

**STATE OF MAINE**  
127<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 2016

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*Joint Standing Committee on Education and Cultural Affairs*

**LD 215      An Act To Improve Student Retention in Maine's Postsecondary Institutions**

**PUBLIC 466**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| ALFOND J<br>MAKER J | OTP-AM                  | S-21<br>S-489    HAMPER J |

This bill was reported out of committee in the prior session and then carried over on the Special Appropriations Table.

The bill directs Jobs for Maine's Graduates, a state-authorized nonprofit corporation, to provide mentoring and counseling services, course guidance and graduation planning, peer support services and financial guidance to up to 200 students and at up to four postsecondary institutions in the State for the purpose of significantly increasing the percentage of eligible students who obtain a postsecondary degree. Eligible students must have previously been enrolled in a Jobs for Maine's Graduates high school program, been in or currently be in foster care or have earned a high school equivalency diploma within the five years prior to obtaining these services.

**Committee Amendment "A" (S-21)**

This amendment removes the limitations included in the bill on the number of postsecondary education institutions and the number of students that may be served by Jobs for Maine's Graduates as authorized by the bill.

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

This amendment strikes the appropriations and allocations section.

**Enacted Law Summary**

Public Law 2015, chapter 466 directs Jobs for Maine's Graduates, a state-authorized nonprofit corporation, to provide mentoring and counseling services, course guidance and graduation planning, peer support services and financial guidance to students at postsecondary institutions in the State for the purpose of significantly increasing the percentage of eligible students who obtain a postsecondary degree. Eligible students must have previously been enrolled in a Jobs for Maine's Graduates high school program, been in or currently be in foster care or have earned a high school equivalency diploma within the five years prior to obtaining these services.

**LD 305      An Act To Authorize Circus Conservatory of America To Grant Baccalaureate Degrees**

**Leave to Withdraw Pursuant to Joint Rule**

| <u>Sponsor(s)</u>    | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| MILLETT R<br>MAKER J |                         |                           |

This bill was carried over from the First Regular Session of the 127th Legislature.

The bill authorizes Circus Conservatory of America to grant the degrees of Bachelor of Arts and Bachelor of Fine Arts.

*Joint Standing Committee on Education and Cultural Affairs*

**LD 356      An Act To Permit the New England School of Dental Technology To      ONTP**  
**Grant the Degree of Bachelor of Science**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| SHAW M            | ONTP                    |                           |

This bill was carried over from the First Regular Session of the 127th Legislature.

The bill authorizes the New England School of Dental Technology to grant the degree of Bachelor of Science beginning December 1, 2015.

**LD 419      An Act To Establish the Summer Success Program Fund      Veto Sustained**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u>  |
|-------------------|-------------------------|----------------------------|
| PIERCE T          | OTP-AM<br>ONTP          | H-450<br>S-491    HAMPER J |

This bill was reported out of committee in the prior session and then carried over on the Special Appropriations Table.

The bill is a concept draft pursuant to Joint Rule 208. The bill proposes to amend the current law to promote the establishment and expansion of summer school programs for elementary and secondary school students. The bill proposes that:

1. Elementary and secondary schools be provided with additional resources and incentives to establish or expand summer school programs that enhance the academic opportunities for Maine students;
2. The Department of Education provide elementary and secondary schools with examples of effective models of summer school programs that improve student performance, including model programs that involve school networking and partnerships with community-based organizations such as the Maine Alliance of Boys & Girls Clubs that provide summer activities to align and leverage existing resources, improve program quality and develop shared outcomes for student success; and
3. The current provisions in the Maine Revised Statutes, Title 20-A related to funding summer school programs be amended to provide additional funds for the establishment and expansion of summer school programs for elementary and secondary school students. The amendments to the current law may include, but are not limited to:
  - A. Providing an adjustment of the state share of the total allocation to qualifying school administrative units for the costs of establishing or expanding summer school programs for elementary and secondary school students; or
  - B. Providing qualifying school administrative units with the allocation of state grants to be awarded on an annual basis by the Department of Education for the establishment and expansion of summer school programs for elementary and secondary school students.

**Committee Amendment "A" (H-450)**

This amendment, which is the majority report of the committee, replaces the concept draft to establish the Summer Success Program Fund, a dedicated fund to be directed and administered by the Commissioner of Education and

*Joint Standing Committee on Education and Cultural Affairs*

held by the Treasurer of State, to encourage the facilitation of high-quality summer success programs in school administrative units throughout the State. The amendment accomplishes the following.

1. It provides that money paid into the fund may include General Fund appropriations, as well as grants, gifts and other money from any unit of federal, state or local government or from any person, firm, partnership or corporation for deposit to the fund and money received from a social impact bond. It requires that school administrative units ensure that grants provided from the fund for expanding access to summer success programs supplement and not supplant federal funding.
2. It requires the commissioner to administer the fund within the Department of Education and to establish standards and approval for the allocation and use of fund money for summer success programs offered at elementary or secondary schools in the State. It also allows the commissioner to include the following in the standards:
  - A. Guidelines similar to the federal 21st Century Community Learning Centers program to close the achievement gap between economically disadvantaged students and their peers;
  - B. Effective models of summer success programs that involve networking and partnerships with community-based organizations that provide a range of high-quality services to support student learning and development; and
  - C. Implementation of the formative and summative assessment methods to measure student achievement in order to monitor the progress of students participating in summer success programs.
3. It provides that, beginning in fiscal year 2016-17, the department is required to provide grant funding, through a grant application process, to cover 90% of the costs of summer success programs in school administrative units with greater than 50% student participation in the federal free and reduced-price lunch program.
4. It adds the fund to the enhancing student performance and opportunity provisions of the Essential Programs and Services Funding Act.
5. It requires the commissioner to submit a report to the Joint Standing Committee on Education and Cultural Affairs by December 15, 2015 that outlines the proposed rules to implement the fund by the 2016-2017 school year.

It adds an appropriations and allocations section.

**Senate Amendment "A" To Committee Amendment "A" (S-491)**

This amendment changes from fiscal year 2016-17 to fiscal year 2017-18 the fiscal year in which the Department of Education is required to provide grant funding to cover a portion of the costs of summer success programs and adjusts related dates and funding accordingly. This amendment also corrects the name of the federal act.

**LD 981      An Act To Establish a Veterinary School**

**ONTP**

Sponsor(s)  
MARTIN J

Committee Report  
ONTP

Amendments Adopted

This bill was carried over from the First Regular Session of the 127th Legislature. The bill is a concept draft pursuant to Joint Rule 208. The bill proposes to establish a veterinary school.

***Joint Standing Committee on Education and Cultural Affairs***

**LD 1033      **Resolve, To Assist the University of Maine System and the Maine  
Community College System To Reduce the Need for Remedial  
Education****

**ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| ALFOND J          | ONTP                    |                           |

This resolve was carried over from the First Regular Session of the 127th Legislature.

The resolve is a concept draft pursuant to Joint Rule 208. The resolve proposes to require the Department of Education to analyze the data for the last three academic years from public and private secondary schools regarding the number of students needing remedial education at the postsecondary level and the graduation rates of those students from postsecondary programs. The department is required to determine what methods are used by those schools with high graduation rates among students requiring remedial education and determine how to use those methods in other schools that do not have graduation rates as high. This resolve provides \$1,000,000, disbursed by the department, to assist schools with low rates of graduation among its remedial education students to adopt methods of increasing the graduation rates of those students.

**LD 1253      **An Act To Improve the Evaluation of Elementary and Secondary  
Schools****

**PUBLIC 500**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u>   |
|-------------------|-------------------------|-----------------------------|
| BATES D           | OTP-AM                  | H-658<br>S-530    LANGLEY B |

This bill was reported out of committee in the prior session and then carried over on the Special Appropriations Table. At the request of the Joint Standing Committee on Education and Cultural Affairs, the Joint Standing Committee on Appropriations and Financial Affairs removed the bill from the Special Appropriations Table and this bill was re-referred to the Joint Standing Committee on Education and Cultural Affairs.

The bill is a concept draft pursuant to Joint Rule 208 and would require that, beginning with the 2016-2017 school year and only after the adoption of major substantive rules by the Department of Education, the Commissioner of Education implement a school assessment system to measure school performance and student proficiency. The system implemented must include multiple measures of student achievement and may include, but is not limited to, the use of:

1. Summative assessments aligned with the grade level expectations of the parameters for essential instruction and graduation requirements established under the Maine Revised Statutes, Title 20-A, section 6209, subsection 2 and Department of Education Rule Chapter 132: Learning Results: Parameters for Essential Instruction;
2. Formative assessments that measure student growth over time; and
3. Information of the state assessment program under Title 20-A, section 6204 on student achievement reported by the department in compliance with applicable federal statutes and regulations regarding student assessment as required by the federal No Child Left Behind Act of 2001, 20 United States Code, Chapter 70.

The bill would require the commissioner to annually report the statewide and school level results of the school assessment system with regard to the performance of schools and the proficiency of students in each of the State's elementary and secondary schools and to provide each participating school with a profile of school performance and

## *Joint Standing Committee on Education and Cultural Affairs*

student proficiency based upon data from the school assessment system. The reporting mechanisms and the categories reported must be uniform for each school compared at the elementary level or the secondary level.

The bill would also require the Commissioner of Education to convene a task force to develop a system to evaluate or rate the performance of public schools in the State and to incorporate the recommendations of the task force in the adoption of major substantive rules under this bill. The task force must include, but is not limited to, representatives of the following entities and stakeholder groups: the Department of Education; the State Board of Education; teachers; principals; parents; the Education Research Institute under Title 20-A, section 10; and students.

The school assessment system developed by the task force must include, but is not limited to, the following elements: Accurate measures of student progress over at least three years; rates of postsecondary school attendance and enlistment in the United States Armed Forces over at least three years; a peer group comparison that takes into account, but is not limited to, use of special education services, the number of students eligible for free or reduced-price meals, local and county unemployment data and median household income; school attendance rates; graduation rates; procedures to address specific challenges unique to a municipality, county or school administrative unit; and interviews with parents of students, members of governing boards of school administrative units, teachers and other education leaders about the overall school environment.

The bill would require the task force to review the requirements of Title 20-A, chapter 222 and the school assessment systems that have been implemented in other states and jurisdictions and develop a school assessment system that will best serve the academic and developmental needs of students in this State. The school assessment system may not use a bell curve, and a school may not be penalized because of the failure of students to take certain standardized tests. The task force would be required to provide opportunities for the public and interested parties to provide input regarding the development of the school assessment system and give notice to the public and interested parties of the task force's meetings during which the public may provide testimony or feedback on the proposed models under consideration by the task force.

