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**EDUCATION AND CULTURAL AFFAIRS**

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**STATE OF MAINE  
SENATE  
125TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 206, L.D. 675, Bill, “An Act To Establish Multidistrict Online Classes in Maine”

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

**Sec. 1. 20-A MRSA §19154, sub-§2**, as enacted by PL 2009, c. 330, §4, is amended to read:

**2. Eligibility.** A kindergarten to grade 12 student enrolled in a public school residing in the State who is 20 years of age or younger is eligible to enroll in the program.

A. Beginning in the 2012-2013 school year, a student is eligible to enroll in an online learning program or course that is offered by a school in a school administrative unit, a private school approved for tuition purposes that enrolls at least 60% publicly funded students or an online learning provider approved by the department in accordance with section 19153. A student may enroll in an online course as long as:

(1) The online course is consistent with the content standards and the parameters for essential instruction established pursuant to section 6209;

(2) The student notifies the school administrative unit in which the student resides by the April 1st before the start of the school year that the student elects to take one or more online courses during the school year; and

(3) One or more of the following conditions exist:

(a) The course is not available to the student in the school administrative unit where the student is enrolled, either because the course is not offered locally or because a scheduling conflict prevents the student from enrolling in the course during the upcoming school year;

(b) The student was not successful in completing the course previously and is unable to retake the course locally with a different teacher; or

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1                    (c) The student receives permission from the superintendent of the school  
2                    administrative unit in which the student resides.

3                    This paragraph is repealed July 1, 2015.

4                    B. Beginning in the 2012-2013 school year, if the student is enrolled in a full course  
5                    load without the online course, the student must receive approval to enroll in the  
6                    online course from the superintendent of the school administrative unit in which the  
7                    student resides.

8                    This paragraph is repealed July 1, 2015.

9                    **Sec. 2. 20-A MRSA §19154, sub-§3**, as enacted by PL 2009, c. 330, §4, is  
10                    amended to read:

11                    **3. Agreements to share access to programs and courses.** ~~School~~ Notwithstanding  
12                    any other provision of this section, school administrative units may develop agreements  
13                    to share access to online learning courses and programs ~~offered by other school~~  
14                    administrative units.

15                    **Sec. 3. 20-A MRSA §19154, sub-§§5 and 6** are enacted to read:

16                    **5. Pilot project for full-time online enrollment.** A student may enroll full-time in  
17                    an online program during the 2012-2013 school year, the 2013-2014 school year and the  
18                    2014-2015 school year, as long as:

19                    A. Each course in the online program meets the requirements of subsection 2,  
20                    paragraph A, subparagraph (1);

21                    B. The student notifies the school administrative unit in which the student resides by  
22                    the April 1st before the start of the school year that the student elects to enroll full-  
23                    time in an online program;

24                    C. No more than 5% of students in a school administrative unit are enrolled full-time  
25                    in an online program; and

26                    D. The total cost for the online program taken by an individual student does not  
27                    exceed the state average tuition rate calculated under section 5804 for elementary  
28                    students or section 5805 for secondary students.

29                    In the case of a school administrative unit that offers an online program exclusively to  
30                    students who reside, and whose parents reside, outside of the State, those students are not  
31                    subject to the cost limitation in paragraph D.

32                    This subsection is repealed July 1, 2015.

33                    **6. Funding.** A school administrative unit shall provide payments for students who  
34                    meet the eligibility requirements set forth in subsection 2 to enroll in an online learning  
35                    program or course as follows.

36                    A. A school administrative unit shall provide at least \$5,000 in payments each year  
37                    for all eligible students to enroll as part-time students in an online learning program  
38                    or course.

39                    B. Funds made available for eligible students under this section may be provided  
40                    from one or more of the following sources of funds:

1           (1) State subsidy payments allocated to the school administrative unit pursuant to  
2           chapter 606-B, including targeted technology resource funds allocated to the  
3           school administrative unit pursuant to section 15681; and

4           (2) Revenues from local, state, federal or other sources that are appropriated,  
5           allocated, granted or donated to the school administrative unit and that may be  
6           used for the purposes set forth in this section.

7           C. The school administrative unit may authorize an expenditure of funds received by  
8           the school administrative unit under paragraph B that exceeds \$5,000 when the  
9           superintendent provides permission for an eligible student to enroll in an online  
10          program or course pursuant to this section.

11          This subsection is repealed July 1, 2015.

12          **Sec. 4. 20-A MRSA §19154-A** is enacted to read:

13          **§19154-A. School administrative unit online learning program**

14          **1. Course offerings.** A school administrative unit may offer an online learning  
15          program to students in other school administrative units within and outside of the State as  
16          long as:

17          A. The provider of the online learning program is either a school administrative unit  
18          in the State, a private school approved for tuition purposes that enrolls at least 60%  
19          publicly funded students or an online learning provider approved by the department  
20          in accordance with section 19153;

21          B. The school administrative unit offering the online learning program provides  
22          public notice of the availability of the program through the department website  
23          established pursuant to subsection 2;

24          C. If a program is oversubscribed, the school administrative unit shall give  
25          preference first to a student who is a resident of the school administrative unit and  
26          2nd to other public school students in this State who are not residents of the school  
27          administrative unit through the use of a random lottery to select among students;

28          D. A teacher employed by a school administrative unit or a private school approved  
29          for tuition purposes that enrolls at least 60% publicly funded students and provides  
30          instruction through an online learning program to students must hold a valid teaching  
31          certificate in each content area being taught or receive approval from the  
32          commissioner to teach a course; and

33          E. A teacher employed by a school administrative unit or a private school approved  
34          for tuition purposes that enrolls at least 60% publicly funded students must receive  
35          appropriate preservice and in-service training pertaining to the organization of the  
36          online classroom, programs and courses, the technical aspects of online education,  
37          the monitoring of student assessment and other pertinent training.

38          In the case of a school administrative unit that offers an online learning program or  
39          course exclusively to students who reside, and whose parents reside, outside of the State,  
40          those students are not subject to the lottery and enrollment preference provisions  
41          established for an oversubscribed program in paragraph C.



