

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill in section 1 in §10012 in subsection 1 in paragraph A in the first line (page 1, line 10 in L.D.) by inserting after the following: "courses" the following: 'in English language arts and mathematics'

Amend the bill in section 1 in §10012 in subsection 1 in paragraph C in the 2nd line (page 1, line 16 in L.D.) by inserting after the following: "courses" the following: 'in English language arts and mathematics'

Amend the bill in section 1 in §10012 in subsection 1 in the blocked paragraph in the first line (page 1, line 17 in L.D.) by inserting after the following: "subsection" the following: 'and subsection 2'

Amend the bill in section 1 in §10012 by striking out all of subsection 2 (page 1, lines 23 to 34 in L.D.) and inserting the following:

2. Personally identifiable information. In reporting pursuant to subsection 3 the information compiled under subsection 1, the Maine Community College System, the University of Maine System and the Maine Maritime Academy shall manage education records in compliance with the federal Family Educational Rights and Privacy Act of 1974, 20 United States Code, Section 1232g. Those public institutions of higher education may not make public any information that could identify an individual student and shall ensure that the purpose of reporting disaggregated data for students enrolled in remedial courses is to conduct research for the purpose of evaluating and improving education programs. To ensure that personally identifiable information that would make a student's identity easily traceable is not disclosed, the public institutions of higher education may not report disaggregated information compiled under subsection 1 if the total number of traditional students who received high school diplomas from the same secondary school and enrolled in the same remedial course at the same campus is 5 or fewer.

3. Report. Beginning with the 2012-2013 academic year, the President of the Maine Community College System, the Chancellor of the University of Maine System and the President of the Maine Maritime Academy shall each report the information compiled under subsection 1, including recommendations for strategies that may result in fewer students enrolling in remedial courses at postsecondary educational institutions and strategies for improving the retention and graduation rates for students who were enrolled in remedial courses. The reports must be submitted by January 1st of each year to the Commissioner of Education and to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs. The Maine Community College System, the University of Maine System and the Maine Maritime Academy shall publish the annual reports on their publicly accessible websites.

4. Contingent repeal. This section is repealed July 1, 2016 unless the Commissioner of Education certifies to the Secretary of State, the Secretary of the Senate, the Clerk of the House of Representatives and the Revisor of Statutes before that date that the United States Congress has enacted legislation requiring public institutions of higher education to compile and report substantially the same data.'

SUMMARY

This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment makes the following changes to the bill.

1. It limits the compilation of information to remedial courses in English language arts and mathematics.

2. To ensure that personally identifiable information that would make a student's identity easily traceable is not disclosed, it prohibits an institution of higher education from reporting disaggregated data for students enrolled in remedial courses when there are 5 or fewer traditional students who received high school diplomas from the same secondary school and who are enrolled in the same remedial course at the same campus.

3. It eliminates the provision in the bill that requires the institutions of higher education to report information on students enrolled in remedial courses to school boards and superintendents of school administrative units whose high school graduates are enrolled in remedial courses.

4. It adds a repeal provision to provide that the compilation and reporting requirements related to remedial education are repealed July 1, 2016 unless the United States Congress enacts a law by this date that requires the compilation and reporting of substantially the same data required by this legislation by public higher education institutions.

FISCAL NOTE REQUIRED

(See attached)