### **Committee Amendment "A" (H-467)**

This amendment replaces the concept draft with a bill that does the following.

1. It provides that, beginning with the 2017-2018 school year and only after the adoption of major substantive rules by the Department of Education, for public schools, public charter schools and private schools approved for tuition purposes that enroll at least 60% publicly funded students, the Commissioner of Education shall implement a school assessment system to measure school performance and student proficiency in achieving the knowledge and skills described in the parameters for essential instruction and graduation requirements established under the Maine Revised Statutes, Title 20-A, section 6209, subsection 2 and the Department of Education's rule Chapter 132: Learning Results: Parameters for Essential Instruction.
2. It provides that, notwithstanding any other provisions of Title 20-A, chapter 222, the commissioner may not provide a report of the statewide or school-level results of the school assessment system until the final adoption of department rules adopted in accordance with Title 20-A, section 6214, subsection 3. It provides that the rules must be consistent with the recommendations reported by the task force established in this amendment. It also provides that this law may not be construed to prevent or inhibit the department from providing reports to comply with the federal statutes and regulations pertaining to student assessment as required by the federal No Child Left Behind Act of 2001.
3. It directs the commissioner to convene a task force to review school assessment systems that have been implemented in other states and to develop a system to evaluate and rate the performance of schools in this State.
4. It provides that the commissioner must report the task force's findings, recommendations and any necessary legislation with respect to the implementation of a school assessment system to the Joint Standing Committee on Education and Cultural Affairs no later than January 15, 2016 and authorizes the joint standing committee to report

## *Joint Standing Committee on Education and Cultural Affairs*

out a bill to the Second Regular Session of the 127th Legislature related to the recommendations included in this report.

5. It provides that the department must file provisionally adopted major substantive rules by January 6, 2017 to implement the school assessment system and that the rules must specify the methods to be used as part of the annual assessment of the performance of elementary and secondary schools and the proficiency of elementary and secondary school students beginning with the 2017-2018 school year.

This amendment also adds an appropriations and allocations section.

This amendment was not adopted.

### **Committee Amendment "B" (H-658)**

This amendment replaces the bill, which is a concept draft, with language that does the following.

1. It provides that, beginning with the 2018-2019 school year and only after the adoption of major substantive rules by the Department of Education, for public schools, public charter schools and private schools approved for tuition purposes that enroll at least 60% publicly funded students, the Commissioner of Education shall implement a school accountability system to measure school performance and student proficiency in achieving the knowledge and skills described in the parameters for essential instruction and graduation requirements established under the Maine Revised Statutes, Title 20-A, section 6209, subsection 2.

2. The measures of school performance and student proficiency for the school accountability system must also:

A. Align with components of the state accountability system required to ensure equity in educational opportunity;

B. Use data gathered related to measures of student proficiency in all content areas of the learning results and the guiding principles; and

C. Use a six-year adjusted cohort graduation rate as the broadest allowable time frame for high school graduation rates.

3. It provides that, notwithstanding any other provisions of Title 20-A, chapter 222, the commissioner may not provide a report of the statewide or school-level results of the school accountability system until the final adoption of department rules adopted in accordance with Title 20-A, section 6214, subsection 3.

4. It provides that the rules must be consistent with the recommendations reported by the work group established in this amendment. It also provides that this law may not be construed to prevent or inhibit the department from providing reports to comply with the federal statutes and regulations pertaining to student assessment, as required by the federal Every Student Succeeds Act of 2015 and related regulations.

5. It directs the commissioner to convene a work group to review school accountability systems that have been implemented in other states and to develop a system to evaluate and rate the performance of schools in this State.

6. It provides that the commissioner must report the work group's findings, recommendations and any necessary legislation with respect to the implementation of a school accountability system to the joint standing committee of the Legislature having jurisdiction over education matters no later than January 15, 2017 and authorizes the committee to report out a bill to the First Regular Session of the 128th Legislature related to the recommendations included in this report.

7. It provides that the department must file provisionally adopted major substantive rules by January 5, 2018 to

## *Joint Standing Committee on Education and Cultural Affairs*

implement the school accountability system and that the rules must specify the methods to be used as part of the annual assessment of the performance of elementary and secondary schools and the proficiency of elementary and secondary school students beginning with the 2018-2019 school year.

### **Senate Amendment "A" To Committee Amendment "B" (S-530)**

This amendment requires the school accountability work group to consider at least certain specified elements in developing the school accountability system. It also removes the provision that prohibits the school accountability system from using a bell curve and prohibits a school from being penalized because of the failure of students to take certain standardized tests.

### **Enacted Law Summary**

Public Law 2015, chapter 500 directs the Commissioner of Education to reform public education laws to improve school performance and student proficiency. The law accomplishes the following.

1. It provides that, beginning with the 2018-2019 school year and only after the adoption of major substantive rules by the Department of Education, for public schools, public charter schools and private schools approved for tuition purposes that enroll at least 60% publicly funded students, the Commissioner of Education shall implement a school accountability system to measure school performance and student proficiency in achieving the knowledge and skills described in the parameters for essential instruction and graduation requirements established under the Maine Revised Statutes, Title 20-A, section 6209, subsection 2.
2. It provides that the measures of school performance and student proficiency for the school accountability system must also:
  - A. Align with components of the state accountability system required to ensure equity in educational opportunity;
  - B. Use data gathered related to measures of student proficiency in all content areas of the learning results and the guiding principles; and
  - C. Use a six-year adjusted cohort graduation rate as the broadest allowable time frame for high school graduation rates.
3. It provides that, notwithstanding any other provisions of Title 20-A, chapter 222, the commissioner may not provide a report of the statewide or school-level results of the school accountability system until the final adoption of department rules adopted in accordance with Title 20-A, section 6214, subsection 3.
4. It provides that the rules must be consistent with the recommendations reported by the work group established in this amendment. It also provides that this law may not be construed to prevent or inhibit the department from providing reports to comply with the federal statutes and regulations pertaining to student assessment, as required by the federal Every Student Succeeds Act of 2015 and related regulations.
5. It directs the commissioner to convene a work group to review school accountability systems that have been implemented in other states and to develop a system to evaluate and rate the performance of schools in this State.
6. It provides that the commissioner must report the work group's findings, recommendations and any necessary legislation with respect to the implementation of a school accountability system to the joint standing committee of the Legislature having jurisdiction over education matters no later than January 15, 2017 and authorizes the committee to report out a bill to the First Regular Session of the 128th Legislature related to the recommendations included in this report.
7. It provides that the department must file provisionally adopted major substantive rules by January 5, 2018 to

*Joint Standing Committee on Education and Cultural Affairs*

implement the school accountability system and that the rules must specify the methods to be used as part of the annual assessment of the performance of elementary and secondary schools and the proficiency of elementary and secondary school students beginning with the 2018-2019 school year.

**LD 1370     An Act To Improve the Quality of Teachers**

**Died Between  
Houses**

| <u>Sponsor(s)</u>      | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------|-------------------------|---------------------------|
| MILLETT R<br>HUBBELL B | OTP-AM<br>ONTP          |                           |

This bill was carried over from the First Regular Session of the 127th Legislature.

The bill proposes to improve teacher quality in the State by amending the current statutes related to programs involving teacher preparation, support systems for provisional teachers, teacher certification, teacher salaries and college loans for students enrolled in a program of study leading to certification as a teacher. The bill includes the following provisions.

1. It expands the student teaching experience and specifies an academic achievement level necessary for applicants to qualify for a provisional teaching certificate.
2. It strengthens the support systems required to provide assistance for provisional teachers during each year of their probationary period.
3. It directs the Commissioner of Education to pay salary supplements to classroom teachers who are involved in the operation of a school administrative unit's support system approved in accordance with the provisions of the Maine Revised Statutes, Title 20-A, section 13015.
4. It provides that an individual who has not completed a master's degree program and who is issued a teacher certificate in accordance with Title 20-A, chapter 502 on or after July 1, 2015 may not receive a renewed certificate or a new teaching certificate unless the individual completes a master's degree program within five years of being employed as a teacher in the State.
5. It increases the minimum salaries for certified teachers to \$40,000 beginning in the 2016-2017 school year and includes state funding for the incremental costs of meeting this minimum as part of the school funding formula.
6. It requires the Department of Education to increase the qualifying scores for the standardized qualifying examinations for applicants for initial teacher certification in its Rule Chapter 13: Qualifying Examinations for Teachers, Educational Specialists and Administrators no later than July 1, 2016.
7. It provides additional appropriations for the Educators for Maine Program within the Finance Authority of Maine in order to double the annual investment of state loan funds awarded to eligible students.

**Committee Amendment "A" (S-432)**

This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs and, like the bill, proposes to improve teacher quality in the State by amending the current statutes related to programs involving teacher preparation, support systems for provisional teachers, teacher certification, teacher salaries and college loans for students enrolled in a program of study leading to certification as a teacher. The amendment includes the following provisions.

1. It amends the provisions of the bill that expand the student teaching experience and academic achievement

***Joint Standing Committee on Education and Cultural Affairs***

requirements for a provisional teacher certificate. The amendment specifies the number of hours of practicum an applicant must complete, clarifies the time frame during which the student teaching experience must occur and specifies that the grade point average requirement applies only to an applicant's teacher preparation course work. The bill increases to 24 the minimum number of weeks of student teaching experience an applicant must complete; the amendment retains the current requirement of 15 weeks. The amendment enacts a grade point average requirement with respect to applicants recommended by educational institutions offering teacher preparation programs.

2. It retains the provisions of the bill that strengthen the support systems required to provide assistance for provisional teachers during each year of their probationary period and that require the Commissioner of Education to pay salary supplements to teachers who are involved in the operation of such systems.
3. It removes the provision of the bill that requires an individual who is issued a teacher certificate on or after July 1, 2015 and has not completed a master's degree program to complete a master's degree program before the individual may have the individual's certificate renewed or be issued another certificate.
4. It provides that the provisions of the bill increasing the minimum salary for certified teachers to \$40,000 apply beginning with the 2017-2018 school year and that the provisions of the bill that include in the school funding formula the state funding for the incremental costs of meeting this minimum apply beginning in fiscal year 2017-18. The amendment removes the provision of the bill requiring the commissioner to pay the increased teacher retirement contributions resulting from the increase in minimum salary.
5. It removes the provision of the bill that requires the Department of Education to increase the qualifying scores for the standardized qualifying examinations for initial teacher certification.
6. It requires the State Board of Education to amend its rule Chapter 114: Purpose, Standards and Procedures for the Review and Approval of Preparation Programs for Education Personnel to articulate and outline clear standards for the memorandum of understanding between student teachers, teacher preparation programs and participating school administrative units.
7. It directs the Governor to appoint members to vacant positions on the Professional Standards Board by September 1, 2016 and directs the board to reactivate by October 1, 2016.
8. It provides additional appropriations for the Educators for Maine Program within the Finance Authority of Maine in order to double the annual investment of state loan funds awarded to eligible students.

