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An Act To Support the Center of Excellence for At-risk Students

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the rising dropout rate in the State deprives an increasing number of youth of education essential to their future success, while creating the potential for greater costs on the State's social welfare system; and

Whereas, many school administrative units have limited resources available to tailor programs to address the needs of youth at risk of failing or dropping out of school; and

Whereas, a private, nonprofit charitable organization with a long history of education and caring for children at risk is currently working with a major Maine charitable foundation to create a statewide center of excellence to serve students at risk of failure; and

Whereas, immediate support for that effort is essential to ensure that the organization can begin serving students in the 2009-2010 school year; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 20-A MRSA c. 227 is enacted to read:

CHAPTER 227

CENTER OF EXCELLENCE FOR AT-RISK STUDENTS

§ 6951. Center establishment

- 1. Center established.** The Center of Excellence for At-risk Students is established.
- 2. Definitions.** As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.
 - A. "At-risk student" means an elementary student or secondary student who is at risk of failing or dropping out of a regular public school program.
 - B. "Center" means the Center of Excellence for At-risk Students established in subsection 1.
- 3. Center requirements.** The center shall provide a comprehensive residential and nonresidential program for educating at-risk students. The center shall also provide information and resources for other schools serving at-risk students. The center may be administered by a private,

nonprofit charitable corporation with a public purpose that meets the requirements of section 2951. The commissioner may grant a waiver from any requirements of sections 2901, 2902 and 2951 that the commissioner determines appropriate in consideration of the special characteristics of the center.

§ 6952. Center criteria

To qualify for support, approval and funding under this chapter, the center must provide services to at-risk students who are or have been enrolled in one or more of grades 7 to 12. The admission of an at-risk student to the center is subject to approval by the center based upon criteria of the center approved by the commissioner. The center shall provide residential and nonresidential instruction that is approved pursuant to section 6951 and designed to effect positive, sustainable change in the lives of at-risk students through comprehensive on-site education services in 4 major areas, including high-quality scholastic, vocational and behavioral health education; training and support for families of students; training and support for public school teachers in dealing with students who are at risk of failing or dropping out of school; and providing an environment conducive to research aiding the improvement of education for at-risk students.

The center shall collaborate with the department, public school administrators and other public and private organizations with an interest in the support and education of at-risk students.

§ 6953. State financial and operational support

The commissioner shall approve funding for the center from the total allocation for kindergarten to grade 12 education from General Fund revenue sources received by the department under section 15752. The commissioner shall calculate the funding based upon the unique needs of at-risk students and in consideration of the availability, restrictions and limitations of private and other sources of funding. The funding approved for the center under this section must equal or exceed the tuition rate that would be computed for a private school under section 5806, subsection 1 and may exceed the maximum allowable tuition by a private school that would be determined under section 5806, subsection 2.

§ 6954. Transfers

Students in school administrative units may be transferred to and become students of the center by agreement between the school administrative unit responsible for the student and the chief executive officer of the corporation administering the center.

§ 6955. Rules

The department may adopt rules to carry out the purposes of this chapter. Rules adopted pursuant to this section are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. 2. Nonprofit corporation; timeline. The Department of Education shall arrange with the Good Will-Hinckley school to serve as the nonprofit charitable corporation with a public purpose to implement the Center of Excellence for At-risk Students, established in the Maine Revised Statutes, Title 20-A, section 6951, referred to in this section as "the center." The center must be developed and funded to provide education approved by the Commissioner of Education for up to 80 students for the

year beginning September 1, 2009 and fully implemented for 80 to 150 students by September 1, 2010. The Department of Education may modify the provisions of implementing the center in this section upon consultation with the Good Will-Hinckley school.

Sec. 3. Allocation. Beginning September 1, 2009, for the first 2 years of operation, the Commissioner of Education shall make an allocation for funding the Center of Excellence for At-risk Students established in the Maine Revised Statutes, Title 20-A, section 6951 to provide for 80 students in the center's first year of operation and 150 students in the 2nd year of operation, with one student from each school administrative unit allowed to attend the center each year.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

This bill establishes the Center of Excellence for At-risk Students to provide a comprehensive, on-site course of instruction for youth at risk of failing or dropping out of school. The center must include a high-quality education, training for parents and public school teachers and research involving education for at-risk youth. The center may be administered by a private, nonprofit charitable corporation organized for educational purposes with oversight by the Commissioner of Education and will accept transfers of at-risk public school students. The center will be funded from the Department of Education's allocation for kindergarten to grade 12 education from General Fund revenue sources. The bill directs the Department of Education to arrange with the Good Will-Hinckley school to educate up to 80 students in the 2009-2010 school year and up to 150 students in the 2010-2011 school year.