

MAINE STATE LEGISLATURE

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Date 6/16/23 Minority

L D 1420
(Filing No H-582)

EDUCATION AND CULTURAL AFFAIRS

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "B" to H P 916, L D 1420, "An Act to Strengthen Maine's Elementary and Secondary Education System by Clarifying Purposes and Procedures for Reviews of Schools"

Amend the bill by striking out everything after the enacting clause and inserting the following

Sec. 1. 20-A MRSA §258-A, sub-§2, as enacted by PL 1983, c 859, Pt A, §§3 and 25, is amended to read

2. Periodic reviews. The commissioner shall periodically review all public schools and all private schools ~~which~~ that receive public funds; to determine their compliance with the applicable provisions of this Title and the Maine Human Rights Act

Sec. 2. 20-A MRSA §258-A, sub-§5 is enacted to read

5. Comprehensive reviews. Beginning in the 2024-2025 school year and every 2 years thereafter, the commissioner shall conduct a comprehensive review of 5 schools, school administrative units or private schools approved for tuition purposes selected at random. If a school, school administrative unit or private school approved for tuition purposes is selected, and at the time of selection is within 2 years of an accreditation review by the New England Association of Schools and Colleges or its successor organization or has been through a comprehensive review under this subsection in the last 10 years, the commissioner shall randomly select a different school, school administrative unit or private school approved for tuition purposes in its place. For selected schools, school administrative units and private schools approved for tuition purposes

A The commissioner shall notify the school, school administrative unit or private school approved for tuition purposes no later than 14 days before the date the review is to take place,

B On receipt of the notice described in paragraph A, the school, school administrative unit or private school approved for tuition purposes shall ensure that the physical site

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1 of the school or schools under review are available for inspection and make available
2 to the commissioner documents related to

- 3 (1) Basic school approval standards under this Title,
- 4 (2) Compliance with the Maine Human Rights Act,
- 5 (3) The statewide assessment program established under section 6202,
- 6 (4) Implementation of the system of learning results established in section 6209,
- 7 and
- 8 (5) Health and safety requirements, and

9 C The commissioner shall provide a school, school administrative unit or private
10 school approved for tuition purposes that is unable to demonstrate compliance with
11 basic school approval standards or other requirements of this Title with a corrective
12 action plan

13 **Sec. 3. 20-A MRSA §258-A**, as amended by PL 1985, c 142, §1, is further amended
14 by adding at the end a new paragraph to read

15 If the commissioner finds that a school, school administrative unit or private school
16 approved for tuition purposes is not in compliance with the Maine Human Rights Act, the
17 commissioner shall refer the finding to the Maine Human Rights Commission

18 **Sec. 4. 20-A MRSA §4504, sub-§1**, as enacted by PL 1983, c 859, Pt A, §§20
19 and 25, is amended to read

20 **1. Implementation.** The commissioner shall determine which schools and school
21 administrative units are in compliance with the basic school approval standards, in
22 accordance with the procedures of the basic school approval rules and the provisions of this
23 Title, and the Maine Human Rights Act

24 If the commissioner finds that a school or school administrative unit is not in compliance
25 with the Maine Human Rights Act, the commissioner shall refer the finding to the Maine
26 Human Rights Commission

27 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
28 number to read consecutively

SUMMARY

29 This amendment, which is the minority report of the committee, replaces the bill

30 As in the bill, the amendment requires the Commissioner of Education to periodically
31 review all public schools and all private schools that receive public funds to determine their
32 compliance with the applicable provisions of the Maine Revised Statutes, Title 20-A and
33 the Maine Human Rights Act

34 The amendment provides for a comprehensive review of schools, school administrative
35 units and private schools approved for tuition purposes Every 2 years, the commissioner
36 is required to select 5 schools, school administrative units or private schools approved for
37 tuition purposes at random, except that if at the time of the selection a school, school
38 administrative unit or private school is within 2 years of an accreditation review by the
39 New England Association of Schools and Colleges or has been through a comprehensive
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1 review within the last 10 years, the commissioner must randomly select a different school,
2 school administrative unit or private school in its place. The amendment requires the
3 commissioner to notify the selected school, school administrative unit or private school
4 approved for tuition purposes no later than 14 days before the review and requires the
5 school or schools to ensure the physical site is available for review and make available to
6 the commissioner documents related to basic school approval, compliance with the Maine
7 Human Rights Act, the statewide assessment program, implementation of the system of
8 learning results and health and safety requirements. If the commissioner finds that a school
9 or schools are not in compliance with basic school approval standards or other requirements
10 of Title 20-A, the commissioner is required to provide the school or schools with a
11 corrective action plan. If the commissioner finds that a school or schools are not in
12 compliance with the Maine Human Rights Act, the commissioner is required to refer the
13 finding to the Maine Human Rights Commission.

14 As in the bill, the amendment requires the commissioner to determine which schools
15 and school administrative units are in compliance with basic school approval standards and
16 compliance with the Maine Human Rights Act, but it requires the commissioner to refer
17 any findings of noncompliance with the Maine Human Rights Act to the Maine Human
18 Rights Commission.

FISCAL NOTE REQUIRED

(See attached)

COMMITTEE AMENDMENT



131st MAINE LEGISLATURE

LD 1420

LR 249(03)

An Act to Strengthen Maine's Elementary and Secondary Education System by Clarifying Purposes and Procedures for Reviews of Schools

Fiscal Note for Bill as Amended by Committee Amendment

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

B (14-582)

Fiscal Note

Fiscal Detail and Notes

Additional costs to the Department of Education and the Maine Human Rights Commission associated with the provisions of this bill are expected to be minor and can be absorbed within existing budgeted resources