

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 191

6
7 H.P. 157

House of Representatives, January 29, 1985

8 Reference to the Committee on Education suggested and ordered printed.

9 EDWIN H. PERT, Clerk

10 Presented by Representative Crouse of Caribou.

11
12 STATE OF MAINE
13

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

17 AN ACT to Modify the Laws Governing
18 Certification of Educational
19 Personnel.
20

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

23 Sec. 1. 20-A MRSA §13012, sub-§2, ¶¶B and C, as
24 enacted by PL 1983, c. 845, §4, are amended to read:

25 B. For secondary school, has graduated from an
26 accredited, degree-granting, educational institu-
27 tion upon completion of:

28 (1) A 4-year program in liberal arts and
29 sciences; or

30 (2) An approved 4-year teacher preparation
31 program and has majored in the subject area
32 to be taught; and

1 Has met other academic and preprofessional re-
2 quirements established by the state board for
3 teaching at the secondary school level; ~~or~~

4 C. Is otherwise qualified by having met separate
5 educational criteria for specialized teaching ar-
6 eas including, but not limited to, special educa-
7 tion, home economics, agriculture, vocational edu-
8 cation, art, music, business education, physical
9 education and industrial arts, as established by
10 the state board for teaching in these specialized
11 areas; or

12 Sec. 2. 20-A MRSa §13012, sub-§2, ¶D is enacted
13 to read:

14 D. Has previously held a provisional or profes-
15 sional certificate issued prior to July 1, 1988,
16 or professional certificate issued on or after
17 July 1, 1988, and has voluntarily allowed the
18 certificate to lapse.

19 Sec. 3. 20-A MRSa §13013, sub-§2, ¶C, as enacted
20 by PL 1983, c. 845, §4, is amended to read:

21 C. Received a recommendation to the ~~superintend-~~
22 ~~ent~~ and commissioner by an approved support sys-
23 tem, pursuant to section 13015.

24 Sec. 4. 20-A MRSa §13015, sub-§3, ¶A, as enacted
25 by PL 1983, c. 845, §4, is amended to read:

26 A. A majority of classroom teachers, including a
27 master teacher, if available, and other personnel
28 such as administrators, personnel from the De-
29 partment of Educational and Cultural Services or
30 institutions of higher education and other out-
31 side consultants as the commissioner may approve.
32 For the purposes of this paragraph, the state
33 board shall establish by rule the definition of
34 classroom teacher. Every candidate for higher
35 level certification may at any time request the
36 replacement of any or all members of the support
37 team which may be evaluating that candidate for
38 certification, but that right may be exercised
39 only when conflict of interest or interpersonal
40 conflict sufficient to affect the support system

1 relationship can be demonstrated by the
2 candidate;

3 Sec. 5. 20-A MRSA §13015, sub-§4, as enacted by
4 PL 1983, c. 845, §4, is amended to read:

5 4. Teacher action plan. A teacher action plan is
6 developed by the support system in consultation with
7 the teacher who is the subject of the plan. The
8 teacher action plan shall describe the specific
9 skills which must be developed and improved by the
10 teacher, as well as any other requirements, which may
11 include additional professional graduate and advanced
12 study, in order to achieve a positive recommendation
13 to receive a higher level of certificate. Teacher
14 action plans shall be based on accepted statewide
15 standards for professional and master teacher certifi-
16 icates, but in no case shall a candidate for certifi-
17 cation be required to participate against his or her
18 will in any specified training program or course of
19 study to meet those standards. A teacher action plan
20 shall contain the basis for the positive or negative
21 recommendation of a support system as to whether a
22 teacher should be granted a professional teacher certifi-
23 cate or a master teacher certificate, as applica-
24 ble.

25 Sec. 6. 20-A MRSA §13015, sub-§5, as enacted by
26 PL 1983, c. 845, §4, is amended to read:

27 5. Records confidential. A teacher action plan
28 shall be considered an employee record and shall be
29 kept confidential in accordance with sections 6101
30 and 6102. Additional confidentiality provisions
31 shall be established where necessary to ensure separa-
32 tion between the support system and local practices
33 and procedures regarding the supervision and evalua-
34 tion of a teacher for retention by a school adminis-
35 trative unit.

36 Sec. 7. 20-A MRSA §13015, sub-§§6 and 7 are en-
37 acted to read:

38 6. Recommendations. Recommendations by the sup-
39 port system regarding certificate renewal or certifi-
40 cation at a higher level shall be forwarded directly
41 to the commissioner by May 1st of the school year in

1 which the candidate has met the standards for the
2 certificate being sought. In no case shall recommen-
3 dations be forwarded to the commissioner before April
4 1st of that school year.

5 7. Authority of the support system. Members of
6 the support system who establish teacher action plans
7 or who evaluate or make recommendations to the com-
8 missioner regarding readiness for certification shall
9 act as authorized agents of the State Board of Educa-
10 tion.

11 Sec. 8. 20-A MRSA §13016, sub-§2, as enacted by
12 PL 1983, c. 845, §4, is amended to read:

13 2. Professional teacher certificates. A profes-
14 sional teacher certificate may be renewed for 5-year
15 periods in accordance with state board rules which
16 shall require, at a minimum, a recommendation of a
17 support system and that the teacher either complete
18 at least 6 hours of professional or academic study,
19 or; or participate in in-service training designed to
20 improve the performance of the teacher in the field
21 for which the teacher holds an endorsement, or in a
22 related subject area; or receive equivalent in-
23 service credit for service and leadership in such ar-
24 reas as curriculum development, support for beginning
25 teachers, staff development or other system-wide
26 service. Teachers who desire to qualify for a master
27 teacher certificate shall coordinate their continuing
28 professional education with the requirements of an
29 applicable teacher action plan.

30 Sec. 9. 20-A MRSA §13016, sub-§3, as enacted by
31 PL 1983, c. 845, §4, is amended to read:

32 3. Master teacher certificate. A master teacher
33 certificate may be renewed for 5-year periods in ac-
34 cordance with state board rules which shall require,
35 at a minimum, that the master teacher has obtained a
36 recommendation of the support system that the master
37 teacher has maintained a high level of professional
38 teacher skills and continues to meet master teacher
39 standards. If the holder of a master teacher certif-
40 icate fails to maintain master teacher skills or
41 chooses not to seek a renewal of the master teacher
42 certificate, the teacher will be deemed to hold a

1 professional teacher certificate and shall meet the
2 requirements for its renewal.

3 STATEMENT OF FACT

4 The purpose of this bill is to clarify and
5 strengthen the newly enacted laws governing the cer-
6 tification of teachers and correct obvious discrepan-
7 cies that have come to light now that Title 20-A is
8 in the process of being implemented.

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