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An Act To Implement the Recommendations of the Task Force To Engage Maine's Youth Regarding Successful School Completion

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

Sec. 1. 20-A MRSA §257, sub-§4 is enacted to read:

4. Department of Education diploma. The commissioner shall issue a Department of Education diploma as defined in section 5161, subsection 2 to a student who is unable to obtain a locally awarded diploma due to disruption of education resulting from homelessness, unplanned psychiatric hospitalization, unplanned hospitalization for a medical emergency, foster care placement, youth development center placement or some other out-of-district placement that is not otherwise authorized by either an individualized education program or other education plan or a superintendent's agreement developed in accordance with section 5205, subsection 2.

The diploma must be issued to students who have successfully demonstrated achievement of the content standards of the system of learning results established pursuant to section 6209 in addition to any other diploma requirements applicable to secondary students as set forth in their school completion plans.

Sec. 2. 20-A MRSA §4722, sub-§3, as amended by PL 2005, c. 662, Pt. A, §9, is further amended to read:

3. Satisfactory completion. A diploma may be awarded to secondary school students who have satisfactorily completed all diploma requirements in accordance with the academic standards of the school administrative unit and this chapter. All secondary school students must work toward achievement of the content standards of the system of learning results established pursuant to section 6209. Children with disabilities, as defined in section 7001, subsection 1-A, who successfully meet the content standards of the system of learning results in addition to any other diploma requirements applicable to all secondary school students, as specified by the goals and objectives of their individualized education plans, may be awarded a high school diploma. Career and technical students may, with the approval of the commissioner, satisfy the 2nd-year math and science, the 2nd-year social studies and the fine arts requirements of subsection 2 through separate or integrated study within the career and technical school curriculum.

Students who experience education disruption, as defined in section 5001-A, subsection 4, paragraph F, who successfully demonstrate achievement of the content standards of the system of learning results in addition to any other diploma requirements applicable to secondary school students as set forth in their school completion plans must, with the approval of the commissioner, be awarded a Department of Education diploma as defined in section 5161, subsection 2.

Sec. 3. 20-A MRSA §5001-A, sub-§4, ¶D, as enacted by PL 1983, c. 806, §49, is amended to read:

D. A family emergency; or

Sec. 4. 20-A MRSA §5001-A, sub-§4, ¶E, as enacted by PL 1983, c. 806, §49, is amended to read:

E. A planned absence for a personal or educational purpose ~~which~~that has been approved; ~~or~~

Sec. 5. 20-A MRSA §5001-A, sub-§4, ¶F is enacted to read:

F. Education disruption resulting from homelessness, unplanned psychiatric hospitalization, unplanned hospitalization for a medical emergency, foster care placement, youth development center placement or some other out-of-district placement that is not otherwise authorized by either an individualized education program or other education plan or a superintendent's agreement developed in accordance with section 5205, subsection 2 or resulting from a change of school or educational program 3 or more times during a school year. This paragraph does not apply to a student who is out of school 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 planned hospitalization or recovery.

Sec. 6. 20-A MRSA c. 211, sub-c. 5 is enacted to read:

SUBCHAPTER 5

STUDENTS EXPERIENCING EDUCATION DISRUPTION

§ 5161. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Academic programming waiver. "Academic programming waiver" means an agreement signed by the receiving and sending schools accepting the academic programming, credits and documentation of achievement of the standards completed by a student at the receiving school or educational program.

2. Department of Education diploma. "Department of Education diploma" means a standards-based diploma that meets state requirements as outlined in this chapter and chapter 222 for a student unable to obtain a local school diploma due to education disruption.

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

4. Receiving school. "Receiving school" means the school or educational program that a student who experienced education disruption presently attends.

5. School completion plan. "School completion plan" means a written personal learning plan developed by a team at the receiving school that outlines how a student who experienced education disruption will accomplish and demonstrate work for credit to meet that student's goals for demonstrated achievement of learning results and any other diploma requirements applicable to secondary school

students. The school completion plan must include a determination as to whether the student who has demonstrated achievement of learning results will receive a local school diploma or a Department of Education diploma.

6. Sending school. "Sending school" means the school in which a student who experienced education disruption was enrolled at the time of the disruption.

