

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

SECOND REGULAR SESSION-1998

Legislative Document

No. 2289

H.P. 1665

House of Representatives, March 25, 1998

An Act to Make Certain Changes in the Educational Law.

(NEW DRAFT OF H.P. 917, L.D. 1260)

(NEW TITLE)

Reported by Representative RICHARD from the Committee on Education and Cultural Affairs and printed under Joint Rule 310.4.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Original bill sponsored by Representative MURPHY of Kennebunk.
Cosponsored by Senator GOLDTHWAIT of Hancock and
Representatives: BAKER of Dixfield, CARLETON of Wells, FARNSWORTH of Portland,
FISK of Falmouth, FOSTER of Gray, MacDOUGALL of North Berwick, USHER of
Westbrook, WRIGHT of Berwick.

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

2 **Sec. 1. 20-A MRSA §4502, sub-§5, ¶B,** as amended by PL 1995, c.
4 527, §1, is further amended to read:

6 B. Staffing, including student-teacher ratios, except that
8 the approval rules in effect for the school years beginning
10 in the fall of ~~1991,--1992,--1993,--1994,--1995,--1996~~ 1998 and
12 ~~1997~~ 1999 must permit maximum student-teacher ratios of 25:1
school-wide for kindergarten to grade 8 and maximum
student-teacher ratios of 30:1 school-wide for grades 9 to
12;

14 **Sec. 2. 20-A MRSA §4502, sub-§5-A,** as amended by PL 1995, c.
16 527, §3, is further amended to read:

18 **5-A. Application.** The provisions of subsection 5,
20 paragraph H do not apply to the school years beginning in the
fall of ~~1991,--1992,--1993,--1994,--1995,--1996~~ 1998 and ~~1997~~ 1999.

22 **Sec. 3. 20-A MRSA §4504, sub-§2,** as amended by PL 1995, c.
24 527, §4, is further amended to read:

26 **2. Comprehensive reviews.** The commissioner shall, on a
28 one-year to 5-year cycle, make a comprehensive review of each
public school to determine whether the school is in compliance
with basic school approval standards. These reviews must,
30 insofar as is practicable, be coordinated with reviews of other
schools in the school unit, accreditation visits, special
32 education reviews, federal program reviews and other required
reviews or inspections, so as to reduce administrative burdens on
34 school personnel. During the school years beginning in the fall
of ~~1991,--1992,--1993,--1994,--1995,--1996~~ 1998 and ~~1997~~ 1999, the
comprehensive reviews required by this subsection may include
site visits.

36 **Sec. 4. 20-A MRSA §4517,** as amended by PL 1995, c. 527, §5,
38 is further amended to read:

40 **§4517. Waiver of requirements**

42 The provisions of this subchapter do not apply to the school
44 years beginning in the fall of ~~1991,--1992,--1993,--1994,--1995,--1996~~
1998 and ~~1997~~ 1999.

46 **Sec. 5. 20-A MRSA §8104, sub-§1,** as amended by PL 1995, c.
48 527, §6, is further amended to read:

1. **Establishment.** Each school administrative unit must, commencing with the 1987-88 school year, establish a plan for phasing in gifted and talented educational programs by 1998-99. A school administrative unit or part of a school administrative unit is not required to comply with the provisions of its plan during the school years beginning in the fall of 1991, 1992, 1993, 1994, 1995, 1996, 1998 and 1997, 1999.

Sec. 6. P&SL 1991, c. 26, §4, last sentence, as enacted by P&SL 1995, c. 35, §1, is amended to read:

School administrative units shall submit requests for upgrades under this section to the Department of Education before July 1, 1996, 1999.

FISCAL NOTE

Extending certain education waivers and other deadlines will avoid additional operating costs in some local schools by postponing the development of required school programs. These extensions may additionally reduce future requests for General Fund appropriations for the Department of Education's General Purpose Aid for Local Schools program.

SUMMARY

This is a new draft of L.D. 1260, reported out pursuant to Joint Rule 310.

The new draft accomplishes the following purposes:

1. Extends the existing waivers of certain requirements in the areas of student-teacher ratios; student personnel services, including guidance and counseling; school approval on-site reviews; school accreditation; and implementation of plans for gifted and talented students. The extension of these waivers is recommended pending the final recommendations of the Essential Programs and Services Committee in its report to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs during the First Regular Session of the 119th Legislature; and

2. Allows school administrative units another opportunity to issue upgrades for educational technicians who were not recommended for reclassification due to an error on the part of the school administrative unit. The new deadline established for upgrading the classification for these "grandfathered" educational technicians is July 1, 1999.