

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 470

S.P. 157

February 1, 2007

### An Act To Add Ten Days to the School Year

(EMERGENCY)

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Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator MILLS of Somerset.

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,** the subject of this legislation needs to be addressed before that 90-day  
4 limit occurs; and

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

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

10       **Sec. 1. 20-A MRSA §4801, sub-§1,** as amended by PL 2005, c. 662, Pt. A, §10,  
11 is further amended to read:

12       **1. Number.** A school administrative unit shall make provision for the maintenance  
13 of all of its schools for at least ~~180~~ 190 days a year. At least ~~175~~ 185 days shall must be  
14 used for instruction. In meeting the requirement of a ~~180-day~~ 190-day school year, no  
15 more than 5 days may be used for in-service education of teachers, administrative  
16 meetings, parent-teacher conferences, records' days and similar activities.

17       A. The commissioner may reduce or waive the minimum number of days required  
18 on application from a school board. The application must be supported in writing  
19 with a statement of the reasons for the request.

20       B. Notwithstanding any other section of the statutes, school committees, with the  
21 approval of the commissioner, may adopt or amend rules necessary to implement an  
22 extended school year at the local level. The commissioner may make appropriate  
23 adjustments, not to exceed the allowable subsidy, to insure fair and equitable  
24 treatment in the distribution of state aid.

25       C. Notwithstanding this subsection, the commissioner shall ~~promulgate~~ adopt a rule  
26 to provide that local school units may allow secondary school students to graduate up  
27 to 5 school days prior to the regular end of the school year.

28       D. A school administrative unit, operating under a plan approved by the  
29 commissioner, may provide for the use of up to 5 of the ~~175~~ 185 instructional days  
30 required by this section to be used for screening incoming first year students for the  
31 purpose of identifying children with disabilities and students at risk of school failure  
32 as required by state or federal law.

33       E. Notwithstanding this subsection and any other provision of law, for school years  
34 1991-92 and 1992-93, a school administrative unit may reduce the number of days  
35 for the maintenance of all its schools by 5 days a year. A school administrative unit  
36 that decides to reduce the number of school days for school year 1991-92 or 1992-93,  
37 or both, shall notify the commissioner in writing of its plan.

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

**SUMMARY**

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This bill extends the school year by 10 days starting in the school year beginning in 2007.