

# 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 electronic originals  
(may include minor formatting differences from printed original)



# 132nd MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2025

---

Legislative Document

No. 1495

H.P. 979

House of Representatives, April 8, 2025

### **An Act to Make the Professional Standards Board Responsible for the Educator Certification Process**

---

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

A handwritten signature in cursive script, reading "Rlt B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative MITCHELL of Cumberland.  
Cosponsored by Senator RAFFERTY of York and  
Representatives: BRENNAN of Portland, DODGE of Belfast, SARGENT of York.

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

2       **Sec. 1. 20-A MRSA §405, sub-§3, ¶F**, as enacted by PL 1981, c. 693, §§5 and 8,  
3 is repealed.

4       **Sec. 2. 20-A MRSA §13001-A, sub-§10-A** is enacted to read:

5       **10-A. Professional Standards Board.** "Professional Standards Board" means the  
6 Professional Standards Board established in section 13101.

7       **Sec. 3. 20-A MRSA §13003, sub-§4**, as enacted by PL 1981, c. 693, §§5 and 8, is  
8 amended to read:

9       **4. Rules.** The ~~state board~~ Professional Standards Board may adopt rules to carry out  
10 this section.

11       **Sec. 4. 20-A MRSA §13006-A, sub-§1**, as enacted by PL 2017, c. 235, §5 and  
12 affected by §41, is repealed.

13       **Sec. 5. 20-A MRSA §13006-A, sub-§1-A** is enacted to read:

14       **1-A. Professional Standards Board; authority.** Except as otherwise provided, the  
15 Professional Standards Board has authority to adopt rules to implement this chapter,  
16 chapter 502 and chapter 502-A. Rules adopted by the Professional Standards Board to  
17 implement this chapter and chapter 502 are major substantive rules, as defined in Title 5,  
18 chapter 375, subchapter 2-A, except that the following rules are routine technical rules:

19       A. Rules adopted by the Professional Standards Board to implement section 13032;  
20 and

21       B. Rules adopted by the Professional Standards Board to implement section 13011,  
22 subsection 8.

23       **Sec. 6. 20-A MRSA §13006-A, sub-§2**, as enacted by PL 2017, c. 235, §5 and  
24 affected by §41, is amended to read:

25       **2. Commissioner authority.** Notwithstanding subsection ~~4~~ 1-A, the commissioner  
26 has authority to adopt rules:

27       A. To determine the qualifications and process for issuing clearance credentials under  
28 chapter 502. These rules are routine technical rules, as defined in Title 5, chapter 375,  
29 subchapter 2-A; and

30       B. Governing the collection and handling of records and information regarding the  
31 experiences, qualifications and character of persons seeking credentials under this  
32 chapter and chapter 502. These rules are major substantive rules as defined in Title 5,  
33 chapter 375, subchapter 2-A.

34       **Sec. 7. 20-A MRSA §13007, sub-§1**, as amended by PL 2017, c. 235, §6 and  
35 affected by §41, is further amended by amending the first blocked paragraph to read:

36       The department shall annually post at the beginning of the fiscal year the fees established  
37 by the commissioner for the initial issuance of and the renewal of a credential on its publicly  
38 accessible website. A fee established pursuant to this subsection may not increase by more  
39 than 10% of the previous fiscal year's fee, unless the increase is approved by the ~~state board~~  
40 Professional Standards Board.

1       **Sec. 8. 20-A MRSA §13008, sub-§3**, as enacted by PL 2011, c. 635, Pt. B, §1, is  
2 amended to read:

3       **3. Report.** The department shall annually report the data collected under this section  
4 to the Governor, the ~~state-board~~ Professional Standards Board and the joint standing  
5 committee of the Legislature having jurisdiction over education matters.

