Maine Department of Education

Multilingual Learner Budgetary Hardship Adjustment

Implementation Policy

Issue Date: 7/01/2022

Revised Date: 8/17/2023

Purpose: This policy document details statutory language and resulting management decision points that need to be made in order to implement 20-A MRSA §15689, sub-§16. This revision is required after adjustments to 20-A MRSA §15689, sub-§16 were enacted per PL2023 Chapter 214 Part JJJJ.

Scope: This policy impacts any school administrative unit (SAU) that is eligible for this adjustment, as well as the Department's Data and Finance teams.

Policy Statement: Beginning in fiscal year 2022-23, the following provisions apply to adjustments for multilingual learner budgetary hardships. If a school administrative unit is determined eligible pursuant to paragraph B during the review of data conducted by the School Finance Team biannually after the October 1 and April 1 enrollment count collections, the Commissioner may provide an amount equal to that school administrative unit's most recent state share of the increased multilingual learner weighted allocation, as calculated pursuant to section 15675, subsection 1, resulting from the increased enrollment. If the school administrative unit's most recent state share percentage is less than the statewide state share percentage under section 15671, subsection 1, paragraph B, then the adjustment amount is equal to the most recent state share percentage.

B. The Commissioner may determine that a school administrative unit is eligible for an adjustment if:

(1) The increased student enrollment is a result of a student's becoming the fiscal responsibility of the school administrative unit after the passage of the annual budget for the current fiscal year; and

(2) The school administrative unit's unexpected increased enrollment results in an increase of 3% or more in the English (multilingual) learner weighted allocation, as calculated pursuant to section 15675, subsection 1.

C. The funds for adjustments under paragraph A are limited to the amount appropriated by the Legislature for that purpose. An unexpected balance from another program's appropriated amounts under this chapter may be applied by the commissioner toward the adjustments.

D. A school administrative unit may expend the funds from the adjustment under paragraph A without seeking approval of the school administrative unit's legislative body.

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Statutes, Rules or References:

20-A MRSA §15689, sub-§16

Definitions:

Allocation: Product resulting from multiplying pupil count by the EPS rates, as indicated on page 2 of the ED 279 subsidy printout.

Enrollment Counts: Collections of student enrollment data occur biannually on October 1st and April 1st each year.

ML: Multilingual Learner

MDOE: Maine Department of Education

SAU/School Administrative Unit: A municipal school unit; a regional school unit formed pursuant to chapter 103-A; an alternative organizational structure as approved by the commissioner and approved by the voters; a school administrative district that does not provide public education for the entire span of kindergarten to grade 12 that has not reorganized as a regional school unit pursuant to chapter 103-A; a community school district that has not reorganized as a regional school unit pursuant to chapter 103-A; a municipal or quasi-municipal district responsible for operating public schools that has not reorganized as a regional school unit pursuant to chapter 103-A; a municipal school unit, school administrative district, community school district, regional school unit or any other quasi-municipal district responsible for operating public schools that forms a part of an alternative organizational structure approved by the commissioner; and a public charter school authorized under chapter 112 by an entity other than a local school board.

Subsidizable pupil: All school level pupils who reside in a school administrative unit and who are educated at public expense at a public school or at a private school approved for public tuition purposes.

Responsibilities:

MDOE School Finance Team: Review student enrollment data biannually after each collection period for SAUs that may be eligible for the ML Hardship Adjustment for processing under the procedure documented below.

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MDOE Procedure:

The School Finance Team will review the certified student enrollment data by SAU after each collection period to determine if the change in ML enrollments since the prior collection period represents a hardship according to the statute.

The School Finance Team will create an ED 279 template, incorporating the increased ML subsidizable student count and verifying that the increased count results in an increase to the ML allocation of at least 3%. If the increase to the allocation is 3% or greater, the School Finance Team moves to the next step.

The School Finance team will calculate the state share of the increase to the ML allocation; if the state share calculated for the SAU is less than the state share enacted via Part C of the fiscal year budget, then the maximum adjustment amount will be the allocation increase multiplied by the enacted state share percentage. If the state share calculated for the SAU is greater than the state share enacted via Part C of the fiscal year budget, then the maximum adjustment amount will be the allocation increase multiplied by the SAU's state share percentage.

The total funds available for adjustments are limited to the amount appropriated by the Legislature via Part C of the fiscal year budget. An unexpended balance from another program's appropriated amounts under this chapter may be applied by the commissioner toward the adjustments. Should an adjustment exceed available funds, the School Finance Team should discuss alternatives with the Commissioner's Office.

Once the adjustment amount has been determined, the School Finance team will prepare written notification to the Commissioner's Office sent to the SAU Superintendent, with a cc to the SAU Business Manager.

The School Finance team will prepare a manifest for payment to each eligible SAU as required.