

CHAPTER 1083**OUT-OF-SCHOOL PROGRAM****§4100-A. Definitions**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 2025, c. 501, §1 (NEW).]

1. At-risk school-age youth. "At-risk school-age youth" means a school-age youth who is at risk of educational failure because of limited English proficiency, community factors, academic difficulties or economic disadvantage.

[PL 2025, c. 501, §1 (NEW).]

2. Community-based nonprofit organization. "Community-based nonprofit organization" means a qualified nonprofit organization incorporated under federal law or under the laws of this State and subject to the provisions of Title 13, chapter 81 or the Maine Nonprofit Corporation Act that provides out-of-school programming to school-age youth. "Community-based nonprofit organization" includes the following entities:

A. A community-based nonprofit organization that is not a member of a statewide youth-serving nonprofit organization; [PL 2025, c. 501, §1 (NEW).]

B. A statewide youth-serving nonprofit organization; and [PL 2025, c. 501, §1 (NEW).]

C. A coalition of at least 3 nonprofit organizations that provide youth services in a specific geographic region. [PL 2025, c. 501, §1 (NEW).]

[PL 2025, c. 501, §1 (NEW).]

3. Eligible provider. "Eligible provider" means a community-based nonprofit organization, a library or a statewide youth-serving nonprofit organization.

[PL 2025, c. 501, §1 (NEW).]

4. Out-of-school programming. "Out-of-school programming" means structured programs or activities with engaged adults, mentors and evidence-based or evidence-informed outcomes provided to school-age youth before school, after school or during the summer and relating to one of more of the following:

A. Improving social, emotional, academic or vocational competencies; [PL 2025, c. 501, §1 (NEW).]

B. Preventing teenage pregnancies; [PL 2025, c. 501, §1 (NEW).]

C. Reducing negative behaviors, such as violence and crime; tobacco, alcohol and other substance use; disengagement from school; behaviors leading to school suspension; truancy; and other health-compromising behaviors; [PL 2025, c. 501, §1 (NEW).]

D. Providing a safe out-of-school environment; [PL 2025, c. 501, §1 (NEW).]

E. Engaging in career exploration or formal or informal apprenticeships; and [PL 2025, c. 501, §1 (NEW).]

F. Any other programming approved by the department. [PL 2025, c. 501, §1 (NEW).]
[PL 2025, c. 501, §1 (NEW).]

5. Program. "Program" means the Building Opportunity Through Out-of-school Time Program.
[PL 2025, c. 501, §1 (NEW).]

6. School-age youth. "School-age youth" means a child 5 to 13 years of age and attending a kindergarten, elementary school or secondary school at which the compulsory attendance requirements of the State can be met pursuant to Title 20-A, section 5001-A.
[PL 2025, c. 501, §1 (NEW).]

7. Statewide youth-serving nonprofit organization. "Statewide youth-serving nonprofit organization" means a statewide, qualified nonprofit organization incorporated under federal law or under the laws of this State and subject to the provisions of Title 13, chapter 81 or the Maine Nonprofit Corporation Act that serves community-based nonprofit organizations and supports facility-based out-of-school programming designed for recreational, educational and character-building purposes for school-age youth.
[PL 2025, c. 501, §1 (NEW).]

SECTION HISTORY

PL 2025, c. 501, §1 (NEW).

§4100-B. Building Opportunity Through Out-of-school Time Program

The Building Opportunity Through Out-of-school Time Program is established in the department as a competitive grant program to expand out-of-school programming by increasing or enhancing current programming, reducing barriers for access to out-of-school programming and creating new programming. [PL 2025, c. 501, §1 (NEW).]

1. Building Opportunity Through Out-of-school Time Program Fund. The Building Opportunity Through Out-of-school Time Program Fund is established as a nonlapsing fund to provide funding to achieve the purposes of the program. The fund consists of any funds received from private and public sources. The fund must be held separate from all other money, funds and accounts. Any balance remaining in the fund at the end of any fiscal year must be carried forward to the next fiscal year.
[PL 2025, c. 501, §1 (NEW).]

2. Duties of the department. The department shall:

A. Establish by rule the process through which eligible providers may apply for program grants, the criteria used to make program grant award determinations and the allowable program grant award uses; [PL 2025, c. 501, §1 (NEW).]

B. Enter into agreements with 3rd-party entities, including intermediate units, to carry out the provisions of this chapter; [PL 2025, c. 501, §1 (NEW).]

C. Establish guidelines and standards necessary to implement the provisions of this chapter; [PL 2025, c. 501, §1 (NEW).]

D. Publish the process, criteria and uses of program grant funds on its publicly accessible website; [PL 2025, c. 501, §1 (NEW).]

E. Annually publish the program grant awards organized by grantee, on its publicly accessible website; [PL 2025, c. 501, §1 (NEW).]

F. Ensure program grant agreements allow individuals receiving services pursuant to program grant awards to remain eligible for funds under chapter 1053-B; [PL 2025, c. 501, §1 (NEW).]

G. Leverage federal funding opportunities to the extent practicable to fund the grant program; and [PL 2025, c. 501, §1 (NEW).]

H. Perform other functions necessary to carry out the provisions of this chapter, including monitoring grantees. [PL 2025, c. 501, §1 (NEW).]
[PL 2025, c. 501, §1 (NEW).]

3. Rules. The department shall adopt rules to implement the program. The rules must include grantee eligibility requirements, grant application and award procedures and grant funding limits. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[PL 2025, c. 501, §1 (NEW).]

4. Implementation. The department may not take steps to implement the program until the Legislature provides funding sufficient for the department to issue the grant awards outlined in section 4100-C.

