

# MAINE STATE LEGISLATURE

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5MG  
R QPS

L.D. 1096

Date: 6/7/2013

(Filing No. S-243)

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2  
3 **EDUCATION AND CULTURAL AFFAIRS**

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5 **STATE OF MAINE**

6 **SENATE**

7 **126TH LEGISLATURE**

8 **FIRST REGULAR SESSION**

9 COMMITTEE AMENDMENT "A" to S.P. 378, L.D. 1096, Bill, "An Act To  
10 Amend the Laws Governing Students Experiencing Education Disruption"

11 Amend the bill by striking out all of section 5.

12 Amend the bill in section 9 in subsection 2-A by striking out all of paragraphs A and  
13 B (page 2, lines 36 and 37 and page 3, line 1 in L.D.) and inserting the following:

14 'A. Homelessness or foster care placement;

15 B. Absence for 10 or more consecutive school days due to placement in an interim  
16 program; or

17 C. Enrollment in 3 or more schools or educational programs in a single school year.'

18 Amend the bill by inserting after section 14 the following:

19 **'Sec. 15. 20-A MRS §5162**, as enacted by PL 2007, c. 451, §6, is repealed.'

20 Amend the bill in section 15 in §5163 by inserting after subsection 3 the following:

21 **'4. Education disruption due to homelessness or foster care placement. The**  
22 **responsible school at the time of education disruption due to homelessness or foster care**  
23 **placement shall:**

24 A. Within 5 school days of becoming aware of the education disruption due to  
25 homelessness or foster care placement, make available to the student individual  
26 educational materials such as curricula and assignments designed to enable the  
27 student to continue the student's educational programming; and

28 B. Within 10 days of becoming aware of the education disruption due to  
29 homelessness or foster care placement, work with the student and the parent or  
30 guardian to develop or update a school work recognition plan for the student.'

31 Amend the bill in section 15 in §5163 in subsection 5 in paragraph C in the last line  
32 (page 5, line 5 in L.D.) by striking out the following: "and"

**COMMITTEE AMENDMENT**

ROFS

COMMITTEE AMENDMENT "A" to S.P. 378, L.D. 1096

1 Amend the bill in section 15 in §5163 in subsection 5 in paragraph D in the last line  
2 (page 5, line 7 in L.D.) by striking out the following: "enrolls." and inserting the  
3 following: 'enrolls; and'

4 Amend the bill in section 15 in §5163 in subsection 5 by inserting at the end the  
5 following:

6 'E. The responsible school for a student who experiences education disruption due to  
7 homelessness or foster care placement is the school in which the student is enrolled  
8 or is entitled to be enrolled.'

9 Amend the bill in section 15 in §5163 by renumbering the subsections to read  
10 consecutively.

11 Amend the bill by relettering or renumbering any nonconsecutive Part letter or  
12 section number to read consecutively.

### 13 SUMMARY

14 This amendment:

15 1. Removes the provision of the bill that alters the law governing compulsory  
16 attendance and excused absences, leaving in place the current law;

17 2. Amends the bill's definition of "education disruption" to include homelessness and  
18 foster care placement and identifies the school in which the student is enrolled or entitled  
19 to enroll as the responsible school for developing a school work recognition plan; and

20 3. Repeals a provision of law that is replaced by new provisions included in the bill.

### 21 FISCAL NOTE REQUIRED

22 (See attached)



# 126th MAINE LEGISLATURE

LD 1096

LR 1497(02)

## An Act To Amend the Laws Governing Students Experiencing Education Disruption

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-243)

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

### Fiscal Note

State Mandate - Unfunded

#### State Mandates

##### Required Activity

Requires school administrative units with students experiencing an education disruption to:

- 1) make individual educational materials such as curricula and assignments available to the student within 5 days of becoming aware of the interim program placement;
- 2) develop a schoolwork recognition plan no later than 10 days of becoming aware of the interim program placement;
- 3) assign professional staff to ensure the complete transfer of all records, grades and credits and all academic materials from the interim program no later than 5 days after the student enrolls in the responsible school;
- 4) send or electronically transfer pertinent records, including but not limited to academic and health information records, to the interim program no later than 5 days after becoming aware that a student has entered the program.

##### Unit Affected

School

##### Local Cost

Moderate 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.