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An Act To Prepare Maine People for the Future Economy

Be it enacted by the People of the State of Maine as follows:

PART A

Sec. A-1. 5 MRSA §1664, sub-§1, ¶G, as amended by PL 2007, c. 613, §2, is further amended to read:

G. Contain any statements relative to the financial plan that the Governor-elect or the Governor considers desirable or that may be required by the Legislature; and

Sec. A-2. 5 MRSA §1664, sub-§1, ¶H, as enacted by PL 2007, c. 613, §3, is amended to read:

H. Include a long-range plan for State Government. The long-range plan must describe the vision of the Governor-elect or the Governor for State Government for the upcoming biennium and the 2 succeeding biennia and how the proposed biennial budget fits into and moves State Government toward this long-range vision; and

Sec. A-3. 5 MRSA §1664, sub-§1, ¶I is enacted to read:

I. Present proposed expenditures on early childhood development, public education, adult education, higher education and workforce development in a manner that facilitates evaluation by the Legislature of whether funds are being appropriated and allocated in a manner that best accords with the policy framework established in Title 20-A, section 501, advances the goals established in Title 20-A, section 502 and implements the strategic plan developed pursuant to Title 20-A, section 505.

Sec. A-4. 20-A MRSA c. 6 is enacted to read:

CHAPTER 6

EDUCATION POLICY

§ 501. Education policy

1. Policy. It is the policy of the State that the education system must prepare all of the people of the State for success in college, career, citizenship and life. The State recognizes that it needs an education system, spanning from early childhood development through college and workforce training, in which:

A. All young children have access to high-quality programs that advance their development;

B. All students graduate from high school prepared for college, career, citizenship and life; and

C. The highest possible number of people in this State complete a 2-year or 4-year college degree or other postsecondary national industry certificate.

2. Core priorities. In order to develop an education system that prepares all people for future success, the State has identified the following as its core priorities:

A. High-quality early care and learning experiences that give all children an equal opportunity for healthy growth and development;

B. High standards and personalized learning opportunities that maximize success for all;

C. Effective, knowledgeable and well-trained teachers in every classroom to prepare all children for success;

D. Strong and focused school, community and state leadership to support effective teaching;

E. Engaged parents, families and communities that set high expectations for academic achievement and work together to build a high-quality education system;

F. Expanded access to and support for college and workforce training to increase the number of individuals earning college degrees and postsecondary national industry certificates or occupational certificates and the high-paying jobs to which they lead;

G. Collection and analysis of reliable data to identify what is working well in the education system and to address shortcomings; and

H. Efficient and equitable investment of education resources to maximize opportunity, equity and accountability.

§ 502. Education system goals

1. Preparation for kindergarten. It is a goal of this State that children enter kindergarten prepared for the learning experiences that primary school provides. The chief indicator of progress toward the goal set forth in this subsection is the percentage of children that enter kindergarten and are determined by a common measuring tool and process to be prepared for learning experiences in the kindergarten curriculum.

2. Preparation to read and calculate. It is a goal of this State that children have a foundation in reading and mathematics skills that is strong enough to allow them to learn through application of those skills. The most effective strategy for reaching the goal set forth in this subsection is to ensure that all children in this State are proficient in mathematics and reading by the end of grade 3. The chief indicator of progress toward the goal set forth in this subsection is the percentage of children enrolled in grade 4 who are proficient in reading and mathematics.

3. Preparation for college and workforce training. It is a goal of this State that children graduate from high school with mastery of the basic subjects and skills that college and workforce training require. The most effective strategy for reaching the goal set forth in this subsection is to ensure that

all children in this State achieve the content standards of the parameters for essential instruction and graduation requirements established pursuant to section 6209 before earning a diploma, and providing multiple pathways to that achievement as set out under section 4703. The chief indicator of progress toward the goal set forth in this subsection is the percentage of students graduating from high school with a standards-based diploma, whether that completion is achieved in 4, 5 or 6 years. The specific goals of the State regarding preparation for college and workforce training include the following:

- A. Achieving a graduation rate of 90% by the end of the 2015-2016 school year for each publicly supported secondary school;
- B. Increasing the percentage of high school graduates enrolling in associate or bachelor's degree programs to at least 80% by 2016. It is the policy of this State to raise the percentage of working-age adults who have earned associate, bachelor's and postbaccalaureate degrees to 56% by 2019; and
- C. Reducing the percentage of students required to take remedial courses in their first year of college to 5% by 2016.

4. Preparation for career. It is a goal of this State to dramatically increase the education and skills of its workforce, to ensure that the State can grow and attract a sustainable mix of high-wage, high-growth businesses and create high-paying jobs in every community. The chief indicators of progress toward the goal set forth in this subsection are:

- A. The percentage of working-age adults earning national industry certificates and associate, bachelor's and postbaccalaureate degrees;
- B. The percentage of students who enroll within one year of graduating from high school in national industry certificate and associate, bachelor's and postbaccalaureate degree programs;
- C. The percentage of students enrolled in a bachelor's degree program who earn a bachelor's degree within 6 years;
- D. The percentage of students enrolled in an associate degree program who earn an associate degree within 3 years; and
- E. The percentage of students enrolled in a national industry certificate program who earn a national industry certificate within 2 years.

