

# MAINE STATE LEGISLATURE

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L.D. 2071

Date: 3/10/20

(Filing No. H-738)

**EDUCATION AND CULTURAL AFFAIRS**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
129TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1472, L.D. 2071, "Resolve, Regarding Legislative Review of Portions of Chapter 125: Basic Approval Standards: Public Schools and School Administrative Units, a Major Substantive Rule of the Department of Education"

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

**'Resolve, Regarding Legislative Review of Chapter 125: Basic Approval Standards: Public Schools and School Administrative Units, a Major Substantive Rule of the Department of Education and the State Board of Education'**

Amend the resolve by striking out all of section 1 and inserting the following:

**'Sec. 1. Adoption. Resolved:** That final adoption of Chapter 125: Basic Approval Standards: Public Schools and School Administrative Units, a provisionally adopted major substantive joint rule of the Department of Education and the State Board of Education, that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the following changes are made.

1. The rule must be amended in Section 2 to add definitions for "evidence-based," "progress monitoring" and "screening."

2. The rule must be amended in Section 2.09 to change the word "authorizing" to "approving" before the word "entity."

3. The rule must be amended in Section 4.02(C) to add that the goals and strategies must consider and coordinate with prekindergarten, applied technology education and adult and community education programs, where such programs exist.

4. The rule must be amended in Section 5.18 to reflect the following:

A. In Tier I, the phrase "core, curriculum-based instruction" must be replaced with "core curriculum";

B. The terms "high-quality" and "quality, research-based" must be replaced with the term "evidence-based";

**COMMITTEE AMENDMENT**

1 C. The consistent process of screening must be amended to provide that it is a  
2 consistent process of valid, reliable and age-appropriate screening and progress  
3 monitoring to evaluate student progress at all tiers; and

4 D. The bullet points outlining what the development and implementation of a multi-  
5 tiered system of support include must be reorganized to make the sequence clearer.

6 5. The rule must be amended, throughout, to add cross-references to statutory  
7 authority or other departmental or agency rule as necessary.

8 6. All necessary grammatical, formatting, punctuation and other technical  
9 nonsubstantive editing changes must be made to the rule, including but not limited to  
10 relettering and renumbering any section as necessary to implement the changes pursuant  
11 to this resolve.'

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

14 **SUMMARY**

15 This amendment changes the title of the resolve and provides that final adoption of  
16 Chapter 125: Basic Approval Standards: Public Schools and School Administrative Units  
17 is authorized only if the department incorporates certain specific amendments to the rule  
18 prior to adoption.

**FISCAL NOTE REQUIRED**  
(See attached)



Approved: 03/06/20 *MGC*

# 129th MAINE LEGISLATURE

LD 2071

LR 3187(02)

**Resolve, Regarding Legislative Review of Chapter 125: Basic Approval Standards: Public Schools and School Administrative Units, a Major Substantive Rule of the Department of Education**

**Fiscal Note for Bill as Amended by Committee Amendment 'A' (H-738)**  
**Committee: Education and Cultural Affairs**

**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - General Fund

### Fiscal Detail and Notes

Additional costs to the Department of Education and the State Board of Education associated with implementing the requirements of this legislation can be absorbed within existing budgeted resources.