

**§15683-B. Public charter schools; calculation of total allocation and state contribution**

Beginning with fiscal year 2015-16, this section applies to public charter schools authorized by the Maine Charter School Commission, established under Title 5, section 12004-G, subsection 10-D, in accordance with the funding provisions established in section 2413-A. [PL 2015, c. 54, §6 (NEW).]

**1. Calculation of EPS per-pupil rates.** If there is only one school administrative unit sending students to a public charter school in a school year, the commissioner shall use that resident school administrative unit's EPS per-pupil rate. If there is more than one school administrative unit sending students to the public charter school, the commissioner shall calculate a public charter school's EPS per-pupil rate for each year as follows.

A. When there are elementary students from outside of a single resident school administrative unit sending students to an elementary public charter school, the EPS per-pupil rate for elementary grades is calculated by multiplying the number of students from a resident school administrative unit attending the public charter school by that resident school administrative unit's elementary EPS per-pupil rate to find the total cost for elementary students enrolled in the public charter school in that resident school administrative unit, then adding the total cost for elementary students enrolled in the public charter school from each resident school administrative unit. The result is divided by the total number of elementary students in the public charter school. [PL 2015, c. 54, §6 (NEW).]

B. When there are secondary students from outside of a single resident school administrative unit sending students to a secondary public charter school, the EPS per-pupil rate for secondary grades is calculated by multiplying the number of students from a resident school administrative unit attending the public charter school by that resident school administrative unit's secondary EPS per-pupil rate to find the total cost for secondary students enrolled in the public charter school in that resident school administrative unit, then adding the total cost for secondary students enrolled in the public charter school from each resident school administrative unit. The result is divided by the total number of secondary students in the public charter school. [PL 2015, c. 54, §6 (NEW).]

[PL 2015, c. 54, §6 (NEW).]

**2. Pupil counts.** Notwithstanding section 15674, the commissioner shall determine a public charter school's student counts for each year as follows.

A. The basic student count for a public charter school is the pupil count for October 1st of the most recent calendar year prior to the year of funding. [PL 2015, c. 54, §6 (NEW).]

B. The number of economically disadvantaged students for each public charter school is determined by multiplying the number of students at the public charter school by the most recent available elementary free or reduced-price meals percentage for that public charter school. The elementary free or reduced-price meals percentage may be applied to determine the number of economically disadvantaged students in the public charter school secondary grades. If the public charter school does not operate elementary grades, the most recent available secondary free or reduced-price meals percentage must be used in place of the elementary free or reduced-price meals percentage. [PL 2015, c. 54, §6 (NEW).]

C. The number of English learners for each public charter school is the number of English learners from the most recent October count prior to the year of funding. [PL 2019, c. 398, §34 (AMD).]

D. The number of special education students for each public charter school is the number of special education students from the most recent October count prior to the year of funding. [PL 2015, c. 54, §6 (NEW).]

[PL 2019, c. 398, §34 (AMD).]

**3. Operating allocation.** The commissioner shall determine a public charter school's operating allocation for each year as the sum of:

A. The base allocation, which is the pupil count pursuant to subsection 2, paragraph A multiplied by the public charter school's EPS per-pupil rates calculated pursuant to subsection 1; [PL 2015, c. 54, §6 (NEW).]

B. The economically disadvantaged student allocation, which is the pupil count determined pursuant to subsection 2, paragraph B multiplied by the additional weight for each economically disadvantaged student pursuant to section 15675, subsection 2; [PL 2015, c. 54, §6 (NEW).]

C. The English learner allocation, which is the pupil count pursuant to subsection 2, paragraph C multiplied by the additional weight for each English learner pursuant to section 15675, subsection 1; [PL 2019, c. 398, §35 (AMD).]

D. The targeted funds for standards-based system allocation, which is based on the per-pupil amount pursuant to section 15683, subsection 1, paragraph C multiplied by the pupil count pursuant to subsection 2, paragraph A; [PL 2015, c. 54, §6 (NEW).]

