## MAINE STATE LEGISLATURE

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1	L.D. 1503
2	Date: 3-21-12 (Filing No. H-807)
3	Reproduced and distributed under the direction of the Clerk of the House.
4	STATE OF MAINE
5	HOUSE OF REPRESENTATIVES
6	125TH LEGISLATURE
7	SECOND REGULAR SESSION
8 9 10	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"
<b>l</b> 1	Amend the amendment by striking out all of section 3.
12 13 14	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"
15 16	Amend the amendment in section 4 in subsection 9 by adding after the last paragraph the following:
17 18 19 20	'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.'
21 22	Amend the amendment by striking out all of sections 5 to 7 and inserting the following:
23	'Sec. 5. 20-A MRSA §1001, sub-§15-A is enacted to read:
24 25 26	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:
27 28	A. Allow administrators to use their discretion to fashion appropriate discipline that examines the circumstances pertinent to the case at hand; and
29 30 31	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.'
32 33	Amend the amendment by striking out all of sections 12 to 14 and inserting the following:
34 35	'Sec. 12. 20-A MRSA §5001-A, sub-§2, as amended by PL 2009, c. 330, §§1 to 3, is further amended to read:

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i	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 7	(3) Been approved by the principal for a suitable program of work and study or training;
8 9	(4) Permission Obtained permission to leave school from the school board or its designee; and
10 11 12 13	(5) Agreed in writing with that person's parent and the school board or its designee to meet annually until that person's 17th birthday to review that person's educational needs. When the request to be excused from school has been denied pursuant to this paragraph, the student's parent may appeal to the commissioner;
14 15 16 17	D. A person who has matriculated and is attending an accredited, post-secondary postsecondary, degree-granting institution as a full-time student. An exception to attendance in public school under this paragraph must be approved by the commissioner; or
18	E. A person enrolled in an online learning program or course.'
19 20 21	Amend the amendment in section 16 in $5051$ -A in subsection 1 in paragraph C in the first line (page 7, line 6 in amendment) by striking out the following: " $76$ " and inserting the following: '7'
22 23 24	Amend the amendment in section 16 in §5051-A in subsection 2 in paragraph D in the 2nd line (page 9, line 31 in amendment) by striking out the following: "or superintendent's designee" and inserting the following: 'or superintendent's designee'
25 26 27	Amend the amendment in section 16 in §5051-A in subsection 2 in paragraph E in the 3rd line (page 9, line 35 in amendment) by striking out the following: "or superintendent's designee" and inserting the following: 'or superintendent's designee'
28 29 30	Amend the amendment in section 16 in §5051-A in subsection 2 in paragraph F in the 4th line (page 10, line 4 in amendment) by striking out the following: "or superintendent's 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 33	'Sec. 17. 20-A MRSA §5052-A, sub-§3, ¶A, as enacted by PL 1989, c. 415, §21, is amended to read:
34 35 36 37 38	A. When notified by a principal that a student's attendance is irregular, interviewing the student and the parent or parents or guardian or guardians Interviewing a student whose attendance is irregular and meeting with the student and the parents to determine the cause of the irregular attendance and file filing a written report with the principal;

18. Of 2.	HOUSE AMENDMENT "C" to COMMITTEE AMENDMENT "B" to S.P. 473, L.D. 1503
1 2	Sec. 18. 20-A MRSA §5052-A, sub-§3, ¶D, as enacted by PL 2007, c. 143, §1, is amended to read:
3 4	D. Serving as the liaison between the school and the local law enforcement agency in matters pertaining to student absenteeism under sections section 5001-A and 5051-A.
5 6	Sec. 19. 20-A MRSA §5052-A, sub-§4, as enacted by PL 1989, c. 415, §21, is amended to read:
7 8 9	4. Department assistance. The department shall provide technical assistance to school attendance coordinators for carrying out these duties, through the Office of Truancy, Dropout Prevention and Alternative Education.'
10 11	Amend the amendment by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.
12	SUMMARY
13	This amendment makes the following changes to Committee Amendment "B".
14 15	1. It removes the provisions regarding due process standards for expulsion proceedings.
16 17 18	2. It removes the provisions regarding reentry for students after expulsion except that it retains the provision that requires a superintendent to report data annually on the number of students who are expelled and the number of students who are readmitted.
19 20	3. It removes the provisions regarding professional services after expulsion for a child with a disability.
21 22 23	4. It removes the provisions regarding school disciplinary policies except that it retains certain provisions for a school board to consider when revising prescribed consequences for violation of the student code of conduct.
24 25	5. It removes the provisions that change the ages for compulsory school attendance and it changes the provisions for exceptions to compulsory school attendance.
26 27	6. It retains the authority for a person designated by a superintendent to perform certain tasks.
28	7. It retains the current law regarding the election of attendance coordinators.
29	FISCAL NOTE REQUIRED
30	(See attached)
31	SPONSOPED BY: Lane 7 ) On

32

33

(Representative DOW)

TOWN: Waldoboro



## 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.