

# MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 2029

S. P. 640

In Senate, January 21, 1976

Referred to Committee on Education. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Danton of York.

Cosponsor, Senator Speers of Kennebec.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SIX

AN ACT Relating to Teacher Employment.

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

Sec. 1. 20 MRSA § 161, sub-§ 5, as last amended by PL 1973 c. 454, § 1, is repealed and the following enacted in place thereof:

5. Shall nominate teachers; nomination to be approved by committee. He shall nominate all teachers, subject to such regulations governing salaries and the qualifications of teachers as the school committee or school directors shall make and subject to the approval of his nominations by said committee or directors.

The right to terminate a contract, after due notice of 90 days, is reserved to the school committee or school directors when changes in local conditions warrant the elimination of the teaching position for which the contract was made. In case the superintendent of schools and the school committee or school directors fail to legally elect a teacher, the commissioner shall have the authority to appoint a substitute teacher who shall serve until such election is made.

Sec. 2. 20 MRSA § 473, sub-§ 4, is repealed.

STATEMENT OF FACT

This bill repeals the provision which states that after a teacher has been employed for 3 years in a school system all subsequent contracts are extended

automatically, unless the school committee notifies the teacher of its intent not to renew.

This notification must be made 6 months before the end of the contract and the teacher has the right to a hearing before the board and a statement of reasons if he or she so requests.

The bill seeks to remove this section of the law as it has been a legal impediment to negotiations between teachers and school committees of fair procedures for terminating teacher contracts. It is public policy to leave resolution of employment problems to the negotiation process already provided by legislative Act.