

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1859

H.P. 1295

House of Representatives, April 12, 2007

An Act To Prepare All Maine Students for College, Career and Citizenship

Submitted by the Department of Education pursuant to Joint Rule 204.

Received by the Clerk of the House on April 11, 2007. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative NORTON of Bangor.
Cosponsored by Senator BOWMAN of York and
Representative: STRANG BURGESS of Cumberland, Senator: MILLS of Somerset.

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

2 **Sec. 1. 20-A MRSA §4502, sub-§2**, as amended by PL 1991, c. 824, Pt. A, §32,
3 is further amended to read:

4 **2. Curriculum requirements.** Schools ~~shall~~ must also meet all curriculum ~~standards~~
5 requirements established in chapter 207-A.

6 **Sec. 2. 20-A MRSA §4502, sub-§5**, as amended by PL 2001, c. 452, §§8 to 10
7 and c. 454, §§13 and 14, is further amended to read:

8 **5. Other requirements.** The state board and the commissioner shall jointly adopt
9 basic school approval rules governing school administrative units and elementary and
10 secondary schools. These rules must set minimum ~~standards~~ requirements in the
11 following areas, incorporating such ~~standards~~ requirements as are established by statute:

- 12 A. Instructional time, including a minimum school day and week;
- 13 B. Staffing, including student-teacher ratios, ~~except that the approval rules in effect~~
14 ~~for the school years beginning in the fall of 1998 and 1999 must that~~ permit
15 maximum student-teacher ratios of 25:1 school-wide for kindergarten to grade 8 and
16 maximum student-teacher ratios of 30:1 school-wide for grades 9 to 12;
- 17 C. Physical facilities, incorporating the school construction rules of the state board;
- 18 D. Standards for equipment and libraries;
- 19 E. Minimum school size, but including recognition of geographically isolated
20 schools;
- 21 F. Grade and program organization;
- 22 F-1. Elimination of tracking and ability grouping of students as a means of
23 organizing students for learning;
- 24 G. Assessment and evaluation of student performance;
- 25 H. Student personnel services, including guidance and counseling and,
26 notwithstanding any rules adopted by the department, comprehensive guidance plans
27 to be approved by the commissioner ~~for implementation in the 2000-01 school year;~~
- 28 I. Records, record keeping and reporting requirements;
- 29 J. Health, sanitation and safety requirements, including compliance with section
30 6302;
- 31 K. School improvement;
- 32 L-1. A plan for training and development of all personnel that is aligned with the
33 system of learning results as established in section 6209;
- 34 M. The use of time-out areas, administered in accordance with standards adopted
35 by the department and with this paragraph. The use of a time-out area is subject to
36 the following:

1 (1) The time-out area must be well ventilated and sufficiently lighted. The time-
2 out area may not be locked; and

3 (2) The time-out area must be designed to ensure the safety of the student so
4 that the student is supervised by a professional staff member in the room or can
5 be observed from outside of the time-out area and can be heard by a person
6 supervising the time-out area;

7 N. Preparation of a written local policy and implementation of training for all
8 unlicensed personnel who administer medication in accordance with the requirements
9 under section 254, subsection 5; and

10 O. Preparation of a written local policy and implementation of training for all
11 guidance counselors and school personnel who administer reintegration planning
12 pursuant to section 254, subsection 12, who participate in a reintegration team and
13 who have access to confidential criminal justice information regarding juveniles
14 pursuant to section 1055, subsection 12.

15 **Sec. 3. 20-A MRSA §4502, sub-§5-A**, as amended by PL 1999, c. 790, Pt. N, §1,
16 is repealed.

17 **Sec. 4. 20-A MRSA §4503**, as amended by PL 1985, c. 142, §1, is repealed.

18 **Sec. 5. 20-A MRSA §4503-A** is enacted to read:

19 **§4503-A. Requirements specific to secondary school organizations**

20 **1. Evidence of provision of optimal conditions.** To achieve the goal of graduating
21 each student with a level of preparation sufficient to ready each graduate for college, a
22 career and citizenship, each local school unit must submit, as part of the comprehensive
23 education plan required under section 4502, evidence that it is employing practices that
24 provide optimal conditions for student and professional learning, as evidenced by current
25 research on best practice.

26 **2. Requirements for secondary school practices.** In addition to the basic school
27 approval requirements as outlined in section 4502, the requirements of this subsection
28 must also be met by secondary schools beginning in the 2009-2010 school year;

29 **A.** A secondary school shall provide a comprehensive program of instruction of at
30 least 4 years in length, which must meet the requirements of this chapter, the system
31 of learning results established in section 6209 and the admission requirements of the
32 Maine Community College System and the University of Maine System.

