

## §1479. Program

A regional school unit shall maintain a program that includes kindergarten to grade 12 except for the school administrative districts that did not operate kindergarten to grade 12 that were reformulated into regional school units in accordance with Public Law 2007, chapter 240, Part XXXX, section 36, subsection 12, as amended by Public Law 2007, chapter 668, section 48, and except for a regional school unit operating under a plan described in section 1461, subsection 3, paragraph B, subparagraph (2), divisions (a) to (c). [PL 2021, c. 537, §4 (AMD).]

**1. Secondary school.** A secondary school facility may be operated as a 4-year school, as a 6-year school for grades 7 to 12 or as 2 or more 3-year schools, except that students living in an area remote from a public school may be provided for under section 5204. [PL 2007, c. 240, Pt. XXXX, §13 (NEW).]

**2. Contracts for secondary school programs.** In addition to the provisions for a secondary school facility set forth in subsection 1, a regional school unit may contract with a nearby regional school unit or with a private school approved for tuition purposes for all or some of its secondary school students. The contract may run from a period of 2 to 10 years. The contract must also comply with section 2703 and may provide for the formation of a joint committee in accordance with section 2704. A regional school unit in which a previous education unit has contracted for secondary school programs is bound by the terms of that contract, unless otherwise negotiated by the parties. [PL 2007, c. 240, Pt. XXXX, §13 (NEW).]

**3. Expiration of contract.** After July 1, 2008, if a contract between a previous education unit and another previous education unit or a private school approved for tuition purposes expires, and the previous education unit that was the sending unit is a member of a regional school unit under this chapter, the provisions of this subsection apply.

A. If the option of attending a public school in another school administrative unit or a private school approved for tuition purposes subject to chapter 219 was available to students in the previous education unit, that option continues to be available to students who reside in the municipalities that composed the previous education unit after the municipality's inclusion in the regional school unit. [PL 2007, c. 240, Pt. XXXX, §13 (NEW).]

B. The regional school unit may negotiate a new contract pursuant to chapter 115. [PL 2007, c. 668, §11 (AMD).]  
[PL 2007, c. 668, §11 (AMD).]

**4. Absence of contract; maintenance of school choice opportunities.** A school administrative unit that neither maintains a school nor contracts for school privileges pursuant to chapter 115 shall continue to pay tuition, in accordance with chapter 219, for a student who resides in the school administrative unit at the public school or the private school approved for tuition purposes of the parent's choice at which the student is accepted, calculated in accordance with subsection 5. [PL 2007, c. 668, §12 (AMD).]

**5. Additional expense.** In a regional school unit where some but not all of the students are attending school pursuant to this section, the sending municipality is responsible for the additional expense as calculated in accordance with this subsection.

A. For each secondary school student who attends a public school in another school administrative unit, the sending municipality in a regional school unit is responsible for an amount equal to the difference in tuition in cases when it exceeds the amount of the regional school unit's tuition rate calculated in accordance with section 5805. [PL 2007, c. 668, §13 (AMD).]

B. For each secondary school student who attends a private school approved for tuition purposes subject to the provisions of chapter 219, the sending municipality in a regional school unit is

responsible for an amount equal to the difference in tuition in cases when it exceeds the amount of the regional school unit's tuition rate calculated in accordance with section 5805. [PL 2007, c. 668, §13 (AMD).]

Municipalities exercising school choice pursuant to this section are responsible for a local contribution in accordance with section 15688 and the additional expense calculated in accordance with this subsection.

[PL 2007, c. 668, §13 (AMD).]

#### SECTION HISTORY

PL 2007, c. 240, Pt. XXXX, §13 (NEW). PL 2007, c. 668, §§11-13 (AMD). PL 2011, c. 171, §2 (AMD). PL 2021, c. 537, §4 (AMD).

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