

MAINE STATE LEGISLATURE

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2 Date: 6/8/7

L.D. 1860
(Filing No. H-474)

3 **EDUCATION AND CULTURAL AFFAIRS**

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5 **STATE OF MAINE**
6 **HOUSE OF REPRESENTATIVES**
7 **123RD LEGISLATURE**
8 **FIRST REGULAR SESSION**

9 COMMITTEE AMENDMENT "A" to H.P. 1296, L.D. 1860, Bill, "An Act To
10 Implement the Recommendations of the Task Force To Engage Maine's Youth Regarding
11 Successful School Completion"

12 Amend the bill by striking out everything after the enacting clause and before the
13 summary and inserting the following:

14 'Sec. 1. 20-A MRSA §257, sub-§4 is enacted to read:

15 **4. Department of Education diploma.** The commissioner shall issue a Department
16 of Education diploma as defined in section 5161, subsection 2 to a student who is unable
17 to obtain a locally awarded diploma due to disruption of education resulting from
18 homelessness, unplanned psychiatric hospitalization, unplanned hospitalization for a
19 medical emergency, foster care placement, youth development center placement or some
20 other out-of-district placement that is not otherwise authorized by either an individualized
21 education plan or other education plan or a superintendent's agreement developed in
22 accordance with section 5205, subsection 2.

23 The diploma must be issued to students who have successfully demonstrated achievement
24 of the content standards of the system of learning results established pursuant to section
25 6209 in addition to any other diploma requirements applicable to secondary students as
26 set forth in their school work recognition plan as defined in section 5161, subsection 6.

27 **Sec. 2. 20-A MRSA §4722, sub-§3,** as amended by PL 2005, c. 662, Pt. A, §9, is
28 further amended to read:

29 **3. Satisfactory completion.** A diploma may be awarded to secondary school
30 students who have satisfactorily completed all diploma requirements in accordance with
31 the academic standards of the school administrative unit and this chapter. All secondary
32 school students must work toward achievement of the content standards of the system of
33 learning results established pursuant to section 6209. Children with disabilities, as
34 defined in section 7001, subsection 1-A, who successfully meet the content standards of
35 the system of learning results in addition to any other diploma requirements applicable to
36 all secondary school students, as specified by the goals and objectives of their

COMMITTEE AMENDMENT

1 individualized education plans, may be awarded a high school diploma. Career and
2 technical students may, with the approval of the commissioner, satisfy the 2nd-year math
3 and science, the 2nd-year social studies and the fine arts requirements of subsection 2
4 through separate or integrated study within the career and technical school curriculum.

5 Students who experience education disruption, as defined in section 5001-A, subsection
6 4, paragraph F, who successfully demonstrate achievement of the content standards of the
7 system of learning results in addition to any other diploma requirements applicable to
8 secondary school students as set forth in their school work recognition plans as defined in
9 section 5161, subsection 6 must, with the approval of the commissioner, be awarded a
10 Department of Education diploma as defined in section 5161, subsection 2.

11 **Sec. 3. 20-A MRSA §5001-A, sub-§4, ¶D**, as enacted by PL 1983, c. 806, §49,
12 is amended to read:

13 D. A family emergency; or

14 **Sec. 4. 20-A MRSA §5001-A, sub-§4, ¶E**, as enacted by PL 1983, c. 806, §49,
15 is amended to read:

16 E. A planned absence for a personal or educational purpose ~~which~~ that has been
17 approved; ~~or~~

18 **Sec. 5. 20-A MRSA §5001-A, sub-§4, ¶F** is enacted to read:

19 F. Education disruption resulting from homelessness, unplanned psychiatric
20 hospitalization, unplanned hospitalization for a medical emergency, foster care
21 placement, youth development center placement or some other out-of-district
22 placement that is not otherwise authorized by either an individualized education plan
23 or other education plan or a superintendent's agreement developed in accordance with
24 section 5205, subsection 2. This paragraph does not apply to a student who is out of
25 school for 10 or more consecutive school days as a result of a planned absence for a
26 reason such as a family event or a medical absence for planned hospitalization or
27 recovery.