33 **B.** A secondary school must provide evidence that it has eliminated tracking and
34 ability grouping of students as means of organizing students for learning or
35 organizing the school's program of studies by the 2009-2010 school year.

36 **C.** A secondary school must provide evidence of planning and implementing
37 coordinated programs that support the academic and social needs of students as they
38 transition into and out of school.

1 D. A secondary school must provide evidence that time is provided throughout the
2 school year and the weekly schedule for teachers to work collaboratively to design
3 high-quality curricula, instruction and assessments, including:

4 (1) Integrated and applied learning;

5 (2) Differentiated instruction; and

6 (3) Using assessments for learning to improve day-to-day classroom instruction.

7 **Sec. 6. 20-A MRSA §4504, sub-§2**, as amended by PL 2005, c. 446, §1, is
8 further amended to read:

9 **2. Comprehensive review.** The commissioner shall conduct a comprehensive
10 review of a school administrative unit in accordance with the school assistance process
11 established in section 6210, based on a review of the school administrative unit's
12 comprehensive education plan and ~~the local assessment system,~~ student achievement data
13 or as part of an inspection in accordance with section 258-A.

14 **Sec. 7. 20-A MRSA §4511, sub-§1**, as enacted by PL 1983, c. 859, Pt. A, §§20
15 and 25, is amended to read:

16 **1. General authorization.** The state board and the commissioner shall jointly adopt
17 rules establishing accreditation ~~standards~~ requirements for secondary and elementary
18 schools of the State.

19 **Sec. 8. 20-A MRSA §4511, sub-§2**, as enacted by PL 1983, c. 859, Pt. A, §§20
20 and 25, is amended to read:

21 **2. Intent.** Accreditation ~~standards are~~ is intended to encourage excellence in school
22 programs. The rules ~~shall~~ must include such components as the quality and variety of
23 instructional programs, the credentials, experience and general performance of staff and
24 adequacy of school facilities.

25 **Sec. 9. 20-A MRSA §4511, sub-§3**, as repealed and replaced by PL 1987, c. 395,
26 Pt. A, §66 is amended to read:

27 **3. Specific requirements.** In addition to ~~standards~~ requirements that are adopted in
28 subsection 1, accreditation ~~standards shall~~ requirements must include, but not be limited
29 to, the following.

30 A. The school has a clearly written statement reflective of the needs, beliefs and
31 values of the school community. It is supported by stated goals and objectives and is
32 consistent with the district's philosophy.

33 B. The school is effectively managed and provides leadership that promotes the
34 achievement of educational excellence.

35 C. The school demonstrates evidence of a well planned and periodically evaluated
36 curriculum which has consistently resulted in exemplary educational programming.

1 D. The school demonstrates a carefully coordinated effort to provide instructional
2 processes which have consistently resulted in a learning environment which promotes
3 excellence. A variety of instructional techniques is used by a majority of the teachers.

4 E. The school has a carefully planned staff development program guided by sound
5 educational theory that promotes exemplary practices.

6 F. The school has a climate which promotes individual self-esteem, high
7 expectations for achievement and a positive attitude toward learning.

8 G. The school has a collaboratively planned community relations program which
9 promotes close cooperation between the school and the community toward the
10 achievement of the school's goals and objectives.

11 H. The school facility offers an effective setting for the delivery of high quality
12 programs and services.

13 **Sec. 10. 20-A MRSA §4512**, as amended by PL 1987, c. 395, Pt. A, §67, is
14 further amended to read:

15 **§4512. Implementation**

16 **1. Accreditation optional.** Any approved elementary or middle school may, through
17 its school board, apply for accreditation.

18 **2. Implementation.** The commissioner shall determine which schools and school
19 units meet the requirements of accreditation, in accordance with adopted rules and this
20 Title.

21 **3. Comprehensive reviews.** The commissioner shall, on a one-year to 5-year cycle,
22 make a comprehensive review of each accredited school to determine whether the school
23 is continuing to meet the accreditation standards requirements.

24 **4. Rules.** Accreditation rules shall be adopted in accordance with the Maine
25 Administrative Procedure Act, Title 5, chapter 375.

26 **5. Accreditation process.** All school administrative units operating a secondary
27 school ~~shall~~ must undergo the state accreditation process on a 5-year cycle as established
28 by the commissioner starting in the ~~1989-90~~ 2009-2010 school year. Upon request from a
29 secondary school, the commissioner ~~shall have the authority to~~ may grant a waiver from
30 the accreditation process. The commissioner shall grant a waiver on the basis of
31 extenuating circumstances as defined by rule.

