

STATE OF MAINE  
126<sup>TH</sup> 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**  
126<sup>TH</sup> 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 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 Second Regular Session of the 126<sup>th</sup> 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.

*Joint Standing Committee on Education and Cultural Affairs*

**LD 300      An Act To Protect School Administrative Units and Taxpayers**

**Leave to Withdraw  
Pursuant to Joint  
Rule**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BECK SHERMAN		

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

This bill provides that an insurer providing health insurance covering employees of a school administrative unit is not required to provide loss information concerning those employees if requested by the school administrative unit.

**LD 783      An Act To Change the Voting Requirements for the Withdrawal of a  
Municipality from a Regional School Unit**

**PUBLIC 461  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MALABY BURNS	OTP-AM	H-611

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

Under current law, until January 1, 2015, a municipality that wishes to withdraw from a regional school unit must approve that withdrawal by a majority vote, with the total number of votes cast at least equal to 50% of the total number of votes cast in that municipality for Governor in the last gubernatorial election. If the municipality is part of a school administrative district that was reformulated as a regional school unit pursuant to the school consolidation laws, a 2/3 approval is needed. Beginning January 1, 2015, any withdrawal must be approved by 2/3 of the voters, without any requirement regarding the total number of votes cast.

This bill allows a municipality to withdraw from a regional school unit by a majority vote and eliminates the requirement regarding the total number of votes cast.

This bill requires that a facilitator to oversee negotiations be appointed if, after 90 days of its formation, the withdrawal committee that is selected by the municipality seeking to withdraw from the regional school unit fails to reach an agreement with the regional school unit.

**Committee Amendment "B" (H-611)**

The bill proposes changes to the laws regarding voting requirements for the withdrawal of a municipality from a regional school unit and the withdrawal of a member municipality from a school administrative district that was reformulated as a regional school unit pursuant to the school consolidation laws. This amendment changes the bill to remove its time limits for negotiations between the withdrawal committee and the regional school unit. The amendment retains the provisions in the bill striking the provisions in current law that repeal the existing voting requirements on January 1, 2015 and that provide that a 2/3 majority of the voters voting on a withdrawal agreement is required for the withdrawal of a municipality from a regional school unit and retains the provision in the bill changing the percentage of votes required when determining whether a municipality may petition to withdraw within two years of the vote on a previous withdrawal agreement that was not approved by the voters, but changes the bill's 50% of votes cast to 45%.

The bill proposes to eliminate the provisions of current law that require that the total number of votes cast for and

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against withdrawal at the municipal vote must equal or exceed 50% of the total number of votes cast in the municipality for Governor at the last gubernatorial election. The amendment retains those provisions of current law.

The amendment also adds a distinct provision to the bill that restricts a withdrawal petition for a period of two years for a municipality that seeks to withdraw from a school administrative district that was reformulated as a regional school unit pursuant to the school consolidation laws if the municipal vote on a petition for withdrawal received less than 45% of the votes cast or if the withdrawal agreement received less than 60% of the votes cast during the municipal vote.

**Enacted Law Summary**

Public Law 2013, chapter 461 amends the laws regarding voting requirements for the withdrawal of a municipality from a regional school unit and the withdrawal of a member municipality from a school administrative district that was reformulated as a regional school unit pursuant to the school consolidation laws. Under current law, until January 1, 2015, a municipality that wishes to withdraw from a regional school unit must approve that withdrawal by a majority vote, with the total number of votes cast at least equal to 50% of the total number of votes cast in that municipality for Governor in the last gubernatorial election. If the municipality is part of a school administrative district that was reformulated as a regional school unit pursuant to the school consolidation laws, a 2/3 approval is needed. Beginning January 1, 2015, any withdrawal must be approved by 2/3 of the voters, without any requirement regarding the total number of votes cast.

Chapter 461 changes the laws governing the voting requirements for the withdrawal of a municipality from a regional school unit as follows.

1. It strikes the provisions in current law that repeal the existing voting requirements on January 1, 2015, including the stipulations that provide that a 2/3 majority of the voters voting on a withdrawal agreement is required for the withdrawal of a municipality from a regional school unit and for the withdrawal of a member municipality from a school administrative district that was reformulated as a regional school unit pursuant to the school consolidation laws.
2. It amends the provision in current law regarding the percentage of votes required when determining whether a municipality may petition to withdraw from a regional school unit within two years of the vote on a previous withdrawal agreement that was not approved by the voters to provide that the percentage of votes required for this restriction is reduced from less than 60% of votes cast to less than 45% of votes cast during the municipal vote on the withdrawal agreement.
3. It also adds a distinct provision to the law that restricts a withdrawal petition for a period of two years for a municipality that seeks to withdraw from a school administrative district that was reformulated as a regional school unit pursuant to the school consolidation laws if the municipal vote on a petition for withdrawal received less than 45% of the votes cast or if the withdrawal agreement received less than 60% of the votes cast during the municipal vote.

Public Law 2013, chapter 461 was enacted as an emergency measure effective March 3, 2014.

**LD 963 An Act To Expand Access to Early Postsecondary Education**

**Veto Sustained**

Sponsor(s)

NELSON  
LANGLEY

Committee Report

OTP-AM

Amendments Adopted

H-545  
S-328 GOODALL

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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 early postsecondary education programs statutes.

1. It creates a permanent Commission on Expanding Early Postsecondary Access for High School Students.
2. It clarifies that adult education students, home school students and students from private schools are eligible for state subsidy for postsecondary courses. It also clarifies that a student may be eligible if the parents, school administrative unit and postsecondary institution approve.
3. It requires high schools to grant academic credit for postsecondary courses rather than allowing discretion.
4. It requires postsecondary institutions to provide information to students on the transferability of academic credit between postsecondary institutions.
5. It requires the Department of Education to pay 50% of tuition for up to 12 credit hours in an academic year rather than only the first three credit hours up to a possible 6-credit-hour maximum.
6. It adds instructors of postsecondary education courses that are offered in secondary schools to the list of personnel that are subject to the fingerprinting and background check requirements.
7. It requires career and technical education centers to serve as sites for the administration of assessment tests to determine college-level academic skills.

The bill also requires the Department of Education and the Commission on Expanding Early Postsecondary Access for High School Students to establish and maintain a single publicly accessible website with information on early postsecondary education programs and research as well as hyperlinks to those programs and the research.

### **Committee Amendment "A" (H-545)**

This amendment makes several changes to the bill.

1. It adds the definition of "secondary school student" to the definitions in the Maine Revised Statutes, Title 20-A, chapter 208-A in order for the definition to apply to the entire chapter and clarifies that "secondary school student" includes a student enrolled in an adult education program or participating in an approved home instruction program.
2. It requires that in order to be eligible to receive state subsidy for postsecondary courses, a secondary school student must be a Maine resident.
3. It limits the total number of secondary school students enrolled in a postsecondary school course to no more than 1/3 of the total number of students enrolled in the course.
4. It requires the school administrative unit to inform a student enrolled in a postsecondary school course of the extent to which high school credit will be granted toward graduation requirements as a result of successfully completing the course.
5. In current law, the department pays 50% of the in-state tuition for the first three credit hours taken each semester. The amendment doubles the amount to six credits.
6. It reduces the percentage of total funding available that can be used to support secondary school students enrolled in summer term courses.

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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      Died In  
Virtual Public Charter Schools      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      PUBLIC 439  
Education Disruption**

<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.

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A school administrative unit required to operate a federal summer food service program may choose not to operate such a program if it determines by a vote of the governing body of the school administrative unit after notice and a public hearing that operating such a program would be financially or logistically impracticable.

**Committee Amendment "A" (S-70)**

This amendment removes the requirement that if a school administrative unit chooses not to operate a federal summer food service program, it must notify parents of children in the school administrative unit of its decision and the reasons for its decision.

**Senate Amendment "A" To Committee Amendment "A" (S-359)**

This amendment adds a mandate preamble.

**Enacted Law Summary**

Public Law 2013, chapter 445 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.

Chapter 445 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.

A school administrative unit required to operate a federal summer food service program may choose not to operate such a program if it determines by a vote of the governing body of the school administrative unit after notice and a public hearing that operating such a program would be financially or logistically impracticable.

**LD 1361      An Act To Strengthen the Teaching of Writing and Mathematics and      ONTP  
                  Improve Maine High School Graduates' College and Career Readiness**

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

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

The purpose of this bill is to strengthen the teaching of writing and mathematics in public schools in the State, to improve literacy and mathematics education and to improve Maine high school graduates' college and career readiness. The bill does the following.

1. It establishes a standards-based approach to assessing the proficiency and competency of new teachers and teachers seeking a renewal of a professional teacher certificate in order to prepare teachers and ensure that school administrative units are prepared to implement the Common Core State Standards in English language arts and mathematics.
2. It requires the Education Coordinating Committee to conduct a review of college placement tests, including the ACCUPLACER test, used by the University of Maine System, the Maine Community College System, the Maine Maritime Academy and secondary schools in the State to determine a high school graduate's college readiness.

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3. It requires the Board of Trustees of the University of Maine System to establish graduation requirements that ensure that graduates of any baccalaureate degree program within the system can demonstrate writing competencies that are appropriate to the demands of careers that require a baccalaureate degree.

