

Maine

State Roles and Responsibilities for PK-12 Public School Facilities



2025 State Profile



**National Center on
School Infrastructure**



Authors & Acknowledgements

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Disclaimers

This state profile represents our best understanding of state policies, standards, and laws governing public PK-12 educational facilities. Any errors or omissions are the responsibility of the authors. This document should not be considered an officially approved statement of state policy.

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**National Center on
School Infrastructure**

The National Center on School Infrastructure is a national resource hub that supports states and school districts in the stewardship of America's elementary and secondary public school facilities.



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MAINE EXECUTIVE SUMMARY

This document provides an overview of the state of Maine’s roles and responsibilities regarding public elementary and secondary (PK12) school facilities. It is part of a National Center on School Infrastructure technical assistance project to document public school facility policy and practice across all U.S. states and territories to help build state capacity for aiding districts in their efforts to provide students and staff with healthy, safe, resilient, and educationally adequate public school buildings and grounds.

In Maine, the governance and management of PK-12 public school facilities are primarily managed by school districts at the local level. Maine school districts have the authority and responsibility for the day-to-day operations and maintenance of public school facilities, as well as for their long-term planning, design, financing, and construction.

However, states also assume a range of roles and responsibilities regarding the governance and management of school facilities. These include establishing and implementing state policies and practices to support local PK-12 public school facilities planning, facility data collection, capital and maintenance funding for buildings and grounds, facilities management, and facility standards and implementing systems for accountability.



Governance &
Decision Making



Management



Data & Information



Planning



Funding



Accountability

State agencies may additionally offer technical assistance and training to help districts meet modern facility standards, mitigate risks, and enhance the overall quality of local stewardship for public school buildings and grounds. The extent of state involvement in public school facilities varies widely across states.



Governance

Governance of public school facilities in Maine is shared among the Legislature, Governor, State Board of Education, and Commissioner of Education, each with specific statutory responsibilities. The Legislature establishes the framework for school construction, renovation, and maintenance through [Title 20-A](#), particularly Chapter 609, and authorizes general obligation bonds for capital projects subject to voter approval under [Article IX, Section 14 of the Maine Constitution](#). Oversight of school facility legislation is carried out by three joint standing committees: Education and Cultural Affairs, Appropriations and Financial Affairs, and State and Local Government, which collectively review policy, fiscal implications, and property matters. The Governor appoints the Commissioner of Education and members of the State Board, submits a biennial budget that includes school construction debt service, may propose or support school construction bonds, and exercises emergency authority under [37-B M.R.S. § 742](#) to direct resources to schools affected by disasters. The State Board of Education, established under [20-A M.R.S. § 401](#), oversees the [Major Capital School Construction Program](#), adopts rules codified in [Rule Chapter 61](#), approves and prioritizes projects, and issues Certificates of Approval that define the scope and state share of debt service. Within the Board, the School Construction Committee reviews applications and prepares recommendations for Board action. The Commissioner of Education, appointed under [20-A § 251](#), serves as chief executive of the Department of Education, enforces Title 20-A, and carries out Board rules by reviewing project applications, preparing statewide priority lists, managing appeals, approving non-state-funded projects, and administering lease agreements under [§ 15905-A](#).

Management

Management responsibilities for public school facilities involve the [Department of Education](#) and other state agencies that provide oversight, technical assistance, and program administration in support of local school administrative units (SAUs). Within the Department, the [Office of School Facilities](#) administers the Major Capital School Construction Program, School Revolving Renovation Fund, and Leased Space Program, manages the rating cycle, conducts evaluations and site visits, and provides technical support to SAUs in preparing educational specifications, site documentation, and maintenance plans. The Department also enforces facility maintenance planning requirements under [20-A § 4001\(7\)](#) and Rules Chapters [64](#) and [125](#) by collecting certifications and ensuring compliance through the basic school approval process. The



[Maine School Safety Center](#), established under [20-A § 6557](#), provides statewide training, resources, and technical assistance on emergency operations planning, vulnerability assessments, and physical security requirements, including statutory mandates for interlocking door controllers. Beyond DOE, the [Bureau of General Services](#) (DAFS) administers the Maine Uniform Building and Energy Code, oversees energy performance contracting under [5 M.R.S. § 1764-A](#), and provides procurement services used by schools. The State Fire Marshal's Office, within the Department of Public Safety, enforces fire and life safety codes, approves school construction and renovation plans under [25 M.R.S. § 2392](#), and inspects schools for compliance with statutory safety requirements. The Department of Health and Human Services administers public health and sanitation standards for schools, including lead and radon testing, water quality, and restroom facilities, while the Department of Environmental Protection regulates asbestos, PCBs, PFAS, and other environmental hazards affecting school facilities.

Data

Maine collects and manages a limited but important set of data on public school facilities through statutory mandates and DOE reporting systems. Enrollment data are collected annually on October 1 from each district and published in the [DOE Data Warehouse](#), serving as the basis for funding formulas and as input to facilities planning. Inventory data are mandated under [20-A § 4001\(7\)](#) and [DOE Rule Chapter 64](#), which require SAUs to maintain a facilities maintenance and capital improvement program including an inventory of building systems, preventive maintenance schedules, and capital projections; compliance is certified through the [Public School Approval](#) process under [§ 4502](#) and Rule Chapter 125, and DOE collects certifications through its NEO reporting modules. For state-funded capital projects, design data are required through educational specifications and site documentation submitted under Rule Chapter 61, which DOE reviews for program adequacy and space needs. Utilization data are not published statewide but are gathered during Major Capital Program evaluations, where DOE requires enrollment projections and evaluates building capacity for scoring priority lists. Condition data are collected locally under [§ 4001\(7\)](#) and DOE Rule Chapter 64, and at the state level during DOE evaluations of major capital applications; DOE produces evaluation reports and a statewide priority list, though detailed condition reports are not public. Budget and finance data are reported through annual [ED279 reports](#), which detail allocations under the [Essential Programs and Services](#) model,



including debt service allocations for school construction projects, and through DOE postings of School Revolving Renovation Fund awards. Facility performance data are also collected under law: [22 M.R.S. § 2604-B](#) requires lead testing in drinking water with results published by the Maine CDC, [20-A § 4013](#) mandates radon testing and reporting to DOE and DHHS with statewide summaries beginning in 2025, and PFAS monitoring applies to schools with on-site wells under Maine CDC water programs.

Planning

Planning for school facilities in Maine occurs at both the local and state levels, structured by statute and DOE rules. At the local level, [20-A § 4001](#)(7) requires every SAU to establish and maintain a facilities maintenance and capital improvement program, serving as a local master planning document. At the state level, capital planning is carried out through the [Major Capital School Construction Program](#). Applications are submitted during rating cycles, DOE staff conduct site visits and evaluations, and projects are scored using criteria defined in [Rule Chapter 61](#); the Commissioner manages the appeals process before forwarding a proposed list to the State Board, which adopts the final priority list and grants approvals under [§ 15905](#). Applications must include educational specifications (§ 8), site documentation (§ 7), appraisals, and compliance with health and safety requirements under [§ 15903](#). [Rule Chapter 60](#) governs approval of new school sites, requiring appraisals, purchase options, and site analysis. While Maine does not maintain a continuous statewide master facilities plan, the periodic priority lists function as a de facto statewide planning mechanism, identifying urgent construction and renovation needs across the state. [Rule Chapter 61](#) also permits the development of integrated, consolidated 9–16 facilities combining high school, CTE, and higher education programs. Emergency management planning is required under [20-A § 1001](#)(16), which obligates school boards to adopt written emergency operations plans, with Rule Chapter 125 requiring evacuation and lockdown drills; the School Safety Center provides templates, training, and technical assistance for compliance.

Funding

Funding for public school facilities in Maine is shared between local districts, which bear primary responsibility for maintenance and operations, and the state, which provides targeted support for major capital projects, renovations, and leased instructional space. Under [20-A § 4001](#)(1), SAUs must fund day-to-day operations and



maintenance from their budgets, though they may establish reserve funds for maintenance and minor remodeling under § 4001(5). These costs are recognized in the [Essential Programs and Services](#) (EPS) funding model under [Chapter 606-B](#), which includes operations and maintenance allowances in the state subsidy allocations published annually in [ED279 reports](#). State support for capital outlay is provided primarily through the [Major Capital School Construction Program](#). Under §§ [15901](#), [15903](#), [15905](#), and [15907](#), projects must receive State Board approvals before the state issues a Certificate of Approval and assumes its share of debt service payments. The Department of Education administers the rating cycle, the Legislature appropriates debt service funding, and the Governor includes appropriations in biennial budgets. The [School Revolving Renovation Fund](#), authorized under [30-A § 6006-F](#), provides interest-free loans with partial forgiveness for health, safety, and compliance projects, administered jointly by DOE and the [Maine Municipal Bond Bank](#). The [Leased Space Program](#), under [20-A § 15905-A](#), authorizes state subsidy for approved leases and lease-purchase agreements for instructional space. Financing is provided through the Maine Municipal Bond Bank under [30-A § 5953-E](#), which issues bonds for approved projects and administers pooled borrowing, though obligations do not carry the full faith and credit of the state. The [Fund for the Efficient Delivery of Educational Services](#), under [20-A § 2651](#), also provides competitive grants that may support facility consolidation and shared infrastructure planning.

