

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

1 L.D. 1900

2 Date:

4/18/18

Minority

(Filing No. H-775)

3 **EDUCATION AND CULTURAL AFFAIRS**

4 Reproduced and distributed under the direction of the Clerk of the House.

5 **STATE OF MAINE**

6 **HOUSE OF REPRESENTATIVES**

7 **128TH LEGISLATURE**

8 **SECOND REGULAR SESSION**

9 COMMITTEE AMENDMENT "A" to H.P. 1338, L.D. 1900, Bill, "An Act To
10 Repeal Proficiency-based Diplomas"

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

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

13 Amend the bill by striking out everything after the enacting clause and before the
14 summary and inserting the following:

15 **'Sec. 1. 20-A MRSA §4722-A, sub-§1, ¶B-1, as enacted by PL 2015, c. 489, §2,**
16 **is amended to read:**

17 B-1. Phase in the following diploma requirements from the ~~2020-2021~~ 2021-2022
18 school year to the ~~2024-2025~~ 2025-2026 school year:

19 (1) For a student graduating in the graduating class of ~~2020-2021~~ 2021-2022,
20 certify that the student has demonstrated proficiency in meeting the state
21 standards in the content areas of English language arts, mathematics, science and
22 technology and social studies;

23 (2) For a student graduating in the graduating class of ~~2021-2022~~ 2022-2023,
24 certify that the student has demonstrated proficiency in meeting the state
25 standards in the content areas of English language arts, mathematics, science and
26 technology, social studies and at least one additional content area of the student's
27 choice;

28 (3) For a student graduating in the graduating class of ~~2022-2023~~ 2023-2024,
29 certify that the student has demonstrated proficiency in meeting the state
30 standards in the content areas of English language arts, mathematics, science and
31 technology, social studies and at least 2 additional content areas of the student's
32 choice;

33 (4) For a student graduating in the graduating class of ~~2023-2024~~ 2024-2025,
34 certify that the student has demonstrated proficiency in meeting the state

ROFS

COMMITTEE AMENDMENT "A" to H.P. 1338, L.D. 1900

1 standards in the content areas of English language arts, mathematics, science and
2 technology, social studies and at least 3 additional content areas of the student's
3 choice; and

4 (5) For a student graduating in the graduating class of ~~2024-2025~~ 2025-2026 and
5 for each subsequent graduating class, certify that the student has demonstrated
6 proficiency in meeting the state standards in all content areas.

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

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

11 A. A student who is a child with a disability, as defined in section 7001, subsection
12 1-B, may meet the requirements of subsection 1 and ~~become eligible for a diploma by~~
13 ~~demonstrating proficiency in state standards established in the system of learning~~
14 ~~results through performance tasks and accommodations that maintain the integrity of~~
15 ~~the standards as specified in the student's individualized education program by the~~
16 ~~student's individualized education program team pursuant to the requirements of~~
17 ~~chapter 301~~ be awarded a diploma indicating graduation from a secondary school by
18 demonstrating proficiency in state standards established in the system of learning
19 results in accordance with the student's individualized education program pursuant to
20 the requirements of chapter 301. The individualized education program developed in
21 the 2nd year of high school must specify how the student's disability affects
22 achievement of proficiency in each content area and specify how the student will
23 demonstrate proficiency in each area.

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

26 B-2. For the graduating class of ~~2020-2021~~ 2021-2022 and each subsequent
27 graduating class, a student who has satisfactorily completed a ~~state approved career~~
28 ~~and technical education program of study and either separate or integrated study~~
29 within the career and technical school curriculum, including through career and
30 technical education programs and courses as defined in department rules established
31 pursuant to section 8306-B, or who has met 3rd-party-verified national or state
32 industry standards set forth in department rules established pursuant to section
33 8306-B or earned 6 credits in a dual enrollment career and technical education
34 program formed pursuant to chapter 229 from a regionally accredited institution of
35 higher education and who has successfully demonstrated proficiency in meeting state
36 standards in the content areas and the guiding principles set forth in department rules
37 governing implementation of the system of learning results established pursuant to
38 section 6209, is eligible to receive a high school diploma from the secondary school
39 the student last attended. A student may be awarded a high school diploma from the
40 secondary school the student last attended in accordance with the phase-in of the
41 following diploma requirements for the graduating class of ~~2020-2021~~ 2021-2022 to
42 the graduating class of ~~2023-2024~~ 2024-2025:

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

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

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

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

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

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

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

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

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

(2) If, prior to the effective date of this paragraph, a school administrative unit establishes a stakeholder group for the purpose of implementing a proficiency-based system, then that existing group of stakeholders may continue as constituted and is not required to meet the requirements of subparagraph (1) as

long as a majority of the teachers in the school administrative unit consent to the continuation of the stakeholder group as constituted.

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

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

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

SUMMARY

This amendment is the minority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment strikes and replaces the bill to retain the proficiency-based diplomas and to delay by one year the timeline for the implementation of proficiency-based diplomas. The amendment makes several changes to the implementation of the proficiency-based system, including:

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

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

The amendment also requires that the Department of Education provide technical assistance to school administrative units in implementing proficiency-based systems, including providing definitions of proficiency, establishing criteria for ensuring that the intents and purposes of a proficiency-based system are achieved, developing model course descriptions and developing training resources for use in training educators.

FISCAL NOTE REQUIRED
(See attached)



Approved: 04/17/18 *mac*

128th MAINE LEGISLATURE

LD 1900

LR 3017(02)

An Act To Repeal Proficiency-based Diplomas

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-775)

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.