

# MAINE STATE LEGISLATURE

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Ms  
R. 018

L.D. 1424

DATE: 5/24/15

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EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
122ND LEGISLATURE  
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 988, L.D. 1424, Bill, "An Act To Simplify Implementation of the Maine Learning Results"

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

Sec. 1. 20-A MRSA §4504, sub-§2, as repealed and replaced by PL 2001, c. 454, §17, is amended to read:

2. Comprehensive review. The commissioner shall conduct a comprehensive review of a school administrative unit in accordance with the school assistance process established in section 6210, based on a review of the school administrative unit's comprehensive education plan and the local assessment system, or as part of an inspection in accordance with section 258-A.

Sec. 2. 20-A MRSA §4722, sub-§3, as amended by PL 2001, c. 454, §24 and PL 2003, c. 545, §6, is further amended to read:

3. Satisfactory completion. A diploma may be awarded only to secondary school students who have satisfactorily completed all diploma requirements in accordance with the academic standards of the school administrative unit, and effective with the class of 2007, with the requirements specified in section 6202-A, subsection 3 and this chapter. All secondary school students must work toward achievement of the content standards of the system of learning results. Exceptional students, as defined in section 7001, subsection 2, who successfully meet the content standards of the system of learning results in addition to any

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2 other diploma requirements applicable to all secondary school  
3 students, as specified by the goals and objectives of their  
4 individualized education plans, may be awarded a high school  
5 diploma. Career and technical students may, with the approval of  
6 the commissioner, satisfy the 2nd-year math and science, the  
7 2nd-year social studies and the fine arts requirements of  
8 subsection 2 through separate or integrated study within the  
9 career and technical school curriculum.

10 **Sec. 3. 20-A MRSA §6202, first ¶,** as amended by PL 2001, c.  
11 454, §29, is further amended to read:

12 The commissioner shall establish a statewide assessment  
13 program, ~~known as the Maine Education Assessment,~~ to measure and  
14 evaluate on a continuing basis the academic achievements of  
15 students at grades 4, 8 and 11 in the content areas of the system  
16 of learning results established in section 6209 specified by the  
17 commissioner. The commissioner may elect to provide for the use  
18 of alternative measures of student achievement in grade 11. This  
19 assessment applies to students in the public elementary and  
20 secondary schools and in all private schools approved for tuition  
21 whose school enrollments include at least 60% publicly-funded  
22 students, as determined by the previous school year's October and  
23 April average enrollment. The assessment program must be adapted  
24 to meet the needs of exceptional students as defined in section  
25 7001, subsection 2 or other students as defined under rules by  
26 the commissioner.

27 **Sec. 4. 20-A MRSA §6202-A, sub-§§3 and 4,** as amended by PL  
28 2003, c. 712, §2, are further amended to read:

29 **3. Public high school graduation decisions; learning**  
30 **results endorsements; annual targets.** ~~By the 2007-2008 school~~  
31 ~~year, public high school graduation~~ Beginning with the 2007-2008  
32 school year, each school administrative unit may award learning  
33 results endorsements in addition to the high school diploma  
34 awarded pursuant to section 4722. The awarding of the learning  
35 results endorsements must be determined by student achievement of  
36 the standards of the system of learning results in English  
37 language arts, health and physical education, mathematics,  
38 science and technology and social studies, based on the school  
39 administrative unit's local assessment system established  
40 pursuant to this section in addition to other requirements as  
41 established by school board policy. ~~By the 2009-2010 school~~  
42 ~~year, public high school graduation must be determined by student~~  
43 ~~achievement of the standards of the system of learning results in~~  
44 ~~all content areas of the system of learning results, based on the~~  
45 ~~school administrative unit's assessment system established~~  
46 ~~pursuant to subsection 1 in addition to other requirements as~~  
47 ~~established by policy of the school board.~~

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A. By the 2009-2010 school year, learning results endorsements may be awarded to students who, at a minimum, demonstrate achievement of the content standards in English language arts and mathematics based on the school administrative unit's local assessment system.

B. By the 2010-2011 school year, learning results endorsements may be awarded to students who, at a minimum, demonstrate achievement of the content standards in English language arts, mathematics, science and technology, social studies and health and physical education based on the school administrative unit's local assessment system.

C. By the 2011-2012 school year, the awarding of learning results endorsements must be determined by student achievement of the standards of the system of learning results in each of the 8 content areas of the system of learning results based on the school administrative unit's assessment system.