[PL 2025, c. 501, §1 (NEW).]

SECTION HISTORY

PL 2025, c. 501, §1 (NEW).

§4100-C. Building Opportunity Through Out-of-school Time Program grant awards

This section governs grant awards under the program. [PL 2025, c. 501, §1 (NEW).]

1. Grant awards. The department shall award grants to the extent that funds are appropriated or allocated to the Building Opportunity Through Out-of-school Time Program Fund under section 4100-B, subsection 1. A program grant award may not exceed a grantee's total cost of operating its out-of-school programming.

[PL 2025, c. 501, §1 (NEW).]

2. Subgrants. Statewide youth-serving nonprofit organizations that are awarded program grant funds may award subgrants to member and partner nonprofit organizations. Statewide youth-serving nonprofit organizations are responsible for the performance of all subgrantees for the duration of the grant award's project period, including ensuring compliance with all program and fiscal reporting, monitoring and other requirements. Organizations that receive subgrants are ineligible to receive program grant awards as direct grantees.

[PL 2025, c. 501, §1 (NEW).]

3. Funding priorities. To the greatest extent practicable, in making program grant award determinations, the department shall give priority to eligible providers that:

A. Are currently in operation and have an established history of receiving government funding, have demonstrated the ability to meet necessary program compliance requirements and have satisfactorily implemented previous programs; [PL 2025, c. 501, §1 (NEW).]

B. Demonstrate a commitment to reducing barriers to access, including transportation costs and enrollment costs, for and serving at-risk school-age youth, students experiencing homelessness, youth in foster care and students with disabilities; [PL 2025, c. 501, §1 (NEW).]

C. Demonstrate a commitment to serving and increasing access for historically underrepresented and underserved school-age youth; [PL 2025, c. 501, §1 (NEW).]

D. Offer weekly out-of-school programming; [PL 2025, c. 501, §1 (NEW).]

E. Develop and maintain community coordination and partnerships; [PL 2025, c. 501, §1 (NEW).]

F. Engage the target population and other stakeholders in the development and implementation of out-of-school programming; [PL 2025, c. 501, §1 (NEW).]

G. Use program grant funds to supplement, rather than supplant, existing resources; [PL 2025, c. 501, §1 (NEW).]

H. Integrate trauma-informed approaches into the program curriculum and the professional development curriculum of personnel who have regular contact with school-age youth; or [PL 2025, c. 501, §1 (NEW).]

I. Represent a variety of geographic regions throughout the State. [PL 2025, c. 501, §1 (NEW).]
[PL 2025, c. 501, §1 (NEW).]

4. Grantee requirements. The department shall require that a grantee of a program grant award:

A. Maintain a separate financial accounting in the grantee's budget to facilitate monitoring and auditing of the use of program funds; [PL 2025, c. 501, §1 (NEW).]

B. Cap administrative costs associated with the implementation of the program grant to 10% of the total award; and [PL 2025, c. 501, §1 (NEW).]

C. Commit to nondiscrimination against individuals or groups by reason of race, color, familial status, religion, ancestry, age, sex, sexual orientation, gender identity or expression, national origin, disability, the use of guide or support animals because of blindness or deafness or physical disability of the user or because the user is a handler or trainer of guide animals. [PL 2025, c. 501, §1 (NEW).]

[PL 2025, c. 501, §1 (NEW).]

SECTION HISTORY

PL 2025, c. 501, §1 (NEW).

§4100-D. Reporting requirements

1. Reporting. Each February 1st after a fiscal year in which funding is appropriated or allocated for the purpose of providing program grant awards to eligible providers under this chapter, the department shall submit a report to the joint standing committee of the Legislature having jurisdiction over health and human services matters summarizing the operation of the program for the immediately preceding fiscal year. The report must include:

A. The criteria used to determine the eligibility of applicants for funding under the program; [PL 2025, c. 501, §1 (NEW).]

B. The criteria used to select eligible providers for program grant awards and determine the program grant amount; [PL 2025, c. 501, §1 (NEW).]

C. A summary of the process used by eligible applicants to apply for program grant funds, including sample copies of all application forms, instructions and guidelines and all deadlines; [PL 2025, c. 501, §1 (NEW).]

D. A summary of the total amount of grant funds paid to grantees; [PL 2025, c. 501, §1 (NEW).]

E. A summary of the allowable uses of grant funds under the program; [PL 2025, c. 501, §1 (NEW).]

F. A listing by county of each eligible provider that submitted a grant application and an indication of whether the provider received funding and in what amount; and [PL 2025, c. 501, §1 (NEW).]

G. For each grantee, the following information:

- (1) The grantee's name;
- (2) The grantee's address;
- (3) The number of school-age youth served through the program by grade level;
- (4) The number of at-risk school-age youth served through the program by grade level;
- (5) The uses of program funds;

(6) To the extent possible, a financial summary indicating the total expenditures on out-of-school programming of the grantee and indicating as components of those expenditures the total revenues received from the State under the program and the total revenues received from families with school-age youth enrolled in out-of-school programming; and

(7) The enrollment goals as set forth in the program grant application. [PL 2025, c. 501, §1 (NEW).]

[PL 2025, c. 501, §1 (NEW).]

2. Report out legislation. The joint standing committee of the Legislature having jurisdiction over health and human services matters may report out legislation relating to the report under subsection 1 in the year in which the report is presented to the committee.

[PL 2025, c. 501, §1 (NEW).]

SECTION HISTORY

PL 2025, c. 501, §1 (NEW).

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