**LD 1530     An Act To Establish a Process for the Implementation of Universal  
Voluntary Public Preschool Programs for Children 4 Years of Age**

**PUBLIC 581**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODALL	OTP-AM	S-508
BERRY	OTP-AM ONTP	S-518   MILLETT

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

The bill requires implementation of universal voluntary prekindergarten education by the 2017-2018 school year. The Commissioner of Education is required to establish a stakeholder group to work with the commissioner and interested parties to establish a plan to implement the requirement. The stakeholder group is required to develop standards for prekindergarten education programs, recommend uniform statewide procedures for screening children and assessing program performance and recommend best practices to coordinate early childhood education programs with child care providers. The commissioner is required to submit a report of the work of the stakeholder group to the Joint Standing Committee on Education and Cultural Affairs by January 15, 2014, and the committee is authorized to submit a bill to the Second Regular Session of the 126th Legislature regarding the report.

The bill also clarifies the role of the State Board of Education with regard to prekindergarten education, changes the compulsory age for school attendance from seven years of age to five years of age beginning July 1, 2016 and provides that funding provided to a school administrative unit for prekindergarten purposes may not be used for other purposes. The bill provides that the Commissioner of Education must provide implementation grants and provides funds for those grants and for a position in the Department of Education to oversee early childhood education programs.

**Committee Amendment "A" (S-508)**

This amendment is the majority report of the committee and replaces the bill to provide that the implementation of universal voluntary public preschool programs by the 2018-2019 school year is subject to the extent that the State provides school administrative units with adequate funding to operate public preschool programs or provide for students to participate in such programs. The amendment makes the following changes to the bill.

1. It strikes the term "prekindergarten" and inserts in its place the term "public preschool program," which currently is defined in the Maine Revised Statutes, Title 20-A, section 1, subsection 23-A as a program offered by a public school that provides instruction to children who are four years of age.
2. It strikes the provisions in the bill that propose to change the compulsory age for school attendance from seven years of age to five years of age.
3. It amends the provision in Title 20-A that requires school boards to operate or otherwise provide for the availability of kindergarten programs for students in order to:
  - A. Provide that school boards must also operate or otherwise provide for the availability of public preschool programs for children four years of age to the extent that the State provides adequate funding to operate public preschool programs; and
  - B. Clarify that a school administrative unit is not required to expend local revenues to operate public preschool programs or to provide for students to participate in such programs.

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4. It strikes the provision in the bill that proposes to appropriate money from the General Fund for awarding grants to school administrative units beginning in the 2014-2015 school year to implement and expand prekindergarten programs. It authorizes the Commissioner of Education to provide grant funding, beginning in the 2015-2016 school year and for each subsequent school year, to qualified school administrative units to implement plans to develop and operate public preschool programs from state, federal or private funds appropriated, allocated or authorized by the Legislature for that purpose, including revenues distributed from general purpose aid for local schools that the Department of Education receives from casino slot machines or casino table games pursuant to Title 20-A, section 15671, subsection 5-A.
5. It establishes the goal that the State provide adequate funding to ensure that public preschool programs for children four years of age are offered by all school administrative units by the 2018-2019 school year and ensure that adequate funding is provided for the operation of public preschool programs for children four years of age by all school administrative units during each subsequent school year.
6. It clarifies that, beginning with the 2015-2016 school year and for each subsequent school year, in addition to the grant funds awarded under this legislation, a school administrative unit that operates a public preschool program must receive an additional weight for the count of public preschool program students under Title 20-A, section 15675, subsection 3 and must receive targeted funds for public preschool to grade 2 students pursuant to Title 20-A, section 15681, subsection 4.
7. It provides that, beginning in fiscal year 2015-16, the grant funds provided for the costs of operating public preschool programs for children four years of age must be added to the adjustments to the state share of the total allocation received by qualified school administrative units pursuant to Title 20-A, section 15689 and provides that the amount of the adjustment for operating public preschool programs for children four years of age that is added to the state share of the total allocation under this legislation may not be included in the calculation of the local share amount of the qualified school administrative unit.
8. It amends the provision in the bill that directs the Commissioner of Education to establish rules to implement a uniform common statewide screening and assessment program for kindergarten by clarifying that the rule may establish only a uniform common statewide assessment program for kindergarten and by specifying that school administrative units may also implement other quality assessment programs they determine to be necessary for kindergarten.
9. It changes the proposed amount of the General Fund appropriation for the Early Childhood Coordinator position.
10. It changes the requirement in the bill that the Commissioner of Education establish a stakeholder group to require that, prior to beginning the process of adopting the Department of Education's rules related to the quality standards of program practice for public preschool programs for children four years of age, the Commissioner of Education invite stakeholders to provide their feedback and perspectives on the department's plan for the phase-in of the universal availability of public preschool programs for children four years of age beginning with the 2018-2019 school year and the recommended standards of program practice for public preschool programs for children four years of age. It also amends the provision that requires the commissioner to submit a report to the Legislature by clarifying that the report must contain a summary of the work of the stakeholders, as well as an outline of the rules proposed by the department to implement the universal availability of public preschool programs for children four years of age by the 2018-2019 school year, and providing that the report must be submitted to the Joint Standing Committee on Education and Cultural Affairs by December 3, 2014.

### **Committee Amendment "B" (S-509)**

This amendment is the minority report of the committee and replaces the bill to provide that the implementation of universal voluntary public preschool programs by the 2018-2019 school year is subject to the extent that the State provides school administrative units with adequate funding to operate public preschool programs or provide for

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students to participate in such programs. The amendment makes the following changes to the bill.

1. It strikes the term "prekindergarten" and inserts in its place the term "public preschool program," which currently is defined in the Maine Revised Statutes, Title 20-A, section 1, subsection 23-A as a program offered by a public school that provides instruction to children who are four years of age.
2. It strikes the provisions in the bill that propose to change the compulsory age for school attendance from seven years of age to five years of age.
3. It amends the provision in Title 20-A that requires school boards to operate or otherwise provide for the availability of kindergarten programs for students in order to:
  - A. Provide that school boards may also operate or otherwise provide for the availability of public preschool programs for children four years of age to the extent that the State provides adequate funding to operate public preschool programs; and
  - B. Clarify that a school administrative unit is not required to expend local revenues to operate public preschool programs or to provide for students to participate in such programs.
4. It strikes the provision in the bill that proposes to appropriate money from the General Fund for awarding grants to school administrative units beginning in the 2014-2015 school year to implement and expand prekindergarten programs. It authorizes the Commissioner of Education to provide grant funding, beginning in the 2015-2016 school year and for each subsequent school year, to qualified school administrative units to implement plans to develop and operate public preschool programs from state, federal or private funds appropriated, allocated or authorized by the Legislature for that purpose, which may include revenues distributed from general purpose aid for local schools that the Department of Education receives from casino slot machines or casino table games pursuant to Title 20-A, section 15671, subsection 5-A.
5. It establishes the goal that the State provide adequate funding so that public preschool programs for children four years of age may be offered by all school administrative units by the 2018-2019 school year and promote the provision of adequate funding for the operation of public preschool programs for children four years of age by all school administrative units during each subsequent school year.
6. It clarifies that, beginning with the 2015-2016 school year and for each subsequent school year, in addition to the grant funds awarded under this legislation, a school administrative unit that operates a public preschool program must receive an additional weight for the count of public preschool program students under Title 20-A, section 15675, subsection 3 and must receive targeted funds for public preschool to grade 2 students pursuant to Title 20-A, section 15681, subsection 4.
7. It provides that, beginning in fiscal year 2015-16, the grant funds provided for the costs of operating public preschool programs for children four years of age must be added to the adjustments to the state share of the total allocation received by qualified school administrative units pursuant to Title 20-A, section 15689 and provides that the amount of the adjustment for operating public preschool programs for children four years of age that is added to the state share of the total allocation under this legislation may not be included in the calculation of the local share amount of the qualified school administrative unit.
8. It amends the provision in the bill that directs the Commissioner of Education to establish rules to implement a uniform common statewide screening and assessment program for kindergarten by clarifying that the rule may establish only a uniform common statewide assessment program for kindergarten and by specifying that school administrative units may also implement other quality assessment programs they determine to be necessary for kindergarten.

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9. It changes the proposed amount of the General Fund appropriation for the Early Childhood Coordinator position.

10. It changes the requirement in the bill that the Commissioner of Education establish a stakeholder group to require that, prior to beginning the process of adopting the Department of Education's rules related to the quality standards of program practice for public preschool programs for children four years of age, the Commissioner of Education invite stakeholders to provide their feedback and perspectives on the department's plan for the phase-in of the universal availability of public preschool programs for children four years of age beginning with the 2018-2019 school year and the recommended standards of program practice for public preschool programs for children four years of age. It also amends the provision that requires the commissioner to submit a report to the Legislature by clarifying that the report must contain a summary of the work of the stakeholders, as well as an outline of the rules proposed by the department to implement the goal of providing universal availability of public preschool programs for children four years of age by the 2018-2019 school year, and providing that the report must be submitted to the Joint Standing Committee on Education and Cultural Affairs by December 3, 2014.

11. It adds an appropriations and allocations section.

### **Senate Amendment "A" To Committee Amendment "A" (S-518)**

This amendment amends Committee Amendment "A." The amendment differs from Committee Amendment "A" in the following ways.

1. It removes the provisions that would have required school administrative units to submit an implementation plan for operating a new or expanded public preschool program by the 2018-2019 school year and provides that, beginning in the 2015-2016 school year and for each subsequent school year, a school administrative unit may receive start-up funding if the school administrative unit submits an implementation plan for operating a new or expanded public preschool program that is approved by the Department of Education.

2. It defines "start-up funding" as a one-time, start-up grant for the operation of a new or expanded public preschool program and it provides that, to the extent the Legislature appropriates or allocates adequate start-up funding from state, federal or private funds for these grants, the Commissioner of Education may award grants to qualified school administrative units to operate a new or expanded public preschool program.

