

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 722

6
7 H.P. 574

House of Representatives, February 10, 1983

8 Referred to the Committee on Education, sent up for concurrence and
9 ordered printed.

10 EDWIN H. PERT, Clerk

11 Presented by Representative Carroll of Limerick.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT to Clarify and Improve upon the
18 Purposes of the Probationary Period in the
19 Employment of Teachers.
20

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

23 Sec. 1. 20-A MRSA §13201, 2nd ¶, as enacted by
24 PL 1981, c. 693, §§5 and 8, is amended to read:

25 After a probationary period not to exceed 2
26 school years, subsequent contracts of duly certified
27 teachers shall be for not less than 2 years, provided
28 that upon written request of a duly certified teacher
29 and upon mutual written agreement between the teacher
30 and the school committee or school directors, that
31 probationary period may be extended to a maximum of 3
32 school years. Unless a duly certified teacher
33 receives written notice to the contrary at least 6

1 months before the terminal date of the contract, the
2 contract shall be extended automatically for one year
3 and similarly in subsequent years. The right to an
4 extension for a longer period of time through a new
5 contract is specifically reserved to the contracting
6 parties.

7 Sec. 2. 20-A MRSA §13201, 4th ¶, as enacted by
8 PL 1981, c. 693, §§5 and 8, is amended to read:

9 After a probationary period ~~of 2 years~~, as de-
10 defined in this section, any teacher, who receives
11 notice in accordance with this section that his con-
12 tract is not going to be renewed, may during the 15
13 days following such notification request a hearing
14 with the school board. The teacher may request
15 reasons. The hearing shall be private except by
16 mutual consent and except that either or both parties
17 may be represented by counsel. That hearing must be
18 granted within 30 days of the receipt of the
19 teacher's request.

20 STATEMENT OF FACT

21 The purposes of this bill are to clarify the
22 intent of the phrase "not to exceed 2 years" in the
23 definition of "probationary period" for teachers, to
24 mean 2 consecutive school years; and to allow for a
25 maximum one-year extension in the probationary period
26 when extenuating local circumstances exist, that sup-
27 port the need for a longer probationary period for
28 evaluating a teacher prior to the granting of contin-
29 uing contract status and the individual teacher for-
30 mally requests the extension.

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