6       **Sec. 9. 20-A MRSA §13011**, as amended by PL 2017, c. 235, §9 and affected by  
7 §41, is further amended to read:

8       **§13011. General authorization of ~~state-board~~ Professional Standards Board**

9       **1. Credentialing and revocation rules.** The ~~state-board~~ Professional Standards Board  
10 shall adopt rules to carry out the purposes of this chapter under which the commissioner  
11 shall:

12           A. Issue certificates to teachers, administrators, educational specialists, educational  
13 technicians and other professional personnel for service in a public school or in an  
14 approved private school, except that certification is not required for a person holding a  
15 valid license as a speech-language pathologist under Title 32, section 17301 who has  
16 received a clearance pursuant to section 13024 to provide speech-language pathology  
17 services in a public school or approved private school;

18           B. Issue certificates to adult education teachers and other teaching and professional  
19 personnel in publicly supported educational programs other than postsecondary school  
20 institutions, colleges and universities;

21           D. Seek a revocation of a credential in the District Court;

22           E. Issue certificates to personnel who provide early childhood educational programs  
23 or developmental therapy to children from birth to 5 years of age in the home, in  
24 community-based special purpose and integrated programs and in public schools; and

25           F. Issue a clearance to all individuals for whom certification is not required prior to  
26 being hired or being placed under contract by a public school or a private school that  
27 enrolls 60% or more publicly funded students.

28       **2. Moral character.** Rules adopted by the ~~state-board~~ Professional Standards Board  
29 under this chapter must require that an applicant for certification furnish evidence of:

30           A. Good moral character.

31       **3. Teacher certificates.** ~~The state-board rules~~ Rules adopted by the Professional  
32 Standards Board must establish qualifications for certifying teachers in accordance with  
33 sections 13012-A and 13013.

34       **4. Appeal.** An applicant who has been denied the issuance or renewal of a credential  
35 by the commissioner under this chapter may appeal that denial in accordance with rules  
36 established by the ~~state-board~~ Professional Standards Board and consistent with the  
37 provisions of the Maine Administrative Procedure Act, Title 5, chapter 375.

38       **5. Administrator certificates.** ~~The state-board rules~~ Rules adopted by the  
39 Professional Standards Board must establish qualifications for certifying administrators in  
40 accordance with sections 13012-A and 13019-I to be superintendents of schools, building  
41 administrators or principals and for such other administrators as may be determined to be  
42 necessary and beneficial for the efficient operation of the schools.

1       **6-A. Educational specialist certificates.** The ~~state-board~~ Professional Standards  
2 Board shall establish qualifications for certifying educational specialists in accordance with  
3 sections 13012-A, 13019-G and 13022 and for other educational specialists as may be  
4 determined to be necessary and beneficial for the efficient operation of the schools.

5       **6-B. Educational technician certificates.** The ~~state-board~~ Professional Standards  
6 Board shall establish qualifications for certifying educational technicians in accordance  
7 with section 13019-H and for other educational technicians as may be determined to be  
8 necessary and beneficial for the efficient operation of the schools.

9       **7. Certification waiver.** Under rules adopted by the ~~state-board~~ Professional  
10 Standards Board, the commissioner may grant a waiver for an appropriate period of time  
11 to an individual seeking the issuance or renewal of a certificate. The commissioner may  
12 grant a waiver to an individual who:

13       A. Receives allegedly inaccurate, incomplete or untimely information or action from  
14 the department or from a local or regional support system. The waiver must be for a  
15 reasonable period of time to permit the applicant to complete certification  
16 requirements; or

17       B. Demonstrates compliance with certification requirements by professional  
18 alternative methods, including the following:

19           (1) Scores on Graduate Record Examinations demonstrating content area  
20 proficiency equal to approved course work, with passing scores established under  
21 rules adopted by the ~~state-board~~ Professional Standards Board;

22           (2) Examinations accepted by state-approved programs in lieu of course work,  
23 with passing scores established under rules adopted by the ~~state-board~~ Professional  
24 Standards Board;

25           (3) Examinations from professional testing corporations demonstrating content  
26 area proficiency equal to approved course work, with professional testing  
27 corporations approved by the state board and passing scores established under rules  
28 adopted by the ~~state-board~~ Professional Standards Board; and

29           (4) Work experience equivalent to outcomes for approved course work and a  
30 formal recommendation from the state professional organization in that content  
31 area. The professional organizations are established under rules adopted by the  
32 ~~state-board~~ Professional Standards Board. The waiver is for the duration of the  
33 certificate or endorsement sought.

