

MAINE STATE LEGISLATURE

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SMO
R. O'S.

Date: 3-21-12

(Filing No. H-807)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT "C" to COMMITTEE AMENDMENT "B" to S.P. 473,
L.D. 1503, Bill, "An Act To Promote School Attendance and Increase School
Achievement"

Amend the amendment by striking out all of section 3.

Amend the amendment in section 4 in subsection 9 in the last paragraph in the next to
the last line (page 2, line 35 in amendment) by striking out the following: "or subsection
9-C"

Amend the amendment in section 4 in subsection 9 by adding after the last paragraph
the following:

'The superintendent shall annually report data on the number of students who are expelled
from school and the number of students who are readmitted to school after expulsion to
the commissioner's consultant on truancy, dropouts and alternative education under
section 5151.'

Amend the amendment by striking out all of sections 5 to 7 and inserting the
following:

'Sec. 5. 20-A MRSA §1001, sub-§15-A is enacted to read:

15-A. School disciplinary policies. When revising the prescribed consequences for
violation of the student code of conduct pursuant to subsection 15, paragraph C, a school
board shall consider districtwide disciplinary policies that:

A. Allow administrators to use their discretion to fashion appropriate discipline that
examines the circumstances pertinent to the case at hand; and

B. Provide written notice to the parents of a student when a student is suspended
from school, regardless of whether the suspension is an in-school or out-of-school
suspension.'

Amend the amendment by striking out all of sections 12 to 14 and inserting the
following:

'Sec. 12. 20-A MRSA §5001-A, sub-§2, as amended by PL 2009, c. 330, §§1 to
3, is further amended to read:

HOUSE AMENDMENT

R. of S.

- 1 **2. Exceptions.** Attendance at school shall may not be required of the following:
- 2 A. A person who graduates from high school before that person's 17th birthday;
- 3 B. A person who has met each of the following requirements:
- 4 (1) Reached ~~the age of 15~~ 16 years ~~or completed the 9th grade of age~~;
- 5 (2) ~~Permission~~ Obtained permission to leave school from that person's parent;
- 6 (3) Been approved by the principal for a suitable program of work and study or
- 7 training;
- 8 (4) ~~Permission~~ Obtained permission to leave school from the school board or its
- 9 designee; and
- 10 (5) Agreed in writing with that person's parent and the school board or its
- 11 designee to meet annually until that person's 17th birthday to review that person's
- 12 educational needs. When the request to be excused from school has been denied
- 13 pursuant to this paragraph, the student's parent may appeal to the commissioner;
- 14 D. A person who has matriculated and is attending an accredited, ~~post-secondary~~
- 15 postsecondary, degree-granting institution as a full-time student. An exception to
- 16 attendance in public school under this paragraph must be approved by the
- 17 commissioner; or
- 18 E. A person enrolled in an online learning program or course.'

19 Amend the amendment in section 16 in §5051-A in subsection 1 in paragraph C in
20 the first line (page 7, line 6 in amendment) by striking out the following: "76" and
21 inserting the following: '7'

22 Amend the amendment in section 16 in §5051-A in subsection 2 in paragraph D in
23 the 2nd line (page 9, line 31 in amendment) by striking out the following: "~~or~~
24 ~~superintendent's designee~~" and inserting the following: 'or superintendent's designee'

25 Amend the amendment in section 16 in §5051-A in subsection 2 in paragraph E in the
26 3rd line (page 9, line 35 in amendment) by striking out the following: "~~or superintendent's~~
27 ~~designee~~" and inserting the following: 'or superintendent's designee'

28 Amend the amendment in section 16 in §5051-A in subsection 2 in paragraph F in the
29 4th line (page 10, line 4 in amendment) by striking out the following: "~~or superintendent's~~
30 ~~designee~~" and inserting the following: 'or superintendent's designee'

31 Amend the amendment by striking out all of section 17 and inserting the following:

32 '**Sec. 17. 20-A MRSA §5052-A, sub-§3, ¶A**, as enacted by PL 1989, c. 415,
33 §21, is amended to read:

- 34 A. ~~When notified by a principal that a student's attendance is irregular, interviewing~~
- 35 ~~the student and the parent or parents or guardian or guardians~~ Interviewing a student
- 36 whose attendance is irregular and meeting with the student and the parents to
- 37 determine the cause of the irregular attendance and ~~file~~ file a written report with the
- 38 principal;



Approved: 03/20/12 *MAC*

125th MAINE LEGISLATURE

LD 1503

LR 1629(08)

An Act To Promote School Attendance and Increase School Achievement

Fiscal Note for House Amendment "C" to Committee Amendment "B"

Sponsor: Rep. Dow of Waldoboro

Fiscal Note Required: Yes

Fiscal Note

No State fiscal impact

Fiscal Detail and Notes

This amendment reduces the impact of the committee amendment to those local school administrative units that choose to expel students. No additional fiscal impact to the State is anticipated.