

Committee: EDU

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**Cmte Amd Draft for EDU Review**

Vote: 8-0 OTP-AM @ 3-19-10 WS

COMMITTEE AMENDMENT “ ” TO LD 551, An Act to Improve the Essential Programs and Services Funding Formula

Amend the bill by striking out the title and replacing it with the following:

**Resolve, To Establish a Working Group to Review the Essential Programs and Services Funding Formula**

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

**Sec. 1. Working group established. Resolved:** That the Commissioner of Education shall convene a working group to conduct a review of the Essential Programs and Services funding formula. The working group shall study education finance and state education policy issues associated with The Essential Programs and Services Funding Act established under Title 20-A, Chapter 606-B. In conducting its review, the working group shall:

1. Analyze the components of the Essential Programs and Services funding formula, including analyses of:

A. The original policy goal or educational objective established for each of the Essential Programs and Services cost components and a detailed description of the original and current methodology used to calculate the resources determined to be adequate for each cost component;

B. The subsidy distribution methodology originally established for the Essential Programs and Services funding formula and the subsidy distribution methodology currently included in the school funding formula;

C. The extent to which State and local funds allocated for public education under the Essential Programs and Services funding formula provide adequate resources for:

(1) School administrative units to have the capacity to provide rigorous academic programs that meet the requirements of the content standards in the 8 content standard subject areas of the State's system of learning results established in Title 20-A, section 6209; and

(2) All students to have equitable educational opportunity to demonstrate achievement of the content standards in the 8 content standard subject areas of the State's system of learning results established in Title 20-A, section 6209 as measured by standardized testing and other assessment data on student achievement and academic performance;

D. The impact of the limitations enacted by Public Law 2005, chapter 2 on the total cost of the components of the Essential Programs and Services funding formula and the amount of State and local appropriations allocated in support of public education; and

E. The best practices of schools identified as “higher-performing, efficient schools” by the Maine Education Policy Research Institute, including schools where the actual educational performance of specialized student populations, including but not limited to economically-disadvantaged students, exceeds the expected performance for these specialized student populations as compared to the actual and expected performance of similar students in other schools in the State;

2. Evaluate the current statutory framework related to the Commissioner of Education’s annual funding level computations and funding level recommendation as set forth in Title 20-A, Chapter 606-B, as well as the provisions that provide for reviewing and updating certain Essential Programs and Services cost components using information provided by a statewide educational policy research institute;

3. Propose any necessary changes to the current mechanisms that would permit the joint standing committee of the Legislature having jurisdiction over educational matters the opportunity to review the most recent data available as the Legislature considers the enactment of legislation to appropriate the necessary funds for the State’s share of the general purpose aid for local schools program and any changes to the Essential Programs and Services funding formula necessary to respond to changing conditions; and

4. Make recommendations on other matters relating to the Essential Programs and Services funding formula; and be it further

**Sec. 3. Stakeholder involvement; convening the working group.** The commissioner shall ensure that representatives of all relevant stakeholder groups and interested parties are invited to participate as members of the working group. In appointing members to the working group, the commissioner and the stakeholder groups shall ensure, to the extent possible, that the representatives appointed to serve on the working group represent the perspectives of large and small school administrative units. The working group must convene no later than July 31, 2010. Those groups must include, but are not limited to:

1. The Executive Director of the Maine School Superintendents Association or the Executive Director’s designee;

2. The Executive Director of the Maine School Board Association or the Executive Director's designee;
3. The President of the Maine Principals Association or the President's designee;
4. The Executive Director of the Maine Education Association or the Executive Director's designee;
5. The President of the Maine Association of School Business Officials or the President's designee;
6. The Executive Director of the Maine Administrators of Services for Children with Disabilities or the Executive Director's designee;
7. The Director of the Maine Administrators of Career and Technical Education or the Director's designee;
8. The President of the Maine Small Schools Coalition or the President's designee;
9. The President of the Maine Association of Independent Schools or the President's designee;
10. The Chair of the Maine State Board of Education or the Chair's designee;
11. The Executive Director of the Maine Coalition for Excellence in Education or the Executive Director's designee;
12. The Director of the Center for Educational Excellence at the Maine Heritage Policy Center or the Director's designee;
13. The Executive Director of the Maine Municipal Association or the Executive Director's designee;
14. The President of the Maine State Chamber of Commerce or the President's designee;
15. The Chair of the New Challenges, New Directions Task Force established by the University of Maine System or the Chair's designee; and
16. The Treasurer of the State of Maine or the Treasurer's designee; and be it further

**Sec. 8. Interim and final reports. Resolved:** That, no later than October 31, 2010, the Commissioner shall provide an interim report on the progress of the working group to the Joint Standing Committee on Education and Cultural Affairs. No later than January 31, 2011, the Commissioner shall provide a second interim report on the progress of the working group to the First Regular Session of the 125<sup>th</sup> Legislature. The Commissioner shall present a final report to the Second Regular Session of the 125<sup>th</sup> Legislature by December 9, 2011.

The joint standing committee on education matters of the 125<sup>th</sup> Legislature may, after receipt and review of the report, submit a bill related to the subject matter of the report to the Second Regular Session of the 125<sup>th</sup> Legislature.

### SUMMARY

This amendment requires the Commissioner of Education to convene a working group to review the Essential Programs and Services funding formula. The working group is directed to study several aspects of the Essential Programs and Services funding formula and is directed to actively seek the participation of a variety of stakeholder groups and other interested parties in conducting its review. The Commissioner is directed to submit an interim report by October 31, 2010 to the Joint Standing Committee on Education and Cultural Affairs; and, no later than January 31, 2011, the Commissioner is directed to provide an interim report on the progress of the working group to the First Regular Session of the 125<sup>th</sup> Legislature. The Commissioner is directed to present a final report to the Second Regular Session of the 125<sup>th</sup> Legislature by December 9, 2011; and the joint standing committee on education matters of the 125<sup>th</sup> Legislature may submit a bill related to the report to the Second Regular Session of the 125<sup>th</sup> Legislature.