Accountability

Accountability for school facilities in Maine is maintained through statutory standards, rules, inspections, and the basic school approval process. Local school boards are assigned responsibility under § [1001](#) and § [4001](#)(1) to maintain facilities, while § [4001](#)(7) requires formal maintenance and capital improvement programs. [DOE Rule Chapter 64](#) defines the content of these plans, and [Rule Chapter 125](#) requires facilities to be operated in safe, healthful, and sanitary condition, with compliance certified through the basic school approval process under § [4502](#). Building standards are enforced through the [Maine Uniform Building and Energy Code](#) (10 M.R.S. §§ 9721–9724) and through State Board rules; projects seeking state funding must obtain approvals under §§ [15901](#), [15903](#), [15905](#), and [15907](#), comply with space and cost standards in [Rule Chapter 61](#), and secure site approval. Educational adequacy is required under § [4502](#)(5)(C), with DOE Rule Chapter 125 mandating sufficient instructional and support spaces, and Rule Chapter 61 requiring educational specifications and maximum square



footage standards for state-funded projects. Health and safety standards are jointly enforced by DOE and DHHS: DOE Rule Chapter 125 incorporates sanitation, hazardous materials handling, and water supply requirements, while DHHS enforces drinking water, radon, lead, and asbestos requirements under public health statutes. Air quality standards are set in [§ 6302](#), requiring operation and annual inspection of HVAC systems, with DOE Rule Chapter 125 incorporating ASHRAE practices. Chemical hazards are regulated through DOE Rule Chapter 125, DEP oversight of asbestos, PCBs, and hazardous waste, and DHHS enforcement of radon and lead testing. Thermal comfort standards are covered in Rule Chapter 125 and [§ 6302](#), while water quality is regulated by [22 M.R.S. § 2604-B](#) for lead, [20-A § 4013](#) for radon, and DOE Rule Chapter 125 for sanitation and PFAS compliance. Collectively, these mechanisms ensure that districts maintain facilities meeting minimum health, safety, and adequacy standards, while state oversight and approval processes tie state financial support to compliance with established rules and statutory requirements.



MAINE ELEMENTARY AND SECONDARY EDUCATION

CONSTITUTIONAL BASIS

Public education is a state responsibility established in the Maine State Constitution.

[Maine Constitution, Article VIII, Part First, Section 1:](#)

“... A general diffusion of the advantages of education being essential to the preservation of the rights and liberties of the people; to promote this important object, the Legislature are authorized, and it shall be their duty to require, the several towns to make suitable provision, at their own expense, for the support and maintenance of public schools; and it shall further be their duty to encourage and suitably endow, from time to time, as the circumstances of the people may authorize, all academies, colleges and seminaries of learning within the State...”

This provision assigns local towns the duty to support and maintain public schools at their own expense. It also directs the Legislature to require such provision by towns and to encourage and endow academies, colleges, and seminaries of learning, subject to the conditions stated.

SCALE OF PUBLIC SCHOOL HOUSING

Maine's 288 local education agencies (LEAs) reported to the U.S. Census of Governments that they operated 598 PK through 12th grade (and adult education) schools in fiscal year 2022. These districts enroll about 172,915 students and are the workplace for about 37,331 staff. These schools encompass about 37,890,573 million gross square feet of building space statewide. (1)



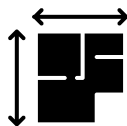
598

Schools



288

Districts



37,890,573

Sq. Ft.

**Estimated*



37,331

Staff



172,915

Students

(1) Department of Education, National Center for Education Statistics, Common Core of Data (CCD), "Local Education Agency (School District) Universe Survey", FY2022; "State Nonfiscal Public Elementary/Secondary Education Survey", Fiscal Year 2022. State gross square feet of building space, provided by National Council on School Facilities state



officials, or estimated by the 21st Century School Fund based on estimates of gross square feet by student, multiplied by 2021–2022 enrollments. **Data includes charter students, schools, and districts.**

The following sections describe Maine’s state-level roles and responsibilities for public school facilities.

MAINE’S PK-12 PUBLIC EDUCATIONAL FACILITIES

GOVERNANCE

State-level engagement in PK-12 public school facilities is firmly embedded in state systems. State boards of education, state education agencies, state legislatures, governors, and in some cases, independent commissions and facilities authorities make decisions about state roles and responsibilities associated with the quality and delivery of public school facilities. These bodies govern through state codes, regulations, standards, and budgets, which direct and influence local policies and practices regarding public school buildings and grounds. In some states, education finance equity and adequacy court cases have also played a role in defining state responsibilities for public school facilities.

LEGISLATIVE COMMITTEES AFFECTING FACILITIES

The Maine Legislature establishes the statutory framework for public school facilities primarily in [Title 20-A, Part 7, Chapter 609](#) (§§ 15901–15915), which governs the Major Capital School Construction Program. The Legislature also authorizes general obligation bonds for school construction and renovation, subject to voter approval under [Article IX, Section 14 of the Maine Constitution](#).

Three joint standing committees review and shape school facility legislation:

- [Joint Standing Committee on Education and Cultural Affairs](#) (House and Senate) — Reviews legislation affecting K–12 education policy, including statutes governing school construction, renovation, safety, and facility programs. The committee considers amendments to Title 20-A related to school facilities and makes recommendations on program structures and requirements.



- [Joint Standing Committee on Appropriations and Financial Affairs](#) (House and Senate) — Reviews the fiscal implications of school facility legislation, including debt service appropriations, bond measures, and other facility funding proposals, and determines their alignment with the state budget.
- [Joint Standing Committee on State and Local Government](#) (House and Senate) — Reviews legislation concerning public property and state leasing authority, which at times includes statutes affecting the disposition or lease of school facilities.

Legislation also defines the administrative roles of the Maine State Board of Education and the Department of Education. The Board is authorized to adopt rules governing major capital school construction and to approve eligible projects, while the Department administers program operations, reviews applications, and issues regulatory guidance. The Legislature grants rulemaking authority to these agencies and may amend statutory criteria governing eligibility, funding allocation, and prioritization.

STATE BOARD OF EDUCATION

The [Maine State Board of Education](#) is established under [20-A M.R.S. § 401](#). The Board consists of nine voting members, appointed by the Governor and confirmed by the Senate, with four members from the First Congressional District, four from the Second Congressional District, and one from either district. Two nonvoting student members are appointed under the same process.

The Board's authority over school construction and renovation is established in [20-A M.R.S. Chapter 609](#). Under [§ 15901](#), projects may not be approved for state subsidy unless reviewed and authorized by the State Board. [§ 15903](#) requires that plans and specifications for approved projects be submitted to the Commissioner and forwarded to the Board for review to ensure health, welfare, and safety standards are met. [§ 15905](#) provides that the Board must grant concept approval, design and funding approval, and final approval before state participation in a project. [§ 15907](#) directs the Board to issue a Certificate of Approval identifying the approved scope of work and the state share of debt service costs for each project.



The Board adopts rules governing the Major Capital School Construction Program under 20-A M.R.S. Chapter 609. These rules are codified as [State Board of Education Rule, Chapter 61](#). Chapter 61 establishes the process for school administrative units to apply for state funding, including submission requirements, procedures for the development of educational specifications, standards for site review, space allocation guidelines, cost limitations, and the rating system used to evaluate and prioritize applications.

The Board evaluates applications submitted by school administrative units during each capital rating cycle, applies the rating system defined in Rule Chapter 61, and approves statewide priority list of projects. The Board then issues Certificates of Approval for projects that receive state subsidy, and it oversees compliance with cost and space standards set in statute and rule.

MAINE SCHOOL CONSTRUCTION COMMITTEE

The [School Construction Committee](#) is a standing committee of the Maine State Board of Education. It operates under the Board's authority. The Committee is composed of members of the State Board and is responsible for conducting the Board's business related to school construction. It reviews applications submitted by school administrative units during each major capital construction cycle, evaluates projects against statutory and regulatory criteria, and makes recommendations to the full Board. The Committee's work is guided by State Board of Education Rule, Chapter 61, which establishes requirements for applications, educational specifications, site review, space allocation standards, and cost limitations. The School Construction Committee functions as the working body that prepares project recommendations, while the full State Board of Education retains final approval authority, including the issuance of Certificates of Approval for projects receiving state subsidy.

MAINE COMMISSIONER OF EDUCATION

The [Commissioner of Education](#) is appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over education and to confirmation by the Legislature ([20-A M.R.S. § 251\(1\)](#)). The Commissioner serves as the chief executive officer of the Department of Education ([20-A M.R.S. § 251-A](#)) and is required to enforce the provisions of



Title 20-A and exercise the powers and duties assigned to the department ([20-A M.R.S. § 253\(1\)](#)).

With respect to school facilities, the Commissioner has specific responsibilities under [Title 20-A, Chapter 609](#). Under [§ 15905-A](#), the Commissioner must approve projects that do not seek state subsidy before they may proceed. These approvals require submission of plans and local authorization by referendum or by vote of the school administrative unit's governing body. The Commissioner also reviews and approves leases and lease-purchase agreements for instructional space under the same statute, including determinations of whether such agreements are eligible for state subsidy.

In the Major Capital School Construction Program, the Commissioner administers the application and evaluation process established in [State Board of Education Rule, Chapter 61](#). The Department reviews applications, conducts site visits, and prepares a proposed priority list, which the Commissioner submits to the State Board. The Commissioner also manages the appeals process for school administrative units disputing their ratings. After the State Board issues Certificates of Approval under [20-A M.R.S. § 15907](#), the Commissioner is responsible for making state debt service payments in accordance with each unit's retirement schedule, either directly to the unit or through the Maine Municipal Bond Bank.

GUBERNATORIAL ROLE IN SCHOOL FACILITIES

The Governor appoints the Commissioner of Education under [20-A M.R.S. § 251\(1\)](#) and members of the State Board of Education under [20-A M.R.S. § 401](#), subject to legislative confirmation. Under [5 M.R.S. § 1662](#), the Governor submits a biennial budget to the Legislature, which includes recommended appropriations for education and for debt service on school construction bonds authorized in [Title 20-A](#). Capital expenditures for school construction and renovation are included in these budget proposals and require legislative approval. The Governor may also propose or support general obligation bond measures that finance school construction and renovation.