3. It provides that, beginning in the 2015-2016 school year, \$4,000,000 of revenues received by the Department of Education from casino slot machines or casino table games must be distributed by the department to provide annual start-up funds for approved public preschool programs for children four years of age.

4. It provides that, beginning with funding for the 2015-2016 school year, the count for students four years of age and five years of age attending public preschool programs must be based on the most recent October 1st pupil count prior to the year of funding.

5. It modifies the rule-making provision related to the qualifications to be included in the Department of Education rules for the approval of implementation plans and the awarding of grants to school administrative units for operating new or expanded public preschool programs. The amendment strikes the requirement that the application submitted by a school administrative unit must meet standards and best practices for public preschool programs and must be coordinated with other early childhood programs in the community and replaces these provisions with language that permits the department's rules to address these criteria.

6. It strikes the provision that would have established an adjustment to the state share of the total allocation for new or expanded public preschool programs and replaces this provision to authorize the Commissioner of Education to expend and disburse one-time, start-up funds to provide grants for expanded access to public preschool programs for children four years of age.

7. It adds a new appropriations and allocations section to transfer General Fund funds from the bus refurbishing

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program to fund the costs of an early childhood coordinator position.

### **Enacted Law Summary**

Public Law 2013, chapter 581 establishes a process for the implementation of universal voluntary public preschool programs by providing that, beginning in the 2015-2016 school year and for each subsequent school year, a school administrative unit may receive start-up funding if the school administrative unit submits an implementation plan for operating a new or expanded public preschool program that is approved by the Department of Education. Chapter 581 amends the laws related to the operation of public preschool programs as follows.

1. It establishes the goal that the State provide adequate funding to ensure that public preschool programs for children four years of age are offered by all school administrative units by the 2018-2019 school year and ensure that adequate funding is provided for the operation of public preschool programs for children four years of age by all school administrative units during each subsequent school year.
2. It amends the provision in Title 20-A that requires school boards to operate or otherwise provide for the availability of kindergarten programs for students in order to provide that school boards may also operate or otherwise provide for the availability of public preschool programs for children four years of age to the extent that the State provides adequate funding to operate public preschool programs.
3. It defines "start-up funding" as a one-time, start-up grant for the operation of a new or expanded public preschool program and it provides that, to the extent the Legislature appropriates or allocates adequate start-up funding from state, federal or private funds for these grants, the Commissioner of Education may award grants to qualified school administrative units to operate a new or expanded public preschool program.
4. It authorizes the Commissioner of Education to provide grant funding, beginning in the 2015-2016 school year and for each subsequent school year, to qualified school administrative units to implement plans to develop and operate public preschool programs from state, federal or private funds appropriated, allocated or authorized by the Legislature for that purpose; and it requires that, \$4,000,000 of revenues received by the Department of Education from casino slot machines or casino table games pursuant to Title 20-A, section 15671, subsection 5-A must be distributed by the department to provide annual start-up funds for approved public preschool programs for children four years of age.
5. It provides that, beginning with funding for the 2015-2016 school year, the count for students four years of age and five years of age attending public preschool programs must be based on the most recent October 1st pupil count prior to the year of funding.
6. It provides that the Commissioner of Education shall promulgate rules that establish qualifications for the approval of implementation plans and the awarding of grants to school administrative units for operating new or expanded public preschool programs, including implementation plan qualifications that contain standards and best practices for public preschool programs and that encourage coordination with other early childhood programs in the community.
7. It also directs the Commissioner of Education to establish rules that strongly encourage the use of a uniform common statewide assessment program for kindergarten that school administrative units may implement along with other quality assessment programs they determine to be necessary for kindergarten beginning in the 2016-2017 school year.
8. It provides General Fund appropriations for an Early Childhood Coordinator position in the Department of Education and transfers General Funds from the bus refurbishing program to fund the costs of this position.
9. It requires the Commissioner of Education, prior to beginning the process of adopting rules related to the quality standards of program practice for public preschool programs for children four years of age, to invite stakeholders to

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provide their feedback on the department's plan for the phase-in of the universal availability of public preschool programs and the department's current partnership with other states and researchers in a consortium to establish a state-of-the-art system for assessing children's learning from kindergarten entry to grade three. It requires the commissioner to submit a report, including a summary of the work of the stakeholder group and an outline of the department's proposed rules to implement the universal availability of public preschool programs by the 2018-2019 school year, to the Joint Standing Committee on Education and Cultural Affairs by December 3, 2014.

**LD 1579 An Act To Authorize Public Safety Personnel and Members of the Military To Wear Their Uniforms When Visiting Schools in Their Official Capacities**

**PUBLIC 450**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEVIN BURNS	OTP-AM	H-594 H-597 MACDONALD W

This bill requires publicly supported secondary schools and secondary public charter schools to adopt and implement policies ensuring that members of the United States Armed Forces or the Maine National Guard and public safety personnel, including but not limited to firefighters, police officers, emergency medical technicians, game wardens and park rangers, may wear their uniforms when visiting schools in their official capacities.

**Committee Amendment "A" (H-594)**

This amendment explicitly adds forest rangers to the list of public safety personnel in the bill.

**House Amendment "A" To Committee Amendment "A" (H-597)**

This amendment, like the bill, as amended by the committee amendment, ensures the ability of members of the military and public safety personnel to wear their uniforms when visiting certain publicly supported schools in their official capacities. Unlike the bill, as amended by the committee amendment, which requires school boards to adopt policies ensuring this ability, this amendment provides that such persons may not be denied access to a publicly supported secondary school or secondary public charter school solely because they are wearing their uniforms.

**Enacted Law Summary**

Public Law 2013, chapter 450 ensures the ability of members of the military and public safety personnel to wear their uniforms when visiting publicly supported schools in their official capacities. The law provides that such persons may not be denied access to publicly supported secondary school or secondary public charter school solely because they are wearing their uniforms.

**LD 1591 An Act To Amend the Process Controlling the Transfer of a Student between School Administrative Units**

**PUBLIC 456**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HUBBELL	OTP-AM	H-612

Under current law, a student or the parent of a student may request a transfer to a school administrative unit in which the student does not reside. The superintendents of both the sending and the receiving school administrative units may approve the transfer if they find that it is in the best interests of the student. The decision is appealable to the Commissioner of Education, who may approve or disapprove the transfer. That decision is appealable to the State Board of Education, which may approve or disapprove the transfer.

This bill provides a standard for what constitutes a student's best interest. The bill requires that, if the decision of

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one or both of the superintendents to deny the transfer is appealed, the Commissioner of Education must uphold the decision unless the commissioner determines that the decision to deny the transfer was arbitrary and capricious, in which case the commissioner may approve the transfer. If that decision is appealed to the State Board of Education, the board must uphold the decision to deny the transfer unless the board determines that the decision was arbitrary and capricious, in which case the board may approve the transfer.

### **Committee Amendment "A" (H-612)**

This amendment strikes and replaces the bill. The bill provides a standard for what constitutes a student's best interest when requesting a transfer from one school administrative unit to another; the amendment removes that standard. In current law, the superintendents of the receiving school administrative unit and the sending school administrative unit must both consent to a student's transfer. This amendment changes that provision to require that if a superintendent disapproves, that superintendent must provide the parent of the student with a written description of the superintendent's determination. The amendment also removes the provisions in the bill that direct the Commissioner of Education, or subsequently the State Board of Education, to uphold the decision of one or both superintendents to deny a transfer unless the commissioner or the board determines that the decision to deny the transfer was arbitrary and capricious. The amendment also retains the provision in the bill that extends from 30 to 45 calendar days the period of time within which the State Board of Education must make a decision on a review of a request for transfer.

### **Enacted Law Summary**

Public Law 2013, chapter 456 changes the provision in current law which provides that the superintendents of the sending school administrative unit and the receiving school administrative unit must both consent to the approval of a request for a student to transfer to a school administrative unit in which the student does not reside by requiring that if a superintendent disapproves, that superintendent must provide the parent of the student with a written description of the superintendent's determination.

Chapter 456 also extends from 30 to 45 calendar days the period of time within which the State Board of Education must make a decision on a review of a request for transfer that was made by a parent of a student requesting transfer or a superintendent of either the sending or the receiving school administrative unit who is dissatisfied with the Commissioner of Education's decision to approve or disapprove the transfer upon the initial request of a parent to have the commissioner review the decision of the superintendents of the sending and the receiving school administrative units related to the transfer request.

<b>LD 1617</b>	<b>An Act To Amend the Laws Governing the Process for Funding Virtual Public Charter Schools and Full-time, Online Learning Programs in the State</b>	<b>Died On Adjournment</b>
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACDONALD W JOHNSON C	OTP-AM ONTP	H-796

This bill makes the following changes to the laws governing virtual public charter schools.

1. It provides that a virtual public charter school must be approved by the Legislature before it may operate.
2. It requires a virtual public charter school to be accredited by an organization approved by the Department of Education based on a demonstration that the organization's accreditation process is rigorous and aligned with state policy.
3. It requires the Maine Charter School Commission to evaluate applications for a virtual public charter school based on certain criteria.