This amendment was not adopted.

**LD 1394      An Act To Implement the Recommendations of the Commission To  
Strengthen the Adequacy and Equity of Certain Cost Components of the  
School Funding Formula**

**Veto Sustained**

|                   |                         |                           |
|-------------------|-------------------------|---------------------------|
| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|                   | OTP-AM                  | H-630                     |

The bill was reported out by the Joint Standing Committee on Education and Cultural Affairs during the First Regular Session pursuant to Resolve 2013, chapter 114, section 10 and then referred back to the committee. The bill was then carried over from the First Regular Session of the 127th Legislature.

The bill incorporates changes to the education statutes and rules proposed by the Commission To Strengthen the Adequacy and Equity of Certain Cost Components of the School Funding Formula that the commission's report

## *Joint Standing Committee on Education and Cultural Affairs*

indicated are necessary to implement its recommendations.

### **Committee Amendment "A" (H-630)**

This amendment strikes and replaces the bill. The amendment updates a number of initiatives proposed in the bill to incorporate changes to the education statutes and rules proposed by the Commission To Strengthen the Adequacy and Equity of Certain Cost Components of the School Funding Formula that the commission's report indicated are necessary to implement its recommendations. The amendment retains many provisions of the bill, but differs from the bill in the following ways.

1. It amends the laws concerning after-school programs to comply with the extended learning program recommended by the commission.
2. It strikes the bill's proposal to remove the state contributions to teacher retirement, retired teachers' health insurance and retired teachers' life insurance from the annual transition targets.
3. The bill proposes to remove language reducing the salary and benefit costs for teachers and school education staff from the amount of funds received by a school administrative unit under Title I of the federal Elementary and Secondary Education Act of 1965, 20 United States Code, Section 6301 et seq. The amendment instead directs the Department of Education and the Education Research Institute to conduct further research and analysis of the availability of federal grant funds.
4. It strikes the bill's proposal to increase the adjustments to the state share of the special education costs as part of the total allocation provided to a school administrative unit that receives a minimum state allocation under the Maine Revised Statutes, Title 20-A, section 15689, subsection 1, paragraph B.
5. It strikes the bill's proposals to authorize the Commissioner of Education to expend and disburse state funds to provide grants to school administrative units for the establishment of summer schools and for the establishment of collaborative time for professional development through the authorization of miscellaneous costs under Title 20-A, section 15689-A.
6. It adds the following initiatives to the enhancing student performance and opportunity system provisions of school funding based on essential programs and services in Title 20-A, section 15688-A to authorize the commissioner to expend and disburse state funds:
  - A. To provide for additional support to school administrative units beyond the additional weight of 15 provided for each economically disadvantaged student;
  - B. To provide grants to school administrative units for the establishment of summer schools;
  - C. To provide grants to school administrative units for the establishment of extended learning programs;  
and
  - D. To provide grants to school administrative units for the establishment of collaborative time for professional development.
7. It adds the enhancing-student-performance-and-opportunity-system provisions of school funding based on essential programs and services in Title 20-A, section 15688-A to the guidelines that require the commissioner to update the recommendations, computation and the purposes for each of the cost components included in adjustments and miscellaneous costs under Title 20-A, section 15689-C, subsection 4.

*Joint Standing Committee on Education and Cultural Affairs*

8. It strikes the bill's proposal to appropriate and allocate funds for the General Purpose Aid for Local Schools account.

9. It removes the requirement for the department to convene and staff a stakeholder group to develop guidelines for the definition of "qualifying leadership" and best practice guidelines for the inclusion of leadership in collaborative time for professional development and instead requires the department to develop those guidelines.

This amendment was not adopted.

**LD 1459     An Act To Clarify the Use of Student Data from the Statewide Assessment Test**

**PUBLIC 405**

| <u>Sponsor(s)</u>     | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| ESPLING E<br>BRAKEY E | OTP-AM                  | H-553                     |

This bill delays by one year the implementation of any assessment test chosen by the Department of Education to replace the Smarter Balanced Assessment but allows schools to voluntarily implement the new test for the 2015-2016 school year.

**Committee Amendment "A" (H-553)**

This amendment strikes and replaces the bill to delay until the 2017-2018 school year the requirement that school administrative units fully implement the performance evaluation and professional growth system established pursuant to the Maine Revised Statutes, Title 20-A, chapter 508 to measure educator effectiveness. The amendment provides that, during the 2016-2017 school year, each unit must operate and apply a pilot project to all of the schools and applicable staff in the unit. The amendment delays the use of statewide student assessment data as part of the performance evaluation and professional growth system to measure educator effectiveness. The amendment also delays until the 2017-2018 school year the use of statewide assessment data of student academic achievement as part of a system to evaluate or rate the performance of public schools in the State that is similar to or different from the school performance grading system developed by the Department of Education and introduced on May 1, 2013.

**Enacted Law Summary**

Public Law 2015, chapter 405 delays until the 2017-2018 school year the requirement that school administrative units fully implement the performance evaluation and professional growth system established pursuant to the Maine Revised Statutes, Title 20-A, chapter 508 to measure educator effectiveness. The law provides that, during the 2016-2017 school year, each unit must operate and apply a pilot project to all of the schools and applicable staff in the unit. The law delays the use of statewide student assessment data as part of the performance evaluation and professional growth system to measure educator effectiveness. The law also delays until the 2017-2018 school year the use of statewide assessment data of student academic achievement as part of a system to evaluate or rate the performance of public schools in the State that is similar to or different from the school performance grading system developed by the Department of Education and introduced on May 1, 2013.

*Joint Standing Committee on Education and Cultural Affairs*

**LD 1464 An Act To Revise the Educational Personnel Certification Statutes and To Direct the Department of Education To Review Department Rules Regarding Educational Personnel Certification**

**PUBLIC 395**

| <u>Sponsor(s)</u>  | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| MAKER J<br>BAKER L | OTP-AM                  | H-525                     |

This bill amends the laws regarding the criminal history record information of educational personnel to consolidate and update language. It requires the Commissioner of Education to set annually fees for criminal history record checks for and certification of educational personnel that currently are set in statute. It extends from fiscal year 2014-15 to all subsequent fiscal years the crediting of up to \$335,000 of fees from the initial and renewal certification of educational personnel to the National Board Certification Salary Supplement Fund, Other Special Revenue Funds account within the Department of Education. It allows course work and testing for targeted need area and conditional certificates and transitional endorsements issued preceding the amendment of rules regarding qualifications to be completed within three years instead of annually. It also requires the department in conjunction with the State Board of Education to review all educational personnel certification rules and report by January 7, 2017 to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs. The committee is authorized to report out legislation to the First Regular Session of the 128th Legislature.

**Committee Amendment "A" (H-525)**

This amendment clarifies the bill's proposed changes to the Commissioner of Education's authority to establish and assess fees for initial and renewal certificates. The amendment requires the Department of Education to annually post the fees required for the initial issuance of and the renewal of teacher, education specialist and administrator certificates on the department's publicly accessible website. The amendment also requires the commissioner to adopt major substantive rules to carry out the establishment and assessment of these certification fees.

**Enacted Law Summary**

Public Law 2015, chapter 395 makes the following changes to the laws related to the educational personnel certification.

1. It amends the laws regarding criminal history record information of educational personnel to consolidate and update language. It requires the Commissioner of Education to set annually fees for criminal history record checks for and certification of educational personnel that currently are set in statute.
2. It amends the commissioner's authority to establish and assess fees for initial and renewal certificates. It requires the Department of Education to annually post the fees required for the initial issuance of and the renewal of teacher, education specialist and administrator certificates on the department's publicly accessible website; and it also requires the commissioner to adopt major substantive rules to carry out the establishment and assessment of these certification fees.
3. It extends from fiscal year 2014-15 to all subsequent fiscal years the crediting of up to \$335,000 of fees from the initial and renewal certification of educational personnel to the National Board Certification Salary Supplement Fund, Other Special Revenue Funds account within the department.
4. It allows course work and testing for targeted need area and conditional certificates and transitional endorsements issued preceding the amendment of rules regarding qualifications to be completed within three years instead of annually.
5. It also requires the department in conjunction with the State Board of Education to review all educational

*Joint Standing Committee on Education and Cultural Affairs*

personnel certification rules and report by January 7, 2017 to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs. The committee is authorized to report out legislation to the First Regular Session of the 128th Legislature.

**LD 1469    An Act To Promote Private Fund-raising for the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf**

**PUBLIC 383**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| BREEN C<br>PIERCE T | OTP                     |                           |

This bill requires the Executive Director of the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf to designate a nonprofit organization as the private support organization for the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf to organize and foster support for the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf and its programs.

**Enacted Law Summary**

Public Law 2015, chapter 383 requires the Executive Director of the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf to designate a nonprofit organization as the private support organization for the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf to organize and foster support for the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf and its programs.

**LD 1475    An Act To Facilitate the Use of State Education Subsidies**

**PUBLIC 463  
EMERGENCY**

| <u>Sponsor(s)</u>    | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| MILLETT R<br>MAKER J | OTP-AM                  | S-388                     |

This bill authorizes a regional school unit to include an article in the warrant for its annual budget meeting providing that, in the event that the regional school unit receives more state education subsidy than the amount included in its budget, the regional school unit board is authorized to increase expenditures for school purposes in cost center categories approved by the regional school unit board, without a special budget meeting and budget validation referendum.

**Committee Amendment "A" (S-388)**

This amendment strikes and replaces the bill. The bill authorizes a regional school unit to include an article in the warrant for its annual budget meeting providing that, in the event that the regional school unit receives more state education subsidy than the amount included in its budget, the regional school unit board is authorized to increase expenditures for school purposes in cost center categories approved by the regional school unit board, without a special budget meeting and budget validation referendum. The amendment retains that provision and allows a regional school unit to include such articles for the purposes of increasing the allocation of finances in a reserve fund and decreasing the local cost share expectation for local property taxpayers for funding public education.

