CHAPTER 312

MAINE SCHOOL OF SCIENCE AND MATHEMATICS

§8201. School established

The Maine School of Science and Mathematics is established as a public magnet school pursuant to this chapter for the purpose of providing certain high-achieving high school students with a challenging educational experience. The school is a body politic and corporate and is an instrumentality and agency of the State. The exercise by the school of the powers conferred by this chapter is the performance of an essential public function by and on behalf of the State. [PL 2011, c. 473, §1 (AMD).]

SECTION HISTORY

PL 1993, c. 706, §A4 (NEW). PL 1995, c. 485, §1 (AMD). PL 2011, c. 473, §1 (AMD).

§8202. Intent; funding

The school is established as a public, residential school located in Limestone and the following provisions apply. [PL 1993, c. 706, Pt. A, §4 (NEW).]

1. Curriculum. The school's curriculum is designed to exceed existing state educational standards in the content areas of the system of learning results established in section 6209.
[PL 2001, c. 454, §35 (AMD).]

2. Tuition; room and board; funding. Students from this State may attend the school free of tuition charges and free of the cost of room and board. Additional funding for students from this State may be provided within amounts appropriated for that purpose as follows.

A. The amount must be paid in 4 equal quarterly payments during the year of attendance. The first payment must be made by July 31st. The amount of tuition and other costs paid for all students is limited to the amount appropriated for this purpose. To be eligible for state funding under this paragraph, a student must reside in Maine with a parent, other relative or guardian at the start of the academic year for which state funding is appropriated. The student's residency must be reaffirmed to the school at the beginning of each school year that the student is enrolled. [PL 2025, c. 464, §1 (AMD).]

B. Except as otherwise provided in this paragraph, and to the extent funds are not appropriated for this purpose, the student or the student's parent or guardian shall pay to the school the cost of room and board for the school year. In the case of financial need, the State shall pay to the school the difference between the cost of room and board and the student's or the student's family's ability to pay that cost. The board of trustees shall adopt rules governing the determination of financial need and the cost and schedule of payment of room and board under this paragraph. The determination of financial need must be based on a nationally recognized public or private school financial needs assessment system. A student may use scholarship funds in place of payment for all or part of the cost of room and board and any other fees or expenses incurred as a result of that student's enrollment at the school. [PL 2023, c. 464, §1 (AMD).]

C. [PL 1995, c. 665, Pt. FF, §1 (RP).]
[PL 2025, c. 464, §1 (AMD).]

3. Out-of-state tuition. Students from other states and countries and students pursuing a postgraduate high school year of education may attend the school on a space-available basis by paying the cost of tuition, fees and room and board as established by the board of trustees.
[PL 2009, c. 486, §2 (AMD).]

4. Scholarship fund. The school must demonstrate its ability to raise private funds to support a scholarship fund. Based on this ability, the Legislature may provide General Fund appropriations to the scholarship fund. Funds available in the scholarship fund may not be used to offset, reduce or eliminate the appropriation of state funds described in subsection 2. The existence of the scholarship fund may not reduce or eliminate the State's funding obligations described in subsection 2.
[PL 2009, c. 486, §3 (AMD).]

5. Educational enhancement fund. The school may raise private funds to support an educational enhancement fund to enrich the educational experience of students enrolled at the school. The Legislature may provide General Fund appropriations to the educational enhancement fund. Funds available in the educational enhancement fund may not be used to offset, reduce or eliminate the appropriation of state funds described in subsection 2. The existence of the educational enhancement fund may not reduce or eliminate the State's funding obligations described in subsection 2.
[PL 2009, c. 486, §4 (NEW).]

SECTION HISTORY

PL 1993, c. 706, §A4 (NEW). PL 1995, c. 368, §LL2 (AMD). PL 1995, c. 665, §§FF1,2 (AMD). PL 2001, c. 454, §35 (AMD). PL 2009, c. 486, §§1-4 (AMD). PL 2023, c. 464, §1 (AMD). PL 2025, c. 464, §1 (AMD).

§8203. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1993, c. 706, Pt. A, §4 (NEW).]

1. Board of trustees. "Board of trustees" means the Board of Trustees of the Maine School of Science and Mathematics.
[PL 1993, c. 706, Pt. A, §4 (NEW).]

2. Magnet school. "Magnet school" means that the school may establish rules and regulations that delete, modify or add to current rules and regulations of the department.
[PL 2011, c. 473, §2 (AMD).]

3. School. "School" means the Maine School of Science and Mathematics.
[PL 1993, c. 706, Pt. A, §4 (NEW).]

4. Sending school. "Sending school" means any school administrative unit that has a student in attendance at the Maine School of Science and Mathematics.
[PL 1993, c. 706, Pt. A, §4 (NEW).]

