5001-A, subsection 3, paragraph A, subparagraph (4), division (b).

A student receiving home-school instruction who meets the requirements of this subsection is eligible to participate in postsecondary courses at an eligible institution, as defined in section 4771, subject to the requirements and conditions of sections 4772, 4774, 4775 and 4776.

## **SUMMARY**

This bill allows a student who is homeschooled to obtain special education services from a school administrative unit and allows the school administrative unit to receive state reimbursement for the provision of those services. This bill also allows a student who is homeschooled to receive reimbursement from a school administrative unit of 50% of the tuition costs for attendance in postsecondary courses as long as the student meets the same relevant criteria as a student at a secondary school in that school administrative unit.