

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 978

H.P. 691

House of Representatives, March 9, 2017

An Act To Simplify the In-service Days Requirement in Education

(EMERGENCY)

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative TUELL of East Machias.
Cosponsored by Senator MAKER of Washington and
Representatives: ALLEY of Beals, GINZLER of Bridgton, HANINGTON of Lincoln,
SAMPSON of Alfred, SIMMONS of Waldoboro.

1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** this legislation gives school administrative units greater flexibility in
4 scheduling in-service education for teachers; and

5 **Whereas,** this legislation needs to take effect before the expiration of the 90-day
6 period in order to be in effect for the next school year; and

7 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
8 the meaning of the Constitution of Maine and require the following legislation as
9 immediately necessary for the preservation of the public peace, health and safety; now,
10 therefore,

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

12 **Sec. 1. 20-A MRSA §4801, sub-§1,** as amended by PL 2015, c. 60, §1, is further
13 amended to read:

14 **1. Number.** A school administrative unit shall make provision for the maintenance
15 of all of its schools for at least 180 days a year. At least 175 days ~~shall~~ must be used for
16 instruction. In meeting the requirement of a 180-day school year, no more than 5 days or
17 40 total hours may be used for in-service education of teachers, administrative meetings,
18 parent-teacher conferences, records' days and similar activities.

19 A. The commissioner may reduce or waive the minimum number of days required on
20 application from a school board. The commissioner may authorize an equivalent
21 number of hours to be substituted for days for a limited time period upon application
22 from a school board. The application must be supported in writing with a statement
23 of the reasons for the request.

24 B. Notwithstanding any other section of the statutes, school committees, with the
25 approval of the commissioner, may adopt or amend rules necessary to implement an
26 extended school year at the local level. The commissioner may make appropriate
27 adjustments, not to exceed the allowable subsidy, to insure fair and equitable
28 treatment in the distribution of state aid.

29 C. Notwithstanding this subsection, the commissioner shall ~~promulgate~~ adopt a rule
30 to provide that local school units may allow secondary school students to graduate up
31 to 5 school days prior to the regular end of the school year.

32 D. A school administrative unit, operating under a plan approved by the
33 commissioner, may provide for the use of up to 5 of the 175 instructional days
34 required by this section to be used for screening incoming first year students for the
35 purpose of identifying children with disabilities and students at risk of school failure
36 as required by state or federal law.

37 E. A school administrative unit operating under a plan approved by the
38 commissioner may provide for a one-hour extension of the school day for up to 25
39 days in a school year. Notwithstanding the required number of school days under this

1 subsection, 5 one-hour extensions may be counted as one additional school day. A
2 school administrative unit may, with the approval of the commissioner pursuant to
3 rules adopted in accordance with this subsection, implement extended days pursuant
4 to this paragraph only for the purpose of making up school days missed due to
5 weather or emergency closures.

6 **Emergency clause.** In view of the emergency cited in the preamble, this
7 legislation takes effect when approved.

8 **SUMMARY**

9 This bill changes the law regarding school administrative units' scheduling from
10 allowing 5 days to be used for in-service education of teachers, administrative meetings,
11 parent-teacher conference, records' days and similar activities to allowing 5 days or 40
12 total hours.