28 **Sec. 6. 20-A MRSA c. 211, sub-c. 5** is enacted to read:

29 **SUBCHAPTER 5**

30 **STUDENTS EXPERIENCING EDUCATION DISRUPTION**

31 **§5161. Definitions**

32 As used in this subchapter, unless the context otherwise indicates, the following
33 terms have the following meanings.

34 **1. Academic programming waiver.** "Academic programming waiver" means an
35 agreement signed by the receiving and sending schools accepting the academic
36 programming, credits and documentation of achievement of the standards completed by a
37 student at the receiving school or educational program.

38 **2. Department of Education diploma.** "Department of Education diploma" means
39 a standards-based diploma that meets state requirements as outlined in this chapter and

1 chapter 222 for a student unable to obtain a local school diploma due to education
2 disruption.

3 **3. Interim placement.** "Interim placement" means a temporary assignment for a
4 student who experiences education disruption to a program or school approved by the
5 department.

6 **4. Learning results.** "Learning results" means the system of learning results
7 established pursuant to section 6209.

8 **5. Receiving school.** "Receiving school" means the school or educational program
9 that a student who experienced education disruption presently attends following an
10 interim placement.

11 **6. School work recognition plan.** "School work recognition plan" means a written
12 plan initiated upon the interim placement of a student who experiences education
13 disruption that outlines how the student will accomplish and demonstrate work for
14 completion or credit to meet that student's goals for demonstrated achievement of
15 learning results as an elementary or secondary student and any other diploma
16 requirements applicable to secondary school students. The school work recognition plan
17 for high school juniors and seniors 16 to 20 years of age must include a determination as
18 to how and when the decision will be made as to whether the student has met the
19 requirements for a local high school diploma or be recommended for a statewide review
20 team meeting to discuss the Department of Education diploma. For those students who
21 have not met local requirements, information must be provided to the student and to the
22 parent or guardian of the student regarding the process to access the Department of
23 Education diploma.

24 **7. Sending school.** "Sending school" means the school in which a student who
25 experienced education disruption was enrolled at the time of the disruption.

26 **8. Statewide review team.** "Statewide review team" means a team designated by
27 the commissioner to address any disputes by means of a review of the compiled evidence
28 including transitional academic reports, school work recognition plans, academic
29 programming waivers, credits, transfers, transcripts or acceptance of student work
30 demonstrating achievement of learning results and any other diploma requirements
31 applicable to secondary school students. The statewide review team shall use the
32 evidence to make recommendations to the commissioner regarding the award of a
33 Department of Education diploma to the student and to provide the sending school with a
34 copy of the recommendations.

35 **9. Students who experience education disruption.** "Students who experience
36 education disruption" means elementary school and secondary school students who
37 experience an interruption in their current educational program for 10 or more
38 consecutive school days by being placed in a program or school approved by the
39 department, which may be as a result of a situation such as homelessness, unplanned
40 psychiatric hospitalization, unplanned hospitalization for a medical emergency, foster
41 care placement, youth development center placement or some other out-of-district
42 placement that is not otherwise authorized by either an individualized education plan or
43 other education plan.

1 "Students who experience education disruption" does not include students who are out of
2 school for 10 or more consecutive school days as a result of planned absences for a
3 reason such as a family event or medical absences for planned hospitalization or recovery
4 or pursuant to a superintendent's agreement developed in accordance with section 5205,
5 subsection 2.