§ 503. Benchmarks

The commissioner shall implement necessary strategies and tactics to achieve the following benchmarks for the education goals set forth in section 502.

1. Preparation for kindergarten; benchmarks. By 2016, 80% of children that enter kindergarten will be prepared for the learning experiences in the kindergarten curriculum as evidenced by measures adopted by the State. By 2020, 90% of children that enter kindergarten will be prepared for the learning experiences in the kindergarten curriculum as evidenced by measures adopted by the State.

2. Preparation to read and calculate for learning; benchmarks. By 2016, 80% of students in grade 4 will be proficient in reading and mathematics. By 2020, 90% of students in grade 4 will be proficient in reading and mathematics.

3. Preparation for college and workforce training; benchmark. By 2016, 90% of students will graduate from high school with a standards-based diploma within 6 years of entering high school.

4. Preparation for career; benchmarks. By 2016, the percentage of working-age adults who earn national industry certificates or associate, bachelor's or postbaccalaureate degrees will be 52%. By 2020, the State will exceed the New England average for the number of working-age adults that have earned a national industry certificate or an associate, bachelor's or postbaccalaureate degree.

§ 504. Intervention

1. Intervention strategies. The commissioner shall examine progress toward the benchmarks set forth in section 503 and shall employ intervention strategies to ensure achievement of those benchmarks. These strategies may include, but are not limited to, termination of ineffective programs and redirection of budgeted resources.

2. Intervention by entities other than the department. The commissioner shall report to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs regarding instances when entities other than the department are required to employ intervention strategies in order to ensure attainment of the benchmarks set forth in section 503 and shall include any recommendations to increase progress toward achievement of the benchmarks set forth in section 503.

§ 505. Strategic plan; reporting

1. Strategic plan. The commissioner, in consultation with the Commissioner of Health and Human Services, the Commissioner of Labor, the Chancellor of the University of Maine System, the President of the Maine Community College System and local and state stakeholders, shall develop a strategic plan in accordance with this subsection for achieving the goals established in section 502, within the policy framework established in section 501. The strategic plan must:

- A. Address strategies for the implementation of statewide, comprehensive early college or dual enrollment experiences, with current numbers of participants and recommended annual benchmarks;
- B. Require public higher education institutions to develop and implement plans that improve efficiency, productivity, student progression, and degree completion rates;
- C. Address the need to increase the number of graduates in programs related to the current and projected needs of employers and entrepreneurs in the State;

D. Address the implementation by the Governor of a budget covering all education sectors, including explicit student-centered outcomes at all levels of the education system from early childhood through workforce training, and a blueprint for independence that sets forth a strategy for helping young people at risk gain the tools necessary to succeed in life;

E. Require personal learning plans for each student, beginning in grade 7;

F. Include recommendations for ensuring that a hospital, pediatrician, primary care physician and other providers of preventive health services to a child under 5 years of age screen that child for cognitive developmental delays and behavioral problems at annual checkups when the child is approximately one year of age and when the child is approximately 2 years of age and make appropriate referrals for services; and

G. Take into consideration applicable reports, findings, recommendations and studies that have been completed and have relevance to the strategic plan.

2. Comprehensive scope. The strategic plan developed pursuant to subsection 1 must encompass the entire system of public education from early childhood through postsecondary education workforce training and adult education.

3. Reports on progress. Beginning in 2013, the commissioner shall report annually to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs regarding the implementation of the strategic plan developed pursuant to subsection 1 and the State's progress on indicators of progress toward the goals identified in section 502 and the benchmarks identified in section 503. Beginning in 2013, the Chancellor of the University of Maine System and the President of the Maine Community College System shall report to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs on the implementation of those parts of the strategic plan that involve their respective systems and on progress in reaching the indicators of progress toward the goals identified in section 502, subsection 4 and the benchmarks identified in section 503, subsection 4.

4. Priority initiatives. The strategic plan developed pursuant to subsection 1 and the reports delivered in accordance with subsection 3 must specifically describe the department's progress in implementing the system of interventions for kindergarten to grade 12 required under section 4710 and in providing students with opportunities for learning in multiple pathways in accordance with section 4703.

5. Legislative reports. In the reports under subsection 3, the commissioner, the Chancellor of the University of Maine System and the President of the Maine Community College System shall indicate to the committee the manner in which the matter in question relates to the policy framework articulated in section 501, to the goals articulated in section 502 and to the strategic plan developed pursuant to subsection 1.