**Enacted Law Summary**

Public Law 2015, chapter 463 authorizes a regional school unit to include an article in the warrant for its annual budget meeting providing that, in the event that the regional school unit receives more state education subsidy than

## *Joint Standing Committee on Education and Cultural Affairs*

the amount included in its budget, the regional school unit board is authorized to increase expenditures for school purposes in cost center categories approved by the regional school unit board, without a special budget meeting and budget validation referendum. The law also allows a regional school unit to include such articles for the purposes of increasing the allocation of finances in a reserve fund and decreasing the local cost share expectation for local property taxpayers for funding public education.

Public Law 2015, chapter 463 was enacted as an emergency measure effective April 13, 2016.

### **LD 1489     An Act To Clarify Expenditures Regarding Androscoggin County**

**Veto Sustained**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| ROTUNDO M         | OTP-AM                  | H-551                     |

This bill clarifies the provisions enacted in Public Law 2015, chapter 267 which amended the education funding formula statute to require the Commissioner of Education to disburse \$75,000 over each of the fiscal years 2015-16 and 2016-17 for postsecondary education attainment in Androscoggin County; the intent of this disbursement was to provide funding to College for ME - Androscoggin to provide financial assistance for individuals in Androscoggin County who wanted to attend college or obtain a postsecondary degree. Because College for ME - Androscoggin was not specifically named in the amended statute, the funds were not disbursed.

The bill repeals the statute requiring the Commissioner of Education to disburse the funds and instead requires the State Controller to disburse \$75,000 to College for ME - Androscoggin in each of the fiscal years 2015-16 and 2016-17. The funds are appropriated from the General Purpose Aid for Local Schools Program General Fund account to be used to support individuals aspiring to attend college and support postsecondary degree attainment initiatives in Androscoggin County.

#### **Committee Amendment "A" (H-551)**

This amendment strikes from the bill the provision regarding the proposed disbursement of funds in fiscal year 2015-16 to College for ME - Androscoggin and amends the provision regarding the proposed disbursement of funds in fiscal year 2016-17 to College for ME - Androscoggin to require the State Controller to pay \$75,000 from unobligated funds carried forward from fiscal year 2015-16 to fiscal year 2016-17 in the Department of Education, General Purpose Aid for Local Schools program, General Fund account.

This amendment also removes the emergency preamble and emergency clause from the bill.

### **LD 1490     An Act Regarding the Maine Arts Commission**

**PUBLIC 379**

| <u>Sponsor(s)</u>        | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------------|-------------------------|---------------------------|
| MCCLELLAN M<br>LANGLEY B | OTP                     |                           |

This bill removes language in current law that requires the Treasurer of State to invest funds given as an endowment for the Maine Arts Commission. It allows the Maine Arts Commission to administer its endowment fund.

#### **Enacted Law Summary**

Public Law 2016, chapter 379 repeals language in current law that requires the Treasurer of State to invest funds given as an endowment for the Maine Arts Commission and allows the Maine Arts Commission to administer its endowment fund.

***Joint Standing Committee on Education and Cultural Affairs***

**LD 1491      An Act To Allow Trained, Nonmedical Employees in Schools To Administer Emergency Medications      ONTP**

| <u>Sponsor(s)</u>         | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------------|-------------------------|---------------------------|
| CHENETTE J<br>DUTREMBLE D | ONTP                    |                           |

This bill authorizes a school administrative unit to participate in a program to allow nonmedical employees to volunteer to be trained to provide emergency medication to students upon request by a parent or guardian.

**LD 1492      An Act To Establish a Protocol for Review of State Education Content Standards of the System of Learning Results      Veto Sustained**

| <u>Sponsor(s)</u>     | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| TUELL W<br>WOODSOME D | OTP-AM                  | H-579                     |

This bill removes the Common Core State Standards Initiative standards from the system of learning results at the end of the 2016-2017 school year. For the 2016-2017 school year, as an alternative to the core of standards in English language arts and mathematics for kindergarten to grade 12 established in common with the other states, the bill allows a school administrative unit to administer the statewide system of learning results standards that were in effect prior to April 12, 2010. It requires the Department of Education, with input from a stakeholder group, to develop new statewide content standards for use beginning with the 2017-2018 school year and to submit provisionally adopted major substantive rules to the Legislature by January 2, 2017. It requires the department to develop and adopt assessments for elementary and secondary schools in English language arts and mathematics that are aligned with the new content standards for use beginning with the 2017-2018 school year. The bill also requires the department to establish accountability standards at all grade levels in the area of social studies.

**Committee Amendment "A" (H-579)**

This amendment replaces the bill and does the following.

1. It requires the Commissioner of Education to submit an annual report to the joint standing committee of the Legislature having jurisdiction over education matters on the status of the review of the content standards and performance indicators by content area of the system of learning results established pursuant to the Maine Revised Statutes, Title 20-A, section 6209, subsection 4.
2. It requires the annual report on the status of the review of the content standards to include a compilation and analysis of data on student progress towards achievement of the content areas under review and a listing of public comments received related to the content areas under review. It requires the commissioner, by June 30, 2017, to adopt or amend rules regarding the annual reporting requirement.
3. It requires the Department of Education to establish a content standards review committee and content standards review subcommittees to review and approve the statewide content standards developed by the department pursuant to the Maine Revised Statutes, Title 20-A, section 6209, subsections 4 and 5. It authorizes the commissioner to adopt rules based on recommendations from the review committee and review subcommittees.

*Joint Standing Committee on Education and Cultural Affairs*

**LD 1493 An Act To Provide a Private Support Organization for the Maine Arts Commission**

**PUBLIC 380**

| <u>Sponsor(s)</u>        | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------------|-------------------------|---------------------------|
| MCCLELLAN M<br>LANGLEY B | OTP                     |                           |

This bill requires the Director of the Maine Arts Commission to designate a nonprofit organization as the private support organization for the Maine Arts Commission to organize and foster support for the commission and its programs.

**Enacted Law Summary**

Public Law 2016, chapter 380 requires the Director of the Maine Arts Commission to designate a nonprofit organization as the private support organization for the Maine Arts Commission to organize and foster support for the commission and its programs.

**LD 1517 An Act To Enable an Alternative Organizational Structure To Purchase Group Health Insurance for Its Employees**

**PUBLIC 420  
EMERGENCY**

| <u>Sponsor(s)</u>      | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------|-------------------------|---------------------------|
| HUBBELL B<br>LANGLEY B | OTP-AM                  | H-549                     |

This bill allows the governing body of an alternative organizational structure to obtain health insurance loss information for all of the alternative organizational structure's member school administrative units' employees and retirees and their dependents on an aggregate basis and to purchase a single health insurance policy that is offered to all eligible employees and retirees of the alternative organizational structure and its member school administrative units and their dependents.

**Committee Amendment "A" (H-549)**

This amendment removes the provision of the bill giving an alternative organizational structure specific authority to request, from an insurer providing health insurance, loss information for employees and retirees and their dependents, since school administrative units already have this authority and the definition of a school administrative unit in the Maine Revised Statutes, Title 20-A includes alternative organizational structures. This amendment also provides a cross-reference to that definition to make clear that it includes alternative organizational structures.

**Enacted Law Summary**

Public Law 2015, chapter 420 provides clarification that the governing body of an alternative organizational structure is authorized to obtain health insurance loss information for all of the alternative organizational structure's member school administrative units' employees and retirees and their dependents on an aggregate basis and to purchase a single health insurance policy that is offered to all eligible employees and retirees of the alternative organizational structure and its member school administrative units and their dependents.

Public Law 2015, chapter 420 was enacted as an emergency measure effective March 31, 2016.

*Joint Standing Committee on Education and Cultural Affairs*

**LD 1544     An Act To Improve Teaching Assignments in Maine's Public Schools**

**Died Between  
Houses**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BAKER L           | ONTP<br>OTP-AM          |                           |

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to amend municipal public employees labor relations law to allow a public employer and a teacher to confer and negotiate regarding the assignment of the teacher to a grade level or content area.

**Committee Amendment "A" (S-401)**

This amendment is the minority report of the committee. The amendment replaces the bill, which is a concept draft. The amendment provides that if a school administrative unit seeks to transfer a teacher to a teaching assignment and that transfer is involuntary, it must do so in accordance with a written policy adopted by the school administrative unit that addresses involuntary transfers. If a school administrative unit adopts a written policy on involuntary transfers, the policy must provide for notification to the teacher of the involuntary transfer. The amendment provides that a teacher who receives notice of an involuntary transfer may request, within 15 days of the notice, a hearing with the school board, which must take place within 30 days of the request.

The fiscal note on the amendment identifies certain requirements in this amendment as a potential state mandate. The committee members voting for this report find that the provisions identified as a potential mandate do not require a local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenue. The requirement in the amendment that a school administrative unit adopt a written policy on involuntary transfers if the school administrative unit decides to involuntarily transfer a teacher does not require an expansion or modification of activities so as to necessitate additional expenditures from local revenue since there is no requirement that a school administrative unit involuntarily transfer a teacher.

This amendment was not adopted.

**LD 1555     Resolve, Regarding Legislative Review of Portions of Chapter 101:  
Maine Unified Special Education Regulation Birth to Age 20, a Major  
Substantive Rule of the Department of Education**

**RESOLVE 60  
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
|                   | OTP                     |                           |

This resolve provides for legislative review of portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age 20, a major substantive rule of the Department of Education.

**Enacted Law Summary**

Resolve 2015, chapter 60 authorizes final adoption of portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age 20, a major substantive rule of the Department of Education.

Resolve 2015, chapter 60 was finally passed as an emergency measure effective March 13, 2016.

*Joint Standing Committee on Education and Cultural Affairs*

**LD 1556      Resolve, Regarding Legislative Review of Portions of Chapter 40: Rule for Medication Administration in Maine Schools, a Major Substantive Rule of the Department of Education**

**RESOLVE 65  
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
|                   | OTP                     |                           |

This resolve provides for legislative review of portions of Chapter 40: Rule for Medication Administration in Maine Schools, a major substantive rule of the Department of Education. The revisions to the rule are made pursuant to Public Law 2012, chapter 526 and pertain to the administration of epinephrine auto-injectors and training programs for the administration of epinephrine.

**Enacted Law Summary**

Resolve 2016, chapter 65 authorizes final adoption of portions of Chapter 40: Rule for Medication Administration in Maine Schools, a major substantive rule of the Department of Education. The revisions to the rule are made pursuant to Public Law 2012, chapter 526 and pertain to the administration of epinephrine auto-injectors and training programs for the administration of epinephrine.

Resolve 2016, chapter 65 was finally passed as an emergency measure effective March 22, 2016.

