**MAINE ADMINISTRATIVE PROCEDURE ACT**

**2025 Regulatory Agenda**

**June 27, 2025**

**AGENCY UMBRELLA-UNIT NUMBER**:  **05-071**

**AGENCY NAME:  Department of Education, Office of the Commissioner**

**RULE-MAKING LIAISON**:  Laura Cyr, Rulemaking Liaison Maine Department of Education, 23 State House Station, Augusta, ME 04333-0023, Cell;207-446-8791, email: laura.cyr@maine.gov

**RULE(S) ADOPTED SINCE THE LAST REGULATORY AGENDA**:

Ch. 101: Maine Unified Special Education Regulation - Revision

CH. 83: School Transportation Operations Program - Repeal

**EMERGENCY RULE(S) ADOPTED SINCE LAST REGULATORY AGENDA:**

None

**CONSENSUS-BASED RULE DEVELOPMENT:**

 None

**EXPECTED 2024-2025 RULE-MAKING ACTIVITY:**

**CHAPTER 33:**

STATUTORY AUTHORITY:  20-A, M.R.S.A.

PURPOSE:

ANTICIPATED SCHEDULE:

AFFECTED PARTIES:  School personnel seeking certification under the qualifying exam.

**CONSENSUS-BASED RULEMAKING: n/a**

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**CHAPTER 81: School Transportation Safety**

STATUTORY AUTHORITY:  29-A M.R.S. §2311 and 20-A M.R.S. §5401(17)

PURPOSE: Update accident reporting guidelines

ANTICIPATED SCHEDULE:  2026 adoption

AFFECTED PARTIES:  Local school administrative units

**CHAPTER 85: School Bus Purchase Program**

STATUTORY AUTHORITY:  29-A M.R.S. §2311 and 20-A M.R.S. §5401(17)

PURPOSE: Need to strike Section 1 of this chapter where the School Bus Refurbishment Program is mentioned.

ANTICIPATED SCHEDULE:  2026 adoption

AFFECTED PARTIES:  Local school administrative units

**CHAPTER 86: Maine Uniform School Bus Specifications**

STATUTORY AUTHORITY:    29-A M.R.S. §2311 and 20-A M.R.S. §5401(17)

PURPOSE: Update requirements for electric buses - The Department shall adopt rules for Zero Emission Public School Bus Fleet Goal. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

ANTICIPATED SCHEDULE:  2026 adoption

AFFECTED PARTIES:  Local school administrative units

**CHAPTER 101:  Maine Unified Special Education Regulation –** **Major Substantive Rule**

STATUTORY AUTHORITY:  20-A, M.R.S.A., §7005 (1)

PURPOSE:  Revise rule based on conceptual conversations with the field.

ANTICIPATED SCHEDULE:  2026 adoption

AFFECTED PARTIES:  Special education programs and services for eligible infants, toddlers, and children from birth through age 22, school administrative units, and private schools.

**CHAPTER 104: Educational Programs For Gifted And Talented Children**

STATUTORY AUTHORITY:  20-A, M.R.S.A. Sections 8101; 15603(22)(c)

PURPOSE:   Review/Revise rules regarding the gifted and talented program standards

ANTICIPATED SCHEDULE:  2026 adoption

AFFECTED PARTIES:  Educational personnel preparation programs, educational personnel in training.

**CHAPTER 114**:  **Purpose, Standards and Procedures for the Review and Approval of Preparation Programs for Education Personnel**

**State Board of Education Rule**

STATUTORY AUTHORITY:  20-A, M.R.S.A. Sections 8, 402(4), 405(3)(F) and 406

PURPOSE:   Update statutory authority. Review/Revise rules regarding teacher education program approval and revise the term hearing impaired pursuant to PL 2021, Chapter 348.

ANTICIPATED SCHEDULE:  2026 adoption

AFFECTED PARTIES:  Educational personnel preparation programs, educational personnel in training.

**CHAPTER 115: The Credentialling of Educational Personnel**

**State Board of Education Rule**

STATUTORY AUTHORITY: 20-A, M.R.S.A. §13011(1)

PURPOSE: This revision follows the prescribed changes outlined in P.L 2023, Chapter 125

ANTICIPATED SCHEDULE: Filing is planned in January of 2026.