34       The commissioner may not grant a waiver to an individual who is seeking an endorsement  
35 for special education.

36       **8. Criminal history record checks.** Criminal history record checks of an applicant  
37 for a credential, including renewals, must be conducted in accordance with this section; and  
38 section 6103 and pursuant to rules adopted by the ~~state-board~~ Professional Standards Board.

39       **Sec. 10. 20-A MRSA §13013**, as amended by PL 2023, c. 442, §1, is further  
40 amended to read:

41       **§13013. Professional teacher certificate**

1       **1. Definition.** A professional teacher certificate is a renewable certificate issued to an  
2 individual who has met the qualifications of this section.

3       **2-B. Qualifications.** ~~State board rules~~ Rules adopted by the Professional Standards  
4 Board governing the qualifications for a professional teacher certificate must require that  
5 the certificate may be issued only to an applicant who, at a minimum, meets one of the  
6 following criteria:

7           A. Has graduated from an educator preparation program;

8           B. Has met the criteria established by the ~~state board~~ Professional Standards Board by:

9               (1) Passing a qualifying examination;

10              (2) Meeting grade point average requirements in required course work; or

11              (3) Successful completion of a portfolio review demonstrating competency  
12 through academic or work experience;

13           C. Has successfully completed a preparation program in another state, the District of  
14 Columbia, a United States territory or another country, subject to the completion of an  
15 approved preparation program for the endorsement or certificate being sought with a  
16 formal recommendation for certification from the institution that provided the program;  
17 or

18           D. Is otherwise qualified by having met the criteria established by the ~~state board~~  
19 Professional Standards Board for teaching in a specified content area.

20       **3. Endorsements.** A professional teacher certificate must be issued with an  
21 endorsement that specifies the grades and subject area that the teacher is determined  
22 qualified to teach. A holder of a professional teacher certificate may not teach outside the  
23 certificate holder's area of endorsement unless the certificate holder has received a waiver  
24 from the commissioner in accordance with ~~state board rules~~ rules adopted by the  
25 Professional Standards Board.

26       **4. Five-year certificate.** A professional teacher certificate is issued for a 5-year  
27 period.

28       **5. Renewal.** A professional teacher certificate may be renewed for 5-year periods in  
29 accordance with ~~state board rules~~ adopted by the Professional Standards Board, which must  
30 require, at a minimum, that the teacher, whether employed or unemployed, complete at  
31 least 6 semester hours of professional or academic study or in-service training designed to  
32 improve the performance of the teacher in the field. If the teacher has attained certification  
33 from the National Board for Professional Teaching Standards, the renewal period is for 10  
34 years. If a rule adopted pursuant to section 13006-A amends the endorsement specifications  
35 for grades or subject areas for a teacher's professional teacher certificate, the teacher may  
36 renew the teacher's professional teacher certificate with the same grades and subject areas  
37 endorsements as were issued with the active professional teacher certificate that is held by  
38 the teacher at the time of the amendment.

39       **6. Reissuance; retired teacher.** The commissioner may issue a professional teacher  
40 certificate to a person who is receiving a retirement benefit from the State Employee and  
41 Teacher Retirement Program established under Title 5, section 17602 and who was  
42 employed for at least 10 years by a public school, who has been receiving a retirement  
43 benefit for no more than 5 years and who, immediately prior to receiving that benefit,

1 possessed an active professional teacher certificate in good standing that has subsequently  
2 lapsed. The professional teacher certificate must be issued with the same grades and  
3 subject areas endorsements as were issued with the active professional teacher certificate  
4 that was held by the teacher at the time of the teacher's retirement. A professional teacher  
5 certificate issued under this subsection is for the same period as specified in subsection 4  
6 and subject to the same renewal standards as specified in subsection 5. ~~State board rules~~  
7 Rules adopted by the Professional Standards Board may further govern qualifications for a  
8 professional teacher certificate issued under this subsection.

