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EDUCATION AND CULTURAL AFFAIRS

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 359, L.D. 502, Bill, “An Act To Establish the Summer Success Program Fund”

Amend the bill by striking out the title and substituting the following:

'An Act To Establish the Summer Success Pilot Program Fund'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 20-A MRSA c. 317, sub-c. 2 is enacted to read:

SUBCHAPTER 2

SUMMER SUCCESS PILOT PROGRAM FUND

§8811. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Program fund. "Program fund" means the Summer Success Pilot Program Fund established in section 8812.

2. Summer success pilot program. "Summer success pilot program" means a pilot program offered by a public school that provides traditional and alternative teaching methods to ensure that every student has access to a high-quality extended school year program that helps the student improve the student's academic achievement and addresses the needs of the student to demonstrate content area proficiency based on the student's grade level.

1 **§8812. Summer Success Pilot Program Fund**

2 **1. Establishment.** The Summer Success Pilot Program Fund is established as a
3 General Fund carrying account within the department to be directed and administered by
4 the commissioner and held by the Treasurer of State.

5 **2. Sources of money.** Money appropriated from the General Fund may be paid into
6 the program fund.

7 **3. Application of program fund.** Money in the program fund must be continuously
8 applied by the commissioner to carry out this section and may not be used for any other
9 purpose. A school administrative unit shall ensure that program funds made available to
10 the school administrative unit to provide grants for access to summer success pilot
11 programs for elementary and secondary school students supplement and do not supplant
12 federal funding.

13 **§8813. Standards; approval**

14 The commissioner shall use the program fund to encourage the facilitation of high-
15 quality summer success pilot programs in school administrative units throughout the
16 State.

17 **1. Standards.** The commissioner shall establish standards for summer success pilot
18 programs consistent with the basic school approval requirements as set forth in
19 subchapter 1 for summer school programs offered at elementary or secondary schools in
20 the State. In establishing standards for summer success pilot programs, the commissioner
21 may also consider the following:

22 A. Guidelines similar to, but not identical with, the requirements of the community
23 learning centers program authorized under Title IV, Part B of the federal Elementary
24 and Secondary Education Act of 1965, as amended by the federal Every Student
25 Succeeds Act, 20 United States Code, Chapter 70, to help students improve their
26 academic achievement by providing educational opportunities that close the
27 achievement gap between high-performing and low-performing students, including
28 the gap between economically disadvantaged students and their peers;

29 B. Effective models of summer success programs that improve student achievement,
30 including model programs that involve networking and partnerships with community-
31 based organizations that provide a range of high-quality services to support student
32 learning and development. In order to partner with a summer success pilot program, a
33 community-based organization must be exempt from federal income taxation under
34 the United States Internal Revenue Code of 1986, Section 501(a), pursuant to the
35 United States Internal Revenue Code of 1986, Section 501(c)(3); and

36 C. Implementation of the formative and summative assessment methods used by a
37 school administrative unit during the school year to measure student achievement in
38 order to monitor the progress of students in that school administrative unit who are
39 participating in the summer success pilot programs.

40 **2. Approval.** A summer success pilot program may be offered by a school
41 administrative unit with the approval of the commissioner. The commissioner may
42 inspect a summer success pilot program, after which the commissioner shall approve and

1 grant a certificate to a school that maintains approval standards under subsection 1. The
2 department shall pay the expense of the inspection.

3 **§8814. Program fund grants; eligibility**

4 **1. Program fund grants.** Beginning in fiscal year 2020-21 and each subsequent
5 year, the department, through a grant application process, shall provide from the program
6 fund funding to cover 90% of the costs of summer success pilot programs in school
7 administrative units. Those school administrative units with greater than 50% student
8 participation in the federal free and reduced-price lunch program pursuant to section
9 6602, subsection 1, paragraph A must be given priority in the distribution of funding from
10 the program fund.

11 **2. Eligibility.** To receive program fund money, a school administrative unit must be
12 in compliance with any applicable standards and program requirements for summer
13 success pilot programs established by the commissioner pursuant to section 8813.