AFFECTED PARTIES: Local school administrative units, prospective teachers, educational organizations

**CHAPTER 119: Adjudicatory Proceedings on Certification Issues**

**State Board of Education Rule**

STATUTORY AUTHORITY: 20-A MRS §13011(4); 5 MRS §8051

PURPOSE: Review and revise rules regarding the procedures for the conduct of formal adjudicatory hearings pertaining to applications for the issuance or renewal of any certificate or endorsement which has been tentatively denied by the Commissioner.

ANTICIPATED SCHEDULE:  2025

AFFECTED PARTIES: School personnel seeking certification

CHAPTER 124: **Basic Approval Standards: Public Preschool Programs**

STATUTORY AUTHORITY: 20 MRSA §4271(4).

PURPOSE: Review and revise the public preschool basic approval standards to align with recent CDS transitions

ANTICIPATED SCHEDULE: 2026

AFFECTED PARTIES: Local school administrative units

**CHAPTER 128: Truants and Drop-outs Guidelines** **Repeal**

STATUTORY AUTHORITY: Was 20 MRS §911. The new relevant statute, 20-A Chapter 211 has sufficient detail.

PURPOSE: Repeal the existing Chapter 128 as the current statute has sufficient detail and the former rule is not consistent with the new statute. Team would like to repeal and replace to focus on chronic absenteeism.

ANTICIPATED SCHEDULE: 2026

AFFECTED PARTIES: Local school administrative units

**CHAPTER 131: The Maine, Federal, State, and Local Accountability Standards – Major Substantive Rule**

STATUTORY AUTHORITY: Title 20-A §6214

PURPOSE: Repeal entirety of rule

ANTICIPATED SCHEDULE: 2026 adoption

AFFECTED PARTIES: Local school administrative units

**CHAPTER 132: Learning Results: Parameters for Essential Instruction** – **Major Substantive Rule**

STATUTORY AUTHORITY: 20-A M.R.S.A. §6211

PURPOSE: Review/Revise the rule to update any necessary changes. 2024 revisions include mathematics, life and career readiness, and English language arts

ANTICIPATED SCHEDULE: 2026 adoption

AFFECTED PARTIES: Local school administrative units

**CHAPTER 147: Rules for the Licensing of Privately Owned Business, Trade and Technical Schools – Proprietary Schools**

STATUTORY AUTHORITY: 20-A M.R.S.A. §9503 (5), §9506, §9507

PURPOSE: Review and revise the rule which details the criteria to be met by any privately owned business, trade, and technical school to obtain a license to do business in the State of Maine.

ANTICIPATED SCHEDULE: 2026 adoption

AFFECTED PARTIES: Privately owned business, trade, and technical school

**CHAPTER 149: Procedures for Obtaining Authorization for Institutions of Higher Education to Confer Academic Degrees or to Offer Degree Courses/Programs in the State of Maine**

**State Board of Education Rule**

STATUTORY AUTHORITY: 20-A M.R.S.A. §

PURPOSE: Review and revise the rule which details the criteria to be met by any educational institution that confers degrees or offers degree programs

ANTICIPATED SCHEDULE: 2026

AFFECTED PARTIES: Public and private higher education institutions

**CHAPTER 150: Licensing Privately Owned Correspondence Schools - REPEAL**

STATUTORY AUTHORITY: 20-A M.R.S.A. §9204

PURPOSE: Repeal of rule to incorporate language into another existing rule

ANTICIPATED SCHEDULE: 2026

AFFECTED PARTIES: Correspondence schools

**CHAPTER 221: Adult Education Administrative Cost Reimbursement**

STATUTORY AUTHORITY:   Title 20-A MRS §8602

PURPOSE: Review and revise a single comprehensive Adult Education rule.

ANTICIPATED SCHEDULE:  2026

AFFECTED PARTIES:  Adult education administrative costs for which school administrative units, regions and centers may claim reimbursement.

**CHAPTER 222: Adult Career and Technical Education, and Workforce Training and Re-training, Cost Reimbursement**

STATUTORY AUTHORITY:   Title 20-A MRS §8602

PURPOSE: Review and revise into single Adult Education rule.