6 **§5162. School work recognition plan**

7 Students who experience education disruption must have a school work recognition
8 plan initiated upon the interim placement of the student. The school work recognition
9 plan must be developed or updated by the student, the parent or guardian, the sending and
10 receiving schools and others such as juvenile community corrections officers and
11 community case managers no later than 10 school days after the interim placement of the
12 student. This plan may be developed through alternate forms of meeting such as e-mail
13 or teleconferencing. If an existing plan such as an individualized education plan or a
14 transition plan as defined in rules adopted by the department or a 504 plan as defined in
15 34 Code of Federal Regulations, Part 104 addresses school completion, a school work
16 recognition plan is not required.

17 Individual educational materials such as curricula and assignments must be made
18 available to the interim placement as soon as possible but no later than 5 school days after
19 the interim placement of the student; otherwise, an academic programming waiver must
20 be signed by the sending school in which the sending school agrees to accept the
21 academic programming implemented at the interim placement and to document on the
22 student's transcript the credits earned by the student at the receiving school.

23 For every student who experiences education disruption, receiving school
24 professional staff must be assigned to ensure the complete transfer of all records, grades
25 and credits and all academic material, including an academic programming waiver, if
26 applicable, from the sending school to the receiving school no later than 5 school days
27 after the student enrolls in the receiving school.

28 **Sec. 7. 20-A MRSA §6001-B, sub-§1**, as amended by PL 2001, c. 452, §14, is
29 further amended to read:

30 **1. Education records must follow students who transfer.** Education records must
31 follow students who transfer to a school in another school administrative unit in the State.
32 The education records of students who transfer from educational programs or schools for
33 juveniles located in or operated by correctional facilities or out-of-state schools are also
34 subject to this requirement. For a student who experiences education disruption, as
35 defined in section 5161, subsection 9, the sending school shall send or electronically
36 transfer pertinent records, including but not limited to academic and health information
37 records, to the receiving school or educational program no later than 5 school days after
38 the student enrolls in the receiving school or educational program.'

39 **SUMMARY**

40 This amendment strikes and replaces the bill in order to clarify certain provisions of
41 the legislation introduced to implement the recommendations of the Governor's Task

COMMITTEE AMENDMENT "A" to H.P. 1296, L.D. 1860

1 Force to Engage Maine's Youth. The primary purpose of the bill was to meet the needs of
2 students experiencing education disruption by establishing a process to recognize their
3 academic work while creating manageable procedures for school personnel and other
4 officials that are involved with these students. The amendment accomplishes the
5 following:

6 1. It revises the definition of the term "students who experience education
7 disruption" to clarify that these students include both elementary school students and
8 secondary school students;

9 2. It adds a definition for "interim placement" to make the distinction that such a
10 placement is a temporary assignment of a student who experiences education disruption
11 to a program or school approved by the Department of Education;

12 3. It replaces the term "school completion plan" with the term "school work
13 recognition plan" to convey that the intent of the plan is to recognize the school work
14 completed by a student who experiences education disruption; and

15 4. It simplifies the process for school personnel in developing a school work
16 recognition plan for a student who experiences education disruption.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



123rd MAINE LEGISLATURE

LD 1860

LR 2586(02)

An Act To Implement the Recommendations of the Task Force To Engage Maine's Youth Regarding Successful School Completion

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

Fiscal Note

State Mandate - Unfunded

State Mandates

Required Activity

The following requirements in this legislation represent a State mandate pursuant to the Constitution of Maine: 1) that a school work recognition plan be developed that outlines how a student who experiences educational disruption will accomplish and demonstrate the work necessary to complete the diploma requirements applicable to secondary students no later than 10 school days after the interim placement of the student; 2) that the sending and receiving schools participate in the development or updating of the school work recognition plan; 3) that professional staff from the receiving school be assigned to ensure the complete transfer of all records, grades and credits and all academic materials from the sending school no later than 5 school days after the student enrolls in the receiving school; and 4) that the sending school send or electronically transfer all records to the receiving school within 5 days after the transfer of the student to the receiving school.

Unit Affected

School

Costs

Insignificant

Fiscal Detail and Notes

Additional costs to the Department of Education can be absorbed within existing budgeted resources.