

STATE OF MAINE

IN THE YEAR OF OUR LORD  
TWO THOUSAND AND FOURTEEN

H.P. 1162 - L.D. 1591

**An Act To Amend the Process Controlling the Transfer of a Student between  
School Administrative Units**

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

**Sec. 1. 20-A MRSA §5205, sub-§6, ¶A**, as amended by PL 2013, c. 337, §1, is further amended to read:

A. Two superintendents may approve the transfer of a student from one school administrative unit to another if:

- (1) They find that a transfer is in the student's best interest; and
- (2) The student's parent approves.

The superintendents shall notify the commissioner of any transfer approved under this paragraph. If either of the superintendents ~~decide~~ decides not to approve the transfer, ~~the superintendents~~ that superintendent shall provide to the parent of the student requesting transfer under this paragraph a written description of the basis of ~~their~~ that superintendent's determination ~~that the transfer is not in the student's best interest.~~

**Sec. 2. 20-A MRSA §5205, sub-§6, ¶B**, as repealed and replaced by PL 2013, c. 424, Pt. J, §1, is amended to read:

B. On the request of the parent of a student requesting transfer under paragraph A, the commissioner shall review the transfer. The commissioner shall review the superintendents' ~~determination~~ determinations and communicate with the superintendents and with the parent of the student prior to making a decision. The commissioner may approve or disapprove the transfer and shall provide to the parent of the student and to the superintendents a written decision describing the basis of the commissioner's determination ~~that the transfer is or is not in the student's best interest.~~

**Sec. 3. 20-A MRSA §5205, sub-§6, ¶F**, as enacted by PL 2013, c. 337, §2, is amended to read:

F. If dissatisfied with the commissioner's decision, a parent of a student requesting transfer or either superintendent may, within 10 calendar days of the commissioner's decision, request that the state board review the transfer. The state board shall review the ~~commissioner's determination~~ superintendents' determinations and communicate with the commissioner, the superintendents and the parent of the student. The state board may approve or disapprove the transfer. The state board shall make a decision within ~~30~~ 45 calendar days of receiving the request and shall provide to the parent of the student, the superintendents and the commissioner a written decision describing the basis of the state board's determination ~~that the transfer is or is not in the student's best interest~~. The state board's decision is final and binding.