32 **Sec. 11. 20-A MRSA §4517**, as amended by PL 1999, c. 790, Pt. N, §2, is
33 repealed.

34 **Sec. 12. 20-A MRSA §4703**, as enacted by PL 1983, c. 859, Pt. C, §§5 and 7, is
35 amended to read:

1 **§4703. Instruction for individual students in accordance with chapter 311**

2 Elementary and secondary ~~schools may provide special instruction for gifted and~~
3 ~~talented school students must be provided opportunities for learning in a differentiated~~
4 ~~environment that include opportunities to accelerate learning to meet the needs of~~
5 ~~individual students.~~

6 **Sec. 13. 20-A MRSA §4706**, as amended by PL 2003, c. 510, Pt. B, §5, is further
7 amended to read:

8 **§4706. Instruction in American history, government, citizenship, Maine studies and**
9 **Maine Native American history**

10 Instruction in American history, government, citizenship and Maine studies must be
11 ~~taught as specified in~~ aligned with the system of learning results established in section
12 6209.

13 **1. American history.** Instruction in American history ~~and civil,~~ government and
14 citizenship, including the Constitution of the United States, the Declaration of
15 Independence, the importance of voting and the privileges and responsibilities of
16 citizenship, must be taught in and required for graduation from all elementary and
17 secondary schools, both public and private.

18 **2. Maine studies.** Maine history, including the Constitution of Maine, Maine
19 geography and environment and the natural, industrial and economic resources of Maine
20 and Maine's cultural and ethnic heritage, must be taught. A required component of
21 Maine studies is Maine Native American studies, which must be included in the review of
22 content standards and performance indicators of the learning results conducted in
23 accordance with section 6209, subsection 4. The Maine Native American studies must
24 address the following topics:

- 25 A. Maine tribal governments and political systems and their relationship with local,
26 state, national and international governments;
- 27 B. Maine Native American cultural systems and the experience of Maine tribal
28 people throughout history;
- 29 C. Maine Native American territories; and
- 30 D. Maine Native American economic systems.

31 **Sec. 14. 20-A MRSA §4711**, as amended by PL 2001, c. 454, §21, is further
32 amended to read:

33 **§4711. Elementary course of study**

34 The basic course of study for the elementary schools must provide for the instruction
35 of all students in career ~~preparation~~ and education development, English language arts,
36 ~~foreign world~~ languages, health and physical education, mathematics, science and
37 technology, social studies and visual and performing arts, as described in the system of
38 learning results subject to the schedule specified in section 6209. In furtherance of the

1 content standards in section 6209, subsection 2, the course of study must also include
2 physiology and hygiene, with special reference to the effects of substance abuse,
3 including alcohol, tobacco and narcotics, upon the human system.

4 **Sec. 15. 20-A MRSA §4712** is enacted to read:

5 **§4712. Middle school level course of study**

6 The basic course of study at the middle school level must provide for the instruction
7 of all students in career and education development, English language arts, world
8 languages, health and physical education, mathematics, science and technology, social
9 studies and visual and performing arts, as described in the system of learning results
10 subject to the schedule specified in section 6209. In furtherance of the content standards
11 in section 6209, the course of study must also include physiology and hygiene, with
12 special reference to the effects of substance abuse, including alcohol, tobacco and
13 narcotics, upon the human system. The basic middle school level program of instruction
14 must ensure that all middle school level students participate in challenging, standards-
15 based curricula and engaging instruction resulting in continual learning and high
16 achievement.

17 **Sec. 16. 20-A MRSA §4721**, as amended by PL 2001, c. 454, §22, is repealed and
18 the following enacted in its place:

19 **§4721. General requirements**

20 **1. Secondary school curriculum and instruction.** A secondary school shall
21 provide a comprehensive program of instruction of at least 4 years in length, which must
22 meet the requirements of this chapter and the system of learning results established in
23 section 6209 and the admission requirements for the State's community colleges and
24 university system. The program must include instruction of all students in English
25 language arts, mathematics, science and technology, social studies, health and physical
26 education, career and education development, visual and performing arts and world
27 languages.

28 **2. Secondary school organization and delivery of instruction** A secondary school
29 shall provide a structure that allows for student achievement of the system of learning
30 results established in section 6209 and the admission requirements for the State's
31 community colleges and university system in different instructional settings such as
32 career and technical education programs and alternative education programs.

