

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

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

July 2011

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD 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 LD is noted to the right of the LD title. The following describes the various final actions.

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; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY..... ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public Law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 125th Legislature is September 28, 2011. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Education and Cultural Affairs

This resolve directs the Commissioner of Education to establish a study group to review the teacher certification process and recommend ways to streamline and simplify the process and reduce the time needed to receive certification as a teacher with particular emphasis on certification for individuals without degrees in education. The commissioner is required to report the results of the study undertaken by the study group along with any recommended legislation to the Joint Standing Committee on Education and Cultural Affairs.

LD 938 An Act To Permit Public School Online Learning Programs To Accept PUBLIC 353
Nonresident Tuition Students EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAULIEU CRAVEN	OTP-AM	H-537

This bill permits Maine public school systems that offer online learning programs to allow nonresident students to participate in those programs on a tuition basis. The participation of nonresident tuition students in these programs will benefit the sponsoring public school systems both educationally and financially.

Committee Amendment "A" (H-537)

This amendment clarifies the provisions in the bill that permit Maine public school systems that offer online learning programs to allow nonresident students to participate in those programs on a tuition basis when the students, and their parents, reside outside the State. The amendment also adds language to repeal these provisions in three years. The amendment changes provisions in the bill that provide that tuition students whose parents reside outside the State may not be counted for purposes of the Essential Programs and Services Funding Act, may not be included in the statewide assessment program established pursuant to the Maine Revised Statutes, Title 20-A, chapter 222 and are not subject to Title 20-A, chapter 223 provisions pertaining to student health, immunization and health screening to clarify that the tuition student must also reside outside the State for these exemptions to apply. The amendment also strikes provisions in the bill that propose to establish a definition of "learning coach" and to add the term to provisions pertaining to online learning programs or courses.

Enacted Law Summary

Public Law 2011, chapter 353 permits school administrative units that offer online learning programs and courses to allow nonresident students to participate in those programs and courses on a tuition basis when the students, and their parents, reside outside the State. The law provides that tuition students whose parents reside outside the State may not be counted for purposes of the Essential Programs and Services Funding Act, may not be included in the statewide assessment program established pursuant to the Maine Revised Statutes, Title 20-A, chapter 222 and are not subject to Title 20-A, chapter 223 provisions pertaining to student health, immunization and health screening. The law also includes language to repeal these provisions in three years.

Public Law 2011, chapter 353 was enacted as an emergency measure effective June 15, 2011.

LD 944 An Act To Increase College Attainment MINORITY
(ONTP) REPORT

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND	OTP-AM MAJ ONTP MIN	

Joint Standing Committee on Education and Cultural Affairs

This bill requires secondary school students to complete a federally accepted free application for federal student aid and at least one application to a postsecondary educational institution to assess eligibility for financial aid.

Committee Amendment "A" (S-260)

This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs. It provides exceptions to the proposed requirement that a student must complete an application to a postsecondary educational institution and a free application for federal student aid prior to receiving a high school diploma. The majority report was not adopted.

LD 949 Resolve, To Require the Department of Education To Submit a Plan for RESOLVE 83
the Implementation of Standards-based Education

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND	OTP-AM	S-236

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to amend the current education laws to update the graduation requirements for the State's high schools and would establish a standards-based system as follows.

1. In order to graduate from high school, a student would have to demonstrate proficiency in all eight content areas outlined in the system of learning results established in the Maine Revised Statutes, Title 20-A, section 6209. In addition, students would be required to be engaged in learning English and mathematics during each of their four years of high school study, or during every year of their high school career if they graduate early.
2. Beginning with the class of 2014, students graduating from the State's high schools also would demonstrate proficiency in each of the five guiding principles outlined in the Department of Education Rule Chapter 132: Learning Results: Parameters for Essential Instruction.
3. School administrative units and schools would be required to create a decision-making system for graduation that enhances or replaces the current system of credit accumulation for graduation. In addition to local requirements that could include the accumulation of credits, students would build a body of evidence that demonstrates their achievement of specific content area learning standards and the goals established in the guiding principles. This evidence would come from across the content areas, would include student efforts within and outside of the school building over an extended period of time and consist of student-designed assignments and assessments, as well as teacher-designed assignments and assessments.
4. The Department of Education would create a series of rubrics for schools to use in evaluating the student's body of evidence and assigning a score to this work. Students would be expected to present their body of evidence to an audience that includes educators from the school as well as parents and key community members chosen by the student. The presentation could be a single event or a series of events taking place when students are prepared to demonstrate readiness, not on a uniform or preconceived timeline.
5. Students would be able to decide to graduate from high school sooner or continue longer than the traditional four-year time frame, placing increased emphasis on the quality of learning rather than the time it takes each student to achieve such learning. The results of these decisions would be noted on a student's transcript as part of the student's permanent record.
6. Schools would be required to report student learning in terms of proficiency in each content area standard delineated in the system of learning results and each of the guiding principles to students and parents at the end of