9 **Sec. 11. 20-A MRSA §13019-G, sub-§2**, as enacted by PL 2017, c. 235, §25 and  
10 affected by §41, is amended to read:

11 **2. Qualifications.** The ~~state board~~ Professional Standards Board shall adopt rules  
12 establishing the qualifications for an educational specialist certificate.

13 **Sec. 12. 20-A MRSA §13019-G, sub-§4**, as enacted by PL 2017, c. 235, §25 and  
14 affected by §41, is amended to read:

15 **4. Certificate renewal.** An educational specialist's certificate is issued for a 5-year  
16 period and may be renewed in accordance with ~~state board~~ rules adopted by the  
17 Professional Standards Board, which must require, at a minimum, that the educational  
18 specialist, whether employed or unemployed, complete at least 6 semester hours of  
19 professional or academic study or the equivalent or in-service training designed to improve  
20 the performance of the educational specialist in the field.

21 **Sec. 13. 20-A MRSA §13019-H, sub-§2**, as enacted by PL 2017, c. 235, §25 and  
22 affected by §41, is amended to read:

23 **2. Qualifications.** The ~~state board~~ Professional Standards Board shall adopt rules  
24 establishing the qualifications and supervision for an educational technician certificate.

25 **Sec. 14. 20-A MRSA §13019-H, sub-§3**, as enacted by PL 2017, c. 235, §25 and  
26 affected by §41, is amended to read:

27 **3. Certificate renewal.** An educational technician certificate is issued for a 5-year  
28 period and may be renewed in accordance with ~~state board~~ rules adopted by the  
29 Professional Standards Board, which must require, at a minimum, that the educational  
30 technician, whether employed or unemployed, complete at least 3 semester hours of  
31 professional or academic study or the equivalent or in-service training designed to improve  
32 the performance of the educational technician in the field.

33 **Sec. 15. 20-A MRSA §13019-H, sub-§6**, as enacted by PL 2023, c. 442, §2 and  
34 reallocated by RR 2023, c. 1, Pt. A, §7, is amended to read:

35 **6. Reissuance; retired educational technician.** The commissioner may issue an  
36 educational technician certificate to a person who has been receiving a retirement benefit  
37 from the State Employee and Teacher Retirement Program established under Title 5,  
38 section 17602 for no more than 5 years and who, immediately prior to receiving that  
39 benefit, possessed an active educational technician certificate in good standing that has  
40 subsequently lapsed. An educational technician certificate issued under this subsection is  
41 for the same period and subject to the same renewal standards as specified in subsection 3.  
42 ~~State board rules~~ Rules adopted by the Professional Standards Board may further govern  
43 qualifications for an educational technician certificate issued under this subsection.

1       **Sec. 16. 20-A MRSA §13019-I**, as enacted by PL 2017, c. 235, §25 and affected  
2 by §41, is amended to read:

3       **§13019-I. Administrator certificate**

4       **1. Requirement.** An administrator's certificate is required for employment as an  
5 administrator at a school administrative unit in the State, at a public school or at a private  
6 school approved for attendance purposes pursuant to section 2901, subsection 2, paragraph  
7 B.

8       **2. Qualifications.** ~~State board rules~~ Rules adopted by the Professional Standards  
9 Board governing the qualifications for an administrator certificate must require that the  
10 certificate may be issued only to an applicant who at a minimum:

- 11       A. Has at least 3 years of satisfactory teaching experience or the equivalent;
- 12       B. Has academic and professional knowledge as demonstrated through the completion  
13 of required graduate or undergraduate courses or programs, performance in  
14 examinations or completion of specialized programs approved for this purpose;
- 15       C. Has a basic level of knowledge in competency areas determined by the ~~state board~~  
16 Professional Standards Board; and
- 17       D. Has satisfactorily completed an approved internship or practicum relating to the  
18 duties of an administrator.

19       **3. Certificate renewal.** An administrator's certificate is issued for a 5-year period and  
20 may be renewed in accordance with ~~state board rules~~ adopted by the Professional Standards  
21 Board, which must require, at a minimum, that the administrator, whether employed or  
22 unemployed, complete at least 6 semester hours of professional or academic study or the  
23 equivalent or in-service training designed to improve the performance of the administrator  
24 in the field.

