

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill in section 1 by striking out all of subsection 3A (page 1, lines 3 to 12 in L.D.) and inserting the following:

‘3-A. Students placed by the Department of Health and Human Services. Notwithstanding subsection 3, a student who is placed by the Department of Health and Human Services with an adult who is not the child's parent or legal guardian in accordance with the educational stability provisions of the federal Fostering Connections to Success and Increasing Adoptions Act of 2008, Public Law 110351, 122 Stat. 3949 is considered a resident of either the school administrative unit where the student resides during the placement or the school administrative unit where the student resided prior to the placement based on the best interest of the student. The Department of Health and Human Services, in consultation with the department and the school administrative units, shall determine which of the 2 units is appropriate and notify that unit in writing of its determination. The school administrative unit that provides public education for the student shall count the student as a resident student for subsidy purposes.’

Amend the bill by inserting after section 1 the following:

‘Sec. 2. 20-A MRS §6004, sub-§2, ¶B, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

B. Students who attend school under section 5205, subsections 2, 3A, 4, 5 and 6, ~~shall~~must be counted in the school administrative unit in which they attend school.’

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

SUMMARY

This amendment provides that the Department of Health and Human Services shall consult with the Department of Education, the school administrative unit where the student resides and the school administrative unit where the student is placed with an adult that is not the child's parent or legal guardian when the department is determining the appropriate school administrative unit for providing public education for the student. The amendment also provides that, after this determination is made, the school administrative unit that provides public education for a student shall count the student as part of its annual student count for subsidy purposes.