**LD 1576      An Act To Amend Certain Education Laws**

**PUBLIC 448  
EMERGENCY**

| <u>Sponsor(s)</u>      | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------|-------------------------|---------------------------|
| HUBBELL B<br>LANGLEY B | OTP-AM                  | H-585                     |

This bill provides that if a superintendent's decision regarding the transfer of a student receiving special education services to a school out of the student's school administrative unit is appealed to the Commissioner of Education or the State Board of Education and the commissioner or state board approves the transfer of the student, the state subsidy of special education costs for the transferred student may not be reduced as a result of the transfer.

The bill gives the commissioner the authority to designate a school administrative unit to enroll a student when the student's school administrative unit neither maintains a school nor contracts with another school administrative unit and no school administrative unit enrolls the student voluntarily. For a student receiving special education services, the bill requires a resident school administrative unit to pay to the receiving school administrative unit tuition, special education tuition, other costs directly related to the student's special education and costs associated with due process proceedings for providing a free, appropriate public education.

The bill allows the commissioner to designate the school administrative unit that is responsible for oversight of the individualized education program of a child with a disability who is a state ward and is placed in an out-of-state residential treatment center by the Department of Health and Human Services.

The bill authorizes the commissioner to provide additional funds to a school administrative unit based on a budgetary hardship resulting from a special education placement.

The bill also makes the following changes to the laws relating to public charter schools.

1. It allows charter schools authorized by a local school board or a collaborative among local school boards to give

## *Joint Standing Committee on Education and Cultural Affairs*

enrollment preference to residents of the school administrative unit or units whose school board or school boards authorized the charter school.

2. It extends the submission deadline for a charter school authorizer's annual report to the commissioner from 60 to 90 days after the end of the school fiscal year and adds language to address the disposition of graduation records and records of other students not transitioning to another Maine public school if a charter school closes.

3. It adds language to reflect that charter schools are subject to educator effectiveness requirements.

4. It provides that the compulsory attendance laws apply to virtual charter schools.

5. For a charter school in a school administrative unit with an enrollment of 500 or fewer students, current law caps the number of students from the school administrative unit that the charter school may enroll during its first three years of operation at 5% of the school administrative unit's noncharter public school students per grade level. The bill provides that if 5% of the school administrative unit's noncharter public school students per grade level is less than one, the charter school may enroll one student from the school administrative unit per grade level in each of the charter school's first three years of operation.

### **Committee Amendment "A" (H-585)**

This amendment makes the following changes to the bill.

1. It provides that once the Commissioner of Education makes a designation to enroll a student who resides in a school administrative unit that neither maintains a school nor contracts with another school administrative unit, the student must be enrolled in the receiving school administrative unit designated by the commissioner. If dissatisfied with the commissioner's decision, the superintendent of the school administrative unit where the student resides or the superintendent of the receiving school administrative unit may, within 10 calendar days of the commissioner's decision, request that the State Board of Education review the transfer; the state board may approve or disapprove the commissioner's designation.

2. It amends the enrollment preference provision in the public charter school eligibility statute to require, rather than allow, as in the bill, a public charter school authorized by a local school board or by a collaborative among local school boards to give enrollment preference to residents of the school administrative unit or units whose school board or school boards authorized the public charter school.

3. It provides that, when the Department of Health and Human Services places a state ward in an out-of-state residential treatment center, the Commissioner of Education may designate the Department of Education as having responsibility for the oversight of the child's individualized education program.

4. It strikes the proposal in the bill that authorizes the commissioner to provide additional funds to a school administrative unit based on a budgetary hardship resulting from a special education placement.

### **Enacted Law Summary**

Public Law 2015, chapter 448 makes a number of amendments to the education statutes. The law accomplishes the following changes to the education laws.

1. It provides that if a superintendent's decision regarding the transfer of a student receiving special education services to a school out of the student's school administrative unit is appealed to the Commissioner of Education or the State Board of Education and the commissioner or state board approves the transfer of the student, the state subsidy of special education costs for the transferred student may not be reduced as a result of the transfer.

2. It gives the commissioner the authority to designate a school administrative unit to enroll a student when the student's school administrative unit neither maintains a school nor contracts with another school administrative unit

*Joint Standing Committee on Education and Cultural Affairs*

and no school administrative unit enrolls the student voluntarily. For a student receiving special education services, the law requires a resident school administrative unit to pay to the receiving school administrative unit tuition, special education tuition, other costs directly related to the student's special education and costs associated with due process proceedings for providing a free, appropriate public education.

3. It provides that once the commissioner makes a designation to enroll a student who resides in a school administrative unit that neither maintains a school nor contracts with another school administrative unit, the student must be enrolled in the receiving school administrative unit designated by the commissioner. If dissatisfied with the commissioner's decision, the superintendent of the school administrative unit where the student resides or the superintendent of the receiving school administrative unit may, within 10 calendar days of the commissioner's decision, request that the State Board of Education review the transfer; the state board may approve or disapprove the commissioner's designation.

4. It provides that, when the Department of Health and Human Services places a state ward in an out-of-state residential treatment center, the Commissioner of Education may designate the Department of Education as having responsibility for the oversight of the child's individualized education program.

5. It makes the following changes to the education laws relating to public charter schools:

A. Charter schools authorized by a local school board or a collaborative among local school boards are required to give enrollment preference to residents of the school administrative unit or units whose school board or school boards authorized the charter school;

B. The submission deadline for a charter school authorizer's annual report to the commissioner is extended from 60 to 90 days after the end of the school fiscal year and statutory language is added to address the disposition of graduation records and records of other students not transitioning to another Maine public school if a charter school closes;

C. Language is added to reflect that charter schools are subject to educator effectiveness requirements;

D. Language is added to provide that the compulsory attendance laws also apply to virtual charter schools; and

E. For a charter school in a school administrative unit with an enrollment of 500 or fewer students, current law caps the number of students from the school administrative unit that the charter school may enroll during its first three years of operation at 5% of the school administrative unit's noncharter public school students per grade level. The law provides that if 5% of the school administrative unit's noncharter public school students per grade level is less than one, the charter school may enroll one student from the school administrative unit per grade level in each of the charter school's first three years of operation.

Public Law 2015, chapter 448 was enacted as an emergency measure effective April 10, 2016.

**LD 1594      An Act To Direct the Commissioner of Education To Develop a Model  
Policy Regarding Substance Abuse Education in Maine Schools**

**ONTP**

| <u>Sponsor(s)</u>     | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| MCCABE J<br>LANGLEY B | ONTP                    |                           |

This bill requires the Commissioner of Education, in consultation with organizations that have expertise in substance abuse prevention education, to develop a model policy for substance abuse prevention education that is available to students in grades 6 to 12.

*Joint Standing Committee on Education and Cultural Affairs*

**LD 1604     An Act To Replace a Statue in the National Statuary Hall Collection**

**Died Between  
Houses**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
|                   | ONTP<br>OTP-AM          |                           |

This bill was reported by the committee pursuant to Resolve 2015, chapter 51, section 2 and then referred back to the committee for processing in the normal course. As required by the resolve, the Maine Arts Commission, the Maine Historic Preservation Commission and the Maine State Museum Commission submitted to the committee their study and recommendations regarding the replacement of statues provided by the State to the National Statuary Hall Collection in the United States Capitol. The bill reflects the recommendations of the study.

The bill provides that the Maine Arts Commission, the Maine Historic Preservation Commission and the Maine State Museum Commission are responsible for the placement and replacement of statues representing Maine in the National Statuary Hall Collection in the United States Capitol. A statue must meet all applicable federal requirements; replacement of a statue must be funded from private sources; and a replaced statue must be returned to Maine, where it must be displayed in public view. The bill requires a statue placed in the National Statuary Hall Collection to represent Maine as demonstrated by the results of a survey of public opinion. This bill also directs the Maine Arts Commission, the Maine Historic Preservation Commission and the Maine State Museum Commission to replace the statue of Hannibal Hamlin currently in the National Statuary Hall Collection with a statue of Margaret Chase Smith by March 15, 2020.

**Committee Amendment "A" (S-413)**

This amendment is the minority report of the committee. The amendment replaces the bill. The amendment creates the Commission on Statuary in National Statuary Hall to replace the statue of Hannibal Hamlin in National Statuary Hall in the United States Capitol with a statue of Margaret Chase Smith by March 15, 2020 and to return the statue of Hannibal Hamlin to the Maine State House. The commission has nine members, including the directors of the Maine Arts Commission and the Maine State Museum and seven members of the public. The commission must regularly consult with the Maine Arts Commission and the Maine State Museum Commission and must fund the statue replacement project with available funds. Final authorization to place the statue of Hannibal Hamlin within the Maine State House or on the grounds of the Maine State House must be made by the Legislative Council. The commission must submit two progress reports and a final report of its work to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs and the Legislative Council. The amendment adds an appropriations and allocations section.

This amendment was not adopted.

**LD 1625     An Act To Implement the Recommendations of the Commission To Strengthen and Align the Services Provided to Maine's Veterans by Requiring the University of Maine System To Provide Supportive Services to Student-veterans**

**INDEF PP**

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

This bill was reported by the joint standing committee on Legal and Veterans Affairs, pursuant to Resolve 2015, chapter 48 and then referred to the Education and Cultural Affairs Committee for processing in the normal course.

***Joint Standing Committee on Education and Cultural Affairs***

This bill implements one of the recommendations made by the final report of the Commission To Strengthen and Align the Services Provided to Maine's Veterans pursuant to Resolve 2015, chapter 48.

The bill requires each campus of the University of Maine System with a significant number of student-veterans to include an office that provides assistance to those veterans with the intent of facilitating transition from military life and supporting successful completion of the veterans' postsecondary education. The bill requires that any office established pursuant to this bill use, to the greatest extent possible, the office at the University of Southern Maine as a model.

**Committee Amendment "A" (H-591)**

This amendment is the majority report of the committee. The amendment replaces the bill with a resolve directing the University of Maine System and the Maine Community College System to identify the needs of student-veterans on their campuses, including needs related to admission, degree completion, transitioning to civilian life and meeting personal and financial obligations. The amendment further directs the University of Maine System and the Maine Community College System to identify existing services that meet the needs identified, assess the effectiveness of those services, determine what services are not being offered that, if offered, would meet those needs and propose services and solutions that fulfill those needs across campuses that are based upon best practices. The University of Maine System and the Maine Community College System are directed to report their findings to the joint standing committees of the Legislature having jurisdiction over education and cultural affairs and veterans and legal affairs.

This amendment was not adopted.