33 **Sec. 17. 20-A MRSA §4722**, as amended by PL 2005, c. 446, §2 and c. 662, Pt.
34 A, §9, is further amended to read:

35 **§4722. High school diploma**

36 A secondary school shall provide ~~at least one course of study~~ a comprehensive
37 program of instruction leading to a high school diploma ~~that must meet the following~~
38 ~~standards~~ as set out in section 4721. The commissioner shall develop rules for the

1 transition between the requirements of this section and the system of learning results as
2 established in section 6209.

3 ~~**1. Minimum instructional requirements.** A diploma course of study shall include a
4 minimum 4 year program of instruction which meets the curriculum requirements
5 established by this chapter and any other instructional requirements established by the
6 commissioner and the school board.~~

7 ~~**2. Required subjects.** Courses in the following subjects shall be provided in
8 separate or integrated study programs to all students and required for a high school
9 diploma:~~

10 ~~A. English 4 years;~~

11 ~~B. Social studies and history, including American history and government 2 years;~~

12 ~~C. Mathematics 2 years;~~

13 ~~D. Science, including at least one year of laboratory study 2 years; and~~

14 ~~E. Fine arts, which may include art, music, forensics or drama one year.~~

15 ~~**3. Satisfactory completion.** A diploma may be awarded to secondary school
16 students who have satisfactorily completed all diploma requirements in accordance with
17 the academic standards of the school administrative unit and this chapter. All secondary
18 school students must work toward achievement of the content standards of the system of
19 learning results. Children with disabilities, as defined in section 7001, subsection 1-A,
20 who successfully meet the content standards of the system of learning results in addition
21 to any other diploma requirements applicable to all secondary school students, as
22 specified by the goals and objectives of their individualized education plans, may be
23 awarded a high school diploma. Career and technical students may, with the approval of
24 the commissioner, satisfy the 2nd year math and science, the 2nd year social studies and
25 the fine arts requirements of subsection 2 through separate or integrated study within the
26 career and technical school curriculum.~~

27 ~~**3-A. Satisfactory completion.** A diploma may be awarded to secondary school
28 students in accordance with this subsection.~~

29 ~~A. A diploma may be awarded to a secondary school student who has satisfactorily
30 completed all diploma requirements in accordance with the academic standards of the
31 school administrative unit and this chapter and chapter 222.~~

32 ~~B. A child with a disability, as defined in section 7001, subsection 1-B, who
33 successfully demonstrates achievement of the content standards of the system of
34 learning results established in section 6209 in addition to any other diploma
35 requirements applicable to secondary school students, as specified by the goals and
36 objectives of the child's individualized education program, may be awarded a high
37 school diploma.~~

38 ~~C. A student may demonstrate achievement of the system of learning results
39 established in section 6209, with the approval of the commissioner, within a career
40 and technical education program that is aligned to the content standards of the system~~

1 of learning results and the admission requirements for the State's community colleges
2 and university system.

3 D. A student may demonstrate achievement of the system of learning results
4 established in section 6209, with the approval of the commissioner, within an
5 alternative education program that is aligned to the content standards of the system of
6 learning results and the admission requirements for the State's community colleges
7 and university system.

8 E. A student may demonstrate achievement of the system of learning results
9 established in section 6209, with the approval of the commissioner, within an
10 individualized English language acquisition program that is aligned to the content
11 standards of the system of learning results and the admission requirements for the
12 State's community colleges and university system.

13 F. A student who experiences educational disruption and demonstrates achievement
14 of the content standards of the system of learning results established in section 6209,
15 in addition to any other diploma requirements applicable to secondary school students
16 as set forth in their school completion plan, may, with the approval of the
17 commissioner, be awarded a diploma by the department.

18 **4. Exception.** A secondary school student who has satisfactorily completed the
19 freshman year in an accredited degree-granting institution of higher education may be
20 eligible to receive a high school diploma from the school the student last attended,
21 although the student may not meet the graduation requirements of this Title.

22 **5. Advanced study.** Nothing in this chapter may prevent the award of a diploma to a
23 student who has completed all diploma requirements in fewer than 4 years of study.

24 **5-A. Certification of the instructional program at the secondary school level.**
25 The commissioner shall develop rules for the certification of instructional programs to
26 ensure a common meaning for the high school diploma regardless of the secondary
27 school a student attends. Rules adopted pursuant to this subsection are routine technical
28 rules as defined in Title 5, chapter 375, subchapter 2-A.

29 A. The school must provide evidence that the curriculum is aligned to the system of
30 learning results established in section 6209 and the admission requirements for the
31 State's community colleges and university system.

