

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the First Regular Session of the 124th Maine Legislature coming from the

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

July 2009

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STATE OF MAINE

124TH LEGISLATURE
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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 124th Maine Legislature.

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:

CARRIED OVER.....	Carried over to a subsequent session of the Legislature
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; bill died
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted; bill died
P&S XXX.....	Chapter # of enacted Private & Special Law
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

The effective date for non-emergency legislation enacted in the First Regular Session of the 124th Legislature is September 12, 2009. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

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interstate compact establishes provisions to facilitate the transition of a child of a military family that transfers from a school in one member state to a school in another member state. The law includes articles for the interstate compact that address the following.

1. Educational records and enrollment;
2. Course placement and educational program placement;
3. Eligibility for participation in extracurricular activities;
4. Procedures to facilitate on-time graduation;
5. Establishment of a state council to coordinate activities of the state education agency, local education agencies and military installations related to the interstate compact provisions;
6. Establishment of the Interstate Commission on Educational Opportunity for Military Children, including member state participation in the interstate commission; and
7. Oversight, enforcement and dispute resolution provisions.

LD 1325

An Act Regarding Curriculum Requirements and Standards for Awarding a High School Diploma

PUBLIC 313

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SUTHERLAND MITCHELL E	OTP-AM	H-512

This bill amends standards for student assessment, basic school approval, the elementary, middle and secondary courses of study, the comprehensive program of study for the high school diploma and the Department of Education diploma in order to more fully implement the parameters for essential instruction and graduation requirements.

Committee Amendment "A" (H-512)

This amendment accomplishes the following.

1. It amends the provision that elementary and secondary schools provide students with opportunities for learning in multiple pathways by removing the requirement that schools may include opportunities to accelerate learning to meet the needs of individual students and by reinstating the provision that instruction for individual students may include instruction for gifted and talented students.
2. It removes the requirements that secondary schools and junior high schools or middle schools must develop and maintain a personal learning plan for each student.
3. It amends the provision that secondary school students may demonstrate achievement of the parameters for essential instruction and graduation requirements based on evidence documented by course and learning experiences using multiple measures by removing the requirements that student achievement must be based on state-level supported assessments established by the Department of Education or by state-developed rubrics or locally developed rubrics approved by the department.
4. It removes the requirements for transition to a standards-based diploma, including the provisions that a diploma may only be awarded for credit earned in the 4 content areas of English language arts, mathematics, science and

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technology and social studies and for selecting one other area of the 3 content areas of health education and physical education, visual and performing arts or world languages. It also removes the application provision that stated that only a standards-based diploma may be awarded for high school students graduating in 2016 and thereafter.

5. It reinstates the provision in current law that career and technical students may satisfy the 2nd-year math and science, the 2nd-year social studies and the fine arts requirements through separate or integrated study within the career and technical school curriculum, but it removes the provision that all students are deemed to meet the standards in career and education development through integrated learning experiences and activities conducted in other content areas.

6. It removes the transition provision that directed the Department of Education to convene a representative group of stakeholders to further examine the types of assessments and rubrics that can be developed to measure student achievement in all 8 content areas included in the parameters for essential instruction.

7. It directs the Commissioner of Education to convene a work group to develop requirements for awarding high school diplomas that permit school administrative units to award a high school diploma based on standards, credits or a combination of standards and credits. The Commissioner of Education shall present a report to the Joint Standing Committee on Education and Cultural Affairs no later than January 29, 2010. The Joint Standing Committee on Education and Cultural Affairs may report out legislation to the Second Regular Session of the 124th Legislature.

Enacted Law Summary

Public Law 2009, chapter 313 accomplishes the following.

1. It provides that elementary and secondary schools shall provide students with opportunities for learning in multiple pathways that may include the following: career and technical education, alternative education programs, apprenticeships, career academies, advanced placements, online courses, adult education, dual enrollment, or gifted and talented programs.

2. It provides that secondary school students may demonstrate achievement of the parameters for essential instruction and graduation requirements based on evidence documented by course and learning experiences using multiple measures, such as, but not limited to, examinations, quizzes, portfolios, performances, exhibitions and projects.

3. It provides that school administrative units shall, by the 2012-2013 school year, develop and implement a system of interventions for kindergarten to grade 12 that provide each student who is not progressing toward meeting the content standards of the parameters for essential instruction and graduation requirements with different learning experiences or assistance to achieve the standard.

4. It clarifies the basic course of study for junior high schools or middle schools.

5. It repeals outdated provisions and timelines for implementation and makes a number of corrections to cross references to the statutory provisions related to the parameters of essential instruction.

6. It directs the Commissioner of Education to convene a work group to develop requirements for awarding high school diplomas that permit school administrative units to award a high school diploma based on standards, credits or a combination of standards and credits. It also directs the Commissioner of Education to present a report to the Joint Standing Committee on Education and Cultural Affairs no later than January 29, 2010 and provides that the Joint Standing Committee on Education and Cultural Affairs may report out legislation to the Second Regular Session of the 124th Legislature.