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- 4. It requires the governing board of a virtual public charter school to submit annually a performance report, operations report and independent financial audit to the Maine Charter School Commission and the joint standing committee of the Legislature having jurisdiction over education matters.
- 5. It sets standards for teachers in virtual public charter schools.
- 6. It sets standards to maintain the integrity of student learning and assessment in virtual public charter schools.
- 7. It requires the Department of Education to adopt major substantive rules governing virtual public charter schools. These rules must include a method for funding virtual public charter schools based on the cost per unit of instruction provided in each subject area to each student. These unit costs may include teacher costs, based on the average cost per student to employ a teacher in this State; administrative costs; costs of facilities; and capital costs.

**Committee Amendment "A" (H-796)**

This amendment, which is the majority report of the committee replaces the bill to establish provisions in the Maine Revised Statutes, Title 20-A, chapter 112 related to funding for students enrolled in a virtual public charter school and to establish provisions in Title 20-A, chapter 802 related to funding for students enrolled in a full-time, online learning program established by a school administrative unit.

**LD 1630      An Act To Increase Transparency of Administration Costs within the      ONTP**  
**University of Maine System**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THOMAS MAKER	ONTP	

The purpose of this bill is to enhance transparency in funding the University of Maine System. This bill requires that, beginning in fiscal year 2015-16, appropriations and allocations in the budget document and the budget bills for the Board of Trustees of the University of Maine System must be separated into two separate line items: one reflecting those amounts to be allocated to the individual campuses of the University of Maine System and one reflecting those amounts to be used by the University of Maine System for administration costs.

**LD 1635      An Act To Clarify the School Budget Development Process in Certain      ONTP**  
**Charter Municipalities**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK PRIEST	ONTP	

The school district reorganization law enacted in 2007 established a uniform school budget validation referendum process for state-approved units of school administration composed of two or more member municipalities. The new budget process requires that a state-approved unit of school administration composed of a single municipality must also integrate the referenda procedures with any school budget adoption procedures that may have been previously established in a municipal charter. This emergency bill clarifies in time for budgets developed after January 1, 2014 that the statute integrating the budget adoption law for municipal school units with municipal charters does not preempt municipal charter provisions that establish school budget development, review and recommendation procedures that occur prior to the meeting held by the municipal legislative body to vote on the school budget.

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**LD 1638 An Act To Improve Educational Outcomes for Students in Poverty in  
Maine's Public Schools**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK BERRY	ONTP	

This bill removes provisions that require the amount of a school administrative unit's state contribution to be reduced by the amount that school administrative unit receives in federal Title I funds. It removes references pertaining to the allocation of federal resources from the Essential Programs and Services Funding Act. It also allows the Department of Education to audit a school administrative unit that receives federal Title I funds to ensure that these funds are expended in compliance with federal law. It contains an appropriations section to provide funds to support the increase in the cost of providing essential programs and services to students in kindergarten to grade 12 as a result of the adjustment of federal Title I funds being removed from the calculation of teaching and other staff costs within the essential programs and services model.

**LD 1657 An Act To Ensure Equity in Teacher Retirement Costs for Private  
Academies**

**PUBLIC 497  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY NELSON	OTP-AM	S-416

This bill provides that, for the 2013-2014 school year only, the maximum allowable tuition charged to a school administrative unit by a private school that participates in the Maine Public Employees Retirement System must be increased above the amount otherwise permitted by an amount equal to 60% of the calculated normal cost of teacher retirement for that school divided by the number of enrolled students as of October 1, 2012. Current law allows this increase in the maximum allowable tuition for the 2013-2014 and 2014-2015 school years and allows the entire cost of teacher retirement to be recovered through the tuition increase. The bill also corrects a conflict that was created when two public laws amended the same provision of law.

**Committee Amendment "A" (S-416)**

This amendment provides that, for the 2013-2014 school year only, the maximum allowable tuition charged to a school administrative unit by a private school that participates in the Maine Public Employees Retirement System must be increased above the amount otherwise permitted by an amount equal to the calculated normal cost of teacher retirement for that school divided by the number of enrolled students as of October 1, 2012. The bill proposed to increase this amount by only 60% of the calculated normal cost of teacher retirement.

**Enacted Law Summary**

Public Law 2013, chapter 497 provides that, for the 2013-2014 school year only, the maximum allowable tuition charged to a school administrative unit by a private school that participates in the Maine Public Employees Retirement System must be increased above the amount otherwise permitted by an amount equal to the calculated normal cost of teacher retirement for that school divided by the number of enrolled students as of October 1, 2012.

Public Law 2013, chapter 497 was enacted as an emergency measure effective April 2, 2014.

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**LD 1684      An Act Regarding Eligibility of Children Placed in Guardianship for the School Lunch and Milk Program      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MALABY LANGLEY	ONTP	

This bill, which is a concept draft pursuant to Joint Rule 208, proposes to provide that a student placed in legal guardianship is eligible for free meals under the school lunch and milk program in the Maine Revised Statutes, Title 20-A, chapter 223, subchapter 7 without considering the income of the student's guardian.

**LD 1699      An Act To Fund the Maine HIV Prevention Education Program within the Department of Education      Died On Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PRINGLE	OTP-AM	H-613

This bill provides ongoing General Fund appropriations of \$150,000 per year beginning in fiscal year 2013-14 to partially offset the loss of federal grant funds used to provide HIV prevention training and education to educators in Maine.

**Committee Amendment "A" (H-613)**

This amendment provides that ongoing General Fund appropriations of \$150,000 per year to partially offset the loss of federal grant funds used to provide HIV prevention training and education to educators in Maine will begin in fiscal year 2014-15 instead of fiscal year 2013-14 as proposed by the bill.

The amendment also removes the emergency preamble and emergency clause.

**LD 1702      Resolve, Directing the University of Maine System and the Maine Community College System To Study the Establishment of a Pilot Program Based on Oregon's "Pay Forward, Pay Back" Model of Funding Public Postsecondary Education      INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ POULIOT	OTP	

This resolve directs the University of Maine System and the Maine Community College System to study the establishment of a pilot program based on Oregon's "Pay Forward, Pay Back" model to replace the current system of charging a resident of the State tuition and fees for enrollment at a state public institution of higher education. Under the pilot program, a student who is a resident of the State and who qualifies for admission to an institution would be able to enroll in the institution without paying tuition or fees; instead, the student would sign a binding contract to pay to the State or the institution for a specified number of years a certain percentage of the student's annual adjusted gross income upon graduation from the institution. Under the resolve, the University of Maine System and the Maine Community College System are directed to report their findings and any proposed implementing legislation to the joint standing committee of the Legislature having jurisdiction over education matters by December 3, 2014.

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**LD 1703    An Act To Increase College Affordability and the Rate of Degree Completion**

**INDEF PP**

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

This bill is a concept draft pursuant to Joint Rule 208. The bill would implement a comprehensive strategy to keep the cost of public postsecondary education in the State affordable, thereby increasing the graduation rate from state public institutions of higher education. The comprehensive strategy may include, but is not limited to:

1. Adoption of Oregon's "Pay Forward, Pay Back" pilot project's model of funding public postsecondary education, under which a student enrolled in a public institution of higher education, in lieu of paying tuition or fees, contracts to pay to the State a certain percentage of the student's annual income upon graduation for a specified number of years;
2. Scholarships to provide incentives for degree completion with agreements to remain in the State after graduation for specified periods. Under this program, a full scholarship for the 4th and final year of school at a public institution of higher education will be provided to students who agree to work in the State for a certain period of time following graduation;
3. Tuition guarantees that ensure that students will pay the same tuition for four years while attending one of the State's public institutions of higher education;
4. Low interest rates for student loans issued by the State for students meeting certain criteria, such as financial need, academic merit, graduating within four years or agreeing to work in public service for a certain period after graduation;
5. Adoption of performance-based higher education funding that links the level of funding of a state public institution of higher education to a metric such as the graduation rate of that state public institution of higher education;
6. Transition from the provision of tax credits for higher education to the provision of state grants and other forms of financial aid for higher education;
7. Increased funding to the State of Maine Grant Program;
8. Facilitation of expedient graduation through establishment of dual enrollment programs and so-called three plus 1 programs, in which students attend community colleges for three years and transfer for the final year to a four-year program at another of the State's public institutions of higher education; and
9. Expansion of online learning opportunities, including the use of online course providers to develop online courses.

**Committee Amendment "A" (S-489)**

This amendment replaces the bill, which is a concept draft, with a resolve to establish the Task Force To Increase College Affordability and the Rate of Degree Completion. The task force is directed to study and make recommendations on issues associated with college affordability and degree completion and develop a 10-year statewide economic and policy strategy. The task force is required to submit a report by January 31, 2015 to the joint standing committee of the Legislature having jurisdiction over education matters. The report submitted by the task force must include findings, recommendations and any suggested legislation. The joint standing committee of

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the Legislature having jurisdiction over education matters may submit a bill related to this report to the First Regular Session of the 127th Legislature.

**LD 1716    An Act To Increase the Rate of Reimbursement for Providing Career and Academic Advising and Counseling Services to Adult Education Students**

**PUBLIC 460**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROTUNDO	OTP-AM	H-616

Currently, career and academic advising and counseling costs incurred by local adult education programs are considered administrative costs under the Maine Revised Statutes, Title 20-A, section 8607-A, subsection 1 and reimbursed at a rate of 70% of those costs. This bill requires that career and academic advising and counseling costs incurred by local adult education programs, because those services are provided directly to students, be reimbursed at the rate of 75% of those costs, which is the same as the reimbursement rate for courses for students.

**Committee Amendment "A" (H-616)**

This amendment incorporates a fiscal note.

**Enacted Law Summary**

Public Law 2013, chapter 460 requires that career and academic advising and counseling costs incurred by local adult education programs must be reimbursed at the rate of 75% of those costs, which is the same as the reimbursement rate for courses for students.