25       **4. Endorsements.** The administrator certificate must be issued with an endorsement  
26 that specifies the work area for which the individual is determined to be qualified. A holder  
27 of an administrator certificate may not work outside the holder's area of endorsement unless  
28 permitted under rules established by the ~~state board~~ Professional Standards Board. This  
29 includes the following areas:

- 30       A. Employment as a superintendent of a school administrative unit in the State;
- 31       B. Employment as a building administrator or principal of a public school or as chief  
32 administrator of a private school approved for attendance purposes pursuant to section  
33 2901, subsection 2, paragraph B; and
- 34       C. Employment as any other administrator as may be determined by the ~~state board~~  
35 Professional Standards Board to be necessary and beneficial for the efficient operation  
36 of the schools.

37       **Sec. 17. 20-A MRSA §13020, sub-§1**, as enacted by PL 1983, c. 845, §4 and  
38 amended by PL 1999, c. 547, Pt. B, §78 and affected by §80, is further amended to read:

39       **1. General.** The ~~state board's~~ rules adopted by the Professional Standards Board under  
40 this chapter ~~shall~~ must specify the procedure to be followed by the commissioner in seeking  
41 the revocation or suspension of a certificate in the District Court and ~~shall~~ must authorize



1 the commissioner to enter into a consent agreement with any certificated person in lieu of  
2 initiating or completing a proceeding in the District Court.

3 **Sec. 18. 20-A MRSA §13020, sub-§2, ¶B**, as enacted by PL 1983, c. 845, §4, is  
4 amended to read:

5 B. Other grounds as may be established by the ~~state board~~ Professional Standards  
6 Board in its rules relating to criminal offenses not inconsistent with Title 5, chapter  
7 341, fraud or gross incompetence.

8 **Sec. 19. 20-A MRSA §13020, sub-§4**, as enacted by PL 1983, c. 845, §4, is  
9 amended to read:

10 **4. Reinstatement of certificate.** Revoked certificates may ~~only~~ be reinstated only in  
11 accordance with ~~state board~~ rules adopted by the Professional Standards Board. The  
12 following provisions govern the reinstatement of any certificate revoked for reasons of  
13 child abuse or exploitation.

14 A. Notwithstanding Title 5, chapter 341, ~~no~~ a certificate revoked for reasons of child  
15 abuse or exploitation may not be reinstated within 5 years of the revocation and ~~in no~~  
16 ease may not be reinstated less than 3 years from the expiration of probation or parole  
17 or discharge from imprisonment for a criminal conviction involving child abuse or  
18 exploitation.

19 B. In determining whether a certificate may be reinstated, the commissioner shall  
20 determine whether the applicant has been sufficiently rehabilitated to warrant the  
21 public trust. The applicant ~~shall be required to~~ must demonstrate sufficient evidence of  
22 rehabilitation, notwithstanding Title 5, chapter 341, and the commissioner shall state  
23 in writing the basis for any decision ~~which~~ that denies reinstatement of a certificate.

24 C. Denial of reinstatement pursuant to paragraph B may be appealed to the Superior  
25 Court.

26 **Sec. 20. 20-A MRSA §13022, sub-§2**, as amended by PL 2011, c. 386, §2, is  
27 further amended to read:

28 **2. Certification by commissioner.** The commissioner shall certify school  
29 psychologists pursuant to rules adopted by the ~~state board~~ Professional Standards Board.  
30 The rules must include practice standards for certified school psychologists that follow  
31 national standards set forth by the National Association of School Psychologists or a  
32 successor organization and ethics standards set forth by the National Association of School  
33 Psychologists or a successor organization and the American Psychological Association or  
34 a successor organization, violation of which constitutes grounds for suspension or  
35 revocation of the certification.