5. Trustee. "Trustee" means a member of the Board of Trustees of the Maine School of Science and Mathematics.
[PL 1993, c. 706, Pt. A, §4 (NEW).]

SECTION HISTORY

PL 1993, c. 706, §A4 (NEW). PL 2011, c. 473, §2 (AMD).

§8204. Board of trustees

The board of trustees as established in Title 5, section 12004-C, subsection 6 is the policy-making authority and the governing body of the school. [PL 1993, c. 706, Pt. A, §4 (NEW).]

1. Membership. In appointing members to the board of trustees, the Governor shall give proper consideration to achieving statewide geographical representation and gender equity. The board of trustees consists of 17 voting members and 2 nonvoting members as follows:

A. The Commissioner of Education or the commissioner's designee; [PL 1993, c. 706, Pt. A, §4 (NEW).]

B. The Chancellor of the University of Maine System or the chancellor's designee; [PL 1993, c. 706, Pt. A, §4 (NEW).]

C. A member of the regional school unit board of the regional school unit in which the school is located, who must be from the community in which the school is located, or the member's designee; [PL 2009, c. 486, §5 (RPR).]

D. One member who is a citizen of Limestone and has an active interest in education, appointed by the Governor; [PL 1993, c. 706, Pt. A, §4 (NEW).]

E. [PL 2005, c. 129, §1 (RP).]

F. Three members who are teachers, one of whom is a full-time teacher at the school who is a nonvoting member and is annually elected by members of the school's faculty and 2 of whom are teachers in the State representing different geographic regions of the State, appointed by the Governor. Both full-time and part-time teachers at the school may vote in the election of a faculty member to serve on the board of trustees, and the election must be by secret ballot; [PL 2009, c. 486, §6 (AMD).]

G. Ten members of the general public appointed by the Governor, at least 4 of whom must be scientists, engineers or mathematicians employed within the business or industrial community, one of whom must be a graduate of the Maine School of Science and Mathematics and one of whom must be a parent of a student or of a graduate who graduated within 5 years prior to the parent's appointment to the board of trustees. All appointments under this paragraph are subject to review by the joint standing committee of the Legislature having jurisdiction over education matters and subject to confirmation by the Legislature; [PL 2005, c. 129, §2 (AMD).]

H. [PL 2005, c. 129, §3 (RP).]

I. One student member who is a voting member and has been elected as the presiding officer of the student body. The student member may not participate as a board member in executive sessions and may not vote in a public proceeding on any matter that was discussed or considered during an executive session; and [PL 2009, c. 486, §7 (AMD).]

J. The executive director of the school, who serves as the clerk of the board of trustees and is a nonvoting member. [PL 2011, c. 473, §3 (AMD).]

[PL 2011, c. 473, §3 (AMD).]

2. Chair. The board of trustees shall choose annually one of its members to serve as chair.
[PL 1993, c. 706, Pt. A, §4 (NEW).]

3. Meetings. The board of trustees shall meet at least 4 times a year at regular intervals.
[PL 1993, c. 706, Pt. A, §4 (NEW).]

4. Quorum. A quorum for the transaction of business is constituted by the attendance of 1/3 of all voting members and all official actions of the board of trustees require a majority vote of those members present and voting.
[PL 2009, c. 486, §8 (AMD).]

5. Compensation. Members are compensated pursuant to Title 5, section 12004-C, subsection 6.
[PL 1993, c. 706, Pt. A, §4 (NEW).]

6. Terms. The terms of the members of the board of trustees who are appointed by the Governor are for 4-year terms unless otherwise designated. The terms of the 2 teachers appointed by the Governor are staggered. Of the initial appointees, one is appointed for a term of 2 years and one is appointed for a term of 4 years.

The 10 members of the general public serve 4-year staggered terms. Members may be appointed for consecutive terms.

[PL 2005, c. 129, §4 (AMD).]

7. Conflict of interest. A board of trustees member shall attempt to avoid conflicts of interest by disclosure or by abstention.
[PL 2009, c. 486, §9 (NEW).]

SECTION HISTORY

PL 1993, c. 706, §A4 (NEW). PL 2003, c. 4, §1 (AMD). PL 2003, c. 20, §OO2 (AMD). PL 2003, c. 20, §OO4 (AFF). PL 2005, c. 129, §§1-4 (AMD). PL 2009, c. 486, §§5-9 (AMD). PL 2011, c. 473, §3 (AMD).

§8205. Powers and duties of the board of trustees

The powers and duties of the board of trustees include the following: [PL 1993, c. 706, Pt. A, §4 (NEW).]

