

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION



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

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

May 2014

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STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION
LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

The *Digest* is arranged 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.

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 HOUSESHouse & 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
EMERGENCYenacted 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 Second Regular Session of the 126th Legislature is August 1, 2014. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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7. It increases the membership of the Commission on Expanding Early Postsecondary Access for High School Students from 19 to 20.

Senate Amendment "A" To Committee Amendment "A" (S-328)

This amendment removes the Commission on Expanding Early Postsecondary Access for High School Students from the bill.

LD 995 An Act To Establish a Moratorium on the Approval and Operation of Virtual Public Charter Schools Died In Concurrence

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND MACDONALD W	OTP ONTP	S-514 MILLETT

This bill was carried over from the First Regular Session of the 126th Legislature.

This emergency bill provides that the Maine Charter School Commission may not authorize the operation of any virtual public charter school until the Legislature enacts legislation that expressly authorizes the operation of virtual public charter schools in the State. The moratorium applies to the operations of any virtual public charter school that has not commenced operations as of the effective date of this legislation, regardless of whether the commission has approved, authorized or executed a contract for the virtual public charter school.

The bill amends the definition of "virtual public charter school" to specify that virtual public charter schools provide education services through an online learning program that enrolls students on a part-time basis in grades nine to 12.

The bill also requires the Maine Charter School Commission to review the law and the virtual public charter school models that have been implemented in other states and develop a virtual public charter school model that will best serve the learning needs of students. The virtual public charter school model developed must apply only to part-time students in grades nine to 12 and must place emphasis on blended learning models for high school students. The Maine Charter School Commission is directed to report its findings, recommendations and any necessary implementing legislation with respect to the authorization or operation of virtual public charter schools to the Joint Standing Committee on Education and Cultural Affairs no later than December 1, 2013 and authorizes the joint standing committee to report out a bill to the Second Regular Session of the 126th Legislature related to the recommendations included in this report.

Senate Amendment "B" (S-514)

This amendment extends the reporting date from December 1, 2013 to December 1, 2014 and changes other references to reflect this change.

LD 1096 An Act To Amend the Laws Governing Students Experiencing Education Disruption PUBLIC 439

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY	OTP-AM	S-243 S-347 HILL

This bill was enacted by the Legislature during the First Regular Session of the 126th and was held by the Governor; final disposition occurred at the beginning of the Second Regular Session.

The bill makes the following changes to the laws governing students who experience an education disruption.

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1. It redefines "education disruption" to eliminate disruption caused by homelessness or foster care and adds enrollment in three or more schools or educational programs in a single school year.
2. It modifies the standards for diplomas issued by the Department of Education to students who experience education disruption to require achievement of the content standards of the system of learning results only, eliminating the requirement the student meet any other standards that are set forth in the school work recognition plan or specified by the school attended by the student.
3. It modifies the process by which diplomas are issued by the Department of Education to provide that the student applies to the commissioner and supplies evidence of achievement, that the commissioner forms a review team to review the evidence and make recommendations to the commissioner and that the commissioner then makes the final determination.
4. It modifies the law governing school work recognition plans. It designates a responsible school for preparing the school work recognition plan and certain other materials. It removes a provision allowing the plan to be developed through email or teleconferencing, a provision providing that a plan is not required if an existing plan such as an individualized education plan or a transition plan addresses school completion, and the requirement that the plan include any local diploma requirements beyond state learning results. It establishes the process and responsibility for school work recognition plans in cases where the disruption is caused by enrollment in three or more schools or educational programs in a single school year.

This bill also modifies the law governing excusable absences from compulsory attendance to include the new definition of "education disruption," thus eliminating from excusable absences those resulting from disruptions caused by homelessness or foster care and disruptions from an interim placement that results in an absence of less than 10 days.

Committee Amendment "A" (S-243)

This amendment:

1. Removes the provision of the bill that alters the law governing compulsory attendance and excused absences, leaving in place the current law;
2. Amends the bill's definition of "education disruption" to include homelessness and foster care placement and identifies the school in which the student is enrolled or entitled to enroll as the responsible school for developing a school work recognition plan; and
3. Repeals a provision of law that is replaced by new provisions included in the bill.

Senate Amendment "A" To Committee Amendment "A" (S-347)

This amendment adds a mandate preamble.

Enacted Law Summary

Public Law 2013, chapter 439 makes the following changes to the laws governing students who experience an education disruption.

1. It redefines "education disruption" to add disruption of a student's educational program as a result of enrollment in three or more schools or educational programs in a single school year.
2. It modifies the standards for diplomas issued by the Department of Education to students who experience education disruption to require achievement of the content standards of the system of learning results only, eliminating the requirement the student meet any other standards that are set forth in the school work recognition

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plan or specified by the school attended by the student.

3. It modifies the process by which diplomas are issued by the Department of Education to provide that the student applies to the commissioner and supplies evidence of achievement, that the commissioner forms a review team to review the evidence and make recommendations to the commissioner and the commissioner then makes the final determination.

4. It modifies the law governing school work recognition plans. It designates a responsible school for preparing the school work recognition plan and certain other materials. It removes a provision allowing the plan to be developed through email or teleconferencing, a provision providing that a plan is not required if an existing plan such as an individualized education plan or a transition plan addresses school completion, and the requirement that the plan include any local diploma requirements beyond state learning results. It establishes the process and responsibility for school work recognition plans in cases where the disruption is due to homelessness or foster care placement and in cases where the disruption is caused by enrollment in 3 or more schools or educational programs in a single school year.

LD 1330 An Act To Establish in Law a Method for Alternative Certification of Teachers ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASON G	ONTP	

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill establishes an alternative pathway to teacher certification. Under this bill, programs that prepare persons for alternative certification are certified by the Commissioner of Education. The programs must provide targeted course work in teaching, mentoring or student teaching experience, classroom preparation and student assessments. Graduates of these programs are eligible to obtain professional teacher certificates. The bill also requires the State Board of Education to establish minimum standards of performance for these programs and, by October 31, 2016 to develop minimum standards of performance for all teacher preparation programs.

LD 1353 An Act To Further Reduce Student Hunger PUBLIC 445

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND BECK	OTP-AM	S-70 S-359 HILL

This bill was enacted by the Legislature during the First Regular Session of the 126th and was held by the Governor; final disposition occurred at the beginning of the Second Regular Session.

The bill requires a school administrative unit with a public school in which at least 50% of students qualified for a free or reduced-price lunch during the preceding school year to operate a federal summer food service program in the area served by that public school during the following summer vacation if that public school operates a summer educational or recreational program. The school administrative unit may collaborate with a service institution such as a local government, higher education institution or summer camp to operate the summer food service program.

It also requires such a school administrative unit that does not operate a summer educational or recreational program to collaborate with a service institution to operate a federal summer food service program if there is a service institution that provides food service to children in the summer in the area served by the public school.