36 **Sec. 21. 20-A MRSA §13022, sub-§3**, as amended by PL 2021, c. 228, §7, is  
37 further amended to read:

38 **3. Qualifications.** ~~State board rules~~ Rules adopted by the Professional Standards  
39 Board governing the qualifications for a school psychologist certificate must require that a  
40 certificate be issued only to an applicant who has met the academic and preprofessional  
41 requirements established by the ~~state board~~ Professional Standards Board for the provision  
42 of school psychological services and who, at a minimum:

1 A. Holds a graduate degree from an accredited program in school psychology that was  
2 approved by the National Association of School Psychologists, the American  
3 Psychological Association in School Psychology or the department at the time the  
4 degree was awarded;

5 B. Has completed graduate work that is determined by the commissioner to be  
6 substantially similar to the programs referred to in paragraph A; or

7 C. Holds a valid license from the State Board of Examiners of Psychologists with  
8 demonstrated competency in the area of school psychology through training and  
9 experience.

10 **Sec. 22. 20-A MRSA §13022, sub-§4**, as amended by PL 2021, c. 228, §8, is  
11 further amended to read:

12 **4. Term of issuance.** The commissioner shall issue a school psychologist certificate  
13 for a term of years consistent with rules adopted by the ~~state-board~~ Professional Standards  
14 Board. The school psychologist certificate may be renewed in accordance with academic  
15 and professional requirements established by the ~~state-board~~ Professional Standards Board.  
16 A certificate holder must be supervised for the first year following initial certification at no  
17 additional cost to the school administrative unit or the department. Supervision of the first-  
18 year school psychologist must be in accordance with supervision standards established by  
19 the National Association of School Psychologists or a successor organization and provided  
20 by a person who is certified as a school psychologist.

21 **Sec. 23. 20-A MRSA §13022, sub-§7, ¶A**, as amended by PL 2011, c. 386, §2, is  
22 further amended to read:

23 A. The duties of the committee are:

24 (1) To advise the ~~state-board~~ Professional Standards Board in the adoption of rules  
25 and a code of ethics and practice standards for school psychologists; and

26 (2) To assist the commissioner in:

27 (i) Certifying school psychologists;

28 (ii) Investigating alleged violations of the code of ethics and practice standards  
29 adopted by the ~~state-board~~ Professional Standards Board; and

30 (iii) Investigating alleged violations of section 13020 and certification rules  
31 governing school psychologists.

32 **Sec. 24. 20-A MRSA §13025, sub-§2**, as enacted by PL 2017, c. 477, §1, is  
33 amended to read:

34 **2. Subpoenas.** When conducting an investigation relating to the credentialing of  
35 personnel under chapter 501 and this chapter and rules of the ~~state-board~~ Professional  
36 Standards Board, the commissioner may issue subpoenas for education records relevant to  
37 that investigation.

38 **Sec. 25. 20-A MRSA §13026, sub-§2**, as enacted by PL 2017, c. 426, §1, is  
39 amended to read:

40 **2. Notification of noncompliance.** Upon receipt of a list from a school administrative  
41 unit pursuant to subsection 1, the department shall determine for each person included on

1 the list whether the person has complied with all applicable criminal history record check  
2 and fingerprinting requirements of section 6103 and rules adopted by the ~~state board~~  
3 Professional Standards Board. If the department determines that the person has failed to  
4 comply with any such applicable requirement, the department shall immediately notify the  
5 school administrative unit of the person's failure to comply.

6 **Sec. 26. 20-A MRSA §13101, sub-§1**, as enacted by PL 2005, c. 457, Pt. GG, §1,  
7 is amended to read:

8 **1. Board established.** There is established the Professional Standards Board, referred  
9 to in this chapter as "the board," to establish certification standards and advise the state  
10 board regarding professional growth, ~~certification, endorsement, authorization~~ and  
11 governance of the education profession in this State. The board consists of the following  
12 22 members, 3 of whom must hold national board certification, and 2 ex officio members:

- 13 A. Two elementary school teachers;
- 14 B. Two middle school teachers;
- 15 C. Two high school teachers;
- 16 D. Two educational specialists;
- 17 E. Two special education teachers;
- 18 F. Two education technicians;
- 19 G. Three building administrators, one from an elementary school, one from a middle  
20 school and one from a high school;
- 21 H. One special education director;
- 22 I. One curriculum coordinator;
- 23 J. Two district-level administrators;
- 24 K. Two faculty members teaching in an approved teacher preparation program;
- 25 L. One member of the public;
- 26 M. One member, ex officio, of the state board; and
- 27 N. The commissioner, or the commissioner's designee, serving as an ex officio,  
28 nonvoting member of the board.