Beginning with the 2007-2008 school year, the commissioner shall recommend to the Legislature annual targets for the percentage of students to whom school administrative units may award diplomas based on the awarding of credits and the percentage of students receiving learning results endorsements in addition to the high school diploma awarded pursuant to section 4722. Beginning with the 2007-2008 school year, school administrative units must include in their annual basic school approval reports to the commissioner the percentage of students receiving learning results endorsements.

**4. Graduation decisions at certain private high schools; learning results endorsements; annual targets.** ~~By the 2007-2008 school year, high school graduation~~ Beginning with the 2007-2008 school year, the option of learning results endorsements in addition to the high school diploma awarded pursuant to section 4722 may also be provided for publicly funded students in private schools approved for tuition that enroll at least 60% publicly funded students, as determined by the previous school year's October and April average enrollment. The awarding of learning results endorsements must be determined by student achievement of the standards of the system of learning results in English language arts, health and physical education, mathematics, science and technology, and social studies, in addition to other requirements that may be established by the trustees. ~~By the 2009-2010 school year, high school graduation for publicly funded students in private schools must be determined by student achievement of the standards of the system of learning results in~~

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~~all content areas of the system of learning results, in addition to other requirements as established by the trustees.~~

A. By the 2009-2010 school year, learning results endorsements may be awarded to students who, at a minimum, demonstrate achievement of the content standards in English language arts and mathematics.

B. By the 2010-2011 school year, learning results endorsements may be awarded to students who, at a minimum, demonstrate achievement of the content standards in English language arts, mathematics, science and technology, social studies and health and physical education.

C. By the 2011-2012 school year, the awarding of learning results endorsements in addition to the high school diploma for publicly funded students in private schools must be determined by student achievement of the standards of the system of learning results in each of the 8 content areas of the system of learning results, in addition to other requirements as established by the trustees.

Beginning with the 2007-2008 school year, the commissioner shall recommend to the Legislature annual targets for the percentage of students to whom private schools approved for tuition that enroll at least 60% publicly funded students may award diplomas based on the awarding of credits and the percentage of students receiving learning results endorsements in addition to the high school diploma awarded pursuant to section 4722. Beginning with the 2007-2008 school year, private schools approved for tuition that enroll at least 60% publicly funded students must include in their annual basic school approval reports to the commissioner the percentage of students receiving learning results endorsements.

Sec. 5. 20-A MRS §6209-A is enacted to read:

**§6209-A. State validation**

The commissioner shall validate each school administrative unit's comprehensive education plan, as required in section 4502, subsection 1, and local assessment system, as required in section 6202-A.

1. Annual report. The commissioner shall annually report by February 1st to the joint standing committee of the Legislature having jurisdiction over education matters on the status of each school administrative unit in implementing the comprehensive education plan, as required in section 4502, subsection 1, and the local assessment system, as required in

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section 6202-A, including a report on the number and the percentage of learning results endorsements awarded in addition to high school diplomas awarded pursuant to section 4722 for each of the 8 content areas of the system of learning results under section 6209.

When a report is made under this subsection for purposes of comparative analysis, the reporting mechanisms and the categories reported must be uniform for each school administrative unit.

2. Rules. The commissioner shall adopt or amend rules to implement this section by January 31, 2006. Rules adopted or amended pursuant to this section are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 6. 20-A MRSA §6210, as enacted by PL 2001, c. 454, §33, is amended to read:

**§6210. School assistance**

The Beginning in the 2005-2006 school year, the commissioner shall provide assistance to a school administrative unit when student performance in a school in the school administrative unit beginning in the 2003-2004 school year, or when a review of the comprehensive education plan conducted under section 4504, subsection 2, indicates that assistance is needed. This assistance must be based on a thorough review of the comprehensive education plan, as required in section 4502, subsection 1, and the evidence of student performance provided by the school administrative unit's local assessment system. This may include assignment of an assistance team by the commissioner to work with the school administrative unit over a period of not less than one year. The commissioner shall pilot this process during the 2001-2002 and 2002-2003 school years and shall develop rules for school administrative unit assistance and accountability to safeguard the learning of the students in the school administrative unit.