7. Statewide review team. "Statewide review team" means a team designated by the commissioner to address any disputes regarding school completion plans, academic programming waivers, credits, transfers, transcripts or acceptance of student work by means of a review of the compiled evidence of demonstrated achievement of learning results and any other diploma requirements applicable to secondary school students and to make recommendations to the commissioner regarding the award of a Department of Education diploma to the student.

8. Students who experience education disruption. "Students who experience education disruption" means:

- A. Children and youth who experience a break in their education or their educational program for 10 or more consecutive school days as a result of a situation such as homelessness, unplanned psychiatric hospitalization, unplanned hospitalization for a medical emergency, foster care placement, youth development center placement or some other out-of-district placement that is not otherwise authorized by either an individualized education program or other education plan; or
- B. Children or youth who change schools or educational programs 3 or more times a year.

"Students who experience education disruption" does not include students who are out of school for 10 or more consecutive school days as a result of planned absences for a reason such as a family event or medical absences for planned hospitalization or recovery or pursuant to a superintendent's agreement developed in accordance with section 5205, subsection 2.

§ 5162. School completion plan

Students who experience education disruption must have a school completion plan. A school completion plan meeting must be convened by the receiving school and the plan must be developed or updated by the student, the parent or guardian and the sending and receiving schools no later than 10 school days after the student enrolls in the receiving school. If an existing plan such as an individualized education program or a transition plan as defined in rules adopted by the department or a 504 plan as defined in 34 Code of Federal Regulations, Part 104 addresses school completion, a school completion plan is not required.

Individual educational materials such as curricula and assignments must be made available to the receiving school as soon as possible but no later than 5 school days after the student enrolls in the receiving school; otherwise an academic programming waiver must be signed by the sending school in which the sending school agrees to accept the academic programming implemented at the receiving school and to document on the student's transcript the credits earned by the student at the receiving school.

For every student who experiences education disruption, receiving school professional staff must be assigned to ensure the complete transfer of all records, grades and credits and all academic material, including an academic programming waiver, if applicable, from the sending school to the receiving school no later than 5 school days after the student enrolls in the receiving school.

Sec. 7. 20-A MRSA §6001-B, sub-§1, as amended by PL 2001, c. 452, §14, is further amended to read:

1. Education records must follow students who transfer. Education records must follow students who transfer to a school in another school administrative unit in the State. The education records of students who transfer from educational programs or schools for juveniles located in or operated by correctional facilities or out-of-state schools are also subject to this requirement. For a student who experiences education disruption, as defined in section 5161, subsection 8, the sending school shall send or electronically transfer all records to the receiving school or educational program no later than 5 school days after the student enrolls in the receiving school or educational program.

SUMMARY

This bill implements the recommendations of the Governor's Task Force to Engage Maine's Youth. The bill ensures that students experiencing education disruption will have the same opportunities as other Maine students to earn an approved high school diploma through a challenging academic program that provides these students the opportunity to demonstrate achievement of Maine's system of learning results and to earn a diploma despite their education disruption.

This bill addresses the challenges of Maine youth who are homeless or face unplanned psychiatric hospitalization, unplanned hospitalization for a medical emergency, foster care placement, youth development center placement or other out-of-district placement that is not otherwise authorized by either an individualized education program or other education plan or a superintendent's agreement, or children and youth who change schools or educational programs 3 or more times during a school year and are therefore at risk for dropping out of school. The bill carries out the recommendations of the task force to address the challenges faced by these students and their schools as follows:

1. A student who experiences a disruption in that student's education or educational program for 10 or more consecutive school days must have a school completion plan, developed by a team that includes both the sending school and the receiving school, the parent or guardian and the student, no later than 10 school days after the student enrolls in the receiving school;

2. The bill requires that if individual educational materials, such as curricula and assignments, are not made available to the receiving school within 5 school days after a student enrolls in the receiving school, an academic programming waiver must be signed by the sending and the receiving schools in which the sending school agrees to accept the academic programming implemented at the receiving school. The student's school completion plan must document the credits earned by the student at the receiving school; and

3. This bill requires that student records be sent or electronically transferred from the sending school to the receiving school no later than 5 school days after a student enrolls in the receiving school.