

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-THIRD LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 6, 2006 to June 21, 2007**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 20, 2007**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2007**

reasonably safe, adequate and convenient means of exit, in view of the number of persons who may need to use the stairway or fire escape, must at all times be kept free from obstruction and must be accessible from each room in each story above the first story.

**2. Apartment building; single exit permitted with sprinkler system.** Any apartment building of 3 stories or less in its entirety is permitted to have a single exit under the condition that the building is protected throughout by an approved automatic sprinkler system and meets the requirements of the applicable chapter of the National Fire Protection Association Life Safety Code 101 and every sleeping room has a second means of escape.

**3. Commissioner approval of fire escape or alarm system.** An individual, partnership or corporation may not offer for sale in this State any type of fire escape device or fire alarm system without first securing approval of the Commissioner of Public Safety.

**4. Order of the commissioner.** A person or corporation aggrieved by an order of the Commissioner of Public Safety issued under this section may appeal to the Superior Court by filing within 30 days from the effective date of the order a complaint. The court shall fix a time and place of hearing and cause notice of the time and place to be given to the commissioner. After the hearing, the court may affirm or reverse in full or in part an order of the commissioner, and the decision of the court is final. If the commissioner, in the interest of public safety and because the commissioner determines there is immediate danger, forbids the use of a building for any public purpose until satisfactory compliance with the commissioner's order, the order becomes effective immediately and the filing of the complaint may not operate as a stay.

**5. Violation.** A violation of this section by a person, firm or organization is a civil violation punishable by a fine of not more than \$500.

See title page for effective date.

## CHAPTER 259

H.P. 1295 - L.D. 1859

### An Act To Prepare All Maine Students for Postsecondary Education, Career and Citizenship

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 20-A MRSA §4726**, as amended by PL 1991, c. 279, §3, is further amended to read:

#### §4726. World languages

Each school administrative unit:

**1. Required to offer.** Shall offer one 2-year sequence in a ~~foreign~~ world language; and

**2. Encouraged to offer.** Is encouraged to offer one or more additional ~~foreign~~ world languages as part of its secondary school program.

**3. American sign language.**

American sign language is a ~~foreign~~ world language and may be offered to fulfill the requirements of this section.

For purposes of this section, "world language" means a language, either ancient or modern, that is used or has been used for written, oral or signed communication in the multilingual and multicultural worldwide community.

**Sec. 2. 20-A MRSA §6202-A**, as amended by PL 2005, c. 446, §4 and c. 593, §§1 and 2, is repealed.

**Sec. 3. 20-A MRSA §6202-B** is enacted to read:

#### **§6202-B. Multiple measures of student achievement**

Each school administrative unit shall use multiple assessment methods to measure student achievement of the learning results set forth in section 6209 and in department rules implementing that section and other curricular requirements established in section 6209 to inform instruction and ensure students are making progress toward achieving the learning results set forth in section 6209 and in department rules implementing that section, other curricular requirements and the requirements of a common core course of study.

**Sec. 4. 20-A MRSA §6208**, as enacted by PL 1995, c. 649, §1, is amended to read:

#### **§6208. Legislative intent**

The Legislature finds that because all children can learn at significantly higher levels, it is essential that the Legislature, the State Board of Education, the Department of Education, school administrative units, educators and parents provide children with schools that reflect high expectations and create conditions where these expectations can be met. Through a shared sense of accountability and a cooperative spirit among State Government, school administrative units, educators, parents, business persons, and the community, school administrative units and educators can develop and teach to high standards that will enable students to become productive and fulfilled members of society. The Legislature further finds that the system of learning results ~~established~~ set forth in section 6209 and in department rules implementing that section and other curricular requirements will serve as a foundation for education reform, will promote assessment of student learning, will reinforce accountability and will encourage equity. The Legislature, therefore, encourages the State Board of Education, the Depart-

ment of Education and school administrative units to employ a high degree of creativity in developing content standards and performance indicators and to explore a wide range of programs and options so that the standards adopted will reflect the highest possible expectations and assessments will be of the highest possible quality. The ultimate goal and intent of the Legislature is to ensure that the State's schools will enable today's students to gain the knowledge and skills necessary to be effective parents, citizens, workers and adults for postsecondary education, career and citizenship.

**Sec. 5. 20-A MRSA §6209**, as amended by PL 2005, c. 662, Pt. A, §14, is further amended to read:

**§6209. System of learning results established**

The department in consultation with the state board shall establish and implement a comprehensive, statewide system of learning results, referred to in this section as the "system," no later than the 2002-03 school year. The system, based broadly upon guiding principles set forth in this section, and in department rules implementing this section and other curricular requirements. The department must establish high academic accountability standards at all grade levels in the areas of ~~math~~ mathematics; reading; English; and science and technology. The department shall establish parameters for essential instruction and graduation requirements in English language arts, mathematics, science and technology, social studies, including history, economics and civics; career preparation and education development; visual and performing arts; health and physical education and wellness; and foreign world languages. Only students in a public school or a private school approved for tuition that enrolls at least 60% publicly funded students, as determined by the previous school year's October and April average enrollment, are required to participate in the system of learning results set forth in this section and in department rules implementing this section and other curricular requirements. The commissioner shall develop accommodation provisions for instances where course content conflicts with sincerely held religious beliefs and practices of a student's parent or guardian. The system must be adapted to accommodate children with disabilities as defined in section 7001, subsection 1-A.

