



# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 1197

H.P. 888

House of Representatives, March 21, 2011

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**An Act To Amend Standards for Participation in Certain Public  
School Services by Students Who Are Homeschooled**

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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  
Clerk

Presented by Representative BURNS of Whiting.  
Cosponsored by Senator THOMAS of Somerset and  
Representatives: CLARK of Easton, DAVIS of Sangerville, GUERIN of Glenburn, JOHNSON  
of Greenville, SARTY of Denmark, TURNER of Burlington, WILLETTE of Mapleton.

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

2 **Sec. 1. 20-A MRSA §5021, sub-§3**, as enacted by PL 1995, c. 610, §1, is  
3 repealed and the following enacted in its place:

4 **3. Special education services.** For purposes of eligibility for special education  
5 services and reimbursement, students receiving home-school instruction are treated the  
6 same as subsidizable pupils, with the following conditions:

7 A. The special education services must be provided on premises of the school  
8 administrative unit or another location mutually agreed upon by the parent or  
9 guardian of the student and the school administrative unit;

10 B. Notwithstanding any provision of law to the contrary, the school administrative  
11 unit providing the special education services is entitled to receive state subsidy for the  
12 student. The rate of reimbursement must be based on the average amount of time per  
13 day that the student receives special education services.

14 For purposes of this subsection, "subsidizable pupils" has the same meaning as in section  
15 15672, subsection 32.

16 **Sec. 2. 20-A MRSA §5021, sub-§9** is enacted to read:

17 **9. Participation in postsecondary enrollment.** A student receiving home-school  
18 instruction is eligible to receive a state subsidy for postsecondary courses, as specified in  
19 section 4775, if the following requirements are satisfied.

20 A. The eligible institution has space available for the student;

21 B. The eligible institution has determined that the student has satisfactorily  
22 completed all course prerequisites;

23 C. The student's parent approves; and

24 D. The student has received a recommendation to take a postsecondary course or  
25 courses at an eligible institution from the school administrative unit in which the  
26 student resides following an assessment of the student by the school administrative  
27 unit. The assessment must include a review and approval of the letter and annual  
28 assessment provided pursuant to section 5001-A, subsection 3, paragraph A,  
29 subparagraph (4), division (b).

30 A student receiving home-school instruction who meets the requirements of this  
31 subsection is eligible to participate in postsecondary courses at an eligible institution, as  
32 defined in section 4771, subject to the requirements and conditions of sections 4772,  
33 4774, 4775 and 4776.

34 **SUMMARY**

35 This bill allows a student who is homeschooled to obtain special education services  
36 from a school administrative unit and allows the school administrative unit to receive  
37 state reimbursement for the provision of those services. This bill also allows a student  
38 who is homeschooled to receive reimbursement from a school administrative unit of 50%

1 of the tuition costs for attendance in postsecondary courses as long as the student meets  
2 the same relevant criteria as a student at a secondary school in that school administrative  
3 unit.