



# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

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Legislative Document

No. 1281

S.P. 456

In Senate, April 9, 2015

### **An Act To Reduce the Burden on Local Communities of Transportation Costs for Special Needs Students**

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Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator HAMPER of Oxford.  
Cosponsored by Representative GINZLER of Bridgton and  
Senator: LANGLEY of Hancock, Representative: WADSWORTH of Hiram.

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

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

3 **2-B. Costs for special education transportation services.** Beginning in fiscal year  
4 2016-17, the commissioner shall increase the total operating allocation for each school  
5 administrative unit that incurs special education costs that exceed \$20,000 annually for  
6 transportation services that are required to assist a child with a disability to benefit from  
7 the child's special education program under chapter 301. Notwithstanding any other  
8 section of this Title, the department shall pay 100% of the costs authorized by this  
9 subsection for special education transportation services that exceed \$20,000 annually for  
10 the child's education for each eligible child with a disability within the jurisdiction of the  
11 school administrative unit.

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

14 **§15686-A. Review of essential programs and services components**

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

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

35 **3. Components to be reviewed beginning in fiscal year 2008-09.** Beginning in  
36 fiscal year 2008-09, and at least every 3 years thereafter, the commissioner, using  
37 information provided by a statewide education policy research institute, shall review the  
38 essential programs and services professional development, student assessment,  
39 technology, leadership support, cocurricular and extra-curricular activities and supplies  
40 and equipment components under this chapter and shall submit a report that includes the  
41 statewide education policy research institute's findings and recommendations as well as

1 any recommended changes for legislative action to the joint standing committee of the  
2 Legislature having jurisdiction over education matters ~~any recommended changes for~~  
3 ~~legislative action.~~

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

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

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

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

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

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

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

## 34 SUMMARY

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

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