

# MAINE STATE LEGISLATURE

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L.D. 1666

Date: 4-18-18

(Filing No. H-918)

MINORITY  
EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
128TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "B" to H.P. 1152, L.D. 1666, Bill, "An Act To Ensure the Successful Implementation of Proficiency-based Diplomas by Extending the Timeline for Phasing in Their Implementation"

Amend the bill by striking out the title and substituting the following:

'An Act To Ensure the Successful Implementation of Proficiency-based Diplomas'

Amend the bill by striking out all of section 2 and inserting the following:

'Sec. 2. 20-A MRSA §4722-A, sub-§3, ¶A, as amended by PL 2015, c. 489, §2, is further amended to read:

A. A student who is a child with a disability, as defined in section 7001, subsection 1-B, may meet the requirements of subsection 1 and ~~become eligible for a diploma by demonstrating proficiency in state standards established in the system of learning results through performance tasks and accommodations that maintain the integrity of the standards as specified in the student's individualized education program by the student's individualized education program team pursuant to the requirements of chapter 301~~ be awarded a diploma indicating graduation from a secondary school by demonstrating proficiency in state standards established in the system of learning results in accordance with the student's individualized education program pursuant to the requirements of chapter 301. The individualized education program developed in the 2nd year of high school must specify how the student's disability affects achievement of proficiency in each content area and specify how the student will demonstrate proficiency in each area.

Sec. 3. 20-A MRSA §4722-A, sub-§3, ¶B-2, as enacted by PL 2015, c. 489, §2, is amended to read:

B-2. For the graduating class of ~~2020-2021~~ 2021-2022 and each subsequent graduating class, a student who has satisfactorily completed a ~~state-approved career and technical education program of study and either separate or integrated study within the career and technical school curriculum, including through career and technical education programs and courses as defined in department rules established~~

ROFS

1 pursuant to section 8306-B, or who has met 3rd-party-verified national or state  
2 industry standards set forth in department rules established pursuant to section  
3 8306-B or earned 6 credits in a dual enrollment career and technical education  
4 program formed pursuant to chapter 229 from a regionally accredited institution of  
5 higher education and who has successfully demonstrated proficiency in meeting state  
6 standards in the content areas and the guiding principles set forth in department rules  
7 governing implementation of the system of learning results established pursuant to  
8 section 6209, is eligible to receive a high school diploma from the secondary school  
9 the student last attended. A student may be awarded a high school diploma from the  
10 secondary school the student last attended in accordance with the phase-in of the  
11 following diploma requirements for the graduating class of ~~2020-2021~~ 2021-2022 to  
12 the graduating class of ~~2023-2024~~ 2024-2025:

13 (1) For a student graduating in the graduating class of ~~2020-2021~~ 2021-2022, the  
14 student has demonstrated proficiency in meeting the state standards in the content  
15 areas of English language arts, mathematics and social studies;

16 (2) For a student graduating in the graduating class of ~~2021-2022~~ 2022-2023, the  
17 student has demonstrated proficiency in meeting the state standards in the content  
18 areas of English language arts, mathematics, social studies and at least one  
19 additional content area of the student's choosing;

20 (3) For a student graduating in the graduating class of ~~2022-2023~~ 2023-2024, the  
21 student has demonstrated proficiency in meeting the state standards in the content  
22 areas of English language arts, mathematics, social studies and at least 2  
23 additional content areas of the student's choosing; and

24 (4) For a student graduating in the graduating class of ~~2023-2024~~ 2024-2025 and  
25 in each subsequent graduating class, the student has demonstrated proficiency in  
26 meeting the state standards in the content areas of English language arts,  
27 mathematics, social studies and at least 3 additional content areas of the student's  
28 choosing.

29 For the purposes of this paragraph, "content areas" refers to the content areas of the  
30 system of learning results established under section 6209.

31 **Sec. 4. 20-A MRS §4722-A, sub-§6-A** is enacted to read:

32 **6-A. Development and implementation of proficiency-based system.** A school  
33 administrative unit shall implement and review proficiency-based diploma requirements  
34 and transcripts in collaboration with teachers, principals, administrators, school board  
35 members, parents and other members of the public in accordance with this subsection.

36 A. Each school administrative unit shall convene a stakeholder group to determine  
37 the status of that school administrative unit's implementation of a proficiency-based  
38 system and identify measures necessary to meet the deadlines established in this  
39 section. The stakeholder group shall develop appropriate training for all educators in  
40 the proficiency-based system. The stakeholder group shall report on the school  
41 administrative unit's implementation of the proficiency-based system in accordance  
42 with a schedule established by the department. Prior to implementing a

1 proficiency-based system, each school administrative unit shall provide training  
2 developed by the stakeholder group to all educators in the unit.

