



# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 889

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H.P. 616

House of Representatives, March 5, 2013

### **An Act To Adjust Funding Forwarded from School Districts to Charter Schools**

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative BENNETT of Kennebunk. (BY REQUEST)

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

2 **Sec. 1. 20-A MRSA §2413, sub-§2, ¶A**, as amended by PL 2011, c. 679, §2, is  
3 further amended to read:

4 A. For each public charter school student, the school administrative unit in which the  
5 student resides must forward 50% of the per-pupil allocation to the public charter  
6 school attended by the student as follows.

7 (1) The per-pupil allocation amount is the EPS per-pupil rate for the school  
8 administrative unit in which the student resides, as calculated pursuant to section  
9 15676, based on the student's grade level and adjusted as appropriate for  
10 economic disadvantage and limited English proficiency pursuant to section  
11 15675, subsections 1 and 2. Debt service and capital outlays may not be included  
12 in the calculation of these per-pupil allocations. The department shall adopt rules  
13 governing how to calculate these per-pupil allocations, including those for career  
14 and technical education programs, targeted funds for assessment technology and  
15 kindergarten to grade 2 programs.

16 (2) For students attending public charter schools, the school administrative unit  
17 of residence shall forward the per-pupil allocations described in subparagraph (1)  
18 directly to the public charter school attended. These per-pupil allocations must  
19 be forwarded to each public charter school on a quarterly basis, as follows. For  
20 each fiscal year, allocations must be made in quarterly payments on September  
21 1st, December 1st, March 1st and June 1st. The September payment must be  
22 based on the number of students enrolled or anticipated to be enrolled in the  
23 public charter school at the opening of school for that school year, which may not  
24 exceed the maximum enrollment approved in the charter contract for that year  
25 unless a waiver is obtained from the authorizer. In February of the school year, if  
26 the number of students is higher or lower than the number of students at the  
27 beginning of the school year, adjustments must be made in the June payment,  
28 with ~~50%~~ 25% of the annual per-pupil allocation added for additional students or  
29 subtracted if the total number of students is lower.

30 (3) For transportation expenses, the average per-pupil expense in each school  
31 administrative unit of residence must be calculated and an amount equal to a  
32 proportion, up to but not more than ~~100%~~ 50%, of that per-pupil allocation  
33 amount must be forwarded to the public charter school attended on the same  
34 basis as the per-pupil allocations for operating funds. The percentage of that per-  
35 pupil expense must be determined by the authorizer of the public charter school  
36 and must be based on the cost of transportation services provided by the public  
37 charter school to the student.

38 (4) The department shall pay to the public charter school any additional  
39 allocation assigned to the public charter school for gifted and talented students  
40 pursuant to section 15681-A, subsection 5 in the year in which the allocation is  
41 assigned.

42 A school administrative unit is not required to send funds to a public charter school  
43 for a student enrolled in the public charter school's preschool or prekindergarten

1 program if the school administrative unit of the student's residence does not offer that  
2 program to its own residents nor is a school administrative unit required to send funds  
3 to a public charter school for a student who, in the year prior to first enrolling in the  
4 public charter school, was either a homeschooled student or enrolled in a private  
5 school and therefore not included in a public school's EPS pupil count in this State.

6 **SUMMARY**

7 This bill reduces the amount a school administrative unit in which a student who  
8 attends a public charter school resides must forward to that public charter school from  
9 100% of the per-pupil allocation to 50% of the per-pupil allocation. It also provides that a  
10 school administrative unit is not required to send funds to a public charter school for  
11 certain students who were not enrolled in a public school before enrolling in a public  
12 charter school.