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Date: (Filing No. H- )

**EDUCATION AND CULTURAL AFFAIRS**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
125TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 698, L.D. 938, Bill, “An Act To Permit Public School Online Learning Programs To Accept Nonresident Tuition Students”

Amend the bill by striking out all of sections 1 to 11 and inserting the following:

**Sec. 1. 20-A MRSA §5801-A** is enacted to read:

**§5801-A. Acceptance of tuition students; online learning programs**

A school board may decide whether a school in its school administrative unit accepts tuition students who reside, and whose parents reside, outside the State in an online learning program.

This section is repealed July 1, 2014.

**Sec. 2. 20-A MRSA §5805, sub-§5** is enacted to read:

**5. Online learning program.** Tuition for students in an online learning program who reside, and whose parents reside, outside the State is not subject to the limitations of this section.

This subsection is repealed July 1, 2014.

**Sec. 3. 20-A MRSA §5810, sub-§3** is enacted to read:

**3. Online program tuition.** A school administrative unit shall collect tuition for students in an online learning program who reside, and whose parents reside, outside the State.

This subsection is repealed July 1, 2014.

**Sec. 4. 20-A MRSA §6004, sub-§3** is enacted to read:

**3. Online learning program.** Tuition students in an online learning program who reside, and whose parents reside, outside the State must be reported separately to the commissioner and are not included in the annual student count required by subsections 1 and 2.

1 This subsection is repealed July 1, 2014.

2 **Sec. 5. 20-A MRSA §19152, sub-§3**, as enacted by PL 2009, c. 330, §4, is  
3 amended to read:

4 **3. Educational options.** Use existing educational resources, along with technology,  
5 to provide parents a broader range of educational options and to help students in the State  
6 improve their academic achievement; ~~and~~

7 **Sec. 6. 20-A MRSA §19152, sub-§4**, as enacted by PL 2009, c. 330, §4, is  
8 amended to read:

9 **4. Public school educational opportunities.** Increase the capacity of school  
10 administrative units to provide public school educational opportunities for students whose  
11 educational needs are not being met in the regular public school program; and

12 **Sec. 7. 20-A MRSA §19152, sub-§5** is enacted to read:

13 **5. Nonresident tuition students.** Permit school administrative units to provide  
14 online educational opportunities to nonresident tuition students who reside, and whose  
15 parents reside, outside the State.

16 This subsection is repealed July 1, 2014.

17 **Sec. 8. 20-A MRSA §19156** is enacted to read:

18 **§19156. Applicable laws**

19 A tuition student enrolled in an online learning program who resides, and whose  
20 parents reside, outside the State is not counted for purposes of essential programs and  
21 services under chapter 606-B, is not included in the statewide assessment program  
22 established pursuant to chapter 222 and is not subject to chapter 223, subchapters 1, 2 and  
23 4. Notwithstanding section 1001, subsection 9, the participation in any online learning  
24 program by a student who resides, and whose parents reside, outside the State may be  
25 terminated at the discretion of the superintendent after providing the student with an  
26 online opportunity to be heard.

27 This section is repealed July 1, 2014.'

28 **SUMMARY**

29 This amendment clarifies the provisions in the bill that permit Maine public school  
30 systems that offer online learning programs to allow nonresident students to participate in  
31 those programs on a tuition basis when the students, and their parents, reside outside the  
32 State. The amendment also adds language to repeal these provisions in 3 years.

33 The amendment changes provisions in the bill that provide that tuition students  
34 whose parents reside outside the State may not be counted for purposes of the Essential  
35 Programs and Services Funding Act, may not be included in the statewide assessment  
36 program established pursuant to the Maine Revised Statutes, Title 20-A, chapter 222 and  
37 are not subject to Title 20-A, chapter 223 provisions pertaining to student health,  
38 immunization and health screening to clarify that the tuition student must also reside  
39 outside the State for these exemptions to apply.

1           The amendment also strikes provisions in the bill that propose to establish a  
2 definition of "learning coach" and to add the term to provisions pertaining to online  
3 learning programs or courses.