1. Policies and bylaws. To develop and adopt policies and rules, including bylaws, necessary or useful for the operation of the school;
[PL 1995, c. 485, §2 (AMD).]

2. Administration. To oversee the administration of the school, including the hiring of teachers and administrative support staff;
[PL 1993, c. 706, Pt. A, §4 (NEW).]

3. Financial management. To appoint a treasurer, who need not be a member of the board of trustees, and to accept donations, bequests or other forms of financial assistance for any educational purpose from a public or private person or agency and to comply with rules and regulations governing grants from the Federal Government or from any other person or agency;
[PL 1995, c. 485, §2 (AMD).]

4. Budget development. To prepare and adopt an annual budget for the operation of the school and to exercise budgetary responsibility and allocate for expenditure by the school and programs under its jurisdiction all the resources available for the operation of the school and its programs;
[PL 1993, c. 706, Pt. A, §4 (NEW).]

5. Indemnification. To indemnify the trustees, officers, teaching staff and employees affiliated with the school and to purchase and maintain insurance to indemnify any such person to the extent provided in Title 13-B, section 714;
[PL 1993, c. 706, Pt. A, §4 (NEW).]

6. Bonds. To require security for the faithful performance of duties by the officers, trustees, employees and other agents of the school who are entrusted with the custody of the school securities or authorized to disburse the funds of the school. The security must consist of a bond, either a blanket bond or individual bond with a surety bond, or bonds having a minimum limitation of $100,000 coverage for each insured person. The expense of a bond is assumed by the school;
[PL 1993, c. 706, Pt. A, §4 (NEW).]

7. Property management. To lease and to acquire by purchase any property, lands, buildings, structures, facilities or equipment and make improvements to facilities necessary to fulfill the purposes of this chapter. Any lease or lease-purchase agreement must have a term not to exceed 10 years and must be subject to annual appropriation of funds. The Eastern Aroostook Regional School Unit retains ownership of the Limestone Elementary School and the Limestone Junior Senior High School and shares those facilities with the school;
[PL 2009, c. 486, §10 (AMD).]

8. Certificates and diplomas. To offer courses of study and grant diplomas and certificates on completion of courses of study. This may be done in cooperation with the sending school;
[PL 1993, c. 706, Pt. A, §4 (NEW).]

9. Contracts and agreements. To enter into any contracts and agreements, to the extent that funds are available, in the execution of its powers under this chapter;
[PL 1993, c. 706, Pt. A, §4 (NEW).]

10. Delegation. To delegate duties and responsibilities as necessary for the efficient operation of this chapter;
[PL 1993, c. 706, Pt. A, §4 (NEW).]

11. Criteria for enrollment. To establish criteria to be used in determining eligibility of applicants for enrollment. The criteria must include methods of ensuring gender equity for students selected;
[PL 1993, c. 706, Pt. A, §4 (NEW).]

12. Student conduct. To prepare and adopt procedures, rules and regulations to ensure the smooth operation of student conduct standards;
[PL 1993, c. 706, Pt. A, §4 (NEW).]

13. Geographical basis. To develop and adopt an admissions policy to ensure that students from all over the State have an equal opportunity to attend the school;
[PL 1993, c. 706, Pt. A, §4 (NEW).]

14. Fees and charges. To establish and collect necessary fees and to set policies relating to other appropriate charges for students;
[PL 1993, c. 706, Pt. A, §4 (NEW).]

15. Benchmarks and assessments. To establish benchmarks and methods of assessing progress in the levels of academic achievement in mathematics and science for students who participate in school programs and to establish benchmarks and methods of assessing progress in the professional development of teachers who participate in school programs;
[PL 1995, c. 485, §2 (AMD).]

16. Report. To report annually to the Governor, the joint standing committee of the Legislature having jurisdiction over education matters and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs on the results of the assessment in subsection 15 and the general status of the school and to provide a financial audit of the school conducted by an independent auditor;
[PL 1997, c. 760, §1 (AMD).]

16-A. Quarterly financial statements. To submit quarterly financial statements to the Governor, the joint standing committee of the Legislature having jurisdiction over education matters and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs;
[PL 1997, c. 760, §2 (NEW).]

16-B. Sustainability report. To submit to the joint standing committee of the Legislature having jurisdiction over education matters a sustainability report by February 1st of each year beginning February 1, 2024 and annually thereafter. The report must include a plan for and updates on student recruitment efforts, the rate of student attrition, graduation rate, a budget for and explanation of mental health services available to students and a discussion of the school's Limestone location;
[PL 2023, c. 464, §2 (NEW).]