The Governor has emergency authority under [37-B M.R.S. § 742](#) to direct state resources in response to disasters affecting public infrastructure, including school facilities. This authority permits the Governor to authorize funding or



mobilize state agencies to address damage to school buildings resulting from natural disasters or other emergencies.

Ad Hoc COMMITTEES, BOARDS, AND COMMISSIONS

STATEWIDE SCHOOL SECURITY ASSESSMENT (2013-2014)

In 2013, the Legislature enacted [Resolve 2013, chapter 76 \(LD 905\)](#), directing the Department of Education to conduct a statewide assessment of school security. The study was completed in 2014 and evaluated the physical safety conditions of Maine’s public schools. The findings were published in the report [“Twenty Simple Strategies to Safer and More Effective Maine Schools”](#) (2014), which provided recommendations to guide districts in strengthening building security and safety practices.

STUDY PURSUANT TO PUBLIC LAW 2023, CHAPTER 462 (LD 1415): FINANCING SCHOOL CONSTRUCTION (2023-2024)

In 2023, the Legislature enacted [Public Law 2023, chapter 462 \(LD 1415\)](#) requiring the Department of Education to study financing methods for school construction. The charge included identifying alternative pathways for addressing school construction needs and evaluating potential revenue sources for capital funding. The Department submitted its [report](#) on December 6, 2023, which analyzed financing options and provided recommendations for legislative consideration.

GOVERNOR’S COMMISSION ON SCHOOL CONSTRUCTION (2024–2025)

In October 2024, the Governor issued [Executive Order No. 1 FY 24/25](#), creating the Governor’s Commission on School Construction. The Commission was directed to conduct a comprehensive review of Maine’s school construction and renovation financing system, including identification of facility needs, analysis of financing mechanisms, and recommendations for revisions to state laws, rules, and policies. Its scope includes construction, renovations, leased space, and capital and maintenance planning. An [interim summary](#) of findings was released on April 15, 2025, and a final report is scheduled for later in 2025.



MAINE PK-12 PUBLIC EDUCATIONAL FACILITIES MANAGEMENT

Local Education Agencies (LEAs) have authority and responsibility for the day-to-day operations and maintenance of public school facilities, as well as for long-term facilities planning, design, financing, and construction. Although PK-12 public school facilities are managed locally, there are state facilities management roles and responsibilities that may involve strategic planning, data collection, state funding programs, standards and systems for accountability. State agencies may also include programs for technical assistance and training that help districts meet standards, mitigate risk, and increase the quality of local district stewardship of public school buildings and grounds. State roles and responsibilities related to elementary and secondary public school facilities vary widely across the U.S. states, with unitary districts in Hawaii and U.S. Territories, where the state agency and the local agency are combined.

MAINE DEPARTMENT OF EDUCATION

The [Maine Department of Education](#) is the state agency with primary responsibility for administering programs related to public school facilities. Authority for these responsibilities derives from [Title 20-A of the Maine Revised Statutes](#) and implementing rules adopted by the State Board of Education. Within the Department, the [Office of School Facilities](#) carries out daily administrative functions and provides technical support to school administrative units (SAUs) in matters relating to school construction, renovation, maintenance, and facility planning.

Under the [Major Capital School Construction Program](#) established in [20-A M.R.S. Chapter 609](#) and [State Board Rule, Chapter 61](#), DOE manages the process by which SAUs apply for state support for new construction and major renovation projects. Department staff review applications, conduct site visits, and apply the rating system set out in rule to assess relative need. DOE prepares the proposed priority list of projects for submission to the State Board of Education and manages the appeals process for districts that contest their ratings. In addition to program administration, DOE provides direct technical assistance to SAUs, including informational sessions, office hours, written guidance, and



consultation on statutory requirements. This support covers the development of educational specifications, capital and maintenance planning, space and cost compliance, and preparation of documents required under DOE rules.

The Department also oversees the statutory requirements for maintenance and capital improvement planning. Under [20-A M.R.S. § 4001\(7\)](#) and [DOE Rule, Chapter 64](#), each SAU must establish and maintain a facilities maintenance and capital improvement program, including an inventory of major building systems, a preventive maintenance schedule, and a ten-year capital plan. DOE supports compliance by providing model templates, checklists, and written guidance that districts may use in developing their plans. Verification of compliance occurs through the [Public School Approval](#) process established in [20-A M.R.S. § 4502](#) and DOE Rule, Chapter 125, under which districts must certify that facilities are maintained in a safe, healthful, and adequate condition.

DOE also administers the [Leased Space Program](#) authorized in [20-A M.R.S. § 15905-A](#) and implemented through [DOE Rule, Chapter 64](#). In this capacity, the Department reviews lease and lease-purchase agreements for instructional space, determines whether proposals satisfy statutory requirements, and makes determinations regarding eligibility for state subsidy. DOE provides technical support to SAUs by advising on statutory and regulatory standards for leased instructional space and by offering guidance during the application and approval process.

Through these responsibilities, the Department of Education, acting through its Office of School Facilities, manages state facility programs and provides technical assistance and administrative oversight to local school administrative units. Its work encompasses project evaluation and planning support, development of model maintenance tools, and review of leased instructional space, with compliance responsibilities linked directly to statutory and rule-based requirements.

MAINE SCHOOL SAFETY CENTER

The [Maine School Safety Center](#) is established within the Department of Education under [20-A M.R.S. § 6557](#) as a central resource for best practices, training, and technical assistance in school safety. The Center supports school administrative units in developing and implementing school emergency



operations plans, conducting vulnerability assessments, and forming multidisciplinary safety teams. It administers the School Safety Specialist Program, which provides training and certification for designated school personnel to coordinate safety planning, and it supports the establishment of behavioral threat assessment teams to identify and address potential risks.

The Center also provides guidance on physical security measures for school facilities, including controlled access, secure vestibules, door-locking systems, and communications equipment. It advises school districts on compliance with statutory requirements such as the installation of interlocking door controller technology at the main public entrance of new or renovated schools. In carrying out these responsibilities, the Maine School Safety Center provides statewide technical assistance, resources, and training to help school administrative units meet statutory requirements for emergency preparedness and facility security.

MAINE'S GREEN RIBBON SCHOOLS PROGRAM

The [Green Ribbon Schools Program](#) is a voluntary recognition initiative administered by the U.S. Department of Education. It identifies schools, districts, and postsecondary institutions that demonstrate progress in three areas: reducing environmental impact and operational costs, improving health and wellness, and providing environmental and sustainability education.

The Maine Department of Education has participated in the program by nominating schools for consideration. In 2025, [Maine's Environmental & Climate Literacy Plan](#) recommended that the Department re-engage with the federal Green Ribbon Schools Program and establish a state-specific recognition program. The plan proposed the creation of a Green Schools Network, the development of templates for climate and sustainability education planning, and a process for annual recognition of schools demonstrating progress in environmental infrastructure and literacy.

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES, BUREAU OF GENERAL SERVICES

The [Maine Bureau of General Services](#) (BGS) is located within the Department of Administrative and Financial Services and is established in statute to manage state facilities and related services. Under [5 M.R.S. § 1741](#), BGS is authorized to



plan, design, construct, and maintain state-owned buildings and facilities. Its responsibilities extend to setting standards and managing procurement systems that are also available to other public entities, including school administrative units.

BGS administers the [Maine Uniform Building and Energy Code](#) (MUBEC), adopted pursuant to 10 M.R.S. §§ 9721–9724, which applies to new construction and major renovations of public buildings, including schools. By administering MUBEC, BGS establishes the building code requirements that must be followed in public school construction and renovation projects.

BGS is responsible for the state’s energy savings performance contracting program under [5 M.R.S. § 1764-A](#). This program allows public entities, including school administrative units, to contract with prequalified energy service companies for projects that reduce energy consumption or operating costs. BGS maintains the list of eligible energy service companies, prepares model contract documents, and reviews proposed agreements to confirm compliance with statutory requirements.

In addition, BGS manages state procurement programs under [5 M.R.S. § 1825-B](#). The statute requires competitive bidding for state purchases but allows certain exceptions. Through these centralized contracts, BGS procures fuel, energy, and related services that are available for use by school administrative units.

BGS also has statutory authority under [5 M.R.S. § 1827](#) to operate a central warehouse for supplies, materials, and equipment. School administrative units may acquire items through this program when authorized by law or when determined to be cost-effective.

STATE FIRE MARSHAL’S OFFICE, DEPARTMENT OF PUBLIC SAFETY

The [State Fire Marshal’s Office](#), located within the Department of Public Safety, is authorized to enforce fire and life safety requirements in public school facilities. Its authority is derived from state adoption of the [Maine Uniform Building and Energy Code](#) (MUBEC) under 10 M.R.S. §§ 9721–9724 and the incorporation of the National Fire Protection Association’s Life Safety Code (NFPA 101) into state law and rule.



The Fire Marshal reviews and approves plans and specifications for new school buildings and for major renovations, as required under [25 M.R.S. § 2392](#) and implementing rules. These reviews address statutory and code requirements for means of egress, fire alarm systems, sprinkler systems, emergency lighting, and occupancy limits. Written approval from the Office is required before construction may begin and before a new or renovated school building may be occupied.

The Fire Marshal is also responsible for inspections of existing school buildings under [25 M.R.S. § 2395](#). These inspections verify compliance with state fire safety laws and applicable codes. Areas reviewed include system maintenance, unobstructed exits, conduct of fire drills, and the proper functioning of alarms and suppression systems. The Office investigates fire incidents in school facilities under [25 M.R.S. § 2396](#) and may issue corrective orders where violations or hazards are found.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

The [Department of Health and Human Services](#) (DHHS) holds responsibilities related to the health and sanitation conditions of Maine's school facilities. Its authority comes from state public health statutes and regulations that govern drinking water, indoor air quality, and sanitation standards in public buildings.

