

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

SMG 1
ROES 2

Date: 6/14/13

(Filing No. H-508)

Report B

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34

EDUCATION AND CULTURAL AFFAIRS

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "B" to H.P. 1109, L.D. 1542, "Resolve, Regarding Legislative Review of Chapter 180: Performance Evaluation and Professional Growth Systems, a Late-filed Major Substantive Rule of the Department of Education"

Amend the resolve by striking out all of section 1 (page 1, lines 14 to 18 in L.D.) and inserting the following:

Sec. 1. Adoption. Resolved: That final adoption of Chapter 180: Performance Evaluation and Professional Growth Systems, a provisionally adopted major substantive rule of the Department of Education that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A outside the legislative rule acceptance period, is authorized only if the following changes are made:

1. The rule must be amended in Section 7 in the part concerning the determination of the teacher of record by:

A. Deleting the provision that directs the Department of Education to convene a working group to discuss the criteria related to the determination of the teacher of record; and

B. Inserting a provision to clarify that the criteria for determination of the teacher of record for a specific student must provide that the teacher has academic contact with the student for at least 80% of the student's scheduled class time with the teacher.

The Department of Education is not required to hold hearings or undertake further proceedings prior to final adoption of the rule in accordance with this section; and be it further

Sec. 2. Maine Educator Effectiveness Council; duties; extension. Resolved: That, notwithstanding Public Law 2011, chapter 635, Part A, section 6, subsection 5, the Maine Educator Effectiveness Council, referred to in this resolve as "the council," is authorized to continue to meet, if it so desires, until 90 days after adjournment of the Second Regular Session of the 126th Legislature.

COMMITTEE AMENDMENT

1 1. The council shall review and recommend any changes necessary to address
2 unresolved issues in rule Chapter 180: Performance Evaluation and Professional Growth
3 Systems, which the Department of Education provisionally adopted on March 21, 2013,
4 and refine provisions in the finally adopted rules authorized in accordance with section 1,
5 including but not limited to the following issues:

6 A. Methods for aligning the definition and criteria related to the teacher of record for
7 specific students, within the context of the transition to a proficiency-based
8 educational system in accordance with the Maine Revised Statutes, Title 20-A,
9 section 4502, subsection 1;

10 B. Methods for aligning student learning and growth measures within the context of
11 the transition to a proficiency-based educational system in which students must be
12 allowed to present multiple types of evidence to demonstrate proficiency in meeting
13 educational standards for advancement and graduation in accordance with the Maine
14 Revised Statutes, Title 20-A, section 4502, subsection 1 and section 4722-A;

15 C. Methods and protocols for the training of evaluators and peer reviewers to ensure
16 inter-rater reliability; and

17 D. Methods for connecting effectiveness ratings for teachers and principals with a
18 system of supports that may include professional development and training as well as
19 a process for developing and implementing a professional improvement plan.

20 2. The Commissioner of Education shall submit a report regarding the work of the
21 council to the Joint Standing Committee on Education and Cultural Affairs by December
22 6, 2013. The report must include the council's recommendations regarding
23 implementation of the requirements set forth in the Maine Revised Statutes, Title 20-A,
24 chapter 508, recommendations regarding the duties of the council set forth in Public Law
25 2011, chapter 635, Part A, section 6, subsection 2 and recommendations regarding the
26 continuing work of the council. The joint standing committee may introduce a bill
27 related to the report to the Second Regular Session of the 126th Legislature.

28 3. The Department of Education shall provide staff assistance to the council. The
29 department may seek and employ grant funds to provide additional assistance.'

30 SUMMARY

31 This amendment is one of 2 minority reports of the Joint Standing Committee on
32 Education and Cultural Affairs. The amendment provides that final adoption of Chapter
33 180: Performance Evaluation and Professional Growth Systems, a late-filed major
34 substantive rule of the Department of Education, is authorized contingent upon the
35 department's making specified changes to the proposed rule in the section concerning the
36 determination of the teacher of record for specific students.

37 The amendment also provides that the Maine Educator Effectiveness Council is
38 authorized to continue to meet to review specified unresolved issues related to
39 Department of Education rule Chapter 180, and that the Commissioner of Education must
40 submit a report on the work of the council, including recommendations regarding
41 proposed changes to the education statutes or Chapter 180, to the Joint Standing
42 Committee on Education and Cultural Affairs by December 6, 2013. The joint standing

COMMITTEE AMENDMENT "**B**" to H.P. 1109, L.D. 1542

1 committee is authorized to introduce a bill related to the report to the Second Regular
2 Session of the 126th Legislature.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



Approved: 06/13/13 *MAC*

126th MAINE LEGISLATURE

LD 1542

LR 2142(03)

Resolve, Regarding Legislative Review of Chapter 180: Performance Evaluation and Professional Growth Systems, a Late-filed Major Substantive Rule of the Department of Education

Fiscal Note for Bill as Amended by Committee Amendment

B(H-508)

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Additional costs to the Department of Education associated with the continuation of the Maine Educator Effectiveness Council can be absorbed within existing budgeted resources.