

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 1443

6  
7 H.P. 1001

House of Representatives, May 1, 1985

8 Reference to the Committee on Appropriations and Financial Affairs  
9 suggested and ordered printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Higgins of Scarborough.

11  
12 STATE OF MAINE  
13

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

17 AN ACT Concerning the Education Laws and  
18 Compensation and Recognition of  
19 Teachers.  
20

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

23 Sec. 1. 20-A MRSA c. 325 is enacted to read:

24 CHAPTER 325

25 OPTIONAL TEACHER COMPENSATION PLANS

26 §9701. Teacher compensation plan

27 The State shall annually appropriate a sum of  
28 money to establish pilot projects encouraging  
29 performance-based compensation for teachers. Propos-  
30 als for projects to be funded under this chapter  
31 shall be submitted to the commissioner by April 1st  
32 of each year. Funding under this chapter shall be  
33 given to plans with the following objectives:

1        1. Compensation plan. Design and implement a  
2 performance-based pay compensation plan to recognize  
3 and reward outstanding teachers;

4        2. Teacher proficiency. Implement a system to  
5 measure teacher knowledge and skills in concert with  
6 a plan for improving teacher proficiency; and

7        3. Local involvement in selection of teachers.  
8 Involve teachers, administrators, school board mem-  
9 bers and parents in determining which teachers shall  
10 receive additional compensation pursuant to this  
11 chapter.

12        §9702. Approval of plan

13        A school administrative unit may submit a plan or  
14 proposal to the commissioner in accordance with rules  
15 developed by the State Board of Education. Funding  
16 for plans shall be awarded on a competitive basis.  
17 Plans shall be funded for a 2-year period. The com-  
18 missioner, in consultation with the board, shall make  
19 the final determination of approval.

20        §9703. Funding

21        The State shall allocate funds to administrative  
22 units that submit plans that are approved according  
23 to the requirements of this chapter.

24        §9704. Monitoring and evaluation

25        The department shall monitor approved plans dur-  
26 ing the period of implementation. The administrative  
27 unit receiving state funds for a plan shall provide  
28 for an ongoing evaluation of the plan and shall sub-  
29 mit to the department any data or information as may  
30 be required by the department to adequately evaluate  
31 the plan. The furnishing of this information shall be  
32 a condition of funding approval.

33        If, at the end of the grant period, the plan has  
34 been evaluated as effective by the department, the  
35 allowable costs may be added to the administrative  
36 unit's subsidized costs pursuant to chapter 605.

1        The department shall report on the effectiveness  
2 of projects under this chapter to the joint standing  
3 committee of the Legislature having jurisdiction over  
4 education at the First Regular Session of the 114th  
5 Legislature.

6        §9705. Rules

7        The State Board of Education make and promulgate  
8 rules as necessary for the implementation of this  
9 chapter.

10       §9706. Repeal

11       This chapter is repealed on July 1, 1990.

12       Sec. 2. 20-A MRSA c. 506, as amended, is re-  
13 pealed.

14       Sec. 3. 20-A MRSA c. 506-A is enacted to read:

15                       CHAPTER 506-A

16                       TEACHER RECOGNITION GRANTS

17       §13521. Definitions

18       As used in this chapter, unless the context oth-  
19 erwise indicates, the following terms have the fol-  
20 lowing meanings.

21       1. Qualifying schools. "Qualifying schools"  
22 means public schools that are governed by a school  
23 board of a school administrative unit.

24       2. Teacher. "Teacher" means a person certified  
25 by the Department of Educational and Cultural Ser-  
26 vices who is an employee of a qualified school, in-  
27 cluding an elementary and secondary teacher, special-  
28 ized subject teacher and vocational-industrial teach-  
29 er, as defined in the certification rules of the  
30 State Board of Education.

31       §13522. Money distributed

1        The Treasurer of State shall annually, prior to  
2 February 15th, upon order of the commissioner, pay to  
3 each administrative unit within the State an amount  
4 which bears the same relationship to the total amount  
5 appropriated by the Legislature for teacher recogni-  
6 tion grants for that year as the student population  
7 for the prior calendar year within the qualified  
8 schools within that administrative unit bears to the  
9 total student population within all qualified schools  
10 within the State.