DHHS oversees compliance with requirements for school drinking water quality, including implementation of the statewide program established by [22 M.R.S. § 2604-B](#), which mandates testing for lead in school drinking water outlets. DHHS manages the testing process, sets remediation requirements when lead concentrations exceed action levels, and verifies corrective measures taken by school administrative units.

The Department also enforces statutory requirements for radon testing in schools under [20-A M.R.S. § 4013](#). School administrative units must conduct air testing for radon at least once every five years and report results to DHHS and the Department of Education. DHHS provides guidance on mitigation for schools with levels at or above federal thresholds.

In addition to water and air quality oversight, DHHS establishes standards for sanitation facilities in schools, including requirements for adequate numbers of



toilets, handwashing sinks, and maintenance of sanitary conditions. The Department coordinates with local health inspectors to ensure compliance with these standards.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The [Maine Department of Environmental Protection](#) (DEP) oversees environmental health and safety requirements that apply to public school facilities under state and federal law. Its responsibilities include regulating hazardous materials in buildings, ensuring safe environmental practices, and providing technical guidance for remediation projects.

DEP enforces requirements for asbestos management in schools under the federal Asbestos Hazard Emergency Response Act (AHERA) and related state regulations. School administrative units must maintain asbestos management plans, conduct regular inspections, and carry out abatement in compliance with DEP standards. The Department provides oversight and technical assistance for abatement projects, particularly when asbestos is disturbed during renovations or demolitions.

The Department also addresses hazards such as polychlorinated biphenyls (PCBs) in older lighting and building materials and monitors compliance with state and federal rules for safe disposal. In addition, DEP is responsible for regulating emerging contaminants, including per- and polyfluoroalkyl substances (PFAS), which may affect school facilities through well water systems or contaminated sites. Schools with on-site water sources are subject to DEP drinking water standards and remediation requirements if PFAS contamination is detected.

DEP collaborates with the Department of Education and the Department of Health and Human Services on issues related to indoor air quality, hazardous waste disposal, and environmental safety in school buildings. Its role ensures that construction, renovation, and maintenance of school facilities comply with environmental protection standards designed to safeguard student and staff health.



MAINE PK — 12 SCHOOL FACILITIES DATA MANAGEMENT

Extensive data and information are needed for educational facility planning, decision making, and oversight. Relevant data helps stakeholders understand the broad impacts of their PK -12 infrastructure spending and investments on health, education, community and beyond. Facilities data falls into five major categories: ([NCES Forum Guide to Facilities Information Management](#)).

Inventory: Data include addresses, geo-codes, building areas, site acreage, and year of construction.

Design: Data include space descriptions, number of stories, designed-for purposes (i.e., elementary school, performance center).

Utilization: Data includes school capacity for enrollment based on the educational programs provided, spaces that are shared, and the gross square footage per enrolled student.

Condition: Data includes facility condition assessment data on the age and condition of major components, systems, and finishes.

Budget and Finance: Data elements include the district expenditures for maintenance, operations, and capital improvements.

Beyond these standard data sets, an increasing amount of data is also being collected and analyzed on building performance. This includes data on building performance metrics for energy efficiency, indoor air quality, lead levels in water, and the presence of hazardous materials like asbestos, mold, or PCBs.

Maine collects and manages selected categories of data related to public school facilities. State law and rule establish requirements for local school administrative units (SAUs) to maintain facilities information, and the Department of Education oversees certain reporting systems. Some information is publicly reported, while other data remain at the local or state level for internal planning and oversight. The following describes the major categories of data relevant to school facilities.

ENROLLMENT DATA

The Maine Department of Education (DOE) collects and publishes annual October 1 enrollment counts for each school and district. These data are submitted by SAUs through DOE's student information reporting systems and are consolidated into the public [Maine DOE Data Warehouse](#). Enrollment totals



are available by district, town, county, and school level. This information is used in the school funding formula and serves as the basis for facility planning in state-assisted construction programs.

INVENTORY DATA

Maine requires each SAU to maintain a maintenance and capital improvement program under [20-A M.R.S. § 4001\(7\)](#). The contents of these programs are defined in [DOE Rule, Chapter 64](#), which requires districts to maintain an inventory of building systems, a schedule of preventive maintenance, and a capital improvement plan. Compliance is verified through the Basic School Approval process under [20-A M.R.S. § 4502](#) and DOE Rule, Chapter 125.

At the state level, DOE manages a Facilities Data Reporting module in the [NEO \(Data Reporting and Certification\) system](#), which collects basic information about school buildings from districts. SAUs also certify their facilities data annually through the Maine Schools Infrastructure Reporting module in NEO. These certifications are role-based and accessible only to superintendents, business managers, and facilities directors. Data collected includes building identification, size, and selected infrastructure characteristics, but these records are not published publicly.

DESIGN DATA

For state-assisted school construction projects, SAUs must prepare [Educational Specifications](#) that describe program requirements, space needs, and design objectives. These specifications are required under [State Board Rule, Chapter 61, Section 8](#), and must be submitted at the time of concept approval. DOE reviews these submissions and verifies that proposed designs align with program standards. The educational specification template is publicly available, but project-specific submittals are used only in the review and approval process and are not published as a statewide dataset.

UTILIZATION DATA

Maine does not publish a statewide capacity or utilization dataset. However, utilization is addressed in the [Major Capital School Construction Program](#). Districts applying for state assistance must submit enrollment projections and information on facility use, and DOE staff conduct site visits to evaluate building capacity and program adequacy. This information is considered in the scoring



process that produces the statewide priority list of projects. While the detailed utilization data are retained at the state and district level, the resulting priority list is publicly released.

CONDITION DATA

Condition data are collected in two ways. First, at the local level, SAUs are required under [20-A M.R.S. § 4001](#)(7) and [DOE Rule, Chapter 64](#) to include assessments of building systems and conditions in their capital improvement programs. Second, at the state level, DOE conducts site visits during the Major Capital School Construction Program to evaluate the physical condition of schools applying for assistance. DOE prepares evaluation reports for each applicant and issues a statewide priority list based on facility condition, program adequacy, and other factors. The priority list is public, but the detailed evaluation reports are not published. Maine does not maintain a centralized, public database of school building condition information.

BUDGET AND FINANCE DATA

The DOE collects and publishes financial data through its Data Warehouse and the annual [ED279 reports](#), which detail allocations under the Essential Programs and Services (EPS) funding formula for each district. These reports include debt service allocations for approved school construction projects. The Department also posts information on awards from the School Revolving Renovation Fund under [20-A M.R.S. § 15917](#), including the amounts awarded and the recipient districts. Budget and finance data related to facilities are therefore partially available to the public through DOE reporting.

FACILITY PERFORMANCE DATA

Maine law and regulation require the collection and reporting of several categories of facility performance data related to health, safety, and energy use.

- Lead in Drinking Water. Under [22 M.R.S. § 2604-B](#), Maine law requires all K–12 schools to test their drinking water outlets for lead. The Maine CDC’s Drinking Water Program coordinates the sampling effort, and publishes school-level results through a public dashboard and map.
- Radon. Under [20-A M.R.S. § 4013](#), schools must test air for radon at least once every five years. Results must be reported to the Department of Education (DOE) and the Department of Health and Human Services



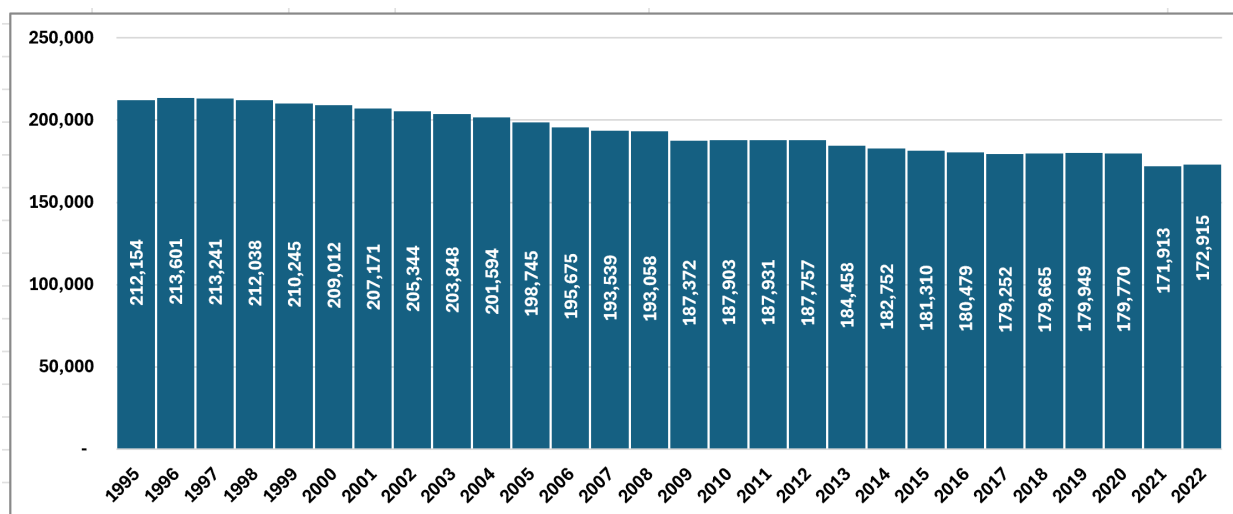
(DHHS), and schools must notify parents and staff of results. Beginning in 2025, DHHS is required to compile statewide summary reports of radon testing results and submit them to the Legislature.

