

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1629

H.P. 1195 House of Representatives, May 19, 1987
Reported by the Majority from the Committee on Education
pursuant to Public Law 1983, chapter 845, section 5, and
Public Law 1987, chapter 84 and printed pursuant to Joint Rule
18.

EDWIN H. PERT, Clerk

STATE OF MAINE

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

AN ACT to Improve the Teacher and
Administrator Certification Law.

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

Sec. 1. 20-A MRSA §13011, sub-§§1 and 3, as en-
acted by PL 1983, c. 845, §4, are amended to read:

1. Certification and revocation rules. All Ex-
cept as provided in section 13018, all teacher cer-
tificates issued or revoked after June 30, 1988, and
all administrator and other professional certificates
issued or revoked after June 30, 1989, shall be in
accordance with this chapter. The state board shall
adopt rules prior to April 1, 1988 to carry out the
purposes of this chapter under which the commissioner
shall:

1 A. Certify teachers and other professional per-
2 sonnel for service in a public school or in an
3 approved private school;

4 B. Certify adult education teachers and other
5 teaching and professional personnel in
6 publicly-supported educational programs other
7 than post high school institutions, colleges and
8 universities;

9 C. Approve the employment of teacher aides,
10 teacher assistants and other semiprofessional
11 personnel for service in schools; and

12 D. Seek a revocation of a certificate in the Ad-
13 ministrative Court.

14 3. Teacher certificates. The state board rules
15 shall recognize at least ~~3~~ 2 categories of teacher
16 certificates as identified in sections 13012 ~~to 13014~~
17 and 13013.

18 Sec. 2. 20-A MRSa §13014, as amended by PL 1985,
19 c. 797, §49, is repealed.

20 Sec. 3. 20-A MRSa §13015, sub-§3, ¶¶A and B, as
21 enacted by PL 1983, c. 845, §4, are amended to read:

22 A. A majority of classroom teachers, ~~including a~~
23 ~~master-teacher, if available,~~ and other personnel
24 such as administrators, personnel from the De-
25 partment of Educational and Cultural Services or
26 institutions of higher education and other out-
27 side consultants as the commissioner may approve.
28 For the purposes of this paragraph, the state
29 board shall establish by rule the definition of
30 classroom teacher;

31 B. A description of the duties and responsibili-
32 ties of the support system in the preparation of
33 a teacher action plan for both provisional teach-
34 ers ~~and applicants for master teacher~~
35 certification; and

36 Sec. 4. 20-A MRSa §13015, sub-§3, ¶C, as enacted
37 by PL 1983, c. 845, §4, is repealed.

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

3 **4. Teacher action plan.** A teacher action plan is
4 developed by the support system in consultation with
5 the teacher who is the subject of the plan. The
6 teacher action plan shall describe the specific
7 skills which must be developed and improved by the
8 teacher, as well as any other requirements, which may
9 include additional professional graduate and advanced
10 study, in order to achieve a positive recommendation
11 to receive a higher level of certificate. A teacher
12 action plan shall contain the basis for the positive
13 or negative recommendation of a support system as to
14 whether a teacher should be granted a professional
15 teacher certificate ~~or a master teacher certificate,~~
16 as applicable.

17 **Sec. 6. 20-A MRSA §13016, sub-§3, as enacted by**
18 **PL 1983, c. 845, §4, is repealed.**

19 **Sec. 7. 20-A MRSA §13018, as amended by PL 1985,**
20 **c. 287, §4, is further amended to read:**

21 §13018. Recertification of 5-year and 10-year teach-
22 er certificates

23 Teachers, who hold certificates issued in accord-
24 ance with chapter 501, shall continue to hold those
25 certificates until their termination dates. All cer-
26 tificates issued after June 30, 1988, shall be issued
27 in accordance with this chapter, except that teachers
28 whose certificates expire before July 1, 1989, may
29 renew their certificates in accordance with chapter
30 501. Teachers who held 5-year or 10-year certifi-
31 cates prior to June 30, ~~1988~~ 1989, shall be consid-
32 ered to have held professional teacher certificates
33 for the purpose of recertification under this chap-
34 ter.

35 **Sec. 8. 20-A MRSA §§13019-D and 13019-E, as en-**
36 **acted by PL 1985, c. 287, §5, are amended to read:**

37 §13019-D. Recertification of administrators

38 Administrators who hold certificates issued in
39 accordance with chapter 501 shall continue to hold

1 those certificates until their termination dates.
2 Renewal of administrator certificates issued in ac-
3 cordance with chapter 501 which are granted after the
4 ~~effective date of this Act~~ September 19, 1985 and be-
5 fore July 1, ~~1988~~ 1989, shall be valid for 5 years.
6 All certificates issued after June 30, ~~1988~~ 1989,
7 shall be issued in accordance with this chapter.