14 **§8815. Report**

15 The department shall report by June 30, 2021 and annually thereafter to the joint
16 standing committee of the Legislature having jurisdiction over education and cultural
17 affairs on the number of school administrative units administering summer success pilot
18 programs, the nature of the summer success pilot programs receiving money from the
19 program fund, the amount of money distributed and the number of children participating
20 in a summer success pilot program. The report must also include a recommendation on
21 whether the summer success pilot program should continue as a pilot program, be
22 modified or become a permanent program.

23 **Sec. 2. 20-A MRSA §15688-A, sub-§9** is enacted to read:

24 **9. Summer success pilot programs.** Beginning in fiscal year 2020-21 and for each
25 subsequent fiscal year, the commissioner may expend and disburse funds to provide
26 grants for access to summer success pilot programs for elementary and secondary school
27 students pursuant to chapter 317, subchapter 2. The amounts of the grant funding
28 provided to qualified school administrative units pursuant to chapter 317, subchapter 2
29 are limited to the amounts appropriated, allocated or authorized by the Legislature for the
30 operation of summer success pilot programs. Any balance of funds appropriated,
31 allocated or authorized by the Legislature remaining at the end of a fiscal year do not
32 lapse and are carried forward to the next fiscal year to carry out the purposes of chapter
33 317, subchapter 2.

34 **Sec. 3. Maine Revised Statutes headnote amended; revision clause.** In the
35 Maine Revised Statutes, Title 20-A, chapter 317, before section 8801, the headnote
36 "subchapter 1, summer schools" is enacted and the Revisor of Statutes shall implement
37 this revision when updating, publishing or republishing the statutes.

38 **Sec. 4. Appropriations and allocations.** The following appropriations and
39 allocations are made.

40 **EDUCATION, DEPARTMENT OF**

41 **Summer Success Pilot Program Fund N311**

1 Initiative: Provides ongoing funding for the Summer Success Pilot Program.

2	GENERAL FUND	2019-20	2020-21
3	All Other	\$0	\$243,000
4			
5	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$243,000</u>
6			

7 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
8 section number to read consecutively.

9 **SUMMARY**

10 This amendment strikes and replaces the title and the bill. The amendment establishes
11 the Summer Success Pilot Program and corresponding fund to encourage the facilitation
12 of high-quality summer success pilot programs in school administrative units throughout
13 the State and does the following:

14 1. It provides that the fund is established as a General Fund carrying account within
15 the Department of Education to be directed and administered by the Commissioner of
16 Education and held by the Treasurer of State and that only General Fund appropriations
17 may be paid into the fund;

18 2. It requires the Commissioner of Education to establish standards and approval for
19 the allocation and use of fund money for summer success pilot programs offered at
20 elementary and secondary schools in the State. It also allows the commissioner to include
21 the following in the standards:

22 A. Guidelines similar to those of the federal 21st Century Community Learning
23 Centers program to close the achievement gap between high-performing and low-
24 performing students;

25 B. Effective models of summer success programs that involve networking and
26 partnerships with community-based organizations that provide a range of high-quality
27 services to support student learning and development; and

28 C. Implementation of the formative and summative assessment methods to measure
29 student achievement in order to monitor the progress of students participating in
30 summer success pilot programs;

31 3. It provides that, beginning in fiscal year 2020-21, the department is required to
32 provide grant funding from the fund, through a grant application process, to cover 90% of
33 the costs of summer success pilot programs and that the department must prioritize
34 distribution of funding to school administrative units with greater than 50% student
35 participation in the federal free and reduced-price lunch program;

36 4. It adds the fund to the enhancing student performance and opportunity provisions
37 of the Essential Programs and Services Funding Act; and

38 5. It requires the Commissioner of Education to annually report to the joint standing
39 committee of the Legislature having jurisdiction over education and cultural affairs on the
40 number of school administrative units administering summer success pilot programs, the

1 nature of the summer success pilot programs receiving money from the fund, the amount
2 of money distributed and the number of children participating in a summer success pilot
3 program. The report must also include a recommendation on whether the pilot program
4 should continue as a pilot program, be modified or become a permanent program.

5

FISCAL NOTE REQUIRED

6

(See attached)