

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 Clarify the Laws Regarding Education in the Unorganized Territories

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

Sec. 1. 20-A MRSA §3251, as amended by PL 2001, c. 454, §11, is further amended to read:

§ 3251. School privileges in the unorganized territories

Subject to such reasonable rules as the commissioner may adopt, all persons who have attained the age of 5 years on October 15th and have not reached 20 years of age before the start of the school year and who reside with a parent in the unorganized territory or who are resident emancipated minors or residents at least 18 years old are eligible to attend elementary and secondary schools and to receive appropriate special education and related services without charge to themselves or their parents. Education must be provided in alignment with the system of learning results as established in section 6209 under the direction of the commissioner, must meet the requirements of section 4722-A and must meet the general standards for elementary and secondary schooling and special education established pursuant to this Title.

Sec. 2. 20-A MRSA §3301, sub-§§1 and 2, as amended by PL 1985, c. 490, §9, are repealed.

Sec. 3. 20-A MRSA §3301, sub-§2-A is enacted to read:

2-A. Administrative services. The commissioner shall make contractual arrangements for school administrative services for the unorganized territory with neighboring school administrative units.

Sec. 4. 20-A MRSA §3351, sub-§6 is enacted to read:

6. Finance report. By June 30, 2018 and annually thereafter, the department shall for that completed fiscal year report the amount appropriated under subsection 1, expended under subsection 2 and carried forward under subsection 3-A, as well as any gifts and bequests credited under subsection 4, to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs and publish the report on the department's publicly accessible website.

Sec. 5. 20-A MRSA §6209, first ¶, as amended by PL 2015, c. 489, §3, is further amended to read:

The department in consultation with the state board shall establish and implement a comprehensive, statewide system of learning results, which may include a core of standards in English language arts and mathematics for kindergarten to grade 12 established in common with the other states, as set forth in this section and in department rules implementing this section and other curricular requirements. The department must establish accountability standards at all grade levels in the areas of mathematics; reading; and science and technology. The department shall establish parameters for essential instruction in English language arts; mathematics; science and technology; social studies; career and education development; visual and performing arts; health, physical education and wellness; and world languages. Only a public school, a public charter school as defined in section 2401, subsection 9, a public school located in an

unorganized territory or a private school approved for tuition purposes that enrolls at least 60% publicly funded students, as determined by the previous school year's October and April average enrollment, is required to participate in the system of learning results set forth in this section and in department rules implementing this section and other curricular requirements. The commissioner shall develop accommodation provisions for instances where course content conflicts with sincerely held religious beliefs and practices of a student's parent or guardian. The system must be adapted to accommodate children with disabilities as defined in section 7001, subsection 1-B.

Sec. 6. 20-A MRS §6214, first ¶, as enacted by PL 2015, c. 500, §1, is amended to read:

Beginning with the 2018-2019 school year, for public schools, public charter schools, public schools located in an unorganized territory and private schools approved for tuition purposes that enroll at least 60% publicly funded students, the commissioner shall implement a school accountability system to measure school performance and student proficiency in achieving the knowledge and skills described in the parameters for essential instruction and graduation requirements established under section 6209, subsection 2 and that meets the reporting requirements of the federal Every Student Succeeds Act of 2015, 20 United States Code, Section 6311(h) and related regulations.

SUMMARY

This bill clarifies the following state laws related to education in the unorganized territories.

1. It requires the Department of Education to collect and publish academic outcome data for any public school located in an unorganized territory. The data must be collected and published in accordance with existing kindergarten to grade 12 educational reporting guidelines.

2. It requires the Department of Education to develop and publish budget data for any public school located in an unorganized territory. The data must be collected and published in accordance with existing kindergarten to grade 12 educational reporting guidelines.

3. It eliminates the Commissioner of Education's power to appoint agents and special attendance officers in the unorganized territories and requires that the Department of Education contract for school administrative services for the unorganized territories with neighboring school administrative units.

4. It provides that public schools located in unorganized territories are subject to the requirements of the system of learning results.