8 §13019-E. Recertification of other professional per-
9 sonnel

10 Professional personnel other than teachers and
11 administrators who hold certificates issued pursuant
12 to chapter 501 ~~of this Title~~ shall continue to hold
13 those certificates until their termination dates.
14 All certificates issued after June 30, ~~1988~~ 1989,
15 shall be issued and renewed in accordance with rules
16 of the state board adopted pursuant to this chapter.

17 Sec. 9. 20-A MRSA §13021, as amended by PL 1985,
18 c. 287, §6, is further amended to read:

19 §13021. Periodic review

20 The state board shall review teacher and adminis-
21 trator certificate standards ~~every 6 years~~ annually
22 and report the results of its review to the joint
23 standing committee of the Legislature having juris-
24 isdiction over education, along with any proposed leg-
25 islation. The first report to the Legislature
26 committee shall be due starting with the legislative
27 session beginning in December January 1990. In addi-
28 tion to information requested by the committee and
29 other materials considered relevant by the board, the
30 report shall include an update of rule-making activi-
31 ty accomplished since the last report and an assess-
32 ment of the use of conditional certificates.

33 Sec. 10. PL 1983, c. 845, §5, first ¶ is amended
34 to read:

35 Sec. 5. Pilot project and report to the Second
36 Regular Session of the 112th Legislature. ~~Notwith-~~
37 ~~standing--the effective date set forth in the Revised~~
38 ~~Statutes, Title 20-A, section 13014, subsection 4,~~
39 ~~temporary--master--teacher certificates may be issued~~
40 ~~as of July 1, 1985, in accordance with temporary~~

1 state--board-rules,-to-qualified-individuals-who-have
2 participated-in-pilot-projects-designed-to-train--in-
3 individuals--to-become-master-teachers.--These-certifi-
4 cates-may-be-renewed-in--accordance--with--the--final
5 rules-established-by-the-state-board.--These-projects
6 will--be--developed-by-the-commissioner-and-the-state
7 board,-in-consultation-with-local-administrative
8 units--and--representatives--from--other-appropriated
9 support-constituencies,-beginning-on-the-effective
10 date--of--this-Act.--The-number-of-projects-to-be-de-
11 veloped-and-the-selection-of-units-to-be-involved--in
12 the--projects--will-be-determined-by-the-state-board.
13 The-pilot-projects-shall-terminate--as-of--July--1,
14 1987.

15 Sec. 11. Interim reports. Prior to commencement
16 of the annual report required by the Maine Revised
17 Statutes, Title 20-A, section 13021, beginning in
18 1990, the State of Board of Education shall report
19 periodically to the joint standing committee of the
20 Legislature having jurisdiction over education at the
21 following times on the following topics.

- 22 - September 1, 1987
23 - Independent evaluation of the administrator pi-
24 lot projects
25 - Initial administrator and teacher certification
26 requirements
- 27 - December 1, 1987
28 - Completion of the administrator pilot projects
29 - Independent evaluation of the administrator pi-
30 lot projects
31 - Initial administrator and teacher certification
32 requirements
33 - Administrator mentoring
34 - Administrator action plans
35 - Results of study of access to administrator po-
36 sitions
37 - Accounting of budgeted pilot project funds and
38 expenditures
- 39 - March 1, 1988
40 - Preliminary report on administrator certifica-
41 tion, including completion of the administrator
42 pilot projects, final independent evaluation of
43 the administrator pilot projects, administrator

1 mentoring, administrator action plans, adminis-
2 trator training, access to administrator posi-
3 tions and accounting of budgeted pilot project
4 funds and expenditures
5 - Update on teacher certification rules

6 - December 1, 1988
7 - Review of administrator certification rules
8 - Recommended legislative changes in the certifi-
9 cation law

10 **Sec. 12. Funds.** The funds to cover the addi-
11 tional costs to local school units of complying with
12 the teacher and administrator certification law are
13 included in the Governor's budget.

14 STATEMENT OF FACT

15 This bill is the majority report of the Joint
16 Standing Committee on Education on its review of the
17 teacher and administrator certification law required
18 by Public Law 1983, chapter 845, section 5, and Pub-
19 lic Law 1987, chapter 84.

20 This bill:

21 1. Allows for the completion of the administra-
22 tor certification pilot projects currently in opera-
23 tion;

24 2. Extends the implementation date for adminis-
25 trator certification from July 1, 1988, to July 1,
26 1989;

27 3. Eliminates the master teacher, or 3rd level,
28 of teacher certification;

29 4. Generally keeps July 1, 1988, as the imple-
30 mentation date for the teacher certification law, but
31 allows teachers whose current certificate expires on
32 July 30, 1988, to renew their certificates under the
33 old law if they wish; and

1 5. Changes the 6-year review and reporting re-
2 quirement by the State Board of Education on certifi-
3 cation issues to an annual one and establishes a se-
4 ries of interim reports on the implementation of the
5 teacher and administrator certification law prior to
6 the first annual report.

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