**LD 1726    An Act Directing the Department of Education To Formulate and Implement a Citizenship Educational Component for the School Curriculum**

**Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PETERSON JOHNSON C	ONTP OTP-AM	

This bill amends the law requiring instruction in history, government and citizenship in elementary and secondary schools. This bill specifies instruction be provided concerning different models of local government and the history, organization and operation of the Federal Government and of Maine government.

**Committee Amendment "A" (H-676)**

This amendment, which is the minority report, incorporates a fiscal note.

**LD 1727    An Act To Establish Guidelines for the Stocking and Administration of Epinephrine Autoinjectors in Schools**

**PUBLIC 526**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PETERSON JOHNSON C	OTP-AM	H-779

This bill establishes guidelines for the stocking and administering of epinephrine auto injectors by schools.

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### **Committee Amendment "A" (H-779)**

This amendment provides for the provision and administration of epinephrine auto injectors through collaborative practice agreements between physicians licensed in this State or school health advisors and school nurses.

#### **Enacted Law Summary**

Public Law 2013, chapter 526 provides for the provision and administration of epinephrine auto injectors through collaborative practice agreements between physicians licensed in this State or school health advisors and school nurses.

### **LD 1728    An Act To Prohibit Possession of a Replica or Simulated Firearm on or near School Property**

**Accepted Majority  
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HILL MACDONALD W	ONTP OTP-AM	

This bill prohibits the possession of a replica or simulated firearm on or near public or private school property and makes a violation of the law a Class E crime.

#### **Committee Amendment "A" (S-402)**

This amendment, which is the minority report of the Joint Standing Committee on Education and Cultural Affairs, clarifies provisions proposed in the bill that prohibit the possession of a replica or simulated firearm on or near public or private school property. The amendment includes the following changes to the bill.

1. It clarifies the definition of "replica or simulated firearm" to provide that the object is not capable of expelling a projectile or is capable of expelling a projectile other than by the action of an explosive.
2. It clarifies the definition of "replica or simulated firearm" to provide that the object could reasonably be mistaken for an actual firearm.
3. It provides an exemption from the law for toys, look-alikes and imitation firearms that meet the marking conditions established under federal law.
4. It provides an exception for law enforcement officials.
5. It removes the provision that prohibits the possession of a replica or simulated firearm within 500 feet of public or private school property.
6. It changes the provision that makes the possession of a replica or simulated firearm on public or private school property a Class E crime by making that possession a civil violation.

### **LD 1736    Resolve, To Provide Maine Students with Access to Online and Digital Learning Opportunities through Their Existing School Districts**

**Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY HUBBELL	OTP-AM OTP-AM	S-392 H-631 HUBBELL

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This resolve directs the Department of Education to establish a virtual academy administered by the State providing all public schools in the State access to online courses for their students and to submit implementing legislation to the joint standing committee of the Legislature having jurisdiction over education matters. It also imposes a moratorium on the authorization of virtual public charter schools and public charter schools that integrate online and on-site instruction until after the virtual academy administered by the State is operational.

### **Committee Amendment "A" (S-392)**

This amendment, which is the majority report of the committee strikes and replaces the resolve to accomplish the following.

1. It directs the Department of Education to convene a stakeholder group to develop plans to establish online and digital learning opportunities, which may include a state-administered virtual academy and a state-administered digital learning exchange, that provide all public schools in the State access to online instruction, online courses and digital learning resources for their students.
2. It directs the stakeholder group, in collaboration with the Department of Education, to complete the design of online and digital learning opportunities for Maine students and submit a report, including findings and any necessary implementing legislation, to the joint standing committee of the Legislature having jurisdiction over education matters by January 15, 2015.
3. It directs the stakeholder group, in collaboration with school administrative units in the State, to develop a memorandum of understanding with the Virtual Learning Academy Charter School in New Hampshire to provide Maine secondary school students with access to virtual learning programs during the 2014-2015 school year and it directs the Commissioner of Education to notify the Legislature whether or not the stakeholder group and the participating school administrative units in the State made a good faith effort to develop a memorandum of understanding in accordance on or before July 31, 2014.
4. It imposes a moratorium on the authorization and operation of virtual public charter schools subject to authorization by the Maine Charter School Commission until January 15, 2015 unless the Commissioner of Education notifies the Legislature that the stakeholder group and the participating school administrative units in the State failed to make a good faith effort to develop a memorandum of understanding on or before July 31, 2014.
5. It stipulates that the moratorium established by the resolve regarding the authorization or operation of virtual public charter schools prohibits a virtual public charter school that has not commenced operations as of the effective date of the resolve from commencing operations, regardless of whether the Maine Charter School Commission has approved, authorized or executed a contract authorizing that virtual public charter school prior to the effective date of the resolve; and it prohibits the Maine Charter School Commission from executing a contract or authorizing a virtual public charter school, including an application for a virtual public charter school pending approval by the commission on the effective date of the resolve.

### **Committee Amendment "B" (S-393)**

This amendment, which is the minority report of the committee provides that the Department of Education must include two members of the joint standing committee of the Legislature having jurisdiction over education matters, members of the Maine Charter School Commission and providers of online learning programs in the group collaborating in the design of a state-administered virtual academy that the department must establish by August 1, 2016 to provide all public schools in the State access to online courses for their students.

The amendment provides that in designing the virtual academy the Department of Education must propose:

1. A funding model for the state-administered virtual academy that provides that state funding is allocated as a separate line item in the General Purpose Aid for Local Schools program; and

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2. An amendment to the existing funding model for virtual public charter schools in order to provide that state funding is allocated as separate line items in the General Purpose Aid for Local Schools program and that the amount of funding provided for a student enrolled in a virtual public charter school does not exceed \$6,000 per student.

The amendment also strikes the moratorium proposed in the resolve that would prohibit the authorization of virtual public charter schools and public charter schools that integrate online and on-site instruction until after the virtual academy administered by the State is operational. This amendment also adds an appropriations and allocations section.

**House Amendment "A" To Committee Amendment "A" (H-631)**

This amendment removes the emergency preamble and emergency clause.

<b>LD 1747</b>	<b>Resolve, Regarding Legislative Review of Chapter 180: Performance Evaluation and Professional Growth Systems, a Major Substantive Rule of the Department of Education</b>	<b>RESOLVE 113 EMERGENCY</b>
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-757 H-777 JOHNSON P

This resolve provides for legislative review of Chapter 180: Performance Evaluation and Professional Growth Systems, a major substantive rule of the Department of Education.

**Committee Amendment "A" (H-757)**

This amendment provides that final adoption of portions of Chapter 180: Performance Evaluation and Professional Growth Systems, a major substantive rule of the Department of Education, is authorized upon the Department of Education's making specific changes to the rule.

**House Amendment "A" To Committee Amendment "A" (H-777)**

This amendment amends Committee Amendment "A." The amendment differs from Committee Amendment "A" in the following ways.

1. It removes the provision in Committee Amendment "A" that sets requirements related to a school administrative unit that does not submit a performance evaluation and professional growth system, referred to as a PE/PG system, in compliance with the Maine Revised Statutes, Title 20-A, chapter 508 and the rule by June 1, 2015.
2. It includes requirements related to the criteria or instrument used to measure student growth.
3. It includes provisions setting requirements if the stakeholder group fails to reach consensus.
4. It adds provisions requiring the Department of Education to develop at least one complete model PE/PG system for teachers and at least one complete model PE/PG system for principals by July 3, 2014.

**Enacted Law Summary**

Resolve 2013, chapter 113 provides that final adoption of portions of Chapter 180: Performance Evaluation and Professional Growth Systems, a major substantive rule of the Department of Education, is authorized upon the Department of Education's making specific changes to the rule.

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Chapter 113 also requires the Department of Education to develop at least one complete performance evaluation and professional growth system model for teachers and at least one complete performance evaluation and professional growth system model for principals by July 3, 2014.

Resolve 2013, chapter 113 was finally passed as an emergency measure effective May 1, 2014.

**LD 1768      An Act To Allow All Current Members and Veterans of the United States Armed Forces To Be Eligible for In-state Tuition Rates      PUBLIC 488 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI TUTTLE	OTP-AM	H-695

Current law allows veterans of the Armed Forces of the United States who use so-called G.I. Bill benefits for tuition at any campus of the University of Maine System, the Maine Community College System or the Maine Maritime Academy to be eligible for in-state tuition rates, regardless of their state of residency. This bill extends that eligibility for in-state tuition rates to all veterans, regardless of their state of residency and regardless of whether they use G.I. Bill benefits to pay tuition.

**Committee Amendment "A" (H-695)**

This amendment provides that, if a current member of the United States Armed Forces or a veteran of the United States Armed Forces who has been honorably discharged is enrolled in a program of education at any campus of the University of Maine System, the Maine Community College System or the Maine Maritime Academy, that member or veteran is eligible for in-state tuition rates, regardless of the member's or veteran's state of residence.

**Enacted Law Summary**

Public Law 2013, chapter 488 provides that, if a current member of the United States Armed Forces or a veteran of the United States Armed Forces who has been honorably discharged is enrolled in a program of education at any campus of the University of Maine System, the Maine Community College System or the Maine Maritime Academy, that member or veteran is eligible for in-state tuition rates, regardless of the member's or veteran's state of residence.

Public Law 2013, chapter 488 was enacted as an emergency measure effective March 22, 2014.