**1. Guiding principles.** Each student must leave school as:

A. A clear and effective communicator who:

- (1) Uses oral, written, visual, artistic and technological modes of expression;
- (2) Reads, listens to and interprets messages from multiple sources; and
- (3) Uses English and at least one other language;

B. A self directed and life long learner who:

- (1) Creates career and education plans that reflect personal goals, interests and skills, and available resources;
- (2) Demonstrates the capacity to undertake independent study; and
- (3) Finds and uses information from libraries, electronic data bases and other resources;

C. A creative and practical problem solver who:

- (1) Observes situations objectively to clearly and accurately define problems;
- (2) Frames questions and designs data collection and analysis strategies from all disciplines to answer those questions;
- (3) Identifies patterns, trends and relationships that apply to solutions to problems; and
- (4) Generates a variety of solutions, builds a case for the best response and critically evaluates the effectiveness of this response;

D. A responsible and involved citizen who:

- (1) Recognizes the power of personal participation to affect the community and demonstrates participation skills;
- (2) Understands the importance of accepting responsibility for personal decisions and actions;
- (3) Knows the means of achieving personal and community health and well being; and
- (4) Recognizes and understands the diverse nature of society;

E. A collaborative and quality worker who:

- (1) Knows the structure and functions of the labor market;
- (2) Assesses individual interests, aptitudes, skills, and values in relation to demands of the workplace; and
- (3) Demonstrates reliability, flexibility and concern for quality; and

F. An integrative and informed thinker who:

- (1) Applies knowledge and skills in and across English language arts, visual and performing arts, foreign languages, health and physical education, mathematics, science and technology, social studies and career preparation; and
- (2) Comprehends relationships among different modes of thought and methods associated with the traditional disciplines.

**1-A. Accountability standards.** Each student must be assessed by means of a statewide assessment in the following areas:

- A. Reading;
- B. Mathematics; and
- C. Science, in those content areas concerning cells and continuity and change.

**2. Parameters for essential instruction and graduation requirements.** Each student shall study and achieve proficiency in the ~~following content standard~~ subject areas of:

- A. Career preparation and education development;
- B. English language arts;
- C. ~~Foreign~~ World languages;
- D. Health ~~and~~, physical education and wellness;
- E. Mathematics;
- F. Science and technology;
- G. Social studies; and
- H. Visual and performing arts.

**3. Career and education development; world languages; visual and performing arts.** ~~By the end of the 2002-2003 school year, each school administrative unit shall address in the comprehensive education plan, as required in section 4502, subsection 1, how the school administrative unit will implement for all students the content areas of career preparation, foreign languages and visual and performing arts, including interim targets for partial implementation. By the end of the 2007-2008 school year, each local school administrative unit shall implement standards in these additional content~~ the areas of the system of learning results, contingent upon funding based on essential programs and services or its equivalent career and education development, world languages and visual and performing arts. Notwithstanding any other provision of this chapter, the commissioner is authorized to establish rules for inclusion of some portion of the standards in visual and performing arts for the graduating class of ~~2007-2008~~ 2011-2012.

**4. Review cycle.** The commissioner shall conduct a review of the content standards and performance indicators by content area on a ~~4-year~~ 5-year cycle beginning in the ~~2003-2004~~ 2015-2016 school year. Any changes that are recommended must be approved through the same process used for establishment of the system of learning results.

**Sec. 6. 20-A MRSA §6209-A,** as enacted by PL 2005, c. 446, §5, is amended to read:

#### **§6209-A. State validation**

The commissioner shall validate each school administrative unit's comprehensive education plan, as required in section 4502, subsection 1, ~~and local assessment system, as required in section 6202-A.~~

**1. Annual report.** The commissioner shall annually report by February 1st to the joint standing committee of the Legislature having jurisdiction over education matters on the status of each school administrative unit in implementing the comprehensive education plan, as required in section 4502, subsection 1, ~~and the local assessment system, as required in section 6202-A, including a report on the number and the percentage of learning results endorsements awarded in addition to high school diplomas awarded pursuant to section 4722 for each of the 8 content areas of the system of learning results under section 6209~~ high school graduation rates and the numbers of students attending and persisting at the postsecondary level.

When a report is made under this subsection for purposes of comparative analysis, the reporting mechanisms and the categories reported must be uniform for each school administrative unit.

**2. Rules.** The commissioner shall adopt or amend rules to implement this section ~~by January 31, 2006.~~ Rules adopted or amended pursuant to this section are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 7. 20-A MRSA §6210,** as amended by PL 2005, c. 446, §6, is further amended to read:

#### **§6210. School assistance**

~~Beginning in the 2005-2006 school year, the~~ The commissioner shall provide assistance to a school administrative unit when student performance in a school in the school administrative unit, or when a review of the comprehensive education plan conducted under section 4504, subsection 2, indicates that assistance is needed. This assistance must be based on a thorough review of the comprehensive education plan, as required in section 4502, subsection 1, and the evidence of student performance provided by the school administrative unit's local assessment system. This may include assignment of an assistance team by the commissioner to work with the school administrative unit over a period of not less than one year. ~~The commissioner shall pilot this process during the 2001-2002 and 2002-2003 school years and shall develop rules for school administrative unit assistance and accountability to safeguard the learning of the students in the school administrative unit.~~

See title page for effective date.