

# MAINE STATE LEGISLATURE

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**EDUCATION AND CULTURAL AFFAIRS**

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**STATE OF MAINE  
SENATE  
129TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 37, L.D. 150, Bill, "An Act To Improve Attendance at Public Elementary Schools"

Amend the bill by inserting before section 1 the following:

**Sec. 1. 20-A MRSA §3271, sub-§1-A** is enacted to read:

**1-A. Attendance of persons 5 years of age or older and under 7 years of age. A person 5 years of age or older and under 7 years of age who is enrolled in and who has not withdrawn from a public day school is required to attend that school during the time it is in session.**

**Sec. 2. 20-A MRSA §3271, sub-§2**, as amended by PL 2007, c. 667, §4, is further amended to read:

**2. Alternative instruction.** Alternative instruction may be substituted for attendance in a day school in the following cases when approved by the school principal. A person 5 years of age or older and under 7 years of age is not required to meet the requirements of this subsection.

- A. The person is enrolled in an approved special education program.
- B. The person obtains equivalent instruction through alternative learning or in any other manner arranged or approved by the commissioner.

**Sec. 3. 20-A MRSA §3272, sub-§2**, as corrected by RR 2011, c. 2, §17, is amended to read:

**2. Truancy.** A person is truant if:

- A. The person is required to attend school or alternative instruction and has completed grade 6 under this chapter and has the equivalent of 10 full days of unexcused absences or 7 consecutive school days of unexcused absences during a school year; or
- B. The person is required to attend school or alternative instruction and is at least 7 years of age and has not completed grade 6 under this chapter and has the equivalent

1 of 7 full days of unexcused absences or 5 consecutive school days of unexcused  
2 absences during a school year; or

3 C. The person is required to attend school pursuant to section 3271, subsection 1-A  
4 and has not completed grade 6 and has the equivalent of 7 full days of unexcused  
5 absences or 5 consecutive school days of unexcused absences during a school year.'

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

8 **SUMMARY**

9 This amendment clarifies that the provisions of the bill relating to persons attending  
10 schools outside of the unorganized territory also apply to a person who resides in the  
11 unorganized territory. The amendment provides that unless a person in the unorganized  
12 territory 5 years of age or older and under 7 years of age who is enrolled in a public day  
13 school withdraws from the school, the person is required to attend the school during the  
14 time it is in session. It provides that students in the unorganized territory who are at least  
15 5 years of age and have not completed grade 6 and are enrolled in a public day school are  
16 subject to the same provisions regarding truancy as students who are at least 7 years of  
17 age and have not completed grade 6 who are required to attend a public day school. It  
18 provides that a person in the unorganized territory 5 years of age or older and under 7  
19 years of age is not required to meet the alternatives to attendance requirements set forth in  
20 the Maine Revised Statutes, Title 20-A, section 3271, subsection 2.