

**§15689-B. Authorization and schedules of payment of state subsidy; appeals**

**1. Schedules of payment of unit allocation.** The commissioner shall authorize state subsidy payments to the school administrative units to be made in accordance with time schedules set forth in sections 15005, 15689-D and 15901 to 15910.

[PL 2005, c. 2, Pt. D, §61 (NEW); PL 2005, c. 2, Pt. D, §§72, 74 (AFF); PL 2005, c. 12, Pt. WW, §18 (AFF).]

**2. Notification of allocation; commissioner's duty; superintendent's duty.** The following provisions apply to notification of allocation by the commissioner and each superintendent.

A. The commissioner shall annually, prior to February 1st, notify each school board of the estimated amount to be allocated to the school administrative unit. [PL 2005, c. 2, Pt. D, §61 (NEW); PL 2005, c. 2, Pt. D, §§72, 74 (AFF); PL 2005, c. 12, Pt. WW, §18 (AFF).]

B. Each superintendent shall report to the municipal officers whenever the school administrative unit is notified of the allocation or a change is made in the allocation resulting from an adjustment. [PL 2005, c. 2, Pt. D, §61 (NEW); PL 2005, c. 2, Pt. D, §§72, 74 (AFF); PL 2005, c. 12, Pt. WW, §18 (AFF).]

[PL 2005, c. 2, Pt. D, §61 (NEW); PL 2005, c. 2, Pt. D, §§72, 74 (AFF); PL 2005, c. 12, Pt. WW, §18 (AFF).]

**2-A. Notification of state contribution to public charter schools.** The commissioner shall annually, prior to February 1st, notify the governing board of each public charter school of the estimated amount of state contribution to be allocated to the public charter school pursuant to section 15683-B and post these estimated contributions on the department's publicly accessible website. The posted state contributions must be itemized for each public charter school within a single table and include the complete totals allocated for each public charter school including the amounts directed to the Maine Charter School Commission. These tabulations must be maintained as yearly records and updated whenever the department recalculates any allocations.

[PL 2017, c. 284, Pt. C, §55 (AMD).]

**3. Payments of state subsidy to unit's treasurer; basis.** State subsidy payments must be made directly to the treasurer of each school administrative unit. The payments must be based on audited financial reports submitted by school administrative units.

[PL 2005, c. 2, Pt. D, §61 (NEW); PL 2005, c. 2, Pt. D, §§72, 74 (AFF); PL 2005, c. 12, Pt. WW, §18 (AFF).]

**4. Appeals.** A school board may appeal the computation of state subsidy for the school administrative unit to the state board in writing within 30 days of the date of the initial notification of the computed amount of the component that is the subject of this appeal. The state board shall review the appeal and make an adjustment if in its judgment an adjustment is justified. The state board's decision is final as to facts supported by the record of the appeal.

[PL 2009, c. 571, Pt. E, §24 (AMD).]

**5. School purpose expense requirement.** Notwithstanding any other law, money allocated for school purposes may be expended only for school purposes.

[PL 2005, c. 2, Pt. D, §61 (NEW); PL 2005, c. 2, Pt. D, §§72, 74 (AFF); PL 2005, c. 12, Pt. WW, §18 (AFF).]

**6. Balance of allocations.** Notwithstanding any other law, general operating fund balances at the end of a school administrative unit's fiscal year must be carried forward to meet the unit's needs in the next year or over a period not to exceed 3 years. Unallocated balances in excess of 5% of the previous fiscal year's school budget must be used to reduce the state and local share of the total allocation for the purpose of computing state subsidy. School boards may carry forward unallocated balances in excess of 5% of the previous year's school budget and disburse these funds in the next year or over a period

not to exceed 3 years. For fiscal years 2021-22, 2022-23, 2023-24 and 2024-25 only, unallocated balances in excess of 9% of the previous fiscal year's school budget must be used to reduce the state and local share of the total allocation for the purpose of computing state subsidy and school boards may carry forward unallocated balances in excess of 9% of the previous fiscal year's school budget and disburse these funds in the next year or over a period not to exceed 3 years.

[PL 2021, c. 213, §1 (AMD).]

**7. Required data; subsidy payments withheld.** A school administrative unit shall provide the commissioner with information that the commissioner requests to carry out the purposes of this chapter, according to time schedules that the commissioner establishes. The commissioner may withhold monthly subsidy payments from a school administrative unit when information is not filed in the specified format and with specific content and within the specified time schedules. If the school administrative unit files the information in the specified format, the department shall include the payment of the withheld subsidy in the next regularly scheduled monthly subsidy payment.

[PL 2011, c. 223, §2 (AMD).]

**7-A. Penalty for late submission of required data.** Notwithstanding any other provision of this Title, the commissioner may assess a subsidy penalty for a school administrative unit or career and technical education region that has not filed the required data pursuant to subsection 7 within 3 months of the due date in an amount equal to 1% of that unit's or region's monthly subsidy check times the number of months past due.

[PL 2021, c. 571, §35 (AMD).]

**8. Unobligated balances.** Unobligated balances from amounts appropriated for general purpose aid for local schools may not lapse but must be carried forward to the next fiscal year.

[PL 2005, c. 2, Pt. D, §61 (NEW); PL 2005, c. 2, Pt. D, §§72, 74 (AFF); PL 2005, c. 12, Pt. WW, §18 (AFF).]

**9. Career and technical education region.** This section applies to a career and technical education region in the same manner as to a school administrative unit.

[RR 2021, c. 2, Pt. A, §51 (COR).]

## SECTION HISTORY

PL 2005, c. 2, §D61 (NEW). PL 2005, c. 2, §§D72,74 (AFF). PL 2005, c. 12, §WW18 (AFF). PL 2007, c. 539, Pt. C, §§13, 14 (AMD). PL 2009, c. 213, Pt. C, §15 (AMD). PL 2009, c. 448, §2 (AMD). PL 2009, c. 571, Pt. E, §24 (AMD). PL 2009, c. 571, Pt. XXX, §1 (AMD). PL 2011, c. 223, §2 (AMD). PL 2015, c. 54, §7 (AMD). PL 2017, c. 284, Pt. C, §55 (AMD). PL 2021, c. 213, §1 (AMD). PL 2021, c. 571, §§35, 36 (AMD). RR 2021, c. 2, Pt. A, §51 (COR).

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