11        §13523. Teacher recognition grants

12        The governing body of any administrative unit re-  
13 ceiving grant money pursuant to section 13522 shall  
14 expend that money in the form of grants to teachers  
15 within qualified schools within that administrative  
16 unit. Selection of teachers to receive grants pursu-  
17 ant to this section and the amount of each such grant  
18 shall be determined in accordance with procedures and  
19 criteria established by the governing body of the ad-  
20 ministrative unit. In making its determination, the  
21 governing body shall provide for the involvement of  
22 teachers, administrators, school board members and  
23 parents. The criteria for selection shall be based on  
24 outstanding achievement in the field of teaching.

25        §13524. Local collective bargaining

26        Recognition grants awarded under this chapter  
27 shall not be considered during local collective bar-  
28 gaining for the purposes of setting teachers' sala-  
29 ries.

30        §13525. Retirement

31        Any compensation received pursuant to this chap-  
32 ter shall be deemed compensation for the purposes of  
33 calculating benefits under the State Retirement Sys-  
34 tem.

35        §13526. Appropriation

36        The Legislature shall annually appropriate funds  
37 to carry out the purposes of this chapter.

38        §13527. Use of funds; repayment

1        Funds provided to any administrative unit under  
2 this chapter shall only be used for the purposes set  
3 out in this chapter. Any administrative unit not  
4 using any funds provided to it pursuant to this chap-  
5 ter shall repay those funds to the State.

6            Sec. 4. 20-A MRSA c. 513 is enacted to read:

7                            CHAPTER 513

8                            EXCELLENCE IN TEACHING

9        §14001. Award

10        Each recipient of an Annual Award for Outstanding  
11 Professional Performance in Education, as established  
12 pursuant to this chapter, shall receive \$1,000. Each  
13 teacher receiving this award shall also receive 3  
14 days of release time to be used for working on a pub-  
15 lication or for acting as a resource teacher, a con-  
16 sultant or an in-service workshop leader, speaker or  
17 coordinator. Recipients shall be selected in accord-  
18 ance with section 14002.

19        §14002. Selection

20        The selection for recipients of the Annual Award  
21 for Outstanding Professional Performance in Education  
22 shall be made as follows.

23        1. Number. The awards shall be given annually to  
24 5 teachers from each of the 9 regional associations  
25 of superintendents within the State.

26        2. Committee. The president of each regional as-  
27 sociation of superintendents, or his designee, shall  
28 appoint annually at least 7 members to serve on a  
29 committee whose duty shall be to select the 5 award  
30 recipients from that region. There shall be at least  
31 one member on the committee from each of the follow-  
32 ing groups within the region:

33            A. Teachers;

34            B. Students;

35            C. Parents of students;

1       D. School administrators;

2       E. School board members;

3       F. Representatives from the business community;  
4       and

5       G. Representatives from the professional commu-  
6       nity.

7       3. Guidelines. The committee shall select the  
8       award recipients in accordance with guidelines  
9       promulgated by the Department of Educational and Cul-  
10       tural Services in conjunction with statewide organi-  
11       zations representing teachers, administrators and  
12       school boards.

13       Sec. 5. Appropriation. The following funds are  
14       appropriated from the General Fund to carry out the  
15       purposes of this Act.

	<u>1985-86</u>	<u>1986-87</u>
<u>EDUCATIONAL AND CULTURAL</u>		
<u>SERVICES, DEPARTMENT OF</u>		

All Other	\$13,500,000	\$28,045,000
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The funds in  
fiscal year  
1985-86 shall be  
used for teacher  
recognition  
grants. The  
funds in fiscal  
year 1986-87  
shall be used as  
follows:  
\$27,000,000  
shall be used  
for teacher rec-  
ognition grants;  
\$1,000,000 shall  
be used for com-  
pensation plans  
under the Maine  
Revised Stat-