**LD 1769      An Act To Implement the Recommendations of the Report Defining Cost Responsibility for Deaf and Hard-of-hearing Students Receiving Services from the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf      PUBLIC 552**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	S-479

This bill has been submitted by the Joint Standing Committee on Education and Cultural Affairs pursuant to Public Law 2011, chapter 683, section 11, as amended by Public Law 2013, chapter 347. As required by these public laws, the Commissioner of Education and the Executive Director of the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf submitted a joint report to the committee that included their findings, recommendations and the necessary changes to the Maine Revised Statutes, Title 20-A, chapter 304 that clarify the procedural and financial responsibilities of the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf and school administrative units that send students to attend the center preschool, the center school or a satellite school that is operated by the Maine Educational Center for the

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Deaf and Hard of Hearing and the Governor Baxter School for the Deaf. This bill incorporates changes to law that the joint report indicated are necessary to implement its recommendations.

The committee has not taken a position on the substance of the joint report or this bill and by submitting this bill the committee is not suggesting and does not intend to suggest that it agrees or disagrees with any aspect of the recommendations and the necessary changes to Title 20-A, chapter 304 included in the joint report or this bill. The committee is submitting the bill for the sole purpose of turning the proposals in the joint report into a printed bill that can be referred to the committee for an appropriate public hearing and subsequent processing in the normal course of business. The committee is taking this action to ensure clarity and transparency in the legislative review of the proposals included in the joint report submitted by the Commissioner of Education and the Executive Director of the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf.

The bill provides that, beginning with the 2015-2016 school year:

1. The school administrative unit in which a deaf or hard-of-hearing student resides is responsible for providing a free, appropriate public education to a student placed in a center school program or in one of the satellite school programs operated by the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf;
2. The individualized education program team for the school administrative unit in which a deaf or hard-of-hearing student resides is responsible for the placement decision of the student and, when the center school or one of the satellite school programs is being considered as a placement for the student, must invite a representative of the center school or the satellite school to attend the individualized education program team meeting at which this placement is being considered;
3. The school administrative unit in which the student resides must pay the sums necessary to ensure that services required to meet the individualized education program are provided, including tuition, transportation services and other related services as defined by the Maine Revised Statutes, Title 20-A, section 7001, subsection 4-B, for each student placed in a center school program or in one of the satellite school programs operated by the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf; and
4. The School Board of the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf must pay the room and board costs for each student placed in a residential program in the center school or in one of the satellite school programs through funds appropriated by the State.

### **Committee Amendment "A" (S-479)**

This amendment clarifies that, beginning July 1, 2015, the Maine Educational Center for the Deaf and Hard of Hearing is responsible for the sums necessary to ensure that services required to meet the individualized education program are provided, including tuition, transportation services and other related services as defined by the Maine Revised Statutes, Title 20-A, section 7001, subsection 4-B, for each student placed in the center school or in one of the satellite school programs operated by the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf. Beginning July 1, 2015, the school administrative unit in which a deaf or hard-of-hearing student resides is responsible for the costs of providing only those related services as defined by Title 20-A, section 7001, subsection 4-B that are not specified in the list of related services that must be provided by the Maine Educational Center for the Deaf and Hard of Hearing for students attending the center school program or one of the satellite school programs beginning in the 2015-2016 school year.

### **Enacted Law Summary**

Public Law 2013, chapter 552 amends the laws governing the responsibility for the costs of providing education programs and services to a deaf or hard-of-hearing student placed in the center school or in one of the satellite school programs operated by the Maine Educational Center for the Deaf and Hard of Hearing and the Governor

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Baxter School for the Deaf. Chapter 552 provides that, beginning with the 2015-2016 school year:

1. The school administrative unit in which a deaf or hard-of-hearing student resides is responsible for providing a free, appropriate public education to a student placed in a center school program or in one of the satellite school programs operated by the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf;
2. The individualized education program team for the school administrative unit in which a deaf or hard-of-hearing student resides is responsible for the placement decision of the student and, when the center school or one of the satellite school programs is being considered as a placement for the student, must invite a representative of the center school or the satellite school to attend the individualized education program team meeting at which this placement is being considered;
3. The Maine Educational Center for the Deaf and Hard of Hearing is responsible for the sums necessary to ensure that services required to meet the individualized education program are provided, including tuition, transportation services and other related services as defined by the Maine Revised Statutes, Title 20-A, section 7001, subsection 4-B, for each student placed in the center school or in one of the satellite school programs operated by the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf; and
4. The school administrative unit in which a deaf or hard-of-hearing student resides is responsible for the costs of providing only those related services as defined by Title 20-A, section 7001, subsection 4-B that are not specified in the list of related services that must be provided by the Maine Educational Center for the Deaf and Hard of Hearing for students attending the center school program or one of the satellite school programs beginning in the 2015-2016 school year.

**LD 1774      **Resolve, Regarding Legislative Review of Portions of Chapter 115: Certification, Authorization and Approval of Education Personnel, a Late-filed Major Substantive Rule of the Department of Education****

**RESOLVE 101  
EMERGENCY**

Sponsor(s)

Committee Report

Amendments Adopted

OTP-AM

H-688

This resolve provides for legislative review of portions of Chapter 115: Certification, Authorization and Approval of Education Personnel, a major substantive rule of the Department of Education that was filed outside the legislative rule acceptance period.

### **Committee Amendment "A" (H-688)**

This amendment provides that final adoption of portions of Chapter 115: Certification, Authorization and Approval of Education Personnel, a major substantive rule of the Department of Education that was filed outside the legislative rule acceptance period, is authorized contingent upon the State Board of Education making a specific change to the proposed rule.

### **Enacted Law Summary**

Resolve 2013, chapter 101 provides that final adoption of portions of Chapter 115: Certification, Authorization and Approval of Education Personnel, a major substantive rule of the Department of Education is authorized contingent upon the State Board of Education making a specific change to the proposed rule.

Resolve 2013, chapter 101 was finally passed as an emergency measure effective April 3, 2014.

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**LD 1780      An Act To Prohibit Providers of Cloud Computing Service to      ONTP**  
**Elementary and Secondary Educational Institutions from Processing**  
**Student Data for Commercial Purposes**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ BERRY	ONTP	

This bill prohibits a cloud computing service provider that provides a cloud computing service to an educational institution from using that service to process student data for any secondary use that benefits the provider or any 3rd party.

While this bill was not enacted, Resolve 2013, chapter 112, Resolve, Directing a Study of Social Media Privacy in School and in the Workplace, includes a review by the Joint Standing committee on Judiciary of the issues and concerns proposed in this bill.

**LD 1797      An Act Expanding Access to Early Postsecondary Education      Died On**  
**Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NELSON LANGLEY	OTP-AM	H-783

This bill makes the following changes to the laws regarding early postsecondary education programs.

1. It clarifies that adult education students, home school students and students from private schools are eligible for state subsidy for postsecondary courses as long as those students are Maine residents. It also clarifies that a student who is a Maine resident may be eligible if the parents, school administration and postsecondary institution approve.
2. It includes online courses in the courses that are eligible for academic credit and for which a postsecondary institution must grant full credit to a student who successfully completes the course.
3. It requires a school administration to inform a student enrolled in a postsecondary course of the extent to which high school credit will be granted toward graduation requirements for successful completion of the course.
4. It limits the number of secondary school students enrolled in a postsecondary course to no more than 1/3 of the total number of students enrolled in the course.
5. It requires the Department of Education to pay 50% of tuition for eligible students for up to six credit hours per semester, up to a maximum of 12 credit hours for the academic year, rather than only the first three credit hours taken each semester as in current law.
6. It adds instructors of postsecondary education courses that are offered in secondary schools to the list of personnel that are subject to the fingerprinting and background check requirements.
7. It requires career and technical education centers to serve as sites for the administration of assessment tests to determine college-level academic skills.

The bill also requires the Department of Education to establish and maintain a single publicly accessible website

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with information on early postsecondary education programs and research as well as hyperlinks to those programs and the research.

**Committee Amendment "A" (H-783)**

This amendment makes the following changes to the bill regarding early postsecondary education programs.

1. It clarifies that a secondary school student who is enrolled in an adult education program is eligible for a state subsidy for postsecondary courses.
2. It strikes the provision related to a secondary school student who is participating in an approved home instruction program from the bill since the Maine Revised Statutes, Title 20-A, section 4772-B already specifies the eligibility requirements for a student who is participating in an approved home instruction program.
3. It corrects the allocation of the proposed section regarding student eligibility to avoid a numbering conflict.
4. It removes the provision in the bill that proposed to limit the number of secondary school students taking a postsecondary education course to no more than 1/3 of the number of students taking the course.
5. It corrects a cross-reference.

**LD 1805     An Act To Implement the Recommendations of the Review Committee  
Established To Examine the Impact of Unfunded Education Mandates  
and Other Regulatory Burdens**

**PUBLIC 506**

<u>Sponsor(s)</u>	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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This bill is reported out by the Joint Standing Committee on Education and Cultural Affairs pursuant to Resolve 2013, chapter 74, section 4. As required by the resolve, the Commissioner of Education submitted a report to the committee that included a list of priority recommendations regarding unfunded or underfunded education mandates, regulatory burdens and other education requirements that the review committee established by the resolve recommended should be repealed or amended by the Legislature.

The bill makes the following changes to the Maine Revised Statutes, Title 20-A.

