

**§2951. Approval for tuition purposes**

A private school may be approved for the receipt of public funds for tuition purposes only if it: [PL 2005, c. 153, §2 (AMD).]

**1. Basic approval.** Meets the requirements for basic school approval under subchapter I; [PL 1981, c. 693, §§5, 8 (NEW).]

**2. Nonsectarian.** Is a nonsectarian school in accordance with the First Amendment of the United States Constitution; [PL 1981, c. 693, §§5, 8 (NEW).]

**3. Incorporated.** Is incorporated under the laws of the State of Maine or of the United States; [PL 1985, c. 797, §25 (AMD).]

**4. Reports and audits.** [PL 1983, c. 859, Pt. A, §§8, 25 (RP).]

**5. Additional requirements.** Complies with the reporting and auditing requirements in sections 2952 and 2953 and the requirements adopted pursuant to section 2954; [PL 1997, c. 266, §7 (AMD).]

**6. Student assessment and other requirements.** At a minimum, meets or exceeds the following requirements:

A. It participates in the statewide assessment program to measure and evaluate the academic achievements of students; [PL 2021, c. 386, §1 (AMD).]

B. It meets the applicable requirements of and has a curriculum aligned with the system of learning results established in section 6209; [PL 2021, c. 386, §1 (AMD).]

C. It meets health and safety requirements applicable to public schools; and [PL 2021, c. 386, §1 (NEW).]

D. If public funding supports more than 85% of the school's students, as determined by the previous year's October and April average enrollment, and the municipality where the school is located does not exercise school choice, it enrolls all students from that municipality, including those with disabilities, who must be served in accordance with applicable state and federal law. [PL 2021, c. 386, §1 (NEW).]

Except as provided in paragraph D, the requirements of this subsection apply only to a school that enrolls 60% or more publicly funded students, as determined by the previous year's October and April average enrollment; and [PL 2021, c. 386, §1 (AMD).]

**7. Release of student records.** Upon the request of a school unit, releases copies of all student records for students transferring from the private school to the school unit. [PL 2017, c. 342, §3 (AMD).]

**SECTION HISTORY**

PL 1981, c. 693, §§5,8 (NEW). PL 1983, c. 859, §§A8-A9,A25 (AMD). PL 1985, c. 797, §§25-27 (AMD). PL 1997, c. 266, §§7-9 (AMD). PL 2005, c. 153, §2 (AMD). PL 2017, c. 342, §§2, 3 (AMD). PL 2021, c. 386, §1 (AMD).

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