32 B. The school must provide evidence that:

33 (1) Students have open and equitable access to demonstrate achievement of the
34 system of learning results established in section 6209 through either separate or
35 integrated study programs;

36 (2) It provides open and equitable access to a range of opportunities including
37 but not limited to: on-line courses, after-school and summer programs,
38 internships, apprenticeships, career and technical education, service learning,
39 dual-enrollment courses, advanced courses and local and state-sponsored early
40 college programs; and

- 1 (3) Students are provided learning experiences that result in students applying
2 knowledge and skills in new or unpredictable situations.
- 3 C. The school must provide evidence of a carefully coordinated effort to differentiate
4 instruction within learning environments in which students are heterogeneously
5 grouped and that are designed to meet the educational needs of individual students.
- 6 D. The school must provide evidence that students are provided multiple assessment
7 opportunities to demonstrate their achievement of the diploma requirements on
8 assessments required by the school administrative unit and the State.
- 9 E. The school must provide evidence that the senior year is the most rigorous year of
10 engagement and preparation for college, career attainment and citizenship.
- 11 F. The school must provide evidence of implementation of a plan that integrates
12 technology into curriculum, instruction and assessment.

13 **6. Exception for certain veterans.** A secondary school may award a high school
14 diploma to a person who meets all of the following requirements. A diploma may be
15 awarded posthumously.

- 16 A. The person or the person's family must apply to the secondary school for the
17 diploma.
- 18 B. The person must either:
- 19 (1) Have attended the secondary school or attended a secondary school in the
20 geographic area now served by the secondary school; or
- 21 (2) Currently reside in the geographic area served by the secondary school.
- 22 C. The person must have left secondary school either:
- 23 (1) Before or during World War II to serve in the Armed Forces during World
24 War II; or
- 25 (2) Before or during the Korean Conflict to serve in the Armed Forces in the
26 Korean Conflict.
- 27 D. The person did not graduate or receive a high school diploma because of service
28 in the Armed Forces.
- 29 E. The person received an honorable discharge or a certificate of honorable service
30 from the Armed Forces.

31 For purposes of this subsection, "Armed Forces" means the Army, Navy, Air Force,
32 Marine Corps or Coast Guard; and the Merchant Marines only for the period of
33 December 7, 1941 to August 16, 1945.

34 **Sec. 18. 20-A M RSA §4726**, as amended by PL 1991, c. 279, §3, is further
35 amended to read:

36 **§4726. World languages**

37 Each school administrative unit:

1 **1. Required to offer.** Shall offer one 2-year sequence in a foreign world language;
2 and

3 **2. Encouraged to offer.** Is encouraged to offer one or more additional foreign world
4 languages as part of its secondary school program.

5 **3. American sign language.**

6 American sign language is a foreign world language and may be offered to fulfill the
7 requirements of this section.

8 For purposes of this section, "world language" means a language, either ancient or
9 modern, that is used or has been used for written, oral or signed communication in the
10 multilingual and multicultural worldwide community.

11 **Sec. 19. 20-A MRSA §4728**, as enacted by PL 1983, c. 859, Pt. C, §§5 and 7, is
12 repealed.

13 **Sec. 20. 20-A MRSA §6201**, as amended by PL 2001, c. 454, §§27 and 28, is
14 further amended to read:

15 **§6201. Legislative intent**

16 The Legislature ~~concurs with the recommendation of the 1984 report of the~~
17 ~~Commission on the Status of Education in Maine~~ finds that all students must graduate
18 from high school prepared for college, career and citizenship and that a state-wide
19 statewide educational assessment program must be implemented to ensure that each
20 student in the State has an equal opportunity to meet this outcome.

21 There is a need for assessment information at both the state and local level to measure
22 progress and ensure accountability and comparability regarding the implementation of the
23 system of learning results, which set forth in section 6209 and in department rules
24 implementing that section and other curricular requirements. This must be accomplished
25 through a comprehensive system of local and state assessments, involving multiple
26 measures to determine what each student knows and is able to demonstrate regarding the
27 standards ~~of the system~~ of learning results.

