

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



122nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2006

Legislative Document

No. 1798

S.P. 715

In Senate, December 30, 2005

An Act Regarding Standardized Testing in Maine

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 28, 2005. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 218.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BRENNAN of Cumberland.

Cosponsored by Representative CLARK of Millinocket, Representative SAVIELLO of Wilton
and

Senator: WESTON of Waldo.

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

4
6 **Whereas,** this legislation needs to take effect before the
expiration of the 90-day period because the Department of
Education has indicated its intent to make changes in
8 requirements for standardized testing in the Spring of 2006; and

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

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

18 **Sec. 1. 20-A MRSA §6202, first ¶,** as amended by PL 2005, c.
446, §3, is further amended to read:

20 The commissioner shall establish a statewide assessment
22 program to measure and evaluate on a continuing basis the
academic achievements of students at grades 4, 8 and 11 in the
24 content areas of the system of learning results established in
section 6209 specified by the commissioner. The commissioner may
26 elect to provide for the use of alternative measures of student
achievement in grade 11, except that any alternative measures
28 must be submitted to the Legislature for its approval prior to
being used. This assessment applies to students in the public
30 elementary and secondary schools and in all private schools
approved for tuition whose school enrollments include at least
32 60% ~~publicly-funded~~ publicly funded students, as determined by
the previous school year's October and April average enrollment.
34 The assessment program must be adapted to meet the needs of
exceptional students as defined in section 7001, subsection 2 or
36 other students as defined under rules by the commissioner.

38 **Sec. 2. 20-A MRSA §6202,** as amended by PL 2005, c. 446, §3,
is further amended by adding a new 2nd paragraph to read:

40 Beginning with the 2007 school year, the commissioner may
42 implement the use of the Scholastic Aptitude Test for grade 11
students.

44 **Emergency clause.** In view of the emergency cited in the
46 preamble, this Act takes effect when approved.

SUMMARY

2

4 Current law requires the Commissioner of Education to
6 establish a statewide assessment program to measure and evaluate
8 achievement of learning results. The current assessment program
 used for students in grades 4, 8 and 11 is the Maine Educational
 Assessment. The commissioner is permitted to establish an
 alternative assessment for students in grade 11.

10

 This bill requires the commissioner to submit any
12 alternative assessment program to the Legislature for its
 approval.

14

 The bill also delays the implementation of the Scholastic
 Aptitude Test until the 2007 school year.