

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

An Act To Ensure Statewide School Accountability and Improvement

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

Sec. 1. 20-A MRSA §1055, sub-§2, ¶¶B and C, as amended by PL 2001, c. 588, §16, are further amended to read:

B. Visiting each school at least the minimum number of times each term required by the school board or union committee as established by the policy adopted under section 1053; ~~and~~

C. Annually, reporting to the commissioner on the progress of the comprehensive education plan required under section 4502, subsection 6-; ~~and~~

Sec. 2. 20-A MRSA §1055, sub-§2, ¶D is enacted to read:

D. Participating in the creation and implementation of any school improvement plan required in section 6210.

Sec. 3. 20-A MRSA §4504, sub-§1-A is enacted to read:

1-A. Failure to achieve or maintain basic school approval. A school or school administrative unit that does not comply with basic school approval standards in rule and this Title may be subject to the penalties set forth in section 6801-A. Before imposing a penalty, the commissioner shall provide notice of noncompliance and allow the school or school administrative unit to develop and implement a corrective action plan.

Sec. 4. 20-A MRSA §5203, sub-§6 is enacted to read:

6. Nonapproved public school. A student who resides in the attendance area of a school that has lost basic school approval under section 6210-A may attend any public school or private school approved for receipt of public funds. The school administrative unit in which the student's parents reside shall pay the tuition and transportation costs.

Sec. 5. 20-A MRSA §5204, sub-§7 is enacted to read:

7. Nonapproved public school. A student who resides in the attendance area of a school that has lost basic school approval under section 6210-A may attend any public school or private school approved for receipt of public funds. The school administrative unit in which the student's parents reside shall pay the tuition and transportation costs.

Sec. 6. 20-A MRSA §6210, as amended by PL 2007, c. 259, §7, is further amended to read:

§ 6210.School assistance

The commissioner shall provide assistance to a school administrative unit when student performance in a school in the school administrative unit, or when a review of the comprehensive education plan conducted under section 4504, subsection 2, indicates that assistance is needed. This assistance must be based on a thorough review of the comprehensive education plan, as required in section 4502, subsection 1, ~~and the evidence of student performance provided by the school administrative unit's state and local assessment~~assessments and evaluation of the unit and its schools to identify aspects of the educational system that need improvement in order to improve student achievement. ~~This may~~Assistance must include assignment of an assistance team by the commissioner to work with the school administrative unit over a period of not less than one year to develop and implement a school improvement plan, as described in section 6210-A, targeted to address those aspects of the educational system identified as potential causes for lack of growth in student achievement or other deficiencies identified by the commissioner.

Sec. 7. 20-A MRSA §6210-A is enacted to read:

§ 6210-A. School improvement plan

A school improvement plan required in section 6210 must be approved by the department and must meet the standards of this section.

1. Measurable objectives. The school improvement plan must set specific, measurable objectives for substantive and continuous improvement in student outcomes.

2. Optional elements. The school improvement plan may require one or more of the following elements:

A. The set aside of state funds provided under chapter 606-B to be used for specific purposes as laid out in the school improvement plan; and

B. Implementation of turnaround strategies that may include, but are not limited to:

(1) Providing strong leadership by reviewing performance of the principal and replacing the current principal if that principal is not capable of leading turnaround efforts and increasing operational flexibility in scheduling, staffing, curriculum and budget;

(2) Ensuring that teachers are effective by reviewing the quality of staff and retaining those determined to be effective and who will be able to succeed in the turnaround effort and by providing job-embedded ongoing professional development informed by the teacher evaluation and support systems and tied to teacher and student needs;

(3) Redesigning the school day, week or year to include additional time for student learning and teacher collaboration;

(4) Strengthening the school's instructional program based on student needs and ensuring that the instructional program is research-based, rigorous and aligned with the system of learning results;

(5) Using data to inform instruction and for continuous improvement, including providing time for collaboration on the use of data;

(6) Establishing a school environment that improves school safety and discipline and addressing other nonacademic factors that affect student achievement such as students' social, emotional and health needs; and

(7) Providing ongoing mechanisms for family and community engagement.

3. Failure to show progress after 2 years. If the school or administrative school unit fails to show progress toward meeting the objectives set forth in a school improvement plan after 2 years of implementation, the department shall review and revise the school improvement plan. Revisions may require the school or school administrative unit to implement strategies in addition to those set forth in subsection 2.

4. Withdrawal of basic school approval. Failure of a school administrative unit or the schools within the unit to participate in development of the school improvement plan, or failure to implement a school improvement plan, may lead to withdrawal by the department of basic school approval under chapter 206, subchapter 1 and department rule.

SUMMARY

Under current federal law, a struggling school is only identified and given help to improve if the school is funded under Title I of the federal No Child Left Behind Act of 2001. This bill creates a process for the Commissioner of Education to hold all schools accountable for student achievement and to work with schools to improve, regardless of whether they are so-called Title I schools.

The bill creates a statewide school accountability system by strengthening the existing school approval law. Under existing law, the commissioner is authorized to determine whether schools meet basic school approval standards, including the standard requiring all units to prepare and implement a comprehensive education plan aligned with the system of learning results, focused on the learning of all students and oriented to continuous improvement. This bill requires a school administrative unit that is identified as needing assistance to create a school improvement plan to correct any aspects of the school that do not comply with school approval standards in statute and rule. The bill sets forth specific strategies that may be included in a school improvement plan and calls for additional strategies if the school fails to improve after 2 years. It also provides school choice for students whose school loses basic school approval.