28 ~~This comprehensive local and state~~ The assessment system must have the following
29 objectives:

30 **1. Statewide assessment.** To provide information on the academic achievement and
31 progress of Maine students;

32 **2. State goals.** To establish a process for a continuing evaluation of the system of
33 learning results ~~established~~ set forth in section 6209 and in department rules
34 implementing that section to aid in the development of educational policies, standards
35 and programs and to measure comparability of educational opportunity for students
36 throughout the state;

1 **3. Local programs.** To provide school officials with information to assess the
2 quality, effectiveness and appropriateness of educational materials, methods and
3 curriculum needs, including remediation and enrichment in their schools;

4 **4. Individual students.** To provide school staffs with information about the
5 individual students that may be used, with other information, to meet individual and
6 educational needs of the student. The statewide assessment program may not be the only
7 criteria for judging student performance;

8 **5. Trends.** To identify year-to-year trends in student achievement; and

9 **6. Parents.** To provide parents with information about the achievements of their
10 children ~~on the assessment program.~~

11 **Sec. 21. 20-A MRSA §6202**, as amended by PL 2005, c. 118, §1 and amended by
12 c. 446, §3 and amended by c. 662, Pt. A, §13, is further amended to read:

13 **§6202. State assessment program established; content**

14 The commissioner shall establish a statewide assessment program to measure and
15 evaluate on a continuing basis the academic achievements of students ~~at in grades 4, 8~~
16 ~~and 11 3 to 12~~ in the content areas of the system of learning results ~~established set forth~~
17 ~~section 6209 specified by the commissioner and in department rules implementing that~~
18 ~~section and other curricular requirements.~~ The commissioner may elect to provide for the
19 use of alternative measures of student achievement in ~~grade 11~~ grades 9 to 12. This
20 assessment applies to students in the public elementary and secondary schools and in all
21 private schools approved for tuition whose school enrollments include at least 60%
22 publicly funded students, as determined by the previous school year's October and April
23 average enrollment. The assessment program must be adapted to meet the needs of
24 children with disabilities as defined in section 7001, subsection 1-A or other students as
25 defined under rules by the commissioner.

26 **1-A. Interpretation.** The statewide assessment program results may be interpreted
27 in a manner that takes into account the particular role within a school administrative unit
28 of regional special education or regional alternative education programs or schools
29 approved by the commissioner in accordance with section 2501 or section 7253. For
30 these programs or schools, the results may be interpreted by assigning the student and the
31 scores of the student to the school in the community where the student resides. The
32 commissioner shall adopt rules to implement this subsection. Rules adopted pursuant to
33 this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-
34 A.

35 **3. Assessments required for the high school diploma.** Assessments required for
36 the high school diploma must ensure that each student graduating from a public or private
37 secondary school that includes at least 60% publicly funded students is prepared for
38 success upon entering higher education institutions, career and citizenship.

1 A. Beginning with the class of 2010, all students must meet state-determined
2 proficiency benchmarks on state assessments in English language arts and
3 mathematics.

4 B. Beginning with the class of 2011, all students must meet state-determined
5 proficiency benchmarks on state assessments in English language arts and
6 mathematics, science and technology, social studies and health and physical
7 education and wellness.

8 C. Beginning with the class of 2012, all students must meet state-determined
9 proficiency benchmarks on state assessments in English language arts, mathematics,
10 science and technology, social studies, health and physical education and wellness,
11 visual and performing arts, world languages and career and life development.

12 **Sec. 22. 20-A MRSA §6202-A**, as amended by PL 2005, c. 446, §4 and c. 593,
13 §§1 and 2, is repealed.

14 **Sec. 23. 20-A MRSA §6202-B** is enacted to read:

15 **§6202-B. Multiple measures of student achievement**

16 Each school administrative unit shall use multiple assessment methods to measure
17 student achievement of the learning results set forth in section 6209 and in department
18 rules implementing that section and other curricular requirements established in section
19 6209 to inform instruction and ensure students are making progress toward achieving the
20 learning results set forth in section 6209 and in department rules implementing that
21 section, other curricular requirements and the requirements of a common core course of
22 study.

23 **Sec. 24. 20-A MRSA §6208**, as enacted by PL 1995, c. 649, §1, is amended to
24 read:

25 **§6208. Legislative intent**

26 The Legislature finds that because all children can learn at significantly higher levels,
27 it is essential that the Legislature, the State Board of Education, the Department of
28 Education, school administrative units, educators and parents provide children with
29 schools that reflect high expectations and create conditions where these expectations can
30 be met. Through a shared sense of accountability and a cooperative spirit among State
31 Government, school administrative units, educators, parents, business persons, and the
32 community, school administrative units and educators can develop and teach to high
33 standards that will enable students to become productive and fulfilled members of
34 society. The Legislature further finds that the system of learning results ~~established set~~
35 forth in section 6209 and in department rules implementing that section and other
36 curricular requirements will serve as a foundation for education reform, will promote
37 assessment of student learning, will reinforce accountability and will encourage equity.
38 The Legislature, therefore, encourages the State Board of Education, the Department of
39 Education and school administrative units to employ a high degree of creativity in
40 developing content standards and performance indicators and to explore a wide range of
41 programs and options so that the standards adopted will reflect the highest possible

1 expectations and assessments will be of the highest possible quality. The ultimate goal
2 and intent of the Legislature is to ensure that the State's schools will enable today's
3 students to gain the knowledge and skills necessary ~~to be effective parents, citizens,~~
4 ~~workers and adults~~ for college, career and citizenship.

