

§5161. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 2007, c. 451, §6 (NEW).]

1. Academic programming waiver.

[PL 2015, c. 329, Pt. A, §4 (RP).]

1-A. Academic programming agreement. "Academic programming agreement" means an agreement between an interim program and a responsible school through which the responsible school agrees to accept the academic programming, credits and documentation of achievement of standards completed by a student in the interim program.

[PL 2013, c. 439, §6 (NEW).]

1-B. Community provider. "Community provider" means a governmental or nongovernmental entity that provides services to students or families, including but not limited to temporary and permanent housing, case management, immigration and language services and social, behavioral health, occupational training and legal services.

[PL 2021, c. 445, §2 (NEW).]

2. Department of Education diploma. "Department of Education diploma" means a diploma awarded under section 257-A.

[PL 2013, c. 439, §7 (RPR).]

2-A. Education disruption. "Education disruption" means disruption of the educational program of an elementary or secondary school student as a result of:

A. Homelessness, foster care placement or another housing disruption; [PL 2025, c. 312, §3 (AMD).]

B. Absence for more than 10% of the school days in a school year due to unforeseen circumstances, including, but not limited to, placement in an interim program, unplanned hospitalization or serious medical condition; [PL 2025, c. 312, §3 (AMD).]

C. Enrollment in 2 or more schools or educational programs during the student's secondary school education; or [PL 2025, c. 312, §3 (AMD).]

D. The student's being an immigrant student or a migrant student. [PL 2021, c. 445, §3 (NEW).]

"Education disruption" does not include an absence for 10 or more consecutive school days as a result of a planned absence for a reason such as a family event or a medical absence for a planned hospitalization or recovery or pursuant to a superintendent's determination developed in accordance with section 5205, subsection 2.

[PL 2025, c. 312, §3 (AMD).]

2-B. Foster care placement. "Foster care placement" means placement of a child in substitute 24-hour care for children placed away from their parents or guardians and for whom the child placing agency has placement and care responsibility, including, but not limited to, placement in a family foster home, foster home of a relative, group home, emergency shelter, residential facility, child care institution or preadoptive home. For the purposes of this subsection, a placement is a foster care placement regardless of whether the foster care facility is licensed and payments are made by the State or a tribal or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption or whether there is federal matching of any payments that are made.

[PL 2021, c. 445, §4 (NEW).]

2-C. Immigrant student. "Immigrant student" means a student who was not born in any state or territory of the United States, including the District of Columbia and the Commonwealth of Puerto

Rico, and has not attended one or more schools in any one or more states or territories for more than 3 full academic years in the aggregate.

[PL 2021, c. 445, §5 (NEW).]

3. Interim placement.

[PL 2015, c. 329, Pt. A, §4 (RP).]

3-A. Interim program. "Interim program" means:

A. A youth development center; [PL 2013, c. 439, §9 (NEW).]

B. A hospital or other facility for the purpose of unplanned medical or psychiatric treatment; or [PL 2013, c. 439, §9 (NEW).]

C. Any other program or school approved by the department, except a program or school in which a student is placed pursuant to an individual education plan or a superintendent transfer under section 5205. [PL 2013, c. 439, §9 (NEW).]

[PL 2013, c. 439, §9 (NEW).]

4. Learning results. "Learning results" means the system of learning results established pursuant to section 6209.

[PL 2007, c. 451, §6 (NEW).]

4-A. Migrant student. "Migrant student" means a student who has been identified as a migratory child by the United States Department of Education's migrant education program with a certificate of eligibility pursuant to the federal Every Student Succeeds Act, 20 United States Code, Chapter 70, Subchapter 1, Part C and related regulations.

[PL 2021, c. 445, §6 (NEW).]

5. Receiving school.

[PL 2015, c. 329, Pt. A, §4 (RP).]

5-A. Responsible school. "Responsible school" means the school responsible for developing or updating a school work recognition plan.

[PL 2013, c. 439, §10 (NEW).]

6. School work recognition plan. "School work recognition plan" means a written document, developed and updated in collaboration among the responsible school, the student, the student's parents or guardians, previous schools the student attended, interim programs the student attended and other relevant agencies, that outlines how a student who is experiencing, or who has experienced, an education disruption is making and is demonstrating progress toward achievement of learning results. A school work recognition plan includes but is not limited to:

A. A summary of the student's achievement relative to the appropriate learning results; [PL 2021, c. 445, §7 (NEW).]

B. A compilation of full and partial credits and other achievement recognitions earned; [PL 2021, c. 445, §7 (NEW).]

C. An identification of any gaps between the student's achievement and the achievement typical of the student's same-age peers; and [PL 2021, c. 445, §7 (NEW).]

D. A plan for maximizing the student's progress and closing identified gaps. [PL 2021, c. 445, §7 (NEW).]

[PL 2021, c. 445, §7 (AMD).]

7. Sending school.

[PL 2015, c. 329, Pt. A, §4 (RP).]

8. Statewide review team.

[PL 2015, c. 329, Pt. A, §4 (RP).]

9. Students who experience education disruption.

[PL 2013, c. 439, §12 (RP).]

10. Student. "Student" means an elementary school or secondary school student.

[PL 2013, c. 439, §13 (NEW).]

11. Student experiencing homelessness. "Student experiencing homelessness" means a student who has been identified by a school administrative unit as a homeless child or youth as defined in the federal McKinney-Vento Homeless Assistance Act, 42 United States Code, Chapter 119.

[PL 2021, c. 445, §8 (NEW).]

SECTION HISTORY

PL 2007, c. 451, §6 (NEW). PL 2013, c. 439, §§6-13 (AMD). PL 2015, c. 329, Pt. A, §4 (AMD). PL 2021, c. 445, §§2-8 (AMD). PL 2025, c. 312, §3 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Special Session of the 132nd Maine Legislature and is current through October 1, 2025. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.