**LD 1627 An Act To Implement Certain Recommendations of the Maine Proficiency Education Council**

**PUBLIC 489**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
|                   | OTP-AM                  | S-504                     |

This bill is reported ought to pass by a majority of the committee pursuant to Joint Rule 353. The bill includes certain recommendations proposed in the report submitted by the Maine Proficiency Education Council established pursuant to Resolve 2015, chapter 41, section 3 for consideration by the joint standing committee. The joint standing committee has not taken a position on the substance of the 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 the Maine Revised Statutes, Title 20-A included in the report or this bill. The joint standing committee is submitting the bill for the sole purpose of turning certain proposals in the 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 joint standing committee is taking this action to ensure clarity and transparency in the legislative review of the proposals included in the report submitted by the council.

**Committee Amendment "A" (S-504)**

This amendment is the minority report on the bill reported pursuant to Joint Rule 353. This amendment strikes and replaces the bill. The amendment proposes the following initiatives related to certain recommendations included in the report submitted by the Maine Proficiency Education Council.

1. Like the bill, it adds a provision to the laws governing accreditation standards that requires schools to demonstrate evidence of sufficient capacity through multiple pathways for students to reach proficiency in each of the content areas and the guiding principles of the system of learning results established under the Maine Revised Statutes, Title 20-A, section 6209.
2. It refines a school's requirements regarding a student's demonstration of proficiency in order to be awarded a

## *Joint Standing Committee on Education and Cultural Affairs*

proficiency-based diploma that indicates the student has graduated from a secondary school that is subject to the system of learning results.

3. It specifies a phase-in period for the implementation of the secondary school diploma requirements for students from the 2020-2021 school year to the 2024-2025 school year.
4. It strikes the proposal in the bill related to certifying a student's highest standard of proficiency in each content area of the system of learning results.
5. It strikes the proposal in the bill related to certifying a student's demonstration of measures of college and career readiness.
6. It amends the exception provision related to awarding a diploma to a secondary school student who is a child with a disability.
7. It amends the exception provision related to awarding a diploma to a secondary school student who is enrolled in a career and technical education program by specifying a phase-in period for implementation of the exception provision for students enrolled in career and technical education programs from the 2020-2021 school year to the 2023-2024 school year.
8. Like the bill, it extends the provision of annual transition grants from the Department of Education through the 2020-2021 school year to provide funding to school administrative units to implement the proficiency-based graduation requirements and it allows the Commissioner of Education to include annual transition grant funding for school administrative units to meet the proficiency-based reporting and credentials requirements pursuant to Title 20-A, section 6209, subsection 3-A.
9. It simplifies the language in the bill regarding certification of college and career readiness by removing the criteria of problem-solving, collaboration, critical thinking and communication.
10. It directs the commissioner to develop rules for proficiency-based diploma standards under Title 20-A, section 4722-A to:
  - A. Allow local flexibility and innovation in developing consistent graduation standards;
  - B. Allow the commissioner to identify the opportunities for learning in multiple pathways of career and technical education programs that satisfy certain components of the system of learning results; and
  - C. Address the placement of students in career and technical education programs while ensuring the students will be provided exposure to all of the content areas of the system of learning results through the 10th year of their studies;
11. Like the bill, it extends, from the 2015-2016 school year to the 2016-2017 school year, the collection and reporting of data by the department on the progress of schools' implementation of proficiency-based diplomas and transcripts, and it includes in the collection and reporting data on the number of students concluding their high school careers proficient in each content area of the system of learning results and the number of students certified as ready for college and careers.
12. Like the bill, it removes the requirement that the department establish graduation requirements for each of the content areas of the system of learning results.
13. Like the bill, it clarifies that schools subject to implementing the system of learning results must provide opportunities for students to study and achieve proficiency through multiple pathways.

## *Joint Standing Committee on Education and Cultural Affairs*

14. It requires the commissioner to recommend objective measures to substantiate school certifications of readiness for postsecondary education.

15. Like the bill, it requires the commissioner to provisionally adopt rules by January 2, 2017 to ensure compliance with the amendments to the standards-based education system but further requires that the rules allow for local flexibility and innovation in developing consistent graduation standards and criteria for providing educational opportunity for students.

16. It adds a three-year review cycle of the essential programs and services cost components related to the implementation of the proficiency-based reporting and graduation requirements beginning in fiscal year 2017-18.

17. It authorizes the commissioner to expend and disburse funds to schools to support their transition to proficiency-based diplomas. These funds may also support the proficiency-based reporting and credentials requirements pursuant to Title 20-A, section 6209, section 3-A.

18. It requires that the commissioner and the Governor transmit annual school funding level recommendations to the Legislature that include recommendations related to state funding for public education and property tax contributions to public education pursuant to Title 20-A, chapter 606-B, sections 15671 and 15671-A in the Essential Programs and Services Funding Act.

### **Enacted Law Summary**

Public Law 2015, chapter 489 enacts certain recommendations proposed in the report submitted by the Maine Proficiency Education Council established pursuant to Resolve 2015, chapter 41, section 3. The law accomplishes the following initiatives related to certain recommendations included in the report submitted by the council.

1. It adds a provision to the laws governing accreditation standards that requires schools to demonstrate evidence of sufficient capacity through multiple pathways for students to reach proficiency in each of the content areas and the guiding principles of the system of learning results established under the Maine Revised Statutes, Title 20-A, section 6209.

2. It refines a school's requirements regarding a student's demonstration of proficiency in order to be awarded a proficiency-based diploma that indicates the student has graduated from a secondary school that is subject to the system of learning results.

3. It specifies a phase-in period for the implementation of the secondary school diploma requirements for students from the 2020-2021 school year to the 2024-2025 school year.

4. It strikes the proposal in the bill related to certifying a student's highest standard of proficiency in each content area of the system of learning results.

5. It strikes the proposal in the bill related to certifying a student's demonstration of measures of college and career readiness.

6. It amends the exception provision related to awarding a diploma to a secondary school student who is a child with a disability.

7. It amends the exception provision related to awarding a diploma to a secondary school student who is enrolled in a career and technical education program by specifying a phase-in period for implementation of the exception provision for students enrolled in career and technical education programs from the 2020-2021 school year to the 2023-2024 school year.

## *Joint Standing Committee on Education and Cultural Affairs*

8. It extends the provision of annual transition grants from the Department of Education through the 2020-2021 school year to provide funding to school administrative units to implement the proficiency-based graduation requirements and it allows the Commissioner of Education to include annual transition grant funding for school administrative units to meet the proficiency-based reporting and credentials requirements pursuant to Title 20-A, section 6209, subsection 3-A.
9. It simplifies the language in the bill regarding certification of college and career readiness by removing the criteria of problem-solving, collaboration, critical thinking and communication.
10. It directs the commissioner to develop rules for proficiency-based diploma standards under Title 20-A, section 4722-A to:
  - A. Allow local flexibility and innovation in developing consistent graduation standards;
  - B. Allow the commissioner to identify the opportunities for learning in multiple pathways of career and technical education programs that satisfy certain components of the system of learning results; and
  - C. Address the placement of students in career and technical education programs while ensuring the students will be provided exposure to all of the content areas of the system of learning results through the 10th year of their studies;
11. It extends, from the 2015-2016 school year to the 2016-2017 school year, the collection and reporting of data by the department on the progress of schools' implementation of proficiency-based diplomas and transcripts, and it includes in the collection and reporting data on the number of students concluding their high school careers proficient in each content area of the system of learning results and the number of students certified as ready for college and careers.
12. It removes the requirement that the department establish graduation requirements for each of the content areas of the system of learning results.
13. It clarifies that schools subject to implementing the system of learning results must provide opportunities for students to study and achieve proficiency through multiple pathways.
14. It requires the commissioner to recommend objective measures to substantiate school certifications of readiness for postsecondary education.
15. It requires the commissioner to provisionally adopt rules by January 2, 2017 to ensure compliance with the amendments to the standards-based education system but further requires that the rules allow for local flexibility and innovation in developing consistent graduation standards and criteria for providing educational opportunity for students.
16. It adds a three-year review cycle of the essential programs and services cost components related to the implementation of the proficiency-based reporting and graduation requirements beginning in fiscal year 2017-18.
17. It authorizes the commissioner to expend and disburse funds to schools to support their transition to proficiency-based diplomas. These funds may also support the proficiency-based reporting and credentials requirements pursuant to Title 20-A, section 6209, section 3-A.
18. It requires that the commissioner and the Governor transmit annual school funding level recommendations to the Legislature that include recommendations related to state funding for public education and property tax contributions to public education pursuant to Title 20-A, chapter 606-B, sections 15671 and 15671-A in the Essential Programs and Services Funding Act.

*Joint Standing Committee on Education and Cultural Affairs*

**LD 1641 An Act To Establish a Commission To Reform Public Education Funding and Improve Student Performance in Maine and Make Supplemental Appropriations and Allocations for the Expenditures of the Department of Education and To Change Certain Provisions of the Law Necessary to the Proper Operations of Government for the Fiscal Year Ending June 30, 2017**

**PUBLIC 389  
EMERGENCY**

| <u>Sponsor(s)</u>      | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------|-------------------------|---------------------------|
| FREDETTE K<br>ALFOND J |                         |                           |

This bill was not referred to a committee.

The bill establishes a commission to reform public education funding and improve student performance in Maine. The bill provides supplemental appropriations and allocations from the unappropriated surplus to the General Purpose Aid for Local Schools program for the expenditures of the Department of Education during fiscal year 2016-17. The bill also makes changes to certain provisions of the education laws, including provisions in the Essential Programs and Services Funding Act under Title 20-A, Chapter 606-B, necessary for the operations of State Government beginning in fiscal year 2016-17.

Part A of the bill directs the Commissioner of Education or the commissioner's designee to convene, no later than May 1, 2016, a commission to reform public education funding and improve student performance in the State. The Commissioner of Education is directed to submit by January 10, 2017 and January 10, 2018 to the Governor and the joint standing committee of the Legislature having jurisdiction over education matters a report of the commission that includes findings and recommendations for action to reform public education funding and improve student performance in Maine. Notwithstanding Joint Rule 353, the commissioner is authorized to submit to the Legislature a bill to implement the commission's recommendations.

Part B requires the State Controller to transfer \$15,000,000 in fiscal year 2016-17 from the General Fund unappropriated surplus to the General Purpose Aid for Local Schools program, General Fund account within the Department of Education.

Part C establishes the total cost of education from kindergarten to grade 12 for fiscal year 2016-17, the state contribution and the annual target state share percentage. In addition, Part C accomplishes the following.