- PFAS. Schools that operate on-site drinking water wells are regulated as public water systems under state environmental law. They are required to test for per- and polyfluoroalkyl substances (PFAS) in accordance with standards set by the Maine CDC’s Drinking Water Program. Results are reported through the CDC’s public water supply tracking system.

MAINE PK — 12 SCHOOL FACILITIES PLANNING

School facilities require planning at many different levels to meet educational and community purposes. Educational facilities planning is needed for facilities operations, maintenance, and capital projects. Planning PK- 12 public school facilities enables states, districts, and communities to align their resources to their needs, ensure that priorities are met fairly, and that facilities are operated, managed, and built to modern health, safety, educational, and environmental standards.

CHART 1: STUDENT ENROLLMENT SCHOOL YEARS 1994-1995 THROUGH 2021-2022



Source: Data from the U.S. Census of Governments Fiscal Survey; www.school-infrastructure.org Data Dashboard, of the National Center on School Infrastructure (NCSI).



MAINTENANCE PLANNING

Maine law establishes a framework requiring all school administrative units (SAUs) to maintain structured, long-range maintenance programs. [20-A M.R.S. § 4001](#)(7) directs every SAU to establish and maintain a maintenance and capital improvement program for its school facilities. The required content of these programs is detailed in [DOE Rule, Chapter 64](#), which specifies that each plan must include an inventory of building systems, a schedule of preventive maintenance activities, and a projection of long-term capital improvements. Compliance is verified as part of the Basic School Approval process under [20-A M.R.S. § 4502](#) and [DOE Rule, Chapter 125](#), which requires districts to certify that their schools are operated in a safe, healthful, and adequate manner and that required maintenance and capital planning documents are in place. These statutory and regulatory requirements embed maintenance planning into local practice as a condition of state school approval and participation in state programs.

CAPITAL PLANNING

Maine conducts capital planning for state participation through the [Major Capital School Construction Program](#) established in Title 20-A, Chapter 609 and implemented by [State Board of Education Rule, Chapter 61](#). Eligibility for state subsidy requires State Board review and approval ([20-A § 15901](#)). During rating cycles set out in Rule Chapter 61, the Department of Education receives applications from school administrative units, conducts site visits and evaluations, applies the rating system established in rule, and—after managing the appeal process—submits a proposed priority list to the State Board for action ([Rule Ch. 61](#)). The State Board adopts the statewide priority list and grants the required concept approval, design and funding approval, and final approval for projects under [20-A § 15905](#).

Applications must include [Educational Specifications](#) that define program and space needs (Rule Ch. 61 § 8). When a new school site is proposed, the applicant must submit site selection documentation (Rule Ch. 61 § 7) and obtain new school siting approval under State Board Rule, Chapter 60, including an option to purchase and two certified appraisals. Plans and specifications for projects are submitted for review under [20-A § 15903](#) to address health, welfare, and safety requirements.



EDUCATIONAL FACILITIES MASTER PLANNING

In Maine, planning occurs through locally mandated capital improvement programs and periodic statewide rating cycles for state-assisted projects. Each SAU is responsible under [20-A M.R.S. § 4001](#)(7) for maintaining its own capital improvement program, which functions as a local master planning document. At the state level, the periodic Major Capital rating cycles and the resulting priority lists function as the closest equivalent to a state facilities master plan, identifying and sequencing the most urgent school construction and renovation projects across Maine. Beyond this, Maine law also provides for Integrated, Consolidated 9–16 Educational Facilities under [Rule, Chapter 61, § 15](#), allowing regional high school, career and technical education, and higher education facilities to be planned and approved within the state construction framework. While Maine does not maintain an ongoing, comprehensive school facilities master plan, these statutory mechanisms ensure that both local and statewide facility needs are systematically documented and prioritized.

EMERGENCY MANAGEMENT PLANNING

Maine law requires schools to plan for emergencies affecting students, staff, and facilities. Under [20-A M.R.S. § 1001](#)(16), each school board must adopt a written school emergency management plan. DOE Rule, Chapter 125 specifies that these plans must include procedures for evacuation, lockdowns, and coordination with local emergency responders. Schools are required to conduct evacuation and lockdown drills during the first two weeks of the school year, with additional drills scheduled throughout the year according to grade level. The [Maine School Safety Center](#), established under [20-A M.R.S. § 6557](#), provides technical assistance, training, and templates for school emergency operations plans. The Center also supports vulnerability assessments and the establishment of multidisciplinary safety teams in schools. In addition, new or substantially renovated school buildings must incorporate interlocking door controller technology at the main public entrance, a statutory requirement intended to standardize access control as part of school facility security planning. Together, these provisions establish the legal framework for emergency management planning as it relates to school facilities in Maine.



MAINE PK-12 EDUCATIONAL FACILITIES FUNDING

School facilities are funded with annually budgeted operating funds for utilities, cleaning, groundskeeping, maintenance and repairs; and periodically budgeted, and usually bond financed, capital funds, for school design, construction, renovation and major repair projects. State laws define how districts get access to local financing for school construction capital projects and whether or how states distribute state school construction funding. Federal funding for school construction is minimal—before pandemic funding—it was less than 2% of what districts paid for school construction capital outlay, with a major share of federal funding for rebuilding schools post weather related disasters.

JUDICIAL DECISIONS AFFECTING FACILITIES

Maine’s courts have not issued rulings that establish enforceable adequacy or equity standards for school facilities funding. The most relevant decision addressing the scope of the state’s obligations for education finance is [School Administrative District No. 1 v. Commissioner of Education, 659 A.2d 854](#) (Me. 1995).

In this case, several school administrative districts challenged reductions in state education subsidies enacted during a budget shortfall. The plaintiffs argued that the cuts violated [Article VIII, Part First, Section 1](#) of the Maine Constitution, which requires the Legislature to ensure the support and maintenance of public schools. They contended that the funding reductions undermined the provision of adequate educational opportunities.

The Maine Supreme Judicial Court applied a rational basis standard of review and upheld the Legislature’s discretion over school funding. The Court concluded that the plaintiffs had not demonstrated a constitutional violation and affirmed the reductions. The ruling confirmed that the constitutional provision does not guarantee a specific funding level for education or school facilities, and that funding decisions remain within the discretion of the Legislature and executive branch.

As a result, Maine does not have judicial precedent directing or constraining the state’s approach to school facilities funding. Decisions about construction,



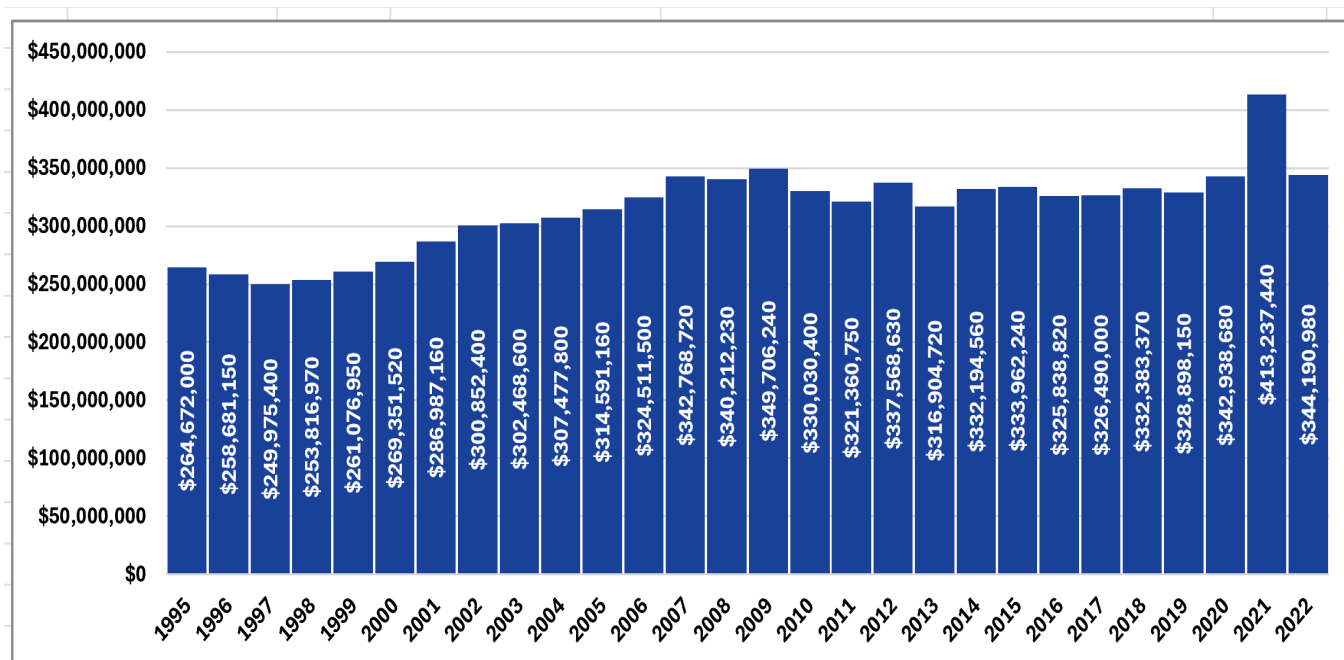
renovation, and maintenance remain the responsibility of the legislative and executive branches.

MAINTENANCE AND OPERATIONS FUNDING

Maintenance and Operations expenditures include payment for utilities, custodial staff and services, groundskeeping, related custodial and repair materials, equipment, and maintenance contracts, as well as spending for security personnel, materials, and services.