1. It repeals requirements related to the promotion of gender equity for women in public school administration, including provisions that require:
  - A. The joint standing committee of the Legislature having jurisdiction over educational matters to hold hearings every two years on the status of women in public school administration;
  - B. The Commissioner of Education to set a statewide target goal for the employment of women in positions requiring administrator certification; and
  - C. The Commissioner of Education to provide technical assistance to school administrative units and compile data to monitor the progress in attaining the goals established for gender equity for women in public school administration.
2. It repeals the requirement that the Commissioner of Education maintain a clearinghouse for information on development and deployment of nuclear weapons and industrial nuclear usage in the world.

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3. It repeals the requirement that the Department of Education employ staff and make office space available to support school volunteer programs.
4. It removes provisions that require the Department of Education and the Department of Administrative and Financial Services, Bureau of General Services to establish a school facilities maintenance template and software and to provide technical assistance to school administrative units to implement maintenance and capital improvement programs for school facilities.
5. It repeals the requirement that the Department of Education report by January 15, 1992 on the status of national efforts to certify teachers of blind and visually impaired students to the joint standing committee of the Legislature having jurisdiction over education matters.
6. It repeals the provision that allowed a school administrative unit to reduce the number of days for the maintenance of schools by five days a year for school years 1991-1992 and 1992-1993.
7. It repeals the provisions that authorized the Department of Education to establish a pilot project for state wards who were in the custody of the Department of Health and Human Services in school year 1991-1992.
8. It repeals the provisions that allowed the cost of removing architectural barriers to be included in the maximum allowable tuition that public or private schools could charge for tuition students. These provisions applied to minor capital projects that received approval by the Department of Education before June 30, 1982.
9. It repeals the provision that required the Commissioner of Education to reimburse the amount of \$31 to any individual who paid \$55 for a renewal criminal history record check between September 17, 2005 and March 29, 2006.
10. It repeals the requirement that the Commissioner of Education provide an annual report to the joint standing committee of the Legislature having jurisdiction over education matters that validates the implementation status of each school administrative unit's comprehensive education plan, as well as reporting high school graduation rates and the numbers of students attending and persisting at the postsecondary education level.
11. It repeals the requirement that each school administrative unit establish a minimum salary of \$27,000 for certified teachers for the 2006-2007 school year.

The bill also provides that following the effective date of this legislation and until the Department of Education files proposed amendments to rules, rules adopted by the department to implement the Maine Revised Statutes, Title 20-A, section 4001, subsection 7 and section 15918 are void.

### **Enacted Law Summary**

Public Law 2013, chapter 506 makes the following changes to the Maine Revised Statutes, Title 20-A related to unfunded or underfunded education mandates, regulatory burdens and other education requirements that the review committee established by Resolve 2013, chapter 74 recommended should be repealed or amended by the Legislature.

1. It repeals requirements related to the promotion of gender equity for women in public school administration, including provisions that require:
  - A. The joint standing committee of the Legislature having jurisdiction over educational matters to hold hearings every two years on the status of women in public school administration;
  - B. The Commissioner of Education to set a statewide target goal for the employment of women in positions requiring administrator certification; and

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- C. The Commissioner of Education to provide technical assistance to school administrative units and compile data to monitor the progress in attaining the goals established for gender equity for women in public school administration.
2. It repeals the requirement that the Commissioner of Education maintain a clearinghouse for information on development and deployment of nuclear weapons and industrial nuclear usage in the world.
  3. It repeals the requirement that the Department of Education employ staff and make office space available to support school volunteer programs.
  4. It removes provisions that require the Department of Education and the Department of Administrative and Financial Services, Bureau of General Services to establish a school facilities maintenance template and software and to provide technical assistance to school administrative units to implement maintenance and capital improvement programs for school facilities.
  5. It repeals the requirement that the Department of Education report by January 15, 1992 on the status of national efforts to certify teachers of blind and visually impaired students to the joint standing committee of the Legislature having jurisdiction over education matters.
  6. It repeals the provision that allowed a school administrative unit to reduce the number of days for the maintenance of schools by five days a year for school years 1991-1992 and 1992-1993.
  7. It repeals the provisions that authorized the Department of Education to establish a pilot project for state wards who were in the custody of the Department of Health and Human Services in school year 1991-1992.
  8. It repeals the provisions that allowed the cost of removing architectural barriers to be included in the maximum allowable tuition that public or private schools could charge for tuition students. These provisions applied to minor capital projects that received approval by the Department of Education before June 30, 1982.
  9. It repeals the provision that required the Commissioner of Education to reimburse the amount of \$31 to any individual who paid \$55 for a renewal criminal history record check between September 17, 2005 and March 29, 2006.
  10. It repeals the requirement that the Commissioner of Education provide an annual report to the joint standing committee of the Legislature having jurisdiction over education matters that validates the implementation status of each school administrative unit's comprehensive education plan, as well as reporting high school graduation rates and the numbers of students attending and persisting at the postsecondary education level.
  11. It repeals the requirement that each school administrative unit establish a minimum salary of \$27,000 for certified teachers for the 2006-2007 school year.

Chapter 506 also provides that following the effective date of this law and until the Department of Education files proposed amendments to rules, rules adopted by the department to implement the Maine Revised Statutes, Title 20-A, section 4001, subsection 7 and section 15918 are void.

**LD 1812    An Act To Reduce the Burden Placed on Students as a Result of Requirements To Take Remedial Courses**

**ONTP**

Sponsor(s)

COTTA

Committee Report

ONTP

Amendments Adopted

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Under current law, the University of Maine System, the Maine Community College System and the Maine Maritime Academy are required to report on the number of remedial courses taken by students from each school administrative unit in the subjects of English language arts and mathematics. This bill requires those higher education institutions to report the costs to the students of those remedial courses, by school administrative unit, and requires the Commissioner of Education to reduce state subsidy to the school administrative units and to pay those funds to the higher education institutions. Those higher education institutions are required to use the funds to reduce or eliminate the costs of remedial courses to their students and to report to the Commissioner of Education and the Legislature how those funds were used to achieve the reduction or elimination of costs.

### LD 1819      **Resolve, To Create the Task Force To End Student Hunger in Maine**

**RESOLVE 107  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND MACDONALD W	OTP-AM	S-454

This resolve establishes the Task Force To End Student Hunger in Maine.

#### **Committee Amendment "A" (S-454)**

This amendment strikes the preamble and adds an emergency preamble and emergency clause. It also adds an appropriations and allocations section.

#### **Enacted Law Summary**

Resolve 2013, chapter 107 establishes the Task Force To End Student Hunger in Maine.

Resolve 2013, chapter 107 was finally passed as an emergency measure effective April 16, 2014.

The law directs the task force to study issues associated with the creation of public-private partnership to provide expertise to school administrative units throughout the State in adopting best practices and maximizing available federal funds for addressing student hunger.

### LD 1849      **Resolve, To Establish the Commission To Study College Affordability and College Completion**

**RESOLVE 109  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP	S-468    MILLETT

This resolve is reported out by the Joint Standing Committee on Education and Cultural Affairs pursuant to Joint Order 2013, S.P. 721. The resolve establishes the Commission To Study College Affordability and College Completion. The commission is directed to examine and make recommendations on the development of strategies to keep the cost of public postsecondary education in the State affordable and to increase the graduation rate of students enrolled in state-supported public institutions of higher education.

The commission is required to submit a report by December 9, 2014 to the joint standing committee of the Legislature having jurisdiction over education matters. The report submitted by the commission must include findings, recommendations and any necessary implementing legislation to keep the cost of public postsecondary education in the State affordable and to increase the graduation rate of students enrolled in state-supported public institutions of higher education. The joint standing committee of the Legislature having jurisdiction over education and cultural affairs may submit a bill related to this report to the First Regular Session of the 127th Legislature.

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**Senate Amendment "A" (S-468)**

This amendment allows the commission to seek outside funding to defray the costs of its required study.

**Enacted Law Summary**

Resolve 2013, chapter 109 establishes the Commission To Study College Affordability and College Completion. The commission is directed to examine and make recommendations on the development of strategies to keep the cost of public postsecondary education in the State affordable and to increase the graduation rate of students enrolled in state-supported public institutions of higher education. The resolve allows the commission to seek outside funding to defray the costs of its required study.

Chapter 109 requires the commission to submit a report, including findings, recommendations and any necessary implementing legislation, by December 9, 2014 to the joint standing committee of the Legislature having jurisdiction over education matters. The joint standing committee of the Legislature having jurisdiction over education and cultural affairs may submit a bill related to this report to the First Regular Session of the 127th Legislature.

Resolve 2013, chapter 109 was finally passed as an emergency measure effective April 29, 2014.

**LD 1850      Resolve, To Establish the Commission To Strengthen the Adequacy and Equity of Certain Cost Components of the School Funding Formula**

**RESOLVE 114  
EMERGENCY**

Sponsor(s)

Committee Report

Amendments Adopted

OTP

S-504    MILLETT

S-530    HILL

This resolve is reported out by the Joint Standing Committee on Education and Cultural Affairs pursuant to Resolve 2011, chapter 166, section 8. As required by the resolve, the qualified research entity selected to conduct the independent review of the Essential Programs and Services Funding Act submitted a final report to the committee that included findings, conclusions and recommendations regarding changes to the Essential Programs and Services School Funding Act.

The resolve establishes the Commission To Strengthen the Adequacy and Equity of Certain Cost Components of the School Funding Formula. The commission is directed to examine the reports and related work products presented to the Joint Standing Committee on Education and Cultural Affairs during the 126th Legislature as part of the independent review of the Essential Programs and Services Funding Act and to develop a plan to strengthen the adequacy and equity of the following cost components of the Essential Programs and Services Funding Act and related education statutes:

1. Public preschool programs for children four years of age;
2. Support for economically disadvantaged students, including Title I funds and extra help for struggling students;
3. Professional development and collaborative time needed to implement proficiency-based learning;
4. Regional cost adjustment for teacher salaries;
5. Debt service for locally approved school construction projects in the required local share of school funding;
6. Special education allocation for minimum subsidy receivers; and

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7. State contributions to fund the cost of the unfunded actuarial liability for retired teachers.