1. Under current law, the Commissioner of Education may report and pay to the Treasurer of State to be credited to the National Board Certification Salary Supplement Fund, Other Special Revenue Funds account within the Department of Education no more than \$335,000 in fiscal year 2014-15 from fees for the initial issuance of and renewal of teacher, education specialist and administrator certificates. This Part extends that limitation to each fiscal year beyond fiscal year 2014-15.
2. This Part changes from fiscal year 2016-17 to fiscal year 2017-18 when the State must begin increasing the state share percentage of the funding for the cost of essential programs and services by at least one percentage point per year over the percentage of the previous year until the state share percentage of the total cost of funding public education from kindergarten to grade 12 reaches 55%.
3. It adds, beginning in fiscal year 2016-17, charter schools to the list of essential programs and services components to be reviewed.
4. It changes the deadline for the commissioner to make annual recommendations regarding the funding levels for essential programs and services from prior to December 15th of each year to prior to January 20th of each fiscal

## *Joint Standing Committee on Education and Cultural Affairs*

year.

5. It strikes the provision of law that authorizes the commissioner, for school administrative units that annually demonstrate savings by purchasing supplies using an electronic bidding forum, to suspend all or a portion of the adjustment to the unit's state contribution.

### **Enacted Law Summary**

Public Law 2015, chapter 389 establishes a commission to reform public education funding and improve student performance in Maine. The law provides supplemental appropriations and allocations from the unappropriated surplus to the General Purpose Aid for Local Schools program for the expenditures of the Department of Education during fiscal year 2016-17. The law also makes changes to certain provisions of the education laws, including provisions in the Essential Programs and Services Funding Act under Title 20-A, Chapter 606-B, necessary for the operations of State Government beginning in fiscal year 2016-17. The law accomplishes the following.

Part A directs the Commissioner of Education or the commissioner's designee to convene, no later than May 1, 2016, a commission to reform public education funding and improve student performance in the State. The Commissioner of Education is also directed to submit by January 10, 2017 and January 10, 2018 to the Governor and the joint standing committee of the Legislature having jurisdiction over education matters a report of the commission that includes findings and recommendations for action to reform public education funding and improve student performance in Maine. Notwithstanding Joint Rule 353, the commissioner is authorized to submit to the Legislature a bill to implement the commission's recommendations.

Part B requires the State Controller to transfer \$15,000,000 in fiscal year 2016-17 from the General Fund unappropriated surplus to the General Purpose Aid for Local Schools program, General Fund account within the Department of Education.

Part C establishes the total cost of education from kindergarten to grade 12 for fiscal year 2016-17, the state contribution and the annual target state share percentage. In addition, Part C accomplishes the following.

1. Under current law, the Commissioner of Education may report and pay to the Treasurer of State to be credited to the National Board Certification Salary Supplement Fund, Other Special Revenue Funds account within the Department of Education no more than \$335,000 in fiscal year 2014-15 from fees for the initial issuance of and renewal of teacher, education specialist and administrator certificates. This Part extends that limitation to each fiscal year beyond fiscal year 2014-15.
2. This Part changes from fiscal year 2016-17 to fiscal year 2017-18 when the State must begin increasing the state share percentage of the funding for the cost of essential programs and services by at least one percentage point per year over the percentage of the previous year until the state share percentage of the total cost of funding public education from kindergarten to grade 12 reaches 55%.
3. It adds, beginning in fiscal year 2016-17, charter schools to the list of essential programs and services components to be reviewed.
4. It changes the deadline for the commissioner to make annual recommendations regarding the funding levels for essential programs and services from prior to December 15th of each year to prior to January 20th of each fiscal year.
5. It strikes the provision of law that authorizes the commissioner, for school administrative units that annually demonstrate savings by purchasing supplies using an electronic bidding forum, to suspend all or a portion of the adjustment to the unit's state contribution.

Public Law 2015, chapter 389 was enacted as an emergency measure effective March 10, 2016.

*Joint Standing Committee on Education and Cultural Affairs*

**LD 1655    An Act To Increase the Number of Science, Technology, Engineering  
and Mathematics Professionals in the State**

**PUBLIC 435**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| ALFOND J          | OTP-AM<br>OTP-AM        | S-446                     |

The purpose of this bill is to increase the number of students pursuing graduate and undergraduate degrees in the fields of science, computer science, technology, engineering and mathematics. This bill creates the Maine Science, Technology, Engineering and Mathematics Loan Program administered by the Finance Authority of Maine. Under the bill, loans with varying interest rates will be provided to participating students depending on their future residency and employment: loans bearing an interest rate of 0% annually will be available to students who remain in or return to the State and work in the fields of science, computer science, technology, engineering and mathematics upon graduation; loans bearing an interest rate of 5% annually will be available to students who remain in or return to the State upon graduation but are not employed in the fields of science, computer science, technology, engineering and mathematics; and loans bearing an interest rate of 8% annually will be available for students who live and work outside the State upon graduation. The bill also authorizes the Commissioner of Education to grant funds to the program's Maine Science, Technology, Engineering and Mathematics Loan Fund if they become available.

**Committee Amendment "A" (S-446)**

This amendment is the majority report of the committee. The amendment adds high school seniors to the definition of "STEM student" under the Maine Science, Technology, Engineering and Mathematics Loan Program. The amendment changes the maximum loan term from four years to five years and strikes a reference to loans bearing an annual interest rate of 8% being available to students who, upon graduation, are not employed in the field of science, computer science, technology, engineering or mathematics. The amendment allows a person who is working as an educator in the field of science, computer science, technology, engineering or mathematics to qualify for a 0% interest rate. The amendment removes the authority for the Commissioner of Education to grant funds to the Maine Science, Technology, Engineering and Mathematics Loan Fund. The amendment adds a requirement that the Finance Authority of Maine submit a report regarding the effectiveness of the program to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs by January 15th of the fifth year after the loan program begins awarding loans.

**Committee Amendment "B" (S-447)**

This amendment is the minority report of the committee. The amendment, which is the minority report of the committee, adds high school seniors to the definition of "STEM student" under the Maine Science, Technology, Engineering and Mathematics Loan Program and requires that the institution of higher education be in this State. The amendment changes the maximum loan term from four years to five years and strikes a reference to loans bearing an annual interest rate of 8% being available to students who, upon graduation, are not employed in the field of science, computer science, technology, engineering or mathematics. The amendment allows a person who is working as an educator in the field of science, computer science, technology, engineering or mathematics to qualify for a 0% interest rate. The amendment removes the authority for the Commissioner of Education to grant funds to the Maine Science, Technology, Engineering and Mathematics Loan Fund. The amendment adds a requirement that the Finance Authority of Maine submit a report regarding the effectiveness of the program to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs by January 15th of the fifth year after the loan program begins awarding loans.

This amendment was not adopted.

**Enacted Law Summary**

***Joint Standing Committee on Education and Cultural Affairs***

Public Law 2016, chapter 435 creates the Maine Science, Technology, Engineering and Mathematics Loan Program administered by the Finance Authority of Maine. Under the law, loans with varying interest rates will be provided to participating students depending on their future residency and employment: loans bearing an interest rate of 0% annually will be available to students who remain in or return to the State and work in the fields of science, computer science, technology, engineering and mathematics upon graduation; loans bearing an interest rate of 5% annually will be available to students who remain in or return to the State upon graduation but are not employed in the fields of science, computer science, technology, engineering and mathematics; and loans bearing an interest rate of 8% annually will be available for students who live and work outside the State upon graduation. The law also allows a person who is working in the State as an educator in the fields of science, computer science, technology, engineering or mathematics to qualify for a 0% interest rate. The loans are available to high school seniors committed to the study of science, computer science, technology, engineering or mathematics at an accredited institution of higher education and may be provided by the Finance Authority of Maine for a maximum of five years to selected STEM students. Public Law 2016, chapter 435 requires the Finance Authority of Maine to submit a report regarding the effectiveness of the program to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs by January 15th of the fifth year after the loan program begins awarding loans.

**LD 1660      An Act To Establish the Fund To Advance Public Kindergarten to Grade 12 Education      INDEF PP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
|                   |                         |                           |

This initiated bill was not referred to a committee.

The initiated bill establishes the Fund to Advance Public Kindergarten to Grade 12 Education for the purpose of improving the ability of the State to reach the annual target of 55%, as specified in statute, for the state share of the total cost of funding public education from kindergarten to grade 12, and for increasing direct support for student learning rather than administrative costs. Revenue for the fund is generated by a 3% surcharge on Maine income tax over \$200,000, beginning with tax years beginning on or after January 1, 2017.

**LD 1675      Resolve, To Create the Task Force on Public-private Partnerships To Support Public Education      RESOLVE 89 EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
|                   | OTP-AM                  | H-628<br>S-541 MASON G    |

This resolve was reported by the committee pursuant to Resolve 2015, chapter 52 and then referred back to the committee for processing in the normal course.

The resolve establishes the Task Force on Public-private Partnerships To Support Public Education. The task force has 17 members, including legislative members, the Commissioner of Education, school principals and members representing philanthropic, business and financing interests who have experience in performance-based contracting in the social sector or social impact bonds. The task force must research the various aspects of the issues related to using performance-based contracting and social impact bonding to support public education and develop a pilot project for the implementation of performance-based contracting and social impact bonding to support public education. The task force must report its findings to the First Regular Session of the 128th Legislature. The joint standing committee of the Legislature having jurisdiction over education and cultural affairs may report out a bill based on the task force's report.

*Joint Standing Committee on Education and Cultural Affairs*

**Committee Amendment "A" (H-628)**

This amendment reduces the membership of the Task Force on Public-private Partnerships To Support Public Education from 17 members to 12 members. The amendment removes the requirement that the task force develop a pilot project for the implementation of performance-based contracting and social impact bonding with private and governmental entities to support public education and instead requires the task force to make recommendations regarding the viability of implementing performance-based contracting and social impact partnerships with private and governmental entities to support public education. The amendment permits the task force to seek private funds to fund its costs. The amendment changes the date the task force must submit its report to the Legislature from November 2, 2016 to January 15, 2017.

**Senate Amendment "A" To Committee Amendment "A" (S-541)**

This amendment specifies that the Task Force on Public-private Partnerships To Support Public Education is required to seek funding contributions to fully fund the costs of the task force and that the task force may not meet if sufficient outside funding is not received.

**Enacted Law Summary**

Resolve 2016, chapter 89 establishes the Task Force on Public-private Partnerships To Support Public Education. The task force has 12 members, including legislative members, the Commissioner of Education and members representing philanthropic, business and financing interests who have experience in performance-based contracting in the social sector or social impact partnerships. The task force must research the various aspects of the issues related to using performance-based contracting and social impact partnerships to support public education and make recommendations regarding the viability of implementing performance-based contracting and social impact partnerships with private and governmental entities to support public education. The task force must seek funding contributions to fully fund the costs of the task force and may not meet if sufficient outside funding is not received. The task force must report its findings to the First Regular Session of the 128th Legislature no later than January 15, 2017. The joint standing committee of the Legislature having jurisdiction over education and cultural affairs may report out a bill to the First Regular Session of the 128th Legislature based on the task force's report.