5 **Sec. 25. 20-A MRSA §6209**, as amended by PL 2005, c. 662, Pt. A, §14, is
6 further amended to read:

7 **§6209. System of learning results established**

8 The department in consultation with the state board shall establish and implement a
9 comprehensive, statewide system of learning results, ~~referred to in this section as the~~
10 ~~"system," no later than the 2002-03 school year. The system, based broadly upon guiding~~
11 ~~principles set forth in this section, and in department rules implementing this section and~~
12 ~~other curricular requirements. The department must establish high academic~~
13 ~~accountability standards at all grade levels in the areas of math mathematics; reading;~~
14 ~~English; and science and technology. The department shall establish parameters for~~
15 ~~essential instruction and graduation requirements in English language arts, mathematics,~~
16 ~~science and technology, social studies, including history, economics and civics; career~~
17 ~~preparation and education development; visual and performing arts; health and, physical~~
18 ~~education and wellness; and foreign world languages. Only students in a public school or~~
19 ~~a private school approved for tuition that enrolls at least 60% publicly funded students, as~~
20 ~~determined by the previous school year's October and April average enrollment, are~~
21 ~~required to participate in the system of learning results set forth in this section and in~~
22 ~~department rules implementing this section and other curricular requirements. The~~
23 ~~commissioner shall develop accommodation provisions for instances where course~~
24 ~~content conflicts with sincerely held religious beliefs and practices of a student's parent or~~
25 ~~guardian. The system must be adapted to accommodate children with disabilities as~~
26 ~~defined in section 7001, subsection 1-A.~~

27 ~~**1. Guiding principles.** Each student must leave school as:~~

28 ~~**A.** A clear and effective communicator who:~~

29 ~~(1) Uses oral, written, visual, artistic and technological modes of expression;~~

30 ~~(2) Reads, listens to and interprets messages from multiple sources; and~~

31 ~~(3) Uses English and at least one other language;~~

32 ~~**B.** A self directed and life long learner who:~~

33 ~~(1) Creates career and education plans that reflect personal goals, interests and~~
34 ~~skills, and available resources;~~

35 ~~(2) Demonstrates the capacity to undertake independent study; and~~

36 ~~(3) Finds and uses information from libraries, electronic data bases and other~~
37 ~~resources;~~

38 ~~**C.** A creative and practical problem solver who:~~

39 ~~(1) Observes situations objectively to clearly and accurately define problems;~~

- 1 ~~(2) Frames questions and designs data collection and analysis strategies from all~~
 2 ~~disciplines to answer those questions;~~
- 3 ~~(3) Identifies patterns, trends and relationships that apply to solutions to~~
 4 ~~problems; and~~
- 5 ~~(4) Generates a variety of solutions, builds a case for the best response and~~
 6 ~~critically evaluates the effectiveness of this response;~~
- 7 **D.** ~~A responsible and involved citizen who:~~
- 8 ~~(1) Recognizes the power of personal participation to affect the community and~~
 9 ~~demonstrates participation skills;~~
- 10 ~~(2) Understands the importance of accepting responsibility for personal~~
 11 ~~decisions and actions;~~
- 12 ~~(3) Knows the means of achieving personal and community health and well-~~
 13 ~~being; and~~
- 14 ~~(4) Recognizes and understands the diverse nature of society;~~
- 15 **E.** ~~A collaborative and quality worker who:~~
- 16 ~~(1) Knows the structure and functions of the labor market;~~
- 17 ~~(2) Assesses individual interests, aptitudes, skills, and values in relation to~~
 18 ~~demands of the workplace; and~~
- 19 ~~(3) Demonstrates reliability, flexibility and concern for quality; and~~
- 20 **F.** ~~An integrative and informed thinker who:~~
- 21 ~~(1) Applies knowledge and skills in and across English language arts, visual and~~
 22 ~~performing arts, foreign languages, health and physical education, mathematics,~~
 23 ~~science and technology, social studies and career preparation; and~~
- 24 ~~(2) Comprehends relationships among different modes of thought and methods~~
 25 ~~associated with the traditional disciplines.~~

26 **1-A. Accountability standards.** Each student must be assessed by means of a
 27 statewide assessment in the following areas:

- 28 A. Reading;
- 29 B. Mathematics; and
- 30 C. Science, in those content areas concerning cells and continuity and change.