E. The targeted funds for technology resource allocation, which is based on the per-pupil amount pursuant to section 15683, subsection 1, paragraph D multiplied by the pupil count in subsection 2, paragraph A; and [PL 2015, c. 54, §6 (NEW).]

F. The targeted funds for public preschool to grade 2 student allocation, which is based on the preschool to grade 2 pupil count pursuant to subsection 2, paragraph A multiplied by the public charter school's elementary EPS per-pupil rates in subsection 1. [PL 2015, c. 54, §6 (NEW).]

The operating allocation calculated pursuant to this subsection must be adjusted by multiplying it by the appropriate transition percentage in accordance with section 15671, subsection 7. [PL 2019, c. 398, §35 (AMD).]

**4. Other subsidizable costs allocation.** The commissioner shall determine a public charter school's other subsidizable costs allocation for each year as the sum of:

A. The gifted and talented allocation pursuant to section 2413-A, subsection 2, paragraph A, subparagraph (4); [PL 2015, c. 54, §6 (NEW).]

B. The special education allocation pursuant to section 2413-A, subsection 2, paragraph B. The special education allocation may not be less than 90% of the public charter school base year expenditures for special education; and [PL 2015, c. 54, §6 (NEW).]

C. The transportation operating allocation, which is the statewide per-pupil essential programs and services transportation operating allocation multiplied by a percentage established by the Maine Charter School Commission for that public charter school based on the cost of transportation services provided by the public charter school to the student but not to exceed 100% multiplied by the pupil count in subsection 2, paragraph A. [PL 2015, c. 54, §6 (NEW).]

A public charter school is not entitled to career and technical education funding. The school administrative unit in which the public charter school student resides must pay the cost of attendance for the student at a career and technical education program. [PL 2015, c. 54, §6 (NEW).]

**5. Total allocation and state contribution.** The commissioner shall determine a public charter school's total allocation as the sum of the school's operating allocation under subsection 3 and other subsidizable costs allocation under subsection 4. That total allocation is the state contribution, except that up to 3% of this amount must be withheld in accordance with section 2405, subsection 5, paragraph B and transferred to the Maine Charter School Commission. [PL 2015, c. 54, §6 (NEW).]

**6. Payment of state contribution.** The commissioner shall authorize state subsidy payments to be made to public charter schools in accordance with the same schedule of payments for school administrative units pursuant to section 15689-B.

[PL 2015, c. 54, §6 (NEW).]

**7. MaineCare seed.** The commissioner may deduct from a public charter school's state subsidy and pay on behalf of the public charter school allowable school-based costs that represent the public charter school's portion of MaineCare payments. A transfer of payment by the department to the Department of Health and Human Services must be made pursuant to a schedule agreed upon by the Department of Health and Human Services and the department and based on documentation of payments made from MaineCare funds.

[PL 2015, c. 54, §6 (NEW).]

**8. Curtailment adjustment.** In any funding year, if general purpose aid for local schools funding is curtailed, then the public charter school state contribution under this chapter must be curtailed by the proportional percentage that school administrative units have been curtailed.

[PL 2015, c. 54, §6 (NEW).]

**9. Phase-in procedures for new or newly expanded public charter schools.** For new or newly expanded public charter schools, the commissioner shall make a preliminary calculation of total allocation based on the following:

A. Estimated student counts not to exceed the enrollment limit established by the Maine Charter School Commission; [PL 2015, c. 54, §6 (NEW).]

B. Estimated rates and weights based on statewide averages; and [PL 2015, c. 54, §6 (NEW).]

C. The preliminary calculation of total allocation, which must be replaced with actual student data once students have been enrolled for the new school year. The new or newly expanded public charter school shall enroll new students no later than August 1st in a student information system maintained by the department. [PL 2015, c. 54, §6 (NEW).]

[PL 2015, c. 54, §6 (NEW).]

#### SECTION HISTORY

PL 2015, c. 54, §6 (NEW). PL 2019, c. 398, §§34, 35 (AMD).

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