17. Sue or be sued. To sue or be sued in the name of the school; and
[PL 1995, c. 485, §3 (NEW).]

18. Other. To do any other act necessary or useful for carrying out its powers, duties or purposes.
[PL 1995, c. 485, §3 (NEW).]

SECTION HISTORY

PL 1993, c. 706, §A4 (NEW). PL 1995, c. 368, §LL3 (AMD). PL 1995, c. 485, §§2,3 (AMD). PL 1995, c. 625, §A22 (AMD). PL 1997, c. 760, §§1,2 (AMD). PL 1997, c. 772, §1 (AMD). PL 2009, c. 486, §10 (AMD). PL 2023, c. 464, §2 (AMD).

§8206. Programs and operations

The programs and operations of the school include: [PL 1993, c. 706, Pt. A, §4 (NEW).]

1. School year. Operating on a calendar year that meets or exceeds the minimum number of statewide student instructional days;
[PL 1993, c. 706, Pt. A, §4 (NEW).]

2. Courses of study; programs; plan. By February 15, 1995, a plan must be submitted to the joint standing committee of the Legislature having jurisdiction over education matters that outlines the statewide education programs provided by the school and guarantees opportunities and access to students and educators not residing full time at the school.

The plan, to be implemented in September 1995, must include, but is not limited to, offering short courses, workshops, seminars, weekend instructional programs, distance learning and various other programs of short duration for teachers and students. The plan may include other innovative programs that meet the purpose of the school and assist in the professional development of the State's science and mathematics teachers.
[PL 1993, c. 706, Pt. A, §4 (NEW).]

3. School admission. Admittance of high school students and students pursuing a postgraduate high school year of education based on the enrollment criteria established by the board of trustees as provided in section 8205, subsection 11. Students who apply and are accepted by the school are allowed to attend as provided in section 5205, subsection 6;
[PL 2009, c. 486, §11 (AMD).]

4. Extracurricular activities. Participation in all extracurricular activities offered at Limestone Junior Senior High School; and
[PL 1993, c. 706, Pt. A, §4 (NEW).]

5. Telecommunications. Utilization of distance learning technologies to allow transmission of certain specialty courses conducted at the school for the benefit of high-achieving students attending school units throughout the State.
[PL 2009, c. 486, §12 (AMD).]

SECTION HISTORY

PL 1993, c. 706, §A4 (NEW). PL 2009, c. 486, §§11, 12 (AMD).

§8207. Financing authority

The board of trustees may borrow funds, issue bonds and negotiate notes and other evidences of indebtedness or obligations of the school for renovation and construction purposes to pay for costs as defined in Title 22, section 2053, subsection 3 and may issue temporary notes and renewal notes to pay for those costs. Bonds, notes or other evidences of indebtedness or obligations of the school are legal obligations of the school on behalf of the State and are payable solely from the school's revenues and other sources of funds, including funds obtained pursuant to Title 22, section 2053, subsection 4-B, paragraph B and these borrowings by the school do not constitute debts or liabilities of, and are not includable in, any debt limitation of the State or any municipality or political subdivision of the State. The board of trustees has the discretion to fix the date, maturities, denomination, interest rate, place of payment, form and other details of the bonds or notes of the school. Unless otherwise provided in the vote authorizing their issuance, bonds or notes of the school are signed by the treasurer and countersigned by the chair of the board of trustees. The aggregate principal amount of outstanding bonds, notes or other evidences of indebtedness of the school may not exceed $3,000,000 at any one

time, excluding temporary notes and renewal notes. The board of trustees may pledge or assign its revenues, including any funds that have been or may be appropriated to the school by the Town of Limestone, and the proceeds of those revenues and its other property as security toward its bonds, notes, other evidences of indebtedness or other obligations of the school. The proceeds of bonds, notes or other evidences of indebtedness may be invested in accordance with Title 30-A, sections 5706 and 5712. Bonds, notes and other evidences of indebtedness issued under this section are not debts of the State, nor a pledge of the credit of the State, but are payable solely from the funds of the school. The board of trustees may also borrow funds in anticipation of revenues for current operating expenses for a term not exceeding 13 months. Indebtedness incurred and evidences of indebtedness issued under this chapter are deemed to constitute a proper public purpose and all income derived is exempt from taxation in the State. The net earnings of the school may not inure to the benefit of any private person. If the school is dissolved, the distribution of all property owned by the school must be determined by the Legislature in accordance with this chapter and may not inure to the benefit of any private person. [PL 1997, c. 772, §2 (AMD).]

SECTION HISTORY

PL 1995, c. 485, §4 (NEW). PL 1997, c. 562, §E1 (AMD). PL 1997, c. 772, §2 (AMD).

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