

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 70

H.P. 36

House of Representatives, January 13, 2021

**An Act To Allow a Parent or Guardian of a Student Who Has Been
Affected by COVID-19 To Keep the Student in the Student's
Current Grade Level**

(EMERGENCY)

Received by the Clerk of the House on January 11, 2021. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative FECTEAU of Augusta.
Cosponsored by Senator POULIOT of Kennebec and
Representatives: DRINKWATER of Milford, FAULKINGHAM of Winter Harbor,
RUDNICKI of Fairfield, SAMPSON of Alfred.

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

3 **Whereas**, this legislation must take effect in time for the 2021-2022 school year; and

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

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

9 **Sec. 1. 20-A MRSA c. 231** is enacted to read:

10 **CHAPTER 231**

11 **STUDENTS WHO HAVE BEEN AFFECTED BY COVID-19**

12 **§6981. Students who have been affected by COVID-19**

13 The parent or legal guardian of a student may, by written notice to the principal of the
14 student's school or to the superintendent of the school administrative unit in which the
15 student attends school, request that the student not be promoted to the next grade level or
16 graduated due to the various effects of coronavirus disease 2019, also known as COVID-19,
17 and the related pandemic on the student's learning during the 2019-2020 and 2020-2021
18 school years. A principal or superintendent shall approve such a request as long as the
19 student's school can accommodate adding the student to the affected grade level.

20 **Emergency clause.** In view of the emergency cited in the preamble, this legislation
21 takes effect when approved.

22 **SUMMARY**

23 This bill allows a parent or legal guardian of a student to request, by written notice to
24 the principal of the student's school or to the superintendent of the school administrative
25 unit in which the student attends school, that the student not be promoted to the next grade
26 level or graduated due to the various effects of COVID-19 and the related pandemic on the
27 student's learning during the 2019-2020 and 2020-2021 school years. It requires the
28 principal or superintendent to approve the request as long as the student's school can
29 accommodate adding the student to the affected grade level.