3 (1) Except as provided in subparagraph (2), the majority of the members of the  
4 stakeholder group must be teachers, 2/3 of whom must have the endorsement of  
5 the majority of the teachers in the school administrative unit and 2/3 of whom  
6 must have the endorsement of the majority of the school administrative unit's  
7 governing body.

8 (2) If, prior to the effective date of this paragraph, a school administrative unit  
9 establishes a stakeholder group for the purpose of implementing a  
10 proficiency-based system, then that existing group of stakeholders may continue  
11 as constituted and is not required to meet the requirements of subparagraph (1) as  
12 long as a majority of the teachers in the school administrative unit consent to the  
13 continuation of the stakeholder group as constituted.

14 B. Each school administrative unit shall form a steering committee composed of  
15 teachers, administrators and other school administrative unit staff to regularly review  
16 and refine the proficiency-based system in the unit to ensure that it meets the  
17 requirements of this section and is aligned with school administrative unit goals and  
18 priorities.

19 C. In accordance with rules adopted by the department under subsection 7, a school  
20 administrative unit may request and the department may grant an extension or waiver  
21 of the timelines established in this section.

22 **Sec. 5. Technical assistance.** The Department of Education shall provide  
23 technical assistance to school administrative units in implementing proficiency-based  
24 systems, including, but not limited to: providing definitions of proficiency; establishing  
25 criteria for ensuring the intents and purposes of a proficiency-based system are achieved;  
26 developing model course descriptions; developing training resources for use in training  
27 educators; and developing a school implementation report template. Appropriate model  
28 training modules for teachers must be developed by the department.'

## 29 SUMMARY

30 This amendment is the minority report of the Joint Standing Committee on Education  
31 and Cultural Affairs. The amendment retains the bill's provisions to delay by one year the  
32 timeline for the implementation of proficiency-based diplomas. The amendment makes  
33 several changes to the implementation of the proficiency-based system, including:

34 1. Refining the provisions regarding the exceptions for students with disabilities to  
35 be awarded a proficiency-based diploma; and

36 2. Strengthening the provisions for career and technical education students to meet  
37 the proficiency-based diploma requirements within the context of the career and technical  
38 education curriculum, including career and technical education programs and courses as  
39 defined in the Department of Education's rules.

40 The amendment also requires that the Department of Education provide technical  
41 assistance to school administrative units in implementing proficiency-based systems,

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COMMITTEE AMENDMENT *B* to H.P. 1152, L.D. 1666

1 including providing definitions of proficiency, establishing criteria for ensuring that the  
2 intents and purposes of a proficiency-based system are achieved, developing model  
3 course descriptions and developing training resources for use in training educators.

4 **FISCAL NOTE REQUIRED**

5 (See attached)

**COMMITTEE AMENDMENT**



# 128th MAINE LEGISLATURE

LD 1666

LR 2591(03)

## An Act To Ensure the Successful Implementation of Proficiency-based Diplomas by Extending the Timeline for Phasing in Their Implementation

Fiscal Note for Bill as Amended by Committee Amendment *B(H-778)*

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

### Fiscal Note

Potential State Mandate - Unfunded

#### State Mandates

##### Required Activity

Requires each school administrative unit (SAU) to convene a stakeholder group to: 1) determine status of implementing a proficiency-based system; 2) provide an assessment of work needed to be done in order to meet established deadlines; and 3) develop and provide appropriate training for all educators in proficiency-based system. Also requires each SAU to form a steering committee to regularly review and refine the SAU's proficiency-based system to ensure that it meets requirements and is aligned with SAU's goals and priorities.

##### Unit Affected

School

##### Local Cost

Significant statewide

The required local activities in this bill may represent a state mandate pursuant to the Constitution of Maine. If the bill does require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue, the state mandate provisions of the Constitution of Maine require either: (1) General Fund appropriations be provided to fund at least 90% of any additional necessitated local costs of the mandate; or (2) a Mandate Preamble be added to the bill and two-thirds of the members of each House vote to exempt the mandate from the funding requirement. If the bill does represent a state mandate and neither one of these actions occurs, the local units of government will not be required to implement the mandated activities.

#### Fiscal Detail and Notes

Additional costs to the Department of Education to provide the required technical assistance to SAU's in implementing proficiency-based systems can be absorbed within existing budgeted resources.