

MAINE STATE LEGISLATURE

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EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE

SENATE

124TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 623, L.D. 1658, Bill, "An Act To Increase Maine's High School Graduation Rates"

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

'Sec. 1. 20-A MRSA c. 211, sub-c. 1-B is enacted to read:

SUBCHAPTER 1-B

HIGH SCHOOL GRADUATION RATE

§5031. High school graduation rate

1. Goal. It is the goal of the State to achieve a graduation rate of 90% by the end of the 2015-2016 school year for each publicly supported secondary school.

2. Technical assistance. The department shall provide forms to publicly supported secondary schools for reporting graduation rates. The commissioner shall provide technical assistance to publicly supported secondary schools in the State that have not attained a graduation rate of 80% by the end of the 2012-2013 school year. Publicly supported secondary schools that do not meet the 80% graduation rate by the end of the 2012-2013 school year shall provide the commissioner with a copy of the action plan developed under section 5103, subsection 5 no later than December 31, 2013. The action plan may include the steps necessary to achieve a graduation rate of 90% by the end of the 2015-2016 school year.

3. Rules. The department shall adopt rules specifying the method to be used to calculate publicly supported secondary school graduation rates through 2016 and dates by which graduation rates must be reported to the department. Rules adopted under this section are major substantive rules pursuant to Title 5, chapter 375, subchapter 2-A and must be provisionally adopted and submitted to the Legislature for review no later than January 14, 2011.

1 **Sec. 2. Stakeholder group.** The Commissioner of Education shall establish a
2 stakeholder group to develop methodologies and recommendations relating to increasing
3 publicly supported secondary school graduation rates, as well as policies related to school
4 expulsion, suspension, zero-tolerance practices and truancy, in the State. The stakeholder
5 group must include, but is not limited to, the Commissioner of Education or the
6 commissioner's designee, educators and other persons the commissioner determines will
7 contribute to the development of effective policies. The commissioner shall invite the
8 participation of:

9 1. Representatives of the following educational associations nominated by the
10 respective associations:

11 A. The Maine School Boards Association;

12 B. The Maine School Superintendents Association;

13 C. The Maine Education Association;

14 D. The Maine Administrators of Services for Children with Disabilities; and

15 E. The Maine School Counselor Association;

16 2. A school attendance coordinator in a secondary school in the State; and

17 3. An elementary school teacher or administrator in the State.

18 The commissioner and the stakeholder group shall review existing plans developed
19 by the advisory committee on truancy, dropouts and alternative education established
20 pursuant to the Maine Revised Statutes, Title 20-A, section 5152, the performance plans
21 developed by the Maine Administrators of Services for Children with Disabilities and
22 other existing plans developed by an educational association in the State.

23 **Sec. 3. Report to Joint Standing Committee on Education and Cultural**
24 **Affairs.** The Commissioner of Education and the stakeholder group under section 2 shall
25 report their recommendations for increasing graduation rates to the Joint Standing
26 Committee on Education and Cultural Affairs by November 1, 2010. The report must
27 include, but is not limited to, recommendations relating to:

28 1. The establishment of guidelines for school suspensions and expulsions, including
29 notification of hearings, time frames, provision of educational support services, pathways
30 to reinstatement and alternatives to expulsion and suspension;

31 2. The impact and implementation of zero-tolerance practices;

32 3. Best practices for secondary schools, families and youth for increasing secondary
33 school graduation rates;

34 4. The maximum age of mandatory school attendance; and

35 5. The impact and effectiveness of the current truancy laws.

36 The Joint Standing Committee on Education and Cultural Affairs may accept and
37 discuss the report at an authorized interim committee meeting. After receipt and review of
38 the report, the committee may make recommendations to the Commissioner of Education
39 for further action and provide these recommendations and comments to the joint standing
40 committee of the 125th Legislature having jurisdiction over education matters.'

SUMMARY

The amendment requires the Department of Education rather than the State Board of Education to adopt rules specifying the method used to calculate publicly supported secondary school graduation rates. It also requires the department to provide technical assistance to schools that have not attained an 80% graduation rate by the end of the 2012-2013 school year. It requires these schools to develop and submit to the department a corrective action plan. The amendment expands the membership of the stakeholder group to be established by the Commissioner of Education and explicitly directs the group to review plans developed by the commissioner's advisory committee on truancy, dropouts and alternative education and other groups.

The amendment changes the date for the working group to report its findings from January 10, 2011 to November 1, 2010. The Joint Standing Committee on Education and Cultural Affairs of the 124th Legislature may receive and discuss the report at an authorized interim meeting of the committee. The amendment allows the committee to make recommendations to the Commissioner of Education and to the joint standing committee of the 125th Legislature having jurisdiction over education matters.

FISCAL NOTE REQUIRED

(See attached)

**124th MAINE LEGISLATURE****LD 1658****LR 2251(02)****An Act To Increase Maine's High School Graduation Rates****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**

Requires secondary schools that have not attained an 80% graduation rate by the end of the 2012-2013 school year to provide the Commissioner of Education with a copy of an action plan developed pursuant to Title 20-A, section 5103, subsection 5 by December 31, 2013.

Unit Affected

School

Local CostInsignificant
statewide

The required local activities in this bill may represent a State mandate pursuant to the Constitution of Maine. Unless General Fund appropriations are provided to fund at least 90% of the additional costs or a Mandate Preamble is amended to the bill and two-thirds of the members of each House vote to exempt this mandate from the funding requirement, municipalities may not be required to implement these changes.

Fiscal Detail and Notes

Additional costs to the Department of Education to 1) provide the required technical assistance; 2) adopt the required rules; 3) establish the required stakeholder group to develop the required methodologies and recommendations; and 4) prepare the required report can be absorbed within existing budgeted resources.