The commission is required to submit a report to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs by December 9, 2014. The report submitted by the commission must include findings, recommendations and any necessary implementing legislation. The joint standing committee of the Legislature having jurisdiction over education and cultural affairs may submit a bill related to this report to the First Regular Session of the 127th Legislature.

### **Senate Amendment "B" (S-504)**

This amendment makes the following changes to the resolve.

1. It reduces the membership of the study commission from 18 members to 14 members.
2. It provides that the commission is required to consider certain agenda items related to the work plan and timeline for the review of certain cost components that the commission is required to address during meetings to be scheduled in July, October, November and December 2014 prior to the commission submitting its final report to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs by December 9, 2014.

### **Senate Amendment "C" (S-530)**

This amendment removes the appropriations and allocations section.

### **Enacted Law Summary**

Resolve 2013, chapter 114 establishes the Commission To Strengthen the Adequacy and Equity of Certain Cost Components of the School Funding Formula. The commission is directed to examine the reports and related work products presented to the Joint Standing Committee on Education and Cultural Affairs during the 126th Legislature as part of the independent review of the Essential Programs and Services Funding Act and to develop a plan to strengthen the adequacy and equity of the following cost components of the Essential Programs and Services Funding Act and related education statutes:

1. Public preschool programs for children four years of age;
2. Support for economically disadvantaged students, including Title I funds and extra help for struggling students;
3. Professional development and collaborative time needed to implement proficiency-based learning;
4. Regional cost adjustment for teacher salaries;
5. Debt service for locally approved school construction projects in the required local share of school funding;
6. Special education allocation for minimum subsidy receivers; and
7. State contributions to fund the cost of the unfunded actuarial liability for retired teachers.

Chapter 114 requires the commission to submit a report, including findings, recommendations and any necessary implementing legislation, to the joint Joint Standing Committee on Education and Cultural Affairs by December 9, 2014. The joint standing committee of the Legislature having jurisdiction over education and cultural affairs may submit a bill related to this report to the First Regular Session of the 127th Legislature.

Resolve 2013, chapter 114 was finally passed as an emergency measure effective May 1, 2014.

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**LD 1852    An Act To Amend the Process Regarding the Transfer of Students  
between School Administrative Units**

**PUBLIC 561**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON P	OTP-AM	H-815

Current law prohibits the approval of transfer of a student from one school administrative unit to another if the receiving school administrative unit does not operate a public school that includes the grade level of the student whose parent requests the transfer. This bill repeals that prohibition, but does not allow a parent to request a review of a decision by a superintendent to deny a transfer if the receiving school administrative unit does not operate a public school that includes the grade level of the student whose parent requests the transfer.

**Committee Amendment "A" (H-815)**

This amendment replaces the bill and provides that the approval of the transfer of a student from one school administrative unit to a school administrative unit that does not operate a public school that includes the grade level of the student whose parent requests the transfer may not be approved unless the superintendents of both the sending and receiving school administrative units approve the transfer.

**Enacted Law Summary**

Public Law 2013, chapter 561 provides that the approval of the transfer of a student from one school administrative unit to a school administrative unit that does not operate a public school that includes the grade level of the student whose parent requests the transfer may not be approved unless the superintendents of both the sending and receiving school administrative units approve the transfer.

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## SUBJECT INDEX

### *Administration, Department of Education, State Board, and School Governance*

#### Enacted

LD 1096	An Act To Amend the Laws Governing Students Experiencing Education Disruption	PUBLIC 439
LD 1530	An Act To Establish a Process for the Implementation of Universal Voluntary Public Preschool Programs for Children 4 Years of Age	PUBLIC 581
LD 1591	An Act To Amend the Process Controlling the Transfer of a Student between School Administrative Units	PUBLIC 456
LD 1805	An Act To Implement the Recommendations of the Review Committee Established To Examine the Impact of Unfunded Education Mandates and Other Regulatory Burdens	PUBLIC 506
LD 1852	An Act To Amend the Process Regarding the Transfer of Students between School Administrative Units	PUBLIC 561

#### Not Enacted

LD 1630	An Act To Increase Transparency of Administration Costs within the University of Maine System	ONTP
LD 1780	An Act To Prohibit Providers of Cloud Computing Service to Elementary and Secondary Educational Institutions from Processing Student Data for Commercial Purposes	ONTP

### *Adult Education*

#### Enacted

LD 1716	An Act To Increase the Rate of Reimbursement for Providing Career and Academic Advising and Counseling Services to Adult Education Students	PUBLIC 460
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### *Alternative Education, Charter Schools and School Choice*

#### Not Enacted

LD 995	An Act To Establish a Moratorium on the Approval and Operation of Virtual Public Charter Schools	Died In Concurrence
LD 1617	An Act To Amend the Laws Governing the Process for Funding Virtual Public Charter Schools and Full-time, Online Learning Programs in the State	Died On Adjournment

### *Curriculum, Instruction, Textbooks and Testing*

#### Not Enacted

LD 963	An Act To Expand Access to Early Postsecondary Education	Veto Sustained
LD 1361	An Act To Strengthen the Teaching of Writing and Mathematics and Improve Maine High School Graduates' College and Career Readiness	ONTP
LD 1699	An Act To Fund the Maine HIV Prevention Education Program within the Department of Education	Died On Adjournment
LD 1726	An Act Directing the Department of Education To Formulate and Implement a Citizenship Educational Component for the School Curriculum	Majority (ONTP) Report
LD 1797	An Act Expanding Access to Early Postsecondary Education	Died On Adjournment

## Education - Other

### Enacted

LD 1579 An Act To Authorize Public Safety Personnel and Members of the Military To Wear Their Uniforms When Visiting Schools in Their Official Capacities PUBLIC 450

## Health, Nutrition and Safety

### Enacted

LD 1353 An Act To Further Reduce Student Hunger PUBLIC 445  
LD 1727 An Act To Establish Guidelines for the Stocking and Administration of Epinephrine Autoinjectors in Schools PUBLIC 526  
LD 1819 Resolve, To Create the Task Force To End Student Hunger in Maine RESOLVE 107  
EMERGENCY

### Not Enacted

LD 1684 An Act Regarding Eligibility of Children Placed in Guardianship for the School Lunch and Milk Program ONTP

## Online Learning Programs and Courses

### Not Enacted

LD 1736 Resolve, To Provide Maine Students with Access to Online and Digital Learning Opportunities through Their Existing School Districts Veto Sustained

## Postsecondary Education Finance and Student Aid

### Enacted

LD 1768 An Act To Allow All Current Members and Veterans of the United States Armed Forces To Be Eligible for In-state Tuition Rates PUBLIC 488  
EMERGENCY  
LD 1849 Resolve, To Establish the Commission To Study College Affordability and College Completion RESOLVE 109  
EMERGENCY

### Not Enacted

LD 1702 Resolve, Directing the University of Maine System and the Maine Community College System To Study the Establishment of a Pilot Program Based on Oregon's "Pay Forward, Pay Back" Model of Funding Public Postsecondary Education INDEF PP  
LD 1703 An Act To Increase College Affordability and the Rate of Degree Completion INDEF PP  
LD 1812 An Act To Reduce the Burden Placed on Students as a Result of Requirements To Take Remedial Courses ONTP

## Safe Schools and Student Conduct

### Not Enacted

LD 1728 An Act To Prohibit Possession of a Replica or Simulated Firearm on or near School Property Majority (ONTP)  
Report

## School Budgets

### Not Enacted

LD 1635 An Act To Clarify the School Budget Development Process in Certain Charter Municipalities ONTP

## School District Reorganization

### Enacted

LD 783 An Act To Change the Voting Requirements for the Withdrawal of a Municipality from a Regional School Unit PUBLIC 461  
EMERGENCY

## School Finance

**Enacted**

LD 1850      Resolve, To Establish the Commission To Strengthen the Adequacy and Equity of Certain Cost Components of the School Funding Formula

RESOLVE 114  
EMERGENCY

**Not Enacted**

LD 300      An Act To Protect School Administrative Units and Taxpayers

Leave to  
Withdraw  
Pursuant to Joint  
Rule 310  
ONTP

LD 1638      An Act To Improve Educational Outcomes for Students in Poverty in Maine's Public Schools

**Special Education Programs and Finance**

**Enacted**

LD 1769      An Act To Implement the Recommendations of the Report Defining Cost Responsibility for Deaf and Hard-of-hearing Students Receiving Services from the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf

PUBLIC 552

**Teachers and Administrators**

**Enacted**

LD 1747      Resolve, Regarding Legislative Review of Chapter 180: Performance Evaluation and Professional Growth Systems, a Major Substantive Rule of the Department of Education

RESOLVE 113  
EMERGENCY

LD 1774      Resolve, Regarding Legislative Review of Portions of Chapter 115: Certification, Authorization and Approval of Education Personnel, a Late-filed Major Substantive Rule of the Department of Education

RESOLVE 101  
EMERGENCY

**Not Enacted**

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

ONTP

**Tuition Rates for Non-resident Students**

**Enacted**

LD 1657      An Act To Ensure Equity in Teacher Retirement Costs for Private Academies

PUBLIC 497  
EMERGENCY

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