29 The board shall consider the commissioner's or the designee's recommendations.

30 A member whose employment status changes during that member's term on the board  
31 remains on the board for the duration of the term for which that member was appointed.

32 **Sec. 27. 20-A MRSA §13101, sub-§2**, as amended by PL 2005, c. 683, Pt. E, §1,  
33 is further amended to read:

34 **2. Appointments.** The Governor shall appoint the 23 members of the board specified  
35 in subsection 1, paragraphs A to M from nominations submitted by the education  
36 profession and interested persons. Members representing practitioner groups must be  
37 active practitioners and are appointed from a list of nominees presented by the largest  
38 organization in the State representing education paraprofessionals, elementary and  
39 secondary teachers, university faculty and each administrator specialty. Appointments of

1 members by the Governor under subsection 1, paragraphs A to M made after July 1, 2026  
2 must be submitted to the Legislature by the Governor and are subject to review by the joint  
3 standing committee of the Legislature having jurisdiction over education matters and to  
4 confirmation by the Legislature. A member who is appointed may serve in the member's  
5 position from the date of appointment unless the Legislature rejects the confirmation.

6 **Sec. 28. 20-A MRSA §13101, sub-§4**, as enacted by PL 2005, c. 457, Pt. GG, §1,  
7 is amended to read:

8 **4. Compensation.** The appointed members of the board ~~serve without~~ are entitled to  
9 compensation and are entitled to reimbursement by the state board for mileage and  
10 expenses incurred in performing required duties. The state board shall furnish the board  
11 with materials, secretarial assistance and meeting facilities chair is entitled to an additional  
12 stipend.

13 **Sec. 29. 20-A MRSA §13101, sub-§6**, as enacted by PL 2005, c. 457, Pt. GG, §1,  
14 is amended to read:

15 **6. Powers and duties.** The board has the following powers and duties.

16 ~~A. The board shall make recommendations to the state board, including, but not limited~~  
17 ~~to, preservice education, continuing education, professional growth, initial~~  
18 ~~certification, recertification and paraprofessional training and certification, and shall~~  
19 ~~advise the department on rule-making procedures.~~

20 A-1. The board shall establish standards for the certification of teachers.

21 ~~B. The board shall monitor the impact of the policies adopted pursuant to paragraph A~~  
22 ~~A-1 on the education profession in making recommendations and reports to the~~  
23 ~~commissioner and the state board.~~

24 ~~C. In making policy recommendations on the certification process, the board shall~~  
25 ~~consider complaints received by the department regarding the certification or~~  
26 ~~certification approval process.~~

27 ~~D. The board shall meet 5 times annually.~~

28 ~~E. The board shall maintain records and minutes of its meetings and shall file them in~~  
29 ~~the certification office within the department.~~

30 **Sec. 30. 20-A MRSA §13101, sub-§7** is enacted to read:

31 **7. Staff assistance.** The department shall provide staff assistance to assist the board  
32 in carrying out its functions. The department shall additionally furnish the board with  
33 materials, secretarial assistance and meeting facilities.

34 **Sec. 31. 20-A MRSA §13103**, as enacted by PL 2005, c. 457, Pt. GG, §1, is  
35 repealed.

36 **Sec. 32. Effective date.** This Act takes effect July 1, 2026.

## 37 SUMMARY

38 This bill reassigns the State Board of Education's role in the development of teacher  
39 certification standards with the Professional Standards Board. The bill also provides that  
40 members nominated to serve on the Professional Standards Board are subject to approval

1 by the joint standing committee of the Legislature having jurisdiction over education  
2 matters and to confirmation by the Legislature. The bill also provides that members of the  
3 Professional Standards Board are also entitled to compensation and that the Department of  
4 Education is responsible for providing staff assistance to the board to assist in carrying out  
5 its duties. This legislation takes effect on July 1, 2026.