Chart 2 displays local education agencies annual facilities maintenance and operations expenditures for fiscal years 1995-2022 adjusted to 2024\$ with the Consumer Price Index. They are inflation-adjusted to better inform comparisons over the 27 years. In fiscal year 2022 local education agencies reported to the U.S. Census of Governments and the National Center for Education Statistics that they spent nearly \$345 million for M&O—an average of \$1,990 per 2021-2022 student.

CHART 2: M&O SPENDING, FY1995-FY2022 (INFLATION-ADJUSTED 2024\$)



Source: Data from the U.S. Census of Governments Fiscal Survey; actual M&O spending data available at www.school-infrastructure.org Data Dashboard, of the National Center on School Infrastructure (NCSI).

Maine funds the operation and maintenance of school facilities primarily through local budgets, but state law establishes obligations for districts and



recognizes maintenance costs in the statewide funding formula. Under [20-A M.R.S. § 4001](#)(1), each school administrative unit (SAU) is required to “repair, improve and maintain its facilities with funds from its own budget.” This statutory obligation establishes that districts are directly responsible for day-to-day operations and routine maintenance of school facilities. Compliance with this requirement is enforced through the [Public School Approval](#) process under [20-A M.R.S. § 4502](#) and DOE Rule, Chapter 125, which require SAUs to certify every three years that their facilities are operated in a safe, healthful, and sanitary condition as a condition of state school approval and receipt of state aid.

Maine law authorizes districts to set aside funds for maintenance through dedicated reserve accounts. Under 20-A M.R.S. § 4001(5), a school board may, with approval of the local legislative body, establish a capital reserve fund for the maintenance of plant and minor remodeling. Related provisions under 20-A M.R.S. § 4001(4) allow SAUs to arrange financing for maintenance or minor remodeling projects. These statutes give SAUs explicit authority to plan financially for larger or cyclical maintenance needs—such as roof or heating system replacements—beyond what is covered in the annual operating budget.

ESSENTIAL PROGRAMS AND SERVICES FUNDING

The state recognizes operations and maintenance as part of the [Essential Programs and Services](#) (EPS) funding model, established in [20-A M.R.S. Chapter 606-B](#). The EPS formula calculates the total cost of providing essential programs for each SAU, including a specific allowance for operations and maintenance. This allowance accounts for facility-related expenses such as custodial services, utilities, insurance, and minor repairs. The state’s contribution to these costs is distributed through the annual ED279 report, which details the state subsidy and the required local share for each district. The Legislature reviews and updates the EPS model on a biennial basis to ensure that the costs associated with maintaining school facilities are reflected in the education funding system.

FACILITIES CAPITAL FUNDING

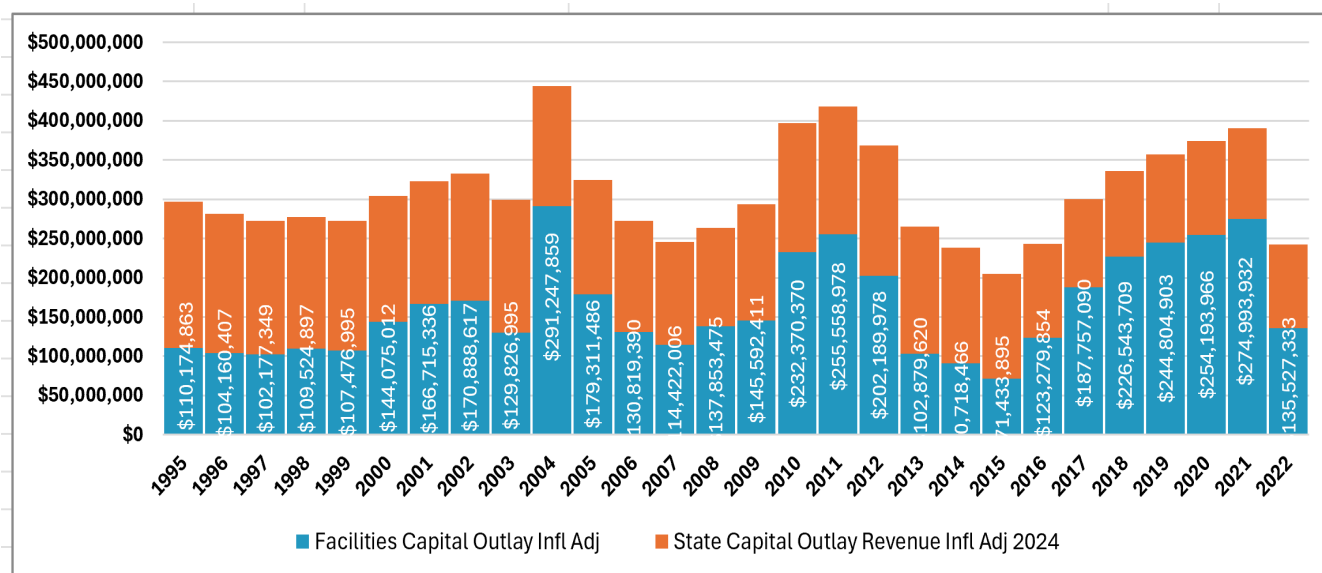
In addition to annual operating funds for facilities, school districts are responsible for the long-range planning, design, financing, construction, and



major renovation and systems renewals of public school buildings and grounds. These capital outlay expenditures are used for new school construction, as well as for such items as roof replacements and upgrades to mechanical systems.

Chart 3 shows school construction and other equipment capital expenditures from 1995 through fiscal year 2022 (inflated to 2024\$ with the Turner Construction Cost Index) and the share of these expenditures paid for with state revenue for capital outlay and debt service. In 2022, the facilities capital outlay for school construction and other equipment expended by Maine local school districts was nearly \$136 million (inflation-adjusted dollars). This excludes the cost of land, existing structures, and instructional equipment reported as part of the total capital outlay by school districts to the U.S. Census of Governments.

CHART 3: CAPITAL OUTLAY FOR SCHOOL CONSTRUCTION AND OTHER EQUIPMENT FY 1995 – FY 2002 (IN 2024\$)



Source: Data from the U.S. Census of Governments Fiscal Survey; actual Capital Outlay spending data available at www.school-infrastructure.org Data Dashboard, of the National Center on School Infrastructure (NCSI).

MAJOR CAPITAL SCHOOL CONSTRUCTION PROGRAM

The [Major Capital School Construction Program](#) is authorized in Title 20-A, Chapter 609 of the Maine Revised Statutes. Key provisions include:

- [§ 15901](#) — eligibility for state subsidy requires State Board review and approval.



- [§ 15903](#) – plans and specifications must be submitted to the Commissioner and forwarded to the State Board for review of health, welfare, and safety.
- [§ 15905](#) – the State Board grants concept approval, design and funding approval, and final approval for projects.
- [§ 15907](#) – the State Board issues the Certificate of Approval identifying the scope of work and the state share of debt service costs.

The program is implemented through [State Board of Education Rule, Chapter 61](#), which establishes the application process, evaluation criteria, and rating system. School administrative units (SAUs) submit applications during rating cycles. The Department of Education evaluates the applications, conducts site visits, and prepares evaluation reports. A proposed priority list is then submitted to the State Board for adoption. Only projects on an adopted priority list and approved by the Board through the statutory approval process are eligible for state subsidy.

As of July 9, 2025, the Department has released the proposed priority list for the 2024–2025 cycle, which includes 95 projects statewide. Funding decisions for this cycle have not yet been finalized. In the 2017–2018 cycle, 74 applications were submitted and nine projects were approved for state participation.

State law establishes a debt service limit for school construction. Under [§ 15907\(1\)](#), the state is authorized to make annual debt service payments on behalf of approved projects, subject to limits set in statute. Actual funding available in each cycle is determined by legislative appropriations through the biennial budget process and any authorized bond measures. The number of projects that proceed depends on appropriations, project costs, and debt service capacity.

SCHOOL REVOLVING RENOVATION FUND

The [School Revolving Renovation Fund](#) (SRRF) offers interest-free financing with partial grant forgiveness to support renovation projects related to health, safety, compliance, and modernization. Established through [30-A M.R.S. § 6006-F](#) and



governed by [DOE Rule, Chapter 64](#), the program is administered collaboratively by the Department of Education and the Maine Municipal Bond Bank.

SRRF projects are prioritized into categories: Priority 1 (health, safety, and compliance)—including structural repairs, indoor air quality, ADA compliance, and hazardous material abatement; Priority 2 (non-compliance structural repairs); Priority 3 (energy and water conservation); Priority 4 (learning space upgrades); and Priority 5 (other improvements). The maximum loan amount is \$2 million per priority per school building over any five-year period. Loan terms are interest-free, with a forgiveness rate between 30% and 70%, determined by the SAU's percentage of state subsidy; remaining balances are payable over five or ten years. Established repayments reflow into the SRRF to support future projects.

In FY 2024, DOE awarded \$28.6 million in SRRF funds to 12 SAUs, supporting 23 projects focused on health, safety, and compliance. In contrast, the FY 2025 cycle saw a legislative appropriation of \$4 million, with application processes scheduled as of August 2025; the number of awards and SAUs funded is yet to be determined.

On a biennial basis, the Legislature sets SRRF funding levels—recent appropriations include: \$18 million in 2019, \$45 million in 2021, \$20 million in 2023, and \$4 million in 2025. These appropriations reflect both demand and fiscal planning for renovating critical building systems statewide.

LEASED SPACE PROGRAM

Maine provides state support for instructional space obtained through leases or lease-purchase agreements under [20-A M.R.S. § 15905-A](#) and related provisions. The program is administered by the **Department of Education**, with the Commissioner responsible for reviewing and approving lease arrangements to determine whether they qualify for state subsidy.