ANTICIPATED SCHEDULE:  2026

AFFECTED PARTIES:  Adult education administrative costs for which school administrative units, regions and centers may claim reimbursement.

**CHAPTER 229:  ADULT EDUCATION FEES**

STATUTORY AUTHORITY:  20-A MRS §§ 2388, 8602

PURPOSE: Review and revise to address how the compensation works with out of school youth and the SAU of the adult education program who serves the youth.

ANTICIPATED SCHEDULE:  2026 adoption

AFFECTED PARTIES:  This rule provides clarification about the collection and utilization of fees in adult education programs.

**CHAPTER 230:  Adult Education Program Requirements**

STATUTORY AUTHORITY:  Title 20-A MRS §8602

PURPOSE:  Review/Revise rule to reflect changes in state statute and federal guidelines.

ANTICIPATED SCHEDULE:  2026

AFFECTED PARTIES:  Local adult education programs

**CHAPTER 231**:  **Vocational Program and Funding Procedure REPEAL**

STATUTORY AUTHORITY:  20-A, M.R.S.A. §8306-B

PURPOSE:  Repeal and replace the rule to change the title to reflect Career and Technical Education Programs and to update the rule with regard to career and technical education program approval and funding based on national industry standards and assessments.  Revise the term handicap pursuant to PL 2021, Chapter 348.

ANTICIPATED SCHEDULE:  2026 adoption

AFFECTED PARTIES:  All school administrative units

**CHAPTER 232:  Standard Criteria for Maine Secondary Vocational Programs**

STATUTORY AUTHORITY:  20-A, M.R.S.A. §8306-B

PURPOSE:  Repeal and replace the rule to change the title to reflect Career and Technical Education Programs and to update the rule with regard to career and technical education program(s) and courses based on national industry standards and assessments. Revise the term handicap pursuant to PL 2021, Chapter 348.

ANTICIPATED SCHEDULE:  2026 adoption

AFFECTED PARTIES:  All school administrative units

**CHAPTER 236**:  **Program (Vocational Education) Evaluation Requirements REPEAL**

STATUTORY AUTHORITY:  32, M.R.S.A. §8306-B

PURPOSE:   Repeal and replace the rule to change the title to reflect Career and Technical Education Programs and to update the rule with regard to program evaluation requirements for Career and Technical Education programs based on national industry standards and assessments.

ANTICIPATED SCHEDULE:  2026 adoption

AFFECTED PARTIES:  All school administrative units

**CHAPTER 237:  "Live or Outside Work" REPEAL**

STATUTORY AUTHORITY:  20-A, M.R.S.A. §8306-B

PURPOSE:   Review/Revise the rule to change the title to reflect Career and Technical Education Programs and to update the rule with regard to requirements for Career and Technical Education Live or Outside Work Programs based on national industry standards and assessments.

ANTICIPATED SCHEDULE:  2026 adoption

AFFECTED PARTIES:  All school administrative units

**NEW RULES** ---------------------------------------------------------------------------------------------



**NEW RULE:** Rules for Private School Approval **- MAJOR SUBSTANTIVE RULE**

STATUTORY AUTHORITY:  20-A M.R.S. § 261; 20-A M.R.S. §2954

PURPOSE:  The Department shall adopt rules to implement this subsection.

ANTICIPATED SCHEDULE:  As necessary.

AFFECTED PARTIES:  Department of Education and school administrative units, and private schools approved for the receipt of public funds

**NEW RULE:** Food Service Programs

STATUTORY AUTHORITY: PL 2023, Chapter 181, 20-A MRSA §6602

PURPOSE: The Department shall adopt or amend rules about the qualifications of food service programs' personnel and rules to implement the federal summer food service program for children. To the extent allowed under federal law, rules adopted under this subchapter must allow for the greatest amount of flexibility in mealtimes and packaging of meals to send home with students.

ANTICIPATED SCHEDULE: 2025

AFFECTED PARTIES: All school administrative units

**NEW RULE:** Fingerprinting

STATUTORY AUTHORITY:  Title 20-A §6152

PURPOSE:  The Department shall adopt rules to implement this subsection.

ANTICIPATED SCHEDULE:  2026

AFFECTED PARTIES:  Local SAUs