Resolve 2016, chapter 89 was finally passed as an emergency measure effective April 29, 2016.

**LD 1684      An Act To Implement Certain Recommendations of the Task Force on School Leadership      Veto Sustained**

Sponsor(s)

Committee Report

Amendments Adopted

S-450    LANGLEY B

This bill was reported ought to pass by the committee pursuant to Resolve 2015, chapter 46, section 7. The bill includes certain recommendations proposed in the report submitted by the Task Force on School Leadership established by that resolve.

The bill allows school administrative units to enter into collaborative agreements to establish regional school leadership academies that combine state and local programs and resources, including the preparation, licensure, certification, professional development and training for educational leadership, into a coherent system that can significantly improve the recruitment and preparation of prospective candidates for school principalship and other school leadership positions, as well as the induction, mentoring and retention of principals and school leaders during the first two years of employment in their school leadership positions. The bill includes an appropriations and allocations section.

**Senate Amendment "A" (S-450)**

*Joint Standing Committee on Education and Cultural Affairs*

The bill requires the Department of Education and the State Board of Education to provide certain services and resources to assist school administrative units that form a regional school leadership academy. This amendment allows the department and the board to provide these services. The amendment removes the appropriations and allocations section from the bill.

**LD 1699 An Act To Provide Relief for Significant Reductions in Municipal Property Fiscal Capacity**

**PUBLIC 487**

| <u>Sponsor(s)</u>        | <u>Committee Report</u> | <u>Amendments Adopted</u>       |
|--------------------------|-------------------------|---------------------------------|
| WHITTEMORE R<br>MCCABE J |                         | H-670 MCCABE J<br>H-673 GOODE A |

This bill was not referred to a committee.

The bill changes the determination for property fiscal capacity as used to determine the amount of state aid a school administrative unit receives under the school funding formula if a municipality has experienced a decline in state valuation of at least 4.5% attributable to one taxpayer. Under this bill, the State Tax Assessor is required to certify to the Commissioner of Education when a municipality's state valuation has declined by at least 4.5% from the previous year's certified state valuation and the decline is due to the loss in value attributable to a single taxpayer. When those conditions have been met, the property fiscal capacity for that municipality is the average of the most recently certified state valuation and the certified state valuations for the three years prior to the most recently certified year.

The bill requires the commissioner to identify savings from unused debt service in order to maintain the mill rate expectation of 8.30 for fiscal year 2016-17.

**House Amendment "A" (H-670)**

This amendment removes the emergency preamble and emergency clause from the bill.

**House Amendment "B" (H-673)**

This amendment limits to fiscal year 2016-17 the change in the determination for property fiscal capacity as used to determine the amount of state aid a school administrative unit receives under the school funding formula if a municipality has experienced a decline in state valuation of at least 4.5% attributable to one taxpayer.

**Enacted Law Summary**

Public Law 2015, chapter 487 changes the determination for property fiscal capacity as used to determine the amount of state aid a school administrative unit receives in fiscal year 2016-17 under the school funding formula if a municipality has experienced a decline in state valuation of at least 4.5% attributable to one taxpayer. Under this bill, the State Tax Assessor is required to certify to the Commissioner of Education when a municipality's state valuation has declined by at least 4.5% from the previous year's certified state valuation and the decline is due to the loss in value attributable to a single taxpayer. When those conditions have been met, the property fiscal capacity for that municipality is the average of the most recently certified state valuation and the certified state valuations for the three years prior to the most recently certified year. The law also requires the Commissioner of Education to identify savings from unused debt service in order to maintain the mill rate expectation of 8.30 for fiscal year 2016-17.

# *Joint Standing Committee on Education and Cultural Affairs*

## **SUBJECT INDEX**

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

#### **Enacted**

|         |  |                         |
|---------|--|-------------------------|
| LD 1253 | An Act To Improve the Evaluation of Elementary and Secondary Schools | PUBLIC 500              |
| LD 1576 | An Act To Amend Certain Education Laws                               | PUBLIC 448<br>EMERGENCY |

#### **Not Enacted**

|         |  |                |
|---------|--|----------------|
| LD 419  | An Act To Establish the Summer Success Program Fund  | Veto Sustained |
| LD 1033 | Resolve, To Assist the University of Maine System and the Maine Community College System To Reduce the Need for Remedial Education | ONTP           |

### **Cultural Affairs**

#### **Enacted**

|         |  |            |
|---------|--|------------|
| LD 1490 | An Act Regarding the Maine Arts Commission                                     | PUBLIC 379 |
| LD 1493 | An Act To Provide a Private Support Organization for the Maine Arts Commission | PUBLIC 380 |

#### **Not Enacted**

|         |   |                        |
|---------|---|------------------------|
| LD 1604 | An Act To Replace a Statue in the National Statuary Hall Collection | Died Between<br>Houses |
|---------|---|------------------------|

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

#### **Enacted**

|         |  |            |
|---------|--|------------|
| LD 1459 | An Act To Clarify the Use of Student Data from the Statewide Assessment Test           | PUBLIC 405 |
| LD 1627 | An Act To Implement Certain Recommendations of the Maine Proficiency Education Council | PUBLIC 489 |

#### **Not Enacted**

|         |  |                |
|---------|--|----------------|
| LD 1492 | An Act To Establish a Protocol for Review of State Education Content Standards of the System of Learning Results | Veto Sustained |
|---------|--|----------------|

### **Education - Other**

#### **Enacted**

|         |  |            |
|---------|--|------------|
| LD 1469 | An Act To Promote Private Fund-raising for the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf | PUBLIC 383 |
|---------|--|------------|

|         |   |                         |
|---------|---|-------------------------|
| LD 1517 | An Act To Enable an Alternative Organizational Structure To Purchase Group Health Insurance for Its Employees | PUBLIC 420<br>EMERGENCY |
| LD 1675 | Resolve, To Create the Task Force on Public-private Partnerships To Support Public Education                  | RESOLVE 89<br>EMERGENCY |

**Not Enacted**

|         |  |          |
|---------|--|----------|
| LD 1625 | An Act To Implement the Recommendations of the Commission To Strengthen and Align the Services Provided to Maine's Veterans by Requiring the University of Maine System To Provide Supportive Services to Student-veterans | INDEF PP |
|---------|--|----------|

**Health, Nutrition and Safety**

**Enacted**

|         |   |                         |
|---------|---|-------------------------|
| LD 1556 | Resolve, Regarding Legislative Review of Portions of Chapter 40: Rule for Medication Administration in Maine Schools, a Major Substantive Rule of the Department of Education | RESOLVE 65<br>EMERGENCY |
|---------|---|-------------------------|

**Not Enacted**

|         |   |      |
|---------|---|------|
| LD 1491 | An Act To Allow Trained, Nonmedical Employees in Schools To Administer Emergency Medications                                  | ONTP |
| LD 1594 | An Act To Direct the Commissioner of Education To Develop a Model Policy Regarding Substance Abuse Education in Maine Schools | ONTP |

**Postsecondary Education Finance and Student Aid**

**Enacted**

|         |  |            |
|---------|--|------------|
| LD 1655 | An Act To Increase the Number of Science, Technology, Engineering and Mathematics Professionals in the State | PUBLIC 435 |
|---------|--|------------|

**Postsecondary Education Governance and Coordination**

**Enacted**

|        |   |            |
|--------|---|------------|
| LD 215 | An Act To Improve Student Retention in Maine's Postsecondary Institutions | PUBLIC 466 |
|--------|---|------------|

**Not Enacted**

|        |   |   |
|--------|---|---|
| LD 305 | An Act To Authorize Circus Conservatory of America To Grant Baccalaureate Degrees                       | Leave to<br>Withdraw<br>Pursuant to Joint<br>Rule 310 |
| LD 356 | An Act To Permit the New England School of Dental Technology To Grant the Degree of Bachelor of Science | ONTP  |
| LD 981 | An Act To Establish a Veterinary School   | ONTP  |

### *School Budgets*

#### Enacted

|         |   |                         |
|---------|---|-------------------------|
| LD 1475 | An Act To Facilitate the Use of State Education Subsidies | PUBLIC 463<br>EMERGENCY |
|---------|---|-------------------------|

### *School Finance*

#### Enacted

|         |   |                         |
|---------|---|-------------------------|
| LD 1641 | An Act To Establish a Commission To Reform Public Education Funding and Improve Student Performance in Maine and Make Supplemental Appropriations and Allocations for the Expenditures of the Department of Education and To Change Certain Provisions of the Law Necessary to the Proper Operations of Government for the Fiscal Year Ending June 30, 2017 | PUBLIC 389<br>EMERGENCY |
| LD 1699 | An Act To Provide Relief for Significant Reductions in Municipal Property Fiscal Capacity   | PUBLIC 487              |

#### Not Enacted

|         |  |                |
|---------|--|----------------|
| LD 1394 | An Act To Implement the Recommendations of the Commission To Strengthen the Adequacy and Equity of Certain Cost Components of the School Funding Formula | Veto Sustained |
| LD 1489 | An Act To Clarify Expenditures Regarding Androscoggin County   | Veto Sustained |
| LD 1660 | An Act To Establish the Fund To Advance Public Kindergarten to Grade 12 Education  | INDEF PP       |

### *Special Education Programs and Finance*

#### Enacted

|         |   |                         |
|---------|---|-------------------------|
| LD 1555 | Resolve, Regarding Legislative Review of Portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age 20, a Major Substantive Rule of the Department of Education | RESOLVE 60<br>EMERGENCY |
|---------|---|-------------------------|

### *Teachers and Administrators*

|         |  |            |
|---------|--|------------|
| LD 1464 | An Act To Revise the Educational Personnel Certification Statutes and To Direct the Department of Education To Review Department Rules Regarding Educational Personnel Certification | PUBLIC 395 |
|---------|--|------------|

#### Not Enacted

|         |  |                        |
|---------|--|------------------------|
| LD 1370 | An Act To Improve the Quality of Teachers  | Died Between<br>Houses |
| LD 1544 | An Act To Improve Teaching Assignments in Maine's Public Schools                   | Died Between<br>Houses |
| LD 1684 | An Act to Implement Certain Recommendations of the Task Force on School Leadership | Veto<br>Sustained      |