The program authorizes school administrative units (SAUs) to lease instructional space when permanent facilities are not available or when temporary accommodations are necessary. Eligible costs may be subsidized up to a maximum rate set by statute and rule. Lease approvals are limited in duration: initial subsidy support may extend for five years, with possible extensions authorized by the Commissioner. For lease-purchase agreements that result in



the acquisition of permanent instructional space, the state may provide subsidy for a term of up to ten years.

To qualify for subsidy, SAUs must demonstrate that the leased space meets health, safety, and instructional standards, and each arrangement must be authorized by a local referendum or vote of the governing body. DOE oversight includes verifying compliance with requirements for suitability and safety. Lease subsidy is provided through the school funding system, with the state share distributed through the Essential Programs and Services (EPS) formula.

FACILITIES FINANCING

Maine provides financial assistance for school construction and renovation through state appropriations and financing mechanisms, but does not dedicate a specific revenue source to capital facilities. The state's approach is based on debt reimbursement, in which it pays the state share of approved project costs through debt service payments to school administrative units (SAUs) or to the Maine Municipal Bond Bank. All school construction projects that seek state participation must receive approval under 20-A M.R.S. §§ 15901–15915 and [State Board of Education Rule, Chapter 61](#).

Under [20-A M.R.S. § 15907](#), the state reimburses its share of approved school construction projects by making debt service payments in accordance with each SAU's debt retirement schedule. The Department of Education certifies approved costs and ensures compliance with project requirements, while the Legislature appropriates funds to cover the state share. Payments are made either directly to SAUs or to the Maine Municipal Bond Bank when the Bank serves as the issuing authority. The financing structure does not rely on a dedicated revenue source, but rather on biennial legislative appropriations to cover debt service obligations.

The Department of Education manages rating cycles for major capital construction, using a 200-point system defined in [State Board Rule, Chapter 61](#), § 3. Points are assigned across three categories: Priority A – Buildings and Grounds (90 points), which evaluates facility condition and building systems; Priority B – School Population (45 points), which considers enrollment trends, capacity, and crowding; and Priority C – Program and Planning (65 points), which addresses adequacy of instructional space and alignment with



educational requirements. Applications are reviewed and scored by DOE staff, and a proposed priority list is issued. SAUs may appeal their scores under Rule, Chapter 61, § 4, after which the Commissioner submits the recommended list to the State Board for final approval. The rating system does not take into account local district wealth, and state funding for approved projects is not conditioned on the fiscal capacity of the community.

Local approval is required before a district may incur debt for construction. Under [20-A M.R.S. § 15904](#), school bonds or lease-purchase agreements must be authorized by a local referendum or by vote of the SAU's governing body. This requirement ensures that local taxpayers approve their share of project costs before state debt service support is committed.

The [Maine Municipal Bond Bank](#), established as a public instrumentality under [30-A M.R.S. § 5953-E](#), provides financing for school construction and renovation projects. It operates the Maine School Facilities Finance Program, issuing bonds to fund projects approved under the Major Capital School Construction Program and to provide loans through the School Revolving Renovation Fund. The Commissioner of Education certifies project eligibility and the state share of costs, while the Bond Bank structures pooled borrowing to reduce interest costs. The Bank is authorized to borrow, lend, and refinance on behalf of SAUs, but its obligations do not carry the full faith and credit of the state ([30-A M.R.S. § 5953](#)).

The [Fund for the Efficient Delivery of Educational Services](#) (FEDES), established under [20-A M.R.S. § 2651](#), provides competitive grants to assist SAUs in financing regional and local initiatives intended to deliver educational services more efficiently. School consolidation and shared facility planning are eligible uses of the fund. While FEDES is not a capital program dedicated to construction or renovation, its grants can support facility-related planning and restructuring that influence the use and financing of school infrastructure.



MAINE PK — 12 SCHOOL FACILITIES STANDARDS AND ACCOUNTABILITY

Accountability systems for facilities involve facility standards, assessments, and reporting on the health, safety, education, and other factors associated with PK – 12 public school buildings and grounds. It involves systems for measuring and communicating conditions, and the authority to encourage or enforce changes in school design, construction, operations and maintenance.

Accountability systems for facilities involve facility standards, assessments, and reporting on the health, safety, education, and other factors associated with PK–12 public school buildings and grounds. It involves systems for measuring and communicating conditions, and the authority to encourage or enforce changes in school design, construction, operations and maintenance.

MAINTENANCE AND OPERATIONS STANDARDS

Maine law places the duty to keep school buildings and grounds in good repair on local school administrative units (SAUs) and requires that each district maintain formal maintenance programs. A school board is responsible for the custody and care of school property, including repairs and insurance, and each SAU must “repair, improve and maintain its facilities with funds from its own budget” (20-A M.R.S. § [1001](#); § [4001](#)(1)). In addition to day-to-day upkeep, every SAU must “establish and maintain a maintenance and capital improvement program for all school facilities” (20-A M.R.S. § [4001](#)(7)).

The Department of Education implements these statutory requirements through rule. [DOE Rule, Chapter 64](#) requires each SAU to maintain (1) a facility maintenance plan and (2) a capital improvement plan covering all buildings in the unit. The maintenance plan must include a maintenance and replacement schedule for major building systems—heating, ventilation and air-conditioning, plumbing, electrical, roof systems, building envelope, windows and doors, interior finishes, and site/grounds maintenance. The capital improvement plan must project needs over a multi-year period and identify anticipated projects, schedules, and budgets; DOE’s rule also calls for consideration of energy and water conservation measures in these plans (DOE Rule, Ch. 64).



Operation of facilities to a safe, healthy, and sanitary standard is enforced through Maine’s basic school approval system. Under [20-A M.R.S. § 4502](#) and [DOE Rule, Chapter 125](#), all school facilities—including buildings, grounds, and equipment—must be “operated and maintained in a safe, healthful and sanitary condition.” Chapter 125 includes requirements for sanitary facilities (e.g., water supply, toilets, sewage disposal) and for the secure storage and handling of hazardous materials consistent with applicable occupational safety requirements. SAUs verify compliance by submitting a basic school approval certification to DOE on a three-year cycle, attesting that their required maintenance and capital improvement programs are in place and that facilities meet health, safety, and adequacy standards (20-A M.R.S. § 4502; DOE Rule, Ch. 125).

Maine sets specific expectations for ventilation and mechanical systems as part of maintenance and operations. [Title 20-A § 6302](#) requires that, in schools with mechanical HVAC systems, the system be maintained and operated to deliver at least the minimum outside air quantity prescribed by the applicable building standards code. The system must run during school hours except during scheduled maintenance, emergency repairs, or when natural ventilation demonstrably meets the required air-flow standards. Each SAU must inspect its HVAC system at least annually, correct identified problems in a reasonable time, and retain written inspection and maintenance records for a minimum of five years (20-A M.R.S. § 6302). DOE Rule, Chapter 125 further provides that instructional spaces must have sufficient air exchange and comfortable temperatures, and that mechanically driven systems be maintained “in compliance with HVAC regulations and rules,” with use of best-available ASHRAE practices for inspection, maintenance, ventilation, and filtration (DOE Rule, Ch. 125).

Custodial operations and groundskeeping are part of the required standard of safe and sanitary operation. While state law does not prescribe cleaning schedules or staffing ratios, the school board must ensure sufficient personnel and procedures to meet the Chapter 125 standard for clean and healthful facilities, and the Chapter 64 maintenance plan must address routine custodial tasks and site/grounds maintenance (20-A M.R.S. § 1001; DOE Rule, Ch. 64; DOE Rule, Ch. 125).



Maintenance planning is also tied to state capital approvals. As a condition of receiving state participation for a new construction or major renovation project, the State Board requires that the SAU establish a facility maintenance plan for the projected life cycle of the building so that the facility will be sustained after completion ([20-A M.R.S. § 15905](#); State Board Rule, Ch. 61). This links capital investment to long-term operations and maintenance.

BUILDING STANDARDS

All public school construction and renovation in Maine must comply with statewide building codes and state-specific school construction standards. The [Maine Uniform Building and Energy Code](#) (MUBEC), adopted under 10 M.R.S. §§ 9721–9724, applies to new construction and major renovations, including schools. MUBEC incorporates national model codes such as the International Building Code, International Existing Building Code, International Residential Code, International Energy Conservation Code, and International Mechanical Code. These codes set requirements for structural integrity, fire protection, accessibility, and mechanical systems. Municipalities with populations of 4,000 or more are required to enforce MUBEC; smaller municipalities may choose to adopt the code but may not enforce an alternative code. The [Technical Building Codes and Standards Board](#), housed in the Department of Public Safety, is responsible for adoption and amendment of MUBEC.

Projects that seek state financial participation are governed by [Title 20-A, Chapter 609](#). Under § [15901](#), eligibility for state subsidy requires review and approval by the State Board of Education. Under § [15903](#), plans and specifications for approved projects must be submitted to the Commissioner of Education and forwarded to the State Board for review to ensure the health, welfare, and safety of building users. Under § [15905](#), the State Board must grant concept approval, design and funding approval, and final approval before a project may proceed with state subsidy. Under § [15907](#), the State Board issues a Certificate of Approval that identifies the approved scope of work and the state's share of debt service costs.

The process is implemented through [State Board of Education Rule, Chapter 61](#), which sets out the requirements for educational specifications, space allocation standards, maximum allowable square footage, cost guidelines, site



development standards, and allowable equipment purchases. Only projects that meet these requirements and secure approval from the State Board are eligible for state support.

The siting of new schools is addressed separately under [State Board of Education Rule, Chapter 60](#). School administrative units seeking state funding must obtain State Board approval for proposed sites. Applications must include a site analysis addressing program needs, safety, environmental suitability, community planning, and infrastructure access, along with an option to purchase and two independent appraisals to verify the value of the property.