Sec. 7. 20-A MRSA §7202, sub-§5-A is enacted to read:

5-A. Diploma requirements. Award a high school diploma to each exceptional student who successfully meets the content standards of the system of learning results, in addition to any other diploma requirements applicable to all secondary school students pursuant to section 4722, as specified by the goals and objectives of the student's individualized education plan;

Sec. 8. State validation of comprehensive education plans and local assessment systems. It is the intent of the Legislature that the major substantive rules adopted or amended

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2 pursuant to the Maine Revised Statutes, Title 20-A, section  
3 6209-A must include guidelines and procedures developed by the  
4 Commissioner of Education that connect the purposes of the  
5 standards for validity and reliability to the quality standards  
6 established for the comprehensive, standards-based system of  
7 learning results.'

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**SUMMARY**

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11 This amendment strikes and replaces the bill to make several  
12 changes to the law in order to simplify the implementation  
13 requirements of the system of learning results. The amendment  
14 accomplishes the following.

15 1. It maintains the existing timelines for implementation  
16 of all curriculum and instructional requirements of the system of  
17 learning results, including implementation of the content areas  
18 of visual and performing arts, foreign languages and career  
19 preparation, by the 2007-2008 school year.

20 2. It continues the current practice of basing decisions  
21 regarding high school graduation and the awarding of high school  
22 diplomas upon existing credit-based requirements in law to ensure  
23 that all students will continue to have the opportunity to learn  
24 and to be awarded a high school diploma.

25 3. It amends current law to clarify that a high school  
26 diploma must be awarded to those special education students who  
27 successfully complete the requirements of the system of learning  
28 results as specified in the goals and objectives of their  
29 individualized education plans.

30 4. Beginning in the 2007-2008 school year, it allows school  
31 administrative units to award learning results endorsements in  
32 addition to the high school diploma for students who demonstrate  
33 attainment of the standards of the system of learning results;  
34 and it establishes that, between the 2009-2010 and 2011-2012  
35 school years, the awarding of learning results endorsements will  
36 be based on student achievement of the standards of the system of  
37 learning results as determined by the school administrative  
38 unit's local assessment system in the following content areas:

39 A. By the 2009-2010 school year, English language arts and  
40 mathematics;

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42 B. By the 2010-2011 school year, English language arts,  
43 mathematics, science and technology, social studies and  
44 health and physical education; and

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2 C. By the 2011-2012 school years, each of the 8 content  
areas of the system of learning results.

4 5. It permits the Commissioner of Education to provide for  
6 an alternative measure of student achievement at grade 11 as part  
of the statewide assessment program.

8 6. It provides for greater accountability by:

10 A. Requiring that the Commissioner of Education validate  
12 the comprehensive education plan and the local assessment  
plan for every school administrative unit;

14 B. Directing the Commissioner of Education, beginning in  
16 the 2007-2008 school year, to recommend to the Legislature  
annual targets for the percentage of students to whom school  
18 administrative units and private schools that enroll 60%  
publicly-funded students may award diplomas based on the  
20 awarding of credits and the percentage of students receiving  
learning results endorsements in addition to the high school  
22 diploma awarded;

24 C. Requiring that school administrative units and certain  
private schools, beginning in the 2007-2008 school year,  
26 must include in their annual basic school approval reports  
to the Commissioner of Education the number and the  
28 percentage of learning results endorsements awarded in  
addition to high school diplomas; and

30 D. Directing the Commissioner of Education to provide an  
annual report by February 1st to the joint standing  
32 committee of the Legislature having jurisdiction over  
education matters regarding the status of implementation of  
34 the system of learning results in all school administrative  
units, including a report on the number and the percentage  
36 of learning results endorsements awarded in addition to high  
school diplomas awarded for each of the 8 content areas of  
38 the system of learning results in every school  
administrative unit in the State.

40 7. It authorizes the Commissioner of Education to provide  
42 technical assistance to school administrative units based on a  
review of the comprehensive education plan. Current law only  
44 permits the commissioner to provide technical assistance when



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student performance in the school unit indicates that assistance  
is needed.

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**FISCAL NOTE REQUIRED**  
**(See attached)**

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# 122nd MAINE LEGISLATURE

LD 1424

LR 1692(02)

## An Act To Simplify Implementation of the Maine Learning Results

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

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### Fiscal Note

Potential current biennium cost increase - General Fund

#### Fiscal Detail and Notes

The additional costs to the Department of Education associated with providing an alternative measure of student achievement for grade 11 as part of the statewide assessment program, validating comprehensive education plans and local assessment plans for every school administrative unit and providing the required technical assistance to school units can not be determined at this time. Although the Department intends to absorb the costs within existing resources, it is not clear whether these measures can be implemented without impacting existing programs and services.