

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 by striking out the title and substituting the following:

'An Act To Establish a Protocol for Review of State Education Content Standards of the System of Learning Results'

Amend the bill by striking out everything after the title and before the summary and inserting the following:

'Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Revised Statutes, Title 20-A, section 6211 establishes that the rules adopted by the Department of Education regarding the academic content standards of the system of learning results are major substantive rules; and

Whereas, amendments to major substantive rules regarding the academic content standards of the system of learning results must be submitted to the Legislature for review and approval during the First Regular Session of the 128th Legislature in order for the rules to be implemented in time for school administrative units to be eligible for federal Title I grant funding for the 2017-2018 school year; and

Whereas, the Department of Education needs as much time as possible before the First Regular Session of the 128th Legislature to prepare the new rules; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 20-A MRSA §6209, sub-§§5 and 6 are enacted to read:

5. Annual report; rules. The commissioner shall annually submit a report by February 1st 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 conducted during the prior calendar year pursuant to subsection 4 and in accordance with the schedule established pursuant to subsection 6. The annual report must include:

A. A compilation and analysis of data on student progress towards achievement of proficiency in the content areas under review; and

B. A listing of public comments received by the commissioner related to the content areas under review.

The commissioner shall adopt rules to implement this subsection. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

6. Schedule; principles and protocol for review of content standards. In accordance with the provisions of subsections 4 and 5, the department shall establish a schedule and principles and protocol whereby the content standards and performance indicators by content area of the system of learning results are reviewed.

A. The following principles guide the review of the content standards conducted by the department:

(1) The review process must focus on the content standards of the system of learning results established pursuant to this section;

(2) The review process must make recommendations to improve the system of learning results based on expert review and revisions of the content standards;

(3) The review process must include opportunities for public comment on each of the content standards; and

(4) The review of content standards must be consistent with the methodology used by the department for the establishment of the system of learning results.

B. The department shall establish a content standards review committee and subject area content standards review subcommittees to review and approve annually the statewide content standards developed by the department pursuant to subsections 4 and 5. Each subcommittee shall review the content standards for its respective subject area to ensure that the standards are clear, concise and appropriate for each grade level and that the standards promote improved student performance, learning, subject matter comprehension and achievement. The committees shall use the protocols in this paragraph as a guide when reviewing content standards.

(1) The department shall provide opportunities for public comment on content standards.

(a) The department shall post the content standards of the system of learning results established pursuant to this section on the department's publicly accessible website, and the website must allow for public comment on the content standards during and outside of the annual review cycle.

(b) Prior to an annual review cycle, the department shall solicit parents, students, educators, community members and content standards review committee members to share their feedback on each individual content standard under review.

(c) The department shall review the public comments and submit the information collected in a report to the content standards review committee and the appropriate content standards review subcommittees for their consideration.

(2) The content standards review committee shall conduct an initial review of the public comment report submitted by the department regarding the content standards pursuant to subparagraph (1), division (c).

(a) The content standards review committee shall provide procedural recommendations to each content standards review subcommittee based on the report under subparagraph (1).

(b) The department shall summarize the recommendations from each content standards review committee based on the committee's review of the public comment report under subparagraph (1) and shall prepare materials for consideration by the content standards review subcommittees under subparagraph (3).

(3) The content standards review subcommittees shall review the public comments pursuant to subparagraph (2) and the procedural recommendations regarding the current content standards sent from the content standards review committee pursuant to subparagraph (2).

(a) The content standards review subcommittees shall work in grade span groups to review the current content standards.

(b) Each content standards review subcommittee shall provide recommendations on proposed updates for the content standards under its review.

(c) The department shall summarize the recommendations proposed by the content standards review subcommittees for the content standards review committee.

(4) The content standards review committee shall conduct a final review of the proposed updates pursuant to subparagraph (3), division (b) and may direct the content standards review subcommittees to review revisions to the proposed updates.

The department may adopt rules based on the recommendations from the content standards review committee and the content standards review subcommittees. Rules adopted pursuant to this subsection are major substantive rules pursuant to Title 5, chapter 375, subchapter 2-A. The department shall hold a public hearing and public comment period before provisionally adopting the rules.

Sec. 2. Department rules regarding review protocols; Legislature review. The Department of Education shall submit any rules adopted pursuant to the Maine Revised Statutes, Title 20-A, section 6209, subsection 6 to the Executive Director of the Legislative Council by January 6, 2017. The joint standing committee of the Legislature having jurisdiction over education matters shall hold a public hearing on the rules before submitting the rules to the Legislature for adoption.

Sec. 3. Rulemaking regarding content standards review reporting. The Commissioner of Education shall adopt rules on content standards review reporting to implement the Maine Revised Statutes, Title 20-A, section 6209, subsection 5 by June 30, 2017. Rules adopted pursuant to this section are major substantive rules pursuant to Title 5, chapter 375, subchapter 2-A.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.'

SUMMARY

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 of Education, 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 of Education to adopt rules based on recommendations from the review committee and review subcommittees.

FISCAL NOTE REQUIRED

(See attached)