

MAINE STATE LEGISLATURE

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Date: 3/21/16

L.D. 1492
(Filing No. H-579)

EDUCATION AND CULTURAL AFFAIRS

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

COMMITTEE AMENDMENT "A" to H.P. 1015, L.D. 1492, Bill, "An Act To Amend the Laws Governing Education Standards in Maine"

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

'An Act To Establish a Protocol for Review of State Education Content Standards of the System of Learning Results'

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

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Revised Statutes, Title 20-A, section 6211 establishes that the rules adopted by the Department of Education regarding the academic content standards of the system of learning results are major substantive rules; and

Whereas, amendments to major substantive rules regarding the academic content standards of the system of learning results must be submitted to the Legislature for review and approval during the First Regular Session of the 128th Legislature in order for the rules to be implemented in time for school administrative units to be eligible for federal Title I grant funding for the 2017-2018 school year; and

Whereas, the Department of Education needs as much time as possible before the First Regular Session of the 128th Legislature to prepare the new rules; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 20-A MRSA §6209, sub-§§5 and 6 are enacted to read:

COMMITTEE AMENDMENT

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5. Annual report; rules. The commissioner shall annually submit a report by February 1st to the joint standing committee of the Legislature having jurisdiction over education matters on the status of the review of the content standards and performance indicators by content area conducted during the prior calendar year pursuant to subsection 4 and in accordance with the schedule established pursuant to subsection 6. The annual report must include:

A. A compilation and analysis of data on student progress towards achievement of proficiency in the content areas under review; and

B. A listing of public comments received by the commissioner related to the content areas under review.

The commissioner shall adopt rules to implement this subsection. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

6. Schedule; principles and protocol for review of content standards. In accordance with the provisions of subsections 4 and 5, the department shall establish a schedule and principles and protocol whereby the content standards and performance indicators by content area of the system of learning results are reviewed.

A. The following principles guide the review of the content standards conducted by the department:

(1) The review process must focus on the content standards of the system of learning results established pursuant to this section;

(2) The review process must make recommendations to improve the system of learning results based on expert review and revisions of the content standards;

(3) The review process must include opportunities for public comment on each of the content standards; and

(4) The review of content standards must be consistent with the methodology used by the department for the establishment of the system of learning results.

B. The department shall establish a content standards review committee and subject area content standards review subcommittees to review and approve annually the statewide content standards developed by the department pursuant to subsections 4 and 5. Each subcommittee shall review the content standards for its respective subject area to ensure that the standards are clear, concise and appropriate for each grade level and that the standards promote improved student performance, learning, subject matter comprehension and achievement. The committees shall use the protocols in this paragraph as a guide when reviewing content standards.

(1) The department shall provide opportunities for public comment on content standards.

(a) The department shall post the content standards of the system of learning results established pursuant to this section on the department's publicly accessible website, and the website must allow for public comment on the content standards during and outside of the annual review cycle.

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1 (b) Prior to an annual review cycle, the department shall solicit parents,
2 students, educators, community members and content standards review
3 committee members to share their feedback on each individual content
4 standard under review.

5 (c) The department shall review the public comments and submit the
6 information collected in a report to the content standards review committee
7 and the appropriate content standards review subcommittees for their
8 consideration.

9 (2) The content standards review committee shall conduct an initial review of the
10 public comment report submitted by the department regarding the content
11 standards pursuant to subparagraph (1), division (c).

12 (a) The content standards review committee shall provide procedural
13 recommendations to each content standards review subcommittee based on
14 the report under subparagraph (1).

15 (b) The department shall summarize the recommendations from each content
16 standards review committee based on the committee's review of the public
17 comment report under subparagraph (1) and shall prepare materials for
18 consideration by the content standards review subcommittees under
19 subparagraph (3).

20 (3) The content standards review subcommittees shall review the public
21 comments pursuant to subparagraph (2) and the procedural recommendations
22 regarding the current content standards sent from the content standards review
23 committee pursuant to subparagraph (2).

24 (a) The content standards review subcommittees shall work in grade span
25 groups to review the current content standards.

26 (b) Each content standards review subcommittee shall provide
27 recommendations on proposed updates for the content standards under its
28 review.

29 (c) The department shall summarize the recommendations proposed by the
30 content standards review subcommittees for the content standards review
31 committee.

32 (4) The content standards review committee shall conduct a final review of the
33 proposed updates pursuant to subparagraph (3), division (b) and may direct the
34 content standards review subcommittees to review revisions to the proposed
35 updates.

36 The department may adopt rules based on the recommendations from the content
37 standards review committee and the content standards review subcommittees. Rules
38 adopted pursuant to this subsection are major substantive rules pursuant to Title 5,
39 chapter 375, subchapter 2-A. The department shall hold a public hearing and public
40 comment period before provisionally adopting the rules.

COMMITTEE AMENDMENT



127th MAINE LEGISLATURE

LD 1492

LR 2352(02)

An Act To Amend the Laws Governing Education Standards in Maine

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-579)

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Additional costs to the Department of Education to implement the requirements of this legislation can be absorbed within existing budgeted resources.