PART B

Sec. B-1. 20-A MRSA §7204, sub-§5, as amended by PL 2005, c. 662, Pt. A, §25, is further amended to read:

5. Due process. Shall:

A. Adopt or amend rules to assure and protect the rights of due process for children with disabilities; and

B. Inform and train each school administrative unit on the rights of children with disabilities to due process under state laws and rules and federal law and regulations; and

Sec. B-2. 20-A MRSA §7204, sub-§6, as amended by PL 2005, c. 662, Pt. A, §25, is further amended to read:

6. Technical assistance. May, on the request of a school administrative unit, provide technical assistance in the formulation of a plan or subsequent report required of all administrative units. Assistance may not be designed to transfer the responsibility for or actual development of the plan or report.; and

Sec. B-3. 20-A MRSA §7204, sub-§7 is enacted to read:

7. Kindergarten screening. Shall prescribe by rule a uniform process for kindergarten screening that facilitates reliable and consistent measurement of statewide kindergarten readiness. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

PART C

Sec. C-1. 20-A MRSA §4722, sub-§7 is enacted to read:

7. Proficiency in standards. Students graduating from high school:

A. Beginning with the class that graduates in 2015, must demonstrate proficiency in the content areas of:

(1) English language arts;

(2) Mathematics;

(3) Science and technology;

(4) Social studies; and

(5) Health, physical education and wellness; and

B. Beginning with the class that graduates in 2018, must demonstrate proficiency in the content areas of:

(1) Career and education development;

(2) English language arts;

(3) World languages;

(4) Health, physical education and wellness;

(5) Mathematics;

(6) Science and technology;

(7) Social studies; and

(8) Visual and performing arts.

Students must be engaged in learning mathematics, science and technology and English language arts during each of their years of high school study.

Sec. C-2. Requirements for awarding high school diplomas. By December 15, 2011, the Commissioner of Education shall adopt rules that require school administrative units to award high school diplomas based on standards established by rule. These standards must take into account, in addition to any local course work and accumulation of credits, a broad spectrum of learning experiences that may include internships, portfolios, long-term capstone projects, early college, standardized tests and other appropriate learning experiences that provide opportunities to demonstrate proficiency in the learning results set forth in the Maine Revised Statutes, Title 20-A, section 6209.

Sec. C-3. Preparation of strategic plan. The Commissioner of Education shall develop a proposed strategic plan in accordance with the Maine Revised Statutes, Title 20-A, section 505 and shall present the plan, including any necessary implementing legislation, to the Joint Standing Committee on Education and Cultural Affairs by February 1, 2012. The draft plan must, at a minimum, recommend and prioritize tactics for implementing the strategies identified to achieve the goals set forth in Title 20-A, section 502, describe timelines for implementing those tactics and recommend benchmarks for each of the indicators of progress toward the goals identified in Title 20-A, section 502 and must establish annual targets extending to 2021. After receipt and review of the commissioner's plan, the joint standing committee may submit a bill regarding the plan to the Second Regular Session of the 125th Legislature.

Sec. C-4. Kindergarten screening. In adopting rules prescribing a uniform process for kindergarten screening pursuant to the Maine Revised Statutes, Title 20-A, section 7204, subsection 7, the Commissioner of Education shall work with the Maine School Superintendents Association and

the Children's Cabinet to develop, adopt and implement a uniform process and tool for prekindergarten screening in a manner that facilitates reliable and consistent measurement of statewide kindergarten readiness. Rules must be adopted pursuant to this section prior to March 1, 2012.

Sec. C-5. Early childhood programs. By March 1, 2012, the Commissioner of Education, in consultation with state and local stakeholders, shall develop a plan, which may be a component of the strategic plan adopted pursuant to the Maine Revised Statutes, Title 20-A, section 505, to achieve universal high-quality early learning opportunities. This plan must address universal early learning opportunities as a strategy toward achieving the goal established under Title 20-A, section 502, subsection 1. The Department of Education shall seek to maintain an annual 10% growth of early childhood programs in Maine, with the ultimate goal of achieving universal prekindergarten. The commissioner shall present a draft of the plan to the Joint Standing Committee on Education and Cultural Affairs no later than March 15, 2012.

SUMMARY

This bill:

1. Establishes an education policy, core priorities for the State's education system, education system goals, benchmarks and intervention strategies;
2. Requires the development of a strategic plan to achieve the goals within the policy framework;
3. Requires that the state budget document present proposed expenditures on early childhood development, public education, adult education, higher education and workforce development in a manner that facilitates evaluation by the Legislature of whether funds are being appropriated and allocated in a manner that best accords with the established policy framework, advances the established goals and implements the strategic plan;
4. Requires that the Commissioner of Education adopt rules prescribing a uniform process for kindergarten screening in a manner that facilitates reliable and consistent measurement of statewide kindergarten readiness;
5. Requires school administrative units to award high school diplomas based on standards established by rule; and
6. Requires that, beginning with the class of 2015, students graduating from high schools demonstrate proficiency in the content areas of English language arts, mathematics, science and technology, social studies and health, physical education and wellness. Beginning with the class of 2018, students graduating from high schools must demonstrate proficiency in the content areas of career and education development; English language arts; world languages; health, physical education and wellness; mathematics; science and technology; social studies; and visual and performing arts.