

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1860

H.P. 1296

House of Representatives, April 12, 2007

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

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 MARLEY of Portland. (GOVERNOR'S BILL)
Cosponsored by Senator MITCHELL of Kennebec and
Representatives: BARSTOW of Gorham, NORTON of Bangor, PINGREE of North Haven,
Senators: BOWMAN of York, MILLS of Somerset.

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

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

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

11 The diploma must be issued to students who have successfully demonstrated achievement
12 of the content standards of the system of learning results established pursuant to section
13 6209 in addition to any other diploma requirements applicable to secondary students as
14 set forth in their school completion plans.

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

17 **3. Satisfactory completion.** A diploma may be awarded to secondary school
18 students who have satisfactorily completed all diploma requirements in accordance with
19 the academic standards of the school administrative unit and this chapter. All secondary
20 school students must work toward achievement of the content standards of the system of
21 learning results established pursuant to section 6209. Children with disabilities, as
22 defined in section 7001, subsection 1-A, who successfully meet the content standards of
23 the system of learning results in addition to any other diploma requirements applicable to
24 all secondary school students, as specified by the goals and objectives of their
25 individualized education plans, may be awarded a high school diploma. Career and
26 technical students may, with the approval of the commissioner, satisfy the 2nd-year math
27 and science, the 2nd-year social studies and the fine arts requirements of subsection 2
28 through separate or integrated study within the career and technical school curriculum.

29 Students who experience education disruption, as defined in section 5001-A, subsection
30 4, paragraph F, who successfully demonstrate achievement of the content standards of the
31 system of learning results in addition to any other diploma requirements applicable to
32 secondary school students as set forth in their school completion plans must, with the
33 approval of the commissioner, be awarded a Department of Education diploma as defined
34 in section 5161, subsection 2.

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

37 D. A family emergency; or

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

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

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

4 F. Education disruption resulting from homelessness, unplanned psychiatric
5 hospitalization, unplanned hospitalization for a medical emergency, foster care
6 placement, youth development center placement or some other out-of-district
7 placement that is not otherwise authorized by either an individualized education
8 program or other education plan or a superintendent's agreement developed in
9 accordance with section 5205, subsection 2 or resulting from a change of school or
10 educational program 3 or more times during a school year. This paragraph does not
11 apply to a student who is out of school for 10 or more consecutive school days as a
12 result of a planned absence for a reason such as a family event or a medical absence
13 for planned hospitalization or recovery.

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

15 **SUBCHAPTER 5**

16 **STUDENTS EXPERIENCING EDUCATION DISRUPTION**

17 **§5161. Definitions**

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

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

24 **2. Department of Education diploma.** "Department of Education diploma" means
25 a standards-based diploma that meets state requirements as outlined in this chapter and
26 chapter 222 for a student unable to obtain a local school diploma due to education
27 disruption.

28 **3. Learning results.** "Learning results" means the system of learning results
29 established pursuant to section 6209.

30 **4. Receiving school.** "Receiving school" means the school or educational program
31 that a student who experienced education disruption presently attends.

32 **5. School completion plan.** "School completion plan" means a written personal
33 learning plan developed by a team at the receiving school that outlines how a student who
34 experienced education disruption will accomplish and demonstrate work for credit to
35 meet that student's goals for demonstrated achievement of learning results and any other
36 diploma requirements applicable to secondary school students. The school completion
37 plan must include a determination as to whether the student who has demonstrated

1 achievement of learning results will receive a local school diploma or a Department of
2 Education diploma.

3 **6. Sending school.** "Sending school" means the school in which a student who
4 experienced education disruption was enrolled at the time of the disruption.

5 **7. Statewide review team.** "Statewide review team" means a team designated by
6 the commissioner to address any disputes regarding school completion plans, academic
7 programming waivers, credits, transfers, transcripts or acceptance of student work by
8 means of a review of the compiled evidence of demonstrated achievement of learning
9 results and any other diploma requirements applicable to secondary school students and
10 to make recommendations to the commissioner regarding the award of a Department of
11 Education diploma to the student.

12 **8. Students who experience education disruption.** "Students who experience
13 education disruption" means:

14 A. Children and youth who experience a break in their education or their educational
15 program for 10 or more consecutive school days as a result of a situation such as
16 homelessness, unplanned psychiatric hospitalization, unplanned hospitalization for a
17 medical emergency, foster care placement, youth development center placement or
18 some other out-of-district placement that is not otherwise authorized by either an
19 individualized education program or other education plan; or

20 B. Children or youth who change schools or educational programs 3 or more times a
21 year.

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

27 **§5162. School completion plan**

28 Students who experience education disruption must have a school completion plan.
29 A school completion plan meeting must be convened by the receiving school and the plan
30 must be developed or updated by the student, the parent or guardian and the sending and
31 receiving schools no later than 10 school days after the student enrolls in the receiving
32 school. If an existing plan such as an individualized education program or a transition
33 plan as defined in rules adopted by the department or a 504 plan as defined in 34 Code of
34 Federal Regulations, Part 104 addresses school completion, a school completion plan is
35 not required.

36 Individual educational materials such as curricula and assignments must be made
37 available to the receiving school as soon as possible but no later than 5 school days after
38 the student enrolls in the receiving school; otherwise an academic programming waiver
39 must be signed by the sending school in which the sending school agrees to accept the
40 academic programming implemented at the receiving school and to document on the
41 student's transcript the credits earned by the student at the receiving school.

1 completion plan must document the credits earned by the student at the receiving school;
2 and

3 3. This bill requires that student records be sent or electronically transferred from the
4 sending school to the receiving school no later than 5 school days after a student enrolls
5 in the receiving school.