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Public Law
124th Legislature
Second Regular Session

Chapter 626
S.P. 623 - L.D. 1658

An Act To Increase Maine's High School Graduation Rates

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

Sec. 1. 20-A MRSA c. 211, sub-c. 1-B is enacted to read:

SUBCHAPTER 1-B

HIGH SCHOOL GRADUATION RATE

§ 5031. High school graduation rate

1. Goal. It is the goal of the State to achieve a graduation rate of 90% by the end of the 2015-2016 school year for each publicly supported secondary school.

2. Technical assistance. The department shall provide forms to publicly supported secondary schools for reporting graduation rates. The commissioner shall provide technical assistance to publicly supported secondary schools in the State that have not attained a graduation rate of 80% by the end of the 2012-2013 school year. Publicly supported secondary schools that do not meet the 80% graduation rate by the end of the 2012-2013 school year shall provide the commissioner with a copy of the action plan developed under section 5103, subsection 5 no later than December 31, 2013. The action plan may include the steps necessary to achieve a graduation rate of 90% by the end of the 2015-2016 school year.

3. Rules. The department shall adopt rules specifying the method to be used to calculate publicly supported secondary school graduation rates through 2016 and dates by which graduation rates must be reported to the department. Rules adopted under this section are major substantive rules pursuant to Title 5, chapter 375, subchapter 2A and must be provisionally adopted and submitted to the Legislature for review no later than January 14, 2011.

Sec. 2. Stakeholder group. The Commissioner of Education shall establish a stakeholder group to develop methodologies and recommendations relating to increasing publicly supported secondary school graduation rates, as well as policies related to school expulsion, suspension, zero-tolerance practices and truancy, in the State. The stakeholder group must include, but is not limited to, the Commissioner of Education or the commissioner's designee, educators and other persons the commissioner determines will contribute to the development of effective policies. The commissioner shall invite the participation of:

1. Representatives of the following educational associations nominated by the respective associations:

- A. The Maine School Boards Association;
 - B. The Maine School Superintendents Association;
 - C. The Maine Education Association;
 - D. The Maine Administrators of Services for Children with Disabilities; and
 - E. The Maine School Counselor Association;
2. A school attendance coordinator in a secondary school in the State; and
3. An elementary school teacher or administrator in the State.

The commissioner and the stakeholder group shall review existing plans developed by the advisory committee on truancy, dropouts and alternative education established pursuant to the Maine Revised Statutes, Title 20A, section 5152, the performance plans developed by the Maine Administrators of Services for Children with Disabilities and other existing plans developed by an educational association in the State.

Sec. 3. Report to Joint Standing Committee on Education and Cultural Affairs. The Commissioner of Education and the stakeholder group under section 2 shall report their recommendations for increasing graduation rates to the Joint Standing Committee on Education and Cultural Affairs by November 1, 2010. The report must include, but is not limited to, recommendations relating to:

1. The establishment of guidelines for school suspensions and expulsions, including notification of hearings, time frames, provision of educational support services, pathways to reinstatement and alternatives to expulsion and suspension;
2. The impact and implementation of zero-tolerance practices;
3. Best practices for secondary schools, families and youth for increasing secondary school graduation rates;
4. The maximum age of mandatory school attendance; and
5. The impact and effectiveness of the current truancy laws.

The Joint Standing Committee on Education and Cultural Affairs may accept and discuss the report at an authorized interim committee meeting. After receipt and review of the report, the committee may make recommendations to the Commissioner of Education for further action and provide these recommendations and comments to the joint standing committee of the 125th Legislature having jurisdiction over education matters.

Effective July 12, 2010