



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 1510

H.P. 1085

House of Representatives, May 7, 2013

An Act To Ensure Statewide School Accountability and Improvement

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative JOHNSON of Greenville. (GOVERNOR'S BILL)
Cosponsored by Senator LANGLEY of Hancock and
Representatives: McCLELLAN of Raymond, POULIOT of Augusta, Senators: CUSHING of
Penobscot, THIBODEAU of Waldo.

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

2 **Sec. 1. 20-A MRSA §1055, sub-§2, ¶¶B and C**, as amended by PL 2001, c.
3 588, §16, are further amended to read:

4 B. Visiting each school at least the minimum number of times each term required by
5 the school board or union committee as established by the policy adopted under
6 section 1053; ~~and~~

7 C. Annually, reporting to the commissioner on the progress of the comprehensive
8 education plan required under section 4502, subsection 6-; and

9 **Sec. 2. 20-A MRSA §1055, sub-§2, ¶D** is enacted to read:

10 D. Participating in the creation and implementation of any school improvement plan
11 required in section 6210.

12 **Sec. 3. 20-A MRSA §4504, sub-§1-A** is enacted to read:

13 **1-A. Failure to achieve or maintain basic school approval.** A school or school
14 administrative unit that does not comply with basic school approval standards in rule and
15 this Title may be subject to the penalties set forth in section 6801-A. Before imposing a
16 penalty, the commissioner shall provide notice of noncompliance and allow the school or
17 school administrative unit to develop and implement a corrective action plan.

18 **Sec. 4. 20-A MRSA §5203, sub-§6** is enacted to read:

19 **6. Nonapproved public school.** A student who resides in the attendance area of a
20 school that has lost basic school approval under section 6210-A may attend any public
21 school or private school approved for receipt of public funds. The school administrative
22 unit in which the student's parents reside shall pay the tuition and transportation costs.

23 **Sec. 5. 20-A MRSA §5204, sub-§7** is enacted to read:

24 **7. Nonapproved public school.** A student who resides in the attendance area of a
25 school that has lost basic school approval under section 6210-A may attend any public
26 school or private school approved for receipt of public funds. The school administrative
27 unit in which the student's parents reside shall pay the tuition and transportation costs.

28 **Sec. 6. 20-A MRSA §6210**, as amended by PL 2007, c. 259, §7, is further
29 amended to read:

30 **§6210. School assistance**

31 The commissioner shall provide assistance to a school administrative unit when
32 student performance in a school in the school administrative unit, or when a review of the
33 comprehensive education plan conducted under section 4504, subsection 2, indicates that
34 assistance is needed. This assistance must be based on a thorough review of the
35 comprehensive education plan, as required in section 4502, subsection 1, ~~and the~~
36 evidence of student performance provided by the school administrative unit's state and
37 local assessment assessments and evaluation of the unit and its schools to identify aspects

1 of the educational system that need improvement in order to improve student
2 achievement. This may Assistance must include assignment of an assistance team by the
3 commissioner to work with the school administrative unit over a period of not less than
4 one year to develop and implement a school improvement plan, as described in section
5 6210-A, targeted to address those aspects of the educational system identified as potential
6 causes for lack of growth in student achievement or other deficiencies identified by the
7 commissioner.

8 **Sec. 7. 20-A MRSA §6210-A** is enacted to read:

9 **§6210-A. School improvement plan**

10 A school improvement plan required in section 6210 must be approved by the
11 department and must meet the standards of this section.

12 **1. Measurable objectives.** The school improvement plan must set specific,
13 measurable objectives for substantive and continuous improvement in student outcomes.

14 **2. Optional elements.** The school improvement plan may require one or more of the
15 following elements:

16 A. The set aside of state funds provided under chapter 606-B to be used for specific
17 purposes as laid out in the school improvement plan; and

18 B. Implementation of turnaround strategies that may include, but are not limited to:

19 (1) Providing strong leadership by reviewing performance of the principal and
20 replacing the current principal if that principal is not capable of leading
21 turnaround efforts and increasing operational flexibility in scheduling, staffing,
22 curriculum and budget;

23 (2) Ensuring that teachers are effective by reviewing the quality of staff and
24 retaining those determined to be effective and who will be able to succeed in the
25 turnaround effort and by providing job-embedded ongoing professional
26 development informed by the teacher evaluation and support systems and tied to
27 teacher and student needs;

28 (3) Redesigning the school day, week or year to include additional time for
29 student learning and teacher collaboration;

30 (4) Strengthening the school's instructional program based on student needs and
31 ensuring that the instructional program is research-based, rigorous and aligned
32 with the system of learning results;

33 (5) Using data to inform instruction and for continuous improvement, including
34 providing time for collaboration on the use of data;

35 (6) Establishing a school environment that improves school safety and discipline
36 and addressing other nonacademic factors that affect student achievement such as
37 students' social, emotional and health needs; and

38 (7) Providing ongoing mechanisms for family and community engagement.

1 **3. Failure to show progress after 2 years.** If the school or administrative school
2 unit fails to show progress toward meeting the objectives set forth in a school
3 improvement plan after 2 years of implementation, the department shall review and revise
4 the school improvement plan. Revisions may require the school or school administrative
5 unit to implement strategies in addition to those set forth in subsection 2.

6 **4. Withdrawal of basic school approval.** Failure of a school administrative unit or
7 the schools within the unit to participate in development of the school improvement plan,
8 or failure to implement a school improvement plan, may lead to withdrawal by the
9 department of basic school approval under chapter 206, subchapter 1 and department rule.

10 **SUMMARY**

11 Under current federal law, a struggling school is only identified and given help to
12 improve if the school is funded under Title I of the federal No Child Left Behind Act of
13 2001. This bill creates a process for the Commissioner of Education to hold all schools
14 accountable for student achievement and to work with schools to improve, regardless of
15 whether they are so-called Title I schools.

16 The bill creates a statewide school accountability system by strengthening the
17 existing school approval law. Under existing law, the commissioner is authorized to
18 determine whether schools meet basic school approval standards, including the standard
19 requiring all units to prepare and implement a comprehensive education plan aligned with
20 the system of learning results, focused on the learning of all students and oriented to
21 continuous improvement. This bill requires a school administrative unit that is identified
22 as needing assistance to create a school improvement plan to correct any aspects of the
23 school that do not comply with school approval standards in statute and rule. The bill
24 sets forth specific strategies that may be included in a school improvement plan and calls
25 for additional strategies if the school fails to improve after 2 years. It also provides
26 school choice for students whose school loses basic school approval.