

MAINE STATE LEGISLATURE

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Date: 6/3/15

L.D. 1276
(Filing No. H-280)

EDUCATION AND CULTURAL AFFAIRS

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
127TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 872, L.D. 1276, Bill, "An Act To Improve Educational Assessments of Maine Students"

Amend the bill by striking out all of the emergency preamble (page 1, lines 1 to 17 in L.D.).

Amend the bill by striking out all of sections 2 and 3 and inserting the following:

'Sec. 2. Department of Education to adopt educational assessment that does not collect personal student data. On the effective date of this section, the Department of Education shall terminate the State's membership in the Smarter Balanced Assessment Consortium and the use of the Smarter Balanced Assessment used to assess student achievement in the 2014-2015 school year. The department shall adopt a method of educational assessment pursuant to the Maine Revised Statutes, Title 20-A, section 6202 for the 2015-2016 school year and each school year thereafter that complies with federal law but does not collect or disseminate personal data and attributes of students, such as attitudes, values, motivations, stereotypes and feelings. The method of assessment must be selected with direct input from education stakeholders and must specifically address the needs of students and citizens of the State.'

Amend the bill by striking out all of the emergency clause.

SUMMARY

This amendment retains the provisions in the bill that:

1. Direct the Department of Education to terminate the State's membership in the Smarter Balanced Assessment Consortium and adopt a method of educational assessment that complies with federal law but does not collect or disseminate personal data and attributes of students, such as attitudes, values, motivations, stereotypes and feelings; and

2. Require that personally identifying data of a student derived from a state assessment of student achievement be disseminated only with the express written

COMMITTEE AMENDMENT

1 permission of each of the student's parents or guardians or of the student, if of majority
2 age.

3 The amendment makes the following changes to the bill:

4 1. It removes the emergency preamble and the emergency clause;

5 2. It removes the requirement that the State's participation in or entrance into an
6 agreement with an organization, consortium or association in establishing or
7 implementing standards and a state assessment of student performance be done through
8 major substantive rules;

9 3. It requires that the state assessment of student achievement be selected with direct
10 input from education stakeholders and must specifically address the needs of students and
11 citizens of the State; and

12 4. It removes the prohibition of a state assessment of student achievement from being
13 aligned with the so-called common core state standards.

FISCAL NOTE REQUIRED
(See attached)



Approved: 06/02/15 *mac*

127th MAINE LEGISLATURE

LD 1276

LR 1318(02)

An Act To Improve Educational Assessments of Maine Students

Fiscal Note for Bill as Amended by Committee Amendment

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

A (H-280)

Fiscal Note

Current biennium cost increase - Federal Expenditures Fund

Fiscal Detail and Notes

This legislation requires the Department of Education to terminate the use of the Smarter Balanced assessment and to adopt a method of education assessment for the 2015-2016 school year and each school year thereafter that complies with federal law but does not collect or disseminate personal data and attributes of students. The Department of Education has indicated that it will utilize existing federal funds to support the cost of this requirement and that the Federal Expenditures Fund allocations included as part of LD 1019, the Governor's proposed 2016-2017 biennial budget, if approved, will be sufficient to cover the expenditures. Therefore, no additional allocations are needed. This fiscal note may need to be adjusted depending on the final actions of the Legislature on the 2016-2017 biennial budget.