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EDUCATION AND CULTURAL AFFAIRS

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 349, L.D. 530, Bill, “An Act To Apply the Standard of Best Educational Interest to Superintendent Agreements for Transfer Students”

Amend the bill by striking out the title and substituting the following:

'An Act To Ensure That the Standard of a Student's Best Interest Is Applied to Superintendent Agreements for Transfer Students'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 20-A MRSA §5205, sub-§6, ¶¶A and B, as enacted by PL 1981, c. 693, §§5 and 8, are amended to read:

A. Two superintendents may approve the transfer of a student from one school administrative unit to another if:

- (1) They find that a transfer is in the student's best interest; and
- (2) The student's parent approves.

The superintendents shall notify the commissioner of any transfer approved under this paragraph. If the superintendents decide not to approve the transfer, the superintendents shall provide to the parent of the student requesting transfer under this paragraph a written description of the basis of their determination that the transfer is not in the student's best interest.

B. On the request of the parent of a student requesting transfer under paragraph A, the commissioner shall review the transfer. ~~The commissioner's decision shall be final and binding.~~ The commissioner shall review the superintendents' determination and communicate with the superintendents and with the parent of the student prior to making a decision. The commissioner may approve or disapprove the transfer and shall provide to the parent of the student and to the superintendents a written decision describing the basis of the commissioner's determination that the transfer is or is not in the student's best interest.

COMMITTEE AMENDMENT

