



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 579

H.P. 403

House of Representatives, February 26, 2015

**An Act To Allow Teachers To Teach and Students To Learn by
Amending the Laws Governing Education Standards**

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative SIROCKI of Scarborough.
Cosponsored by Representative: O'CONNOR of Berwick.

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

2 **Sec. 1. 20-A MRSA §253, sub-§9**, as enacted by PL 2011, c. 669, §1, is repealed.

3 **Sec. 2. 20-A MRSA §2902, sub-§3**, as amended by PL 2011, c. 669, §2, is
4 further amended to read:

5 **3. Courses required by law.** Provide instruction in elementary schools as specified
6 in sections 4701, ~~4704~~, 4706 and 4711 and in secondary schools as specified in sections
7 4701, ~~4704~~, 4706, 4722, 4723 and 4724.

8 **Sec. 3. 20-A MRSA §4502, sub-§1**, as amended by PL 2011, c. 669, §3, is
9 further amended to read:

10 **1. General requirements.** Elementary and secondary schools and school
11 administrative units, including an educational program or school located in or operated by
12 a juvenile correctional facility, shall meet all requirements of the system of learning
13 results as established in section 6209 as well as other requirements of this Title and other
14 statutory requirements applicable to the public schools and basic school approval
15 standards. Each school administrative unit shall prepare and implement a comprehensive
16 education plan that is aligned with the system of learning results, focused on the learning
17 of all students and oriented to continuous improvement. ~~The comprehensive education~~
18 ~~plan must include a plan for transitioning to proficiency based graduation in accordance~~
19 ~~with section 4722-A.~~ This plan must also address all ~~other~~ plans required by the
20 department.

21 **Sec. 4. 20-A MRSA §4502, sub-§6**, as amended by PL 2011, c. 669, §4, is
22 further amended to read:

23 **6. Annual report on comprehensive education plan.** The superintendent shall
24 make an annual report of progress on the comprehensive education plan, developed
25 pursuant to subsection 1, to the citizens of the school administrative unit. The school
26 board shall annually review and approve the plan. The superintendent shall certify
27 progress on the plan to the commissioner on an annual basis ~~and shall submit to the~~
28 ~~commissioner a copy of the minutes of the school board meeting at which the school~~
29 ~~board reviewed and approved the plan.~~

30 **Sec. 5. 20-A MRSA §4502, sub-§8**, as amended by PL 2011, c. 669, §5, is
31 further amended to read:

32 **8. Waivers.** The commissioner may grant a school administrative unit a waiver of
33 one or more school approval requirements upon receipt of an application from the school
34 administrative unit that includes the basis for the waiver request and a plan to reduce
35 reliance on waivers in subsequent years. Financial hardship is one criterion the
36 commissioner must consider in determining whether to grant a waiver.

37 ~~A. Financial hardship is one criterion the commissioner must consider in determining~~
38 ~~whether to grant a waiver.~~

1 ~~B. A request to waive the requirement for a transition plan to proficiency-based~~
2 ~~graduation in accordance with section 4722-A by January 1, 2017 must include~~
3 ~~specific information about the reason for the waiver request and a date by which the~~
4 ~~proficiency-based graduation requirement will be met. Any waiver granted by the~~
5 ~~commissioner under this paragraph must require an annual report to the~~
6 ~~commissioner on the school administrative unit's progress toward meeting the~~
7 ~~requirements of section 4722-A. This paragraph is repealed July 1, 2020.~~

8 ~~C. The commissioner shall provide a report to the joint standing committee of the~~
9 ~~Legislature having jurisdiction over education matters by February 1st annually on~~
10 ~~the number of waivers provided pursuant to paragraph B, including the reasons for~~
11 ~~the waivers granted. The commissioner shall promptly post the annual report~~
12 ~~submitted pursuant to this paragraph on the department's publicly accessible website.~~

13 ~~This paragraph is repealed July 1, 2020.~~

14 **Sec. 6. 20-A MRSA §4722, sub-§§7 and 8,** as enacted by PL 2011, c. 669, §6,
15 are repealed.

16 **Sec. 7. 20-A MRSA §4722-A,** as amended by PL 2013, c. 439, §4, is repealed.

17 **Sec. 8. 20-A MRSA §13016, sub-§2,** as amended by PL 2011, c. 669, §8, is
18 further amended to read:

19 **2. Professional teacher certificates.** A professional teacher certificate may be
20 renewed for 5-year periods in accordance with state board rules, which must require, at a
21 minimum, that the teacher complete at least 6 hours of professional or academic study, or
22 in-service training designed to improve the performance of the teacher in the field for
23 which the teacher holds an endorsement, or in a related subject area, ~~or to improve the~~
24 ~~teacher's knowledge of, and skill in, standards-based education.~~ Teachers who desire to
25 qualify for a master teacher certificate must coordinate their continuing professional
26 education with the requirements of an applicable teacher action plan.

27 **Sec. 9. 20-A MRSA §15688-A, sub-§3,** as enacted by PL 2013, c. 368, Pt. C,
28 §12, is repealed.

29 **Sec. 10. PL 2011, c. 669, §§9 to 11** are repealed.

30 SUMMARY

31 This bill repeals the requirements for a system of proficiency-based education
32 standards scheduled to become effective in 2017.