31 **2. Parameters for essential instruction and graduation requirements.** Each
 32 student shall study and achieve proficiency in the ~~following content standard subject~~
 33 ~~areas of:~~

- 34 A. Career preparation and education development;
- 35 B. English language arts;
- 36 C. Foreign World languages;

- 1 D. Health and, physical education and wellness;
- 2 E. Mathematics;
- 3 F. Science and technology;
- 4 G. Social studies; and
- 5 H. Visual and performing arts.

6 **3. Career and education development; world languages; visual and performing**
7 **arts.** ~~By the end of the 2002-2003 school year, each school administrative unit shall~~
8 ~~address in the comprehensive education plan, as required in section 4502, subsection 1,~~
9 ~~how the school administrative unit will implement for all students the content areas of~~
10 ~~career preparation, foreign languages and visual and performing arts, including interim~~
11 ~~targets for partial implementation.~~ By the end of the 2007-2008 school year, each local
12 school administrative unit shall implement standards in ~~these additional content~~ the areas
13 of the system of learning results, contingent upon funding based on essential programs
14 and services or its equivalent career and education development, world languages and
15 visual and performing arts. Notwithstanding any other provision of this chapter, the
16 commissioner is authorized to establish rules for inclusion of some portion of the
17 standards in visual and performing arts for the graduating class of ~~2007-2008~~ 2011-2012.

18 **4. Review cycle.** The commissioner shall conduct a review of the content standards
19 and performance indicators by content area on a ~~4-year~~ 5-year cycle beginning in the
20 ~~2003-2004~~ 2015-2016 school year. Any changes that are recommended must be
21 approved through the same process used for establishment of the system of learning
22 results.

23 **Sec. 26. 20-A MRSA §6209-A,** as enacted by PL 2005, c. 446, §5, is amended to
24 read:

25 **§6209-A. State validation**

26 The commissioner shall validate each school administrative unit's comprehensive
27 education plan, as required in section 4502, subsection 1, ~~and local assessment system, as~~
28 ~~required in section 6202-A.~~

29 **1. Annual report.** The commissioner shall annually report by February 1st to the
30 joint standing committee of the Legislature having jurisdiction over education matters on
31 the status of each school administrative unit in implementing the comprehensive
32 education plan, as required in section 4502, subsection 1, ~~and the local assessment~~
33 ~~system, as required in section 6202-A, including a report on the number and the~~
34 ~~percentage of learning results endorsements awarded in addition to high school diplomas~~
35 ~~awarded pursuant to section 4722 for each of the 8 content areas of the system of learning~~
36 ~~results under section 6209~~ high school graduation rates and the numbers of students
37 attending and persisting at the postsecondary level.

38 When a report is made under this subsection for purposes of comparative analysis, the
39 reporting mechanisms and the categories reported must be uniform for each school
40 administrative unit.

1 **2. Rules.** The commissioner shall adopt or amend rules to implement this section by
2 ~~January 31, 2006.~~ Rules adopted or amended pursuant to this section are major
3 substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

4 **Sec. 27. 20-A MRSA §6210,** as amended by PL 2005, c. 446, §6, is further
5 amended to read:

6 **§6210. School assistance**

7 ~~Beginning in the 2005-2006 school year, the~~ The commissioner shall provide
8 assistance to a school administrative unit when student performance in a school in the
9 school administrative unit, or when a review of the comprehensive education plan
10 conducted under section 4504, subsection 2, indicates that assistance is needed. This
11 assistance must be based on a thorough review of the comprehensive education plan, as
12 required in section 4502, subsection 1, and the evidence of student performance provided
13 by the school administrative unit's local assessment system. This may include assignment
14 of an assistance team by the commissioner to work with the school administrative unit
15 over a period of not less than one year. ~~The commissioner shall pilot this process during~~
16 ~~the 2001-2002 and 2002-2003 school years and shall develop rules for school~~
17 ~~administrative unit assistance and accountability to safeguard the learning of the students~~
18 ~~in the school administrative unit.~~

19

SUMMARY

20 This bill proposes changes in high school graduation requirements, assessments and
21 overall high school program design to ensure that each student has an equitable
22 opportunity to achieve the State's learning results and to graduate ready for college, career
23 and citizenship.