

# 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)

FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 828

H. P. 704

House of Representatives, February 12, 1981

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

EDWIN H. PERT, Clerk

Presented by Representative Beaulieu of Portland.

Cosponsors: Representative Pearson of Old Town and Representative Gowen of Standish.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Amend the Statutes Relating to Teacher Tenure.

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

20 MRSA § 161, sub-§ 5, first ¶, as last amended by PL 1977, c. 580, §§ 16 and 17, is further amended to read:

He shall nominate all teachers, subject to such regulations governing salaries and the qualifications of teachers as the school committee on school directors shall make, and upon the approval of nominations by ~~said~~ that committee or directors, he may employ teachers so nominated and approved for such terms as he may deem proper, subject to the approval of the school committee or school directors. After a probationary period of not to exceed 2 years, subsequent contracts of duly certified teachers shall be for not less than ~~2 years~~ one year. ~~Unless a duly certified teacher receives written notice to the contrary at least 6 months before the terminal date of the contract, the contract shall be extended automatically for one year and similarly in subsequent years although the right to an extension for a longer period of time through a new contract is specifically reserved to the contracting parties~~ Just cause for dismissal or nonrenewal may be a negotiable item in accordance with the procedure set forth in Title 26, ~~e-~~ chapter 9-A, for teachers who have served beyond the probationary period. ~~After a probationary period of 2 years, any teacher, who receives notice in accordance with this section~~

~~that his contract is not going to be renewed, may during the 15 days following such notification request a hearing with the school committee or governing board. He may request reasons. The hearing shall be private except by mutual consent and except that either or both parties may be represented by counsel. Such hearing must be granted within 30 days of the receipt of the teacher's request~~

#### STATEMENT OF FACT

Now, with the advent of a surplus of teachers and collective bargaining agreements defining terms and conditions of work locally, it is appropriate that minimum teacher tenure, as set out in the statutes be changed from 2 years to one year.