

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON EDUCATION AND
CULTURAL AFFAIRS**

July 2007

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STATE OF MAINE

123RD LEGISLATURE

FIRST REGULAR SESSION

LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

CON RES XXX.....	Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE.....	Committee of Conference unable to agree; bill died
DIED BETWEEN BODIES.....	House & Senate disagree; bill died
DIED IN CONCURRENCE.....	One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT.....	Action incomplete when session ended; bill died
EMERGENCY.....	Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE.....	Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE.....	Bill failed to get majority vote
FAILED MANDATE ENACTMENT.....	Bill imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY.....	Ruled out of order by the presiding officers; bill died
INDEF PP.....	Bill Indefinitely Postponed
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted
OTP-ND.....	Committee report Ought To Pass In New Draft
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED.....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

Please note that the effective date for non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Education and Cultural Affairs

4. It requires the Child Development Services System to report annually to legislative, advisory and governing bodies about the performance of the system, including information on the performance of individual regional sites and of the system.
5. It requires the Department of Education to develop and present to the Legislature and to the interagency coordinating council described in the federal Individuals with Disabilities Education Act, 20 United States Code, Section 1441 a plan for improving training and support to Child Development Services System regional site boards of directors.
6. It requires the Department of Education and the Department of Health and Human Services to develop rules, policies and written interagency agreements to assign responsibility for appropriate referrals from the Department of Health and Human Services to the Child Development Services System from the metabolic abnormality detection program, the newborn hearing program and the birth defects registry.
7. It requires the steering committee of the Maine Education Policy Research Institute to consider the recommendation of the Subcommittee To Study Early Childhood Special Education to explore and report to the Joint Standing Committee on Education and Cultural Affairs on necessary technical and legal advances that would enable data linkage of individually identifiable health and education data in a way that would be consistent with federal laws and regulations on privacy while facilitating research projects on such matters as effectiveness, efficiency and cost-effectiveness of service delivery.

LD 1859

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

PUBLIC 259

Sponsor(s)

NORTON

Committee Report

OTP-AM

Amendments Adopted

H-313

This bill proposes changes in high school graduation requirements, assessments and overall high school program design to ensure that each student has an equitable opportunity to achieve the State's learning results and to graduate ready for college, career and citizenship.

Committee Amendment "A" (H-313)

This amendment strikes the provisions contained in the bill regarding the basic school approval requirements for secondary schools related to curriculum and instruction, the provisions related to the awarding of a high school diploma, the provisions related to the elimination of tracking and ability grouping of students and the provisions requiring that the Commissioner of Education develop rules for the certification of instructional programs at the secondary school level. The amendment also changes "college" to "postsecondary education" in the Maine Revised Statutes, Title 20-A, section 6208.

Enacted Law Summary

Public Law 2007, chapter 259 amends several statutory provisions related to implementation of the system of learning results. The law accomplishes the following.

1. It clarifies that the legislative intent of the system of learning results is to ensure that schools will enable students to gain knowledge and skills necessary for postsecondary education, career and citizenship;
2. It strikes the local assessment system requirements related to certifying student achievement and replaces these provisions with requirements that school administrative units shall use multiple assessment methods to measure student achievement of the learning results in order to inform instruction and ensure students are making progress toward achieving the learning results;

Joint Standing Committee on Education and Cultural Affairs

3. It provides that the Department of Education shall adopt rules that establish accountability standards and parameters for instruction and graduation requirements;
4. It authorizes the Commissioner of Education to establish rules for inclusion of some portion of the standards in visual and performing arts for the graduating class of 2011-2012;
5. It provides that the Commissioner of Education shall annually report each school administrative unit's high school graduation rates, the numbers of students attending and persisting at the postsecondary education level as part of the validation of the school administrative unit's comprehensive education plan; and
6. It directs the Commissioner of Education to conduct a review of the content standards and performance indicators by content area on a 5-year cycle beginning in the 2015-2016 school year.

**LD 1860 An Act To Implement the Recommendations of the Task Force To
Engage Maine's Youth Regarding Successful School Completion**

PUBLIC 451

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARLEY MITCHELL	OTP-AM	H-474

This bill implements the recommendations of the Governor's Task Force to Engage Maine's Youth. The bill ensures that students experiencing education disruption will have the same opportunities as other Maine students to earn an approved high school diploma through a challenging academic program that provides these students the opportunity to demonstrate achievement of Maine's system of learning results and to earn a diploma despite their education disruption.

This bill addresses the challenges of Maine youth who are homeless or face unplanned psychiatric hospitalization, unplanned hospitalization for a medical emergency, foster care placement, youth development center placement or other out-of-district placement that is not otherwise authorized by either an individualized education program or other education plan or a superintendent's agreement, or children and youth who change schools or educational programs 3 or more times during a school year and are therefore at risk for dropping out of school. The bill carries out the recommendations of the task force to address the challenges faced by these students and their schools as follows:

1. A student who experiences a disruption in that student's education or educational program for 10 or more consecutive school days must have a school completion plan, developed by a team that includes both the sending school and the receiving school, the parent or guardian and the student, no later than 10 school days after the student enrolls in the receiving school;
2. The bill requires that if individual educational materials, such as curricula and assignments, are not made available to the receiving school within 5 school days after a student enrolls in the receiving school, an academic programming waiver must be signed by the sending and the receiving schools in which the sending school agrees to accept the academic programming implemented at the receiving school. The student's school completion plan must document the credits earned by the student at the receiving school; and
3. This bill requires that student records be sent or electronically transferred from the sending school to the receiving school no later than 5 school days after a student enrolls in the receiving school.

Committee Amendment "A" (H-474)

This amendment strikes and replaces the bill in order to clarify certain provisions of the legislation introduced to implement the recommendations of the Governor's Task Force to Engage Maine's Youth. The primary purpose of the bill was to meet the needs of students experiencing education disruption by establishing a process to recognize