

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 Reduce the Burden on Local Communities of Transportation Costs for Special Needs Students**

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

**Sec. 1. 20-A MRSA §15681-A, sub-§2-B** is enacted to read:

**2-B. Costs for special education transportation services.** Beginning in fiscal year 2016-17, the commissioner shall increase the total operating allocation for each school administrative unit that incurs special education costs that exceed \$20,000 annually for transportation services that are required to assist a child with a disability to benefit from the child's special education program under chapter 301. Notwithstanding any other section of this Title, the department shall pay 100% of the costs authorized by this subsection for special education transportation services that exceed \$20,000 annually for the child's education for each eligible child with a disability within the jurisdiction of the school administrative unit.

**Sec. 2. 20-A MRSA §15686-A**, as enacted by PL 2005, c. 519, Pt. AAAA, §12, is amended to read:

### **§ 15686-A. Review of essential programs and services components**

**1. Components to be reviewed beginning in fiscal year 2006-07.** Beginning in fiscal year 2006-07, and at least every 3 years thereafter, the commissioner, using information provided by a statewide education policy research institute, shall review the essential programs and services student-to-staff ratios, salary and benefits matrices, transportation, small schools adjustments, labor markets and gifted and talented components under this chapter and shall submit a report that includes the statewide education policy research institute's findings and recommendations as well as any recommended changes for legislative action to the joint standing committee of the Legislature having jurisdiction over education matters ~~any recommended changes for legislative action.~~

**2. Components to be reviewed beginning in fiscal year 2007-08.** Beginning in fiscal year 2007-08, and at least every 3 years thereafter, the commissioner, using information provided by a statewide education policy research institute, shall review the essential programs and services career and technical education, special education, specialized student populations, system administration and operations and maintenance components under this chapter and shall submit a report that includes the statewide education policy research institute's findings and recommendations as well as any recommended changes for legislative action to the joint standing committee of the Legislature having jurisdiction over education matters ~~any recommended changes for legislative action.~~

**3. Components to be reviewed beginning in fiscal year 2008-09.** Beginning in fiscal year 2008-09, and at least every 3 years thereafter, the commissioner, using information provided by a statewide education policy research institute, shall review the essential programs and services

professional development, student assessment, technology, leadership support, cocurricular and extra-curricular activities and supplies and equipment components under this chapter and shall submit a report that includes the statewide education policy research institute's findings and recommendations as well as any recommended changes for legislative action to the joint standing committee of the Legislature having jurisdiction over education matters any recommended changes for legislative action.

**4. Annual report.** Within 15 business days of the convening of a regular legislative session, the commissioner shall submit the report on the essential programs and services components required by this section for the current fiscal year to the joint standing committee of the Legislature having jurisdiction over education matters.

A. Beginning with the annual report due before January 2016 for the components reviewed during fiscal year 2015-16, the report submitted by the commissioner must also include a work plan that specifies the components to be reviewed during the next fiscal year. Except as provided in paragraph B, the commissioner shall conduct the component review in accordance with subsections 1 to 3.

B. If the work plan submitted by the commissioner pursuant to paragraph A proposes any changes to the component review schedule established for the next fiscal year pursuant to subsections 1 to 3, the commissioner shall provide the reason for each requested change in the report submitted to the joint standing committee of the Legislature having jurisdiction over education matters. Within 15 business days after the date that the report was submitted by the commissioner, the joint standing committee shall consider the proposed changes to the component review schedule specified in the work plan and the joint standing committee may:

(1) Approve in writing the proposed changes to the component review schedule specified in the work plan proposed by the commissioner;

(2) Approve in writing modifications to the proposed changes to the component review schedule specified in the work plan proposed by the commissioner; or

(3) Disapprove in writing the proposed changes to the component review schedule specified in the work plan proposed by the commissioner and require that the commissioner conduct the component review in accordance with the schedule as set forth in this section.

If the joint standing committee approves modifications to the component review schedule pursuant to subparagraph (2), the commissioner shall submit an updated work plan that contains the approved modifications to the joint standing committee within 15 business days after the date the joint standing committee approved the modifications.

## SUMMARY

This bill proposes to limit the costs for special education transportation services for each school administrative unit that incurs special education costs that exceed \$20,000 for transportation services required to assist a child with a disability. The bill provides that the Commissioner of Education must pay 100% of the costs authorized for special education transportation services that exceed \$20,000 annually for each eligible child with a disability within the jurisdiction of the school administrative unit.

The bill also amends the statutes related to the annual review of the essential programs and services components required by the Maine Revised Statutes, Title 20-A, section 15686-A by requiring the Commissioner of Education to submit an annual report on the components scheduled for review every 3 years, including a work plan that specifies the components to be reviewed during the next fiscal year, to the joint standing committee of the Legislature having jurisdiction over education matters. If the work plan is inconsistent with the components scheduled for review, the commissioner shall provide the reason for each requested change in the report submitted to the joint standing committee, and the joint standing committee is authorized to approve in writing the proposed changes to the component review schedule specified in the work plan.