Building and grounds standards are also incorporated into the Public School Approval framework. Under [DOE Rule, Chapter 125](#), “school facilities” are defined to include both buildings and grounds, and each SAU must certify that its facilities are maintained in a safe, healthful, and sanitary condition. This includes playgrounds, athletic fields, parking areas, and access routes. Compliance is verified through the approval process established in [20-A M.R.S. § 4502](#).

EDUCATIONAL ADEQUACY STANDARDS

Maine establishes requirements for educational adequacy in school facilities through statute and rule. Under [20-A M.R.S. § 4502\(5\)\(C\)](#), each school administrative unit must provide facilities that are adequate to support required instructional programs. Educational adequacy is a condition of basic school approval, and facilities must provide sufficient space to deliver the instructional program established under Maine’s Learning Results.

The Department of Education enforces statutory adequacy requirements through [DOE Rule, Chapter 125](#). The rule requires that school facilities provide adequate space in relation to student enrollment, instructional programs, and support services. Instructional rooms must be adequate in size and design to safely serve their intended purpose. Each school must include space for a library or media center, counseling and health services, special education, administrative offices, and storage. These requirements are verified through the basic school approval process.



For projects seeking state financial participation, additional adequacy standards apply under the [Major Capital School Construction Program](#). [DOE Rule, Chapter 61](#) requires that each school administrative unit submit Educational Specifications documenting instructional programs, enrollment projections, and required spaces. These specifications are reviewed by DOE to determine program and space adequacy before projects proceed to design. Rule Chapter 61 also sets maximum allowable square footage by grade level and program type, establishing parameters for space deemed sufficient to meet educational needs.

School siting standards also address adequacy. [DOE Rule, Chapter 60](#) requires that applications for new school sites demonstrate that the site can accommodate the educational program, including required instructional and support spaces, as well as necessary play areas, athletic fields, and other grounds.

HEALTH AND SAFETY STANDARDS

Maine law assigns the Department of Health and Human Services (DHHS) and the Department of Education joint responsibility for ensuring that public school facilities meet minimum health and safety requirements. Health-related facility standards are established through state statute and rule, and cover sanitation, indoor air, water quality, and environmental health protections.

Under [20-A M.R.S. § 4502](#) and [DOE Rule, Chapter 125](#), every school administrative unit must certify through the basic school approval process that its buildings and grounds are operated in a safe, healthful, and sanitary condition. Chapter 125 requires compliance with state public health statutes, including sanitation standards, safe drinking water, waste disposal, and the proper handling of hazardous substances. DHHS administers these requirements and provides oversight of public health conditions in school environments.

The Department of Health and Human Services implements statutory requirements for drinking water, sanitation, and indoor environmental quality in schools. DHHS is authorized to establish standards and conduct monitoring related to lead in drinking water, radon, asbestos, and other contaminants under state environmental health statutes. The Department works with the



Department of Education to ensure that schools meet these requirements and to issue guidance on testing, mitigation, and remediation.

Together, the Department of Education's facility rules and the Department of Health and Human Services' public health standards form Maine's health and safety framework for school facilities. Schools are required to operate buildings and grounds in a manner that protects students and staff, to perform required environmental testing and remediation, and to document compliance through both health department reporting systems and the DOE's basic school approval process.

AIR QUALITY STANDARDS

Maine regulates indoor air quality in public schools through statutory requirements and Department of Education rules. Under [20-A M.R.S. § 6302](#), every school building subject to basic school approval and equipped with a mechanical heating, ventilation, and air-conditioning system must operate that system to deliver at least the minimum outside air flow prescribed by the applicable state building standards code. HVAC systems must operate during school hours, except during scheduled maintenance, emergency repairs, or when natural ventilation is sufficient to meet required airflow. Each school administrative unit must inspect its HVAC system annually, correct identified problems in a reasonable time, and maintain written inspection and maintenance records for at least five years. These records must be available for examination on request.

[DOE Rule, Chapter 125](#) incorporates these requirements into the basic school approval process. The rule requires instructional spaces to provide sufficient air exchange. Where mechanical systems are used, they must be maintained in compliance with HVAC regulations. Chapter 125 also directs school administrative units to follow standards of the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) for inspection, maintenance, ventilation, and filtration.

Oversight is conducted through the basic school approval process under [20-A M.R.S. § 4502](#). School administrative units must certify compliance with health and safety standards, including air quality requirements, on a three-year cycle. The Department of Education may review HVAC inspection records and related documentation as part of this process. Under [20-A M.R.S. § 6801-A](#), the



Commissioner of Education has authority to withhold state subsidy until compliance is achieved if deficiencies are not corrected.

CHEMICAL HAZARDS STANDARDS

Maine regulates chemical hazards in schools through statutes, Department of Education rules, and environmental and health regulations. Under [DOE Rule, Chapter 125](#), schools must inventory and store hazardous chemicals in secure, ventilated areas. The rule requires compliance with Occupational Safety and Health Administration (OSHA) standards for the storage and handling of chemicals used in science laboratories, custodial work, and maintenance. Adherence to these standards is part of the basic school approval process under [20-A M.R.S. § 4502](#).

The Department of Environmental Protection (DEP) enforces requirements related to asbestos, polychlorinated biphenyls (PCBs), and hazardous waste in school buildings. Schools must comply with the federal Asbestos Hazard Emergency Response Act (AHERA), including maintaining asbestos management plans, conducting inspections every three years, and carrying out surveillance of asbestos-containing materials. DEP also regulates the abatement and disposal of hazardous substances such as PCBs during school renovation or demolition projects under state environmental laws.

The Department of Health and Human Services (DHHS) enforces testing and mitigation requirements for radon and lead. Under [20-A M.R.S. § 4013](#), schools must test for radon every five years, report results to DOE and DHHS, and take corrective action if levels exceed federal thresholds. DHHS also oversees compliance with the requirement enacted in [22 M.R.S. § 2604-B](#) for schools to test all drinking water outlets for lead and implement remediation when results exceed state action levels.

THERMAL COMFORT STANDARDS

Maine addresses thermal comfort in schools through the basic school approval rules and ventilation statutes. [DOE Rule, Chapter 125](#) requires that instructional spaces provide adequate air exchange and temperatures appropriate for students and staff. These requirements apply to all occupied rooms and are conditions of basic school approval under [20-A M.R.S. § 4502](#). Under [20-A M.R.S. § 6302](#), schools with mechanical heating, ventilation, and air-conditioning systems must operate those systems during school hours to



supply at least the minimum outside air required by the state building standards code. The statute requires systems to be maintained and inspected annually, and problems identified during inspection must be corrected within a reasonable time. Inspection and maintenance records must be retained for five years.

WATER QUALITY STANDARDS

Maine establishes water quality requirements for public schools through statutes administered by the Department of Health and Human Services (DHHS) and rules coordinated with the Department of Education (DOE).

https://legislature.maine.gov/legis/bills/bills_129th/chapters/PUBLIC154.asp2 2 M.R.S. § 2604-B requires all schools to test for lead in drinking water outlets used for consumption and food preparation. Sampling is overseen by the Maine Center for Disease Control and Prevention (Maine CDC) within DHHS. If lead levels exceed the state action threshold, the school must remediate by removing, replacing, or disconnecting affected outlets. Results must be reported to DHHS and DOE, and schools are required to notify parents and staff of testing outcomes. Radon is also addressed in statute. Under 20-A M.R.S. § 4013, schools are required to test indoor air for radon at least once every five years. Results must be submitted to DHHS and DOE, and schools must provide notice to parents and staff. If radon levels meet or exceed the federal action level, mitigation measures must be implemented. Beginning in October 2025, DHHS is required to prepare a statewide consolidated report of radon testing results and submit it to the Governor and the Legislature every five years.

Additional requirements address school sanitation and water supply more broadly. DOE Rule, Chapter 125 requires that schools have safe and adequate water supplies and sewage disposal systems, and that sanitary facilities be operated in compliance with DHHS standards. These requirements are part of the basic school approval process under 20-A M.R.S. § 4502, which requires each school administrative unit to certify that schools meet health and safety standards. Schools with on-site wells are subject to state regulations for per- and polyfluoroalkyl substances (PFAS) and other contaminants. DHHS requires testing of school wells for PFAS and enforces treatment or remediation if state standards are exceeded. DHHS also retains authority for testing and oversight



related to other contaminants that may affect drinking water quality in school facilities.

ENVIRONMENTAL AND ENERGY STANDARDS

Maine establishes environmental and energy standards for schools through statutes, the statewide building code, and Department of Education rules. The [Maine Uniform Building and Energy Code](#) (MUBEC), adopted under 10 M.R.S. §§ 9721–9724, applies to all new school construction and major renovation. MUBEC incorporates the International Energy Conservation Code and other model codes, which set requirements for energy efficiency, ventilation, and building systems. Enforcement of MUBEC is mandatory in municipalities with populations of 4,000 or more, and optional in smaller municipalities, but no municipality may enforce an alternate code. The Technical Building Codes and Standards Board administers MUBEC, adopts updates, and issues rules for statewide application.

For school projects receiving state financial assistance, [20-A M.R.S. § 15908-A](#) requires new or substantially renovated schools to be designed to use at least 20 percent less energy than the applicable baseline in the commercial building energy code. Each state-subsidized project must include a 30-year life-cycle cost analysis that accounts for construction, energy, and maintenance costs, as well as public health and environmental impacts. The Department of Education and State Board of Education enforce these requirements through the Major Capital School Construction Program.

[State Board of Education Rule, Chapter 61](#) establishes additional requirements for projects funded under the Major Capital Program. The rule sets standards for allowable project costs, site development, and equipment, and requires that energy conservation measures be addressed in the planning and design process. Educational specifications and design submittals for state-funded projects must include documentation of energy efficiency features and projected operating cost savings.