

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1630

H.P. 1196 House of Representatives, May 19, 1987
Reported by the Minority 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 Enhance the Certification of
Educational Personnel Law.

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

Sec. 1. 20-A MRSA §13011, sub-§1, as enacted by
PL 1983, c. 845, §4, is amended to read:

1. Certification and revocation rules. All Except as provided in section 13014, subsection 5, and section 13018, all teacher certificates 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 Except as provided in section 13014, subsection 5, 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 Sec. 2. 20-A MRSA §13013, as enacted by PL 1983,
15 c. 845, §4, is amended to read:

16 §13013. Professional level I teacher certificate

17 1. Definition. A professional level I teacher
18 certificate is a renewable certificate issued to an
19 individual who has held a provisional certificate and
20 has met the qualifications of this section.

21 2. Qualifications. State board rules governing
22 the qualifications for a professional level I teacher
23 certificate shall require that the certificate may
24 only be issued to an applicant who, at a minimum:

25 A. Holds a provisional teacher certificate or
26 has held a professional level I teacher certifi-
27 cate which has expired within the last 5 years;

28 B. Taught in a classroom for 2 academic years;
29 and

30 C. Received a recommendation to the superintend-
31 ent and commissioner by an approved support sys-
32 tem, pursuant to section 13015.

33 3. Endorsements. The professional level I teach-
34 er certificate shall be issued with an endorsement
35 which specifies the grades and subject area which the
36 teacher is deemed qualified to teach. A holder of a

1 professional level I teacher certificate may not
2 teach outside his or her area of endorsement unless
3 he or she has received a waiver from the commissioner
4 in accordance with state board rules.

5 4. Five-year certificate. A professional level I
6 teacher certificate shall be issued for a 5-year pe-
7 riod and may be renewed in accordance with section
8 13016.

9 **Sec. 3. 20-A MRSA §13014, as amended by PL 1985,**
10 **c. 797, §49, is further amended to read:**

11 §13014. Professional level II teacher certificate

12 1. Definition. A master professional level II
13 teacher certificate is a renewable certificate issued
14 to an individual who has achieved additional profes-
15 sional standards in accordance with this section.

16 2. Qualifications. State board rules governing
17 the qualifications for a master professional level II
18 teacher certificate shall require that the certifi-
19 cate may only be issued to an applicant who, at a
20 minimum:

21 A. Possesses a professional level I teacher cer-
22 tificate;

23 B. Has demonstrated exemplary professional
24 skills in classroom instruction and who may have
25 additionally contributed to the profession in
26 such areas as:

27 (1) Curriculum development;

28 (2) Teacher in-service training and effec-
29 tive staff development; or

30 (3) Student-teacher supervision; and

31 C. Has obtained the support system's positive
32 recommendation based on the contents of a teacher
33 action plan pursuant to section 13015.

34 3. Endorsements. The holder of a master profes-
35 sional level II teacher certificate shall possess, at

1 a minimum, the endorsements held under the profes-
2 sional level I certificate.

3 4. Five-year certificate. A master professional
4 level II teacher certificate may be issued for a
5 5-year period and may be renewed in accordance with
6 section 13016.

7 5. Effective date. Notwithstanding the July 1,
8 1988, reference in section 13011, the state board
9 shall establish as a target date, ~~September 17, 1987~~
10 July 1, 1989, to adopt rules governing the issuance
11 of master professional level II teacher certificates.
12 Following the effective date of these rules, eligible
13 teachers may apply to qualify for a master profes-
14 sional level II teacher certificate. Master Profes-
15 sional level II teacher certificates may be issued
16 starting in July ~~1988~~ 1, 1990.

17 Sec. 4. 20-A MRSA §13015, sub-§3, ¶¶A to C, as
18 enacted to PL 1983, c. 845, §4, are amended to read:

19 A. A majority of classroom teachers, including a
20 master professional level II teacher, if availa-
21 ble, and other personnel such as administrators,
22 personnel from the Department of Educational and
23 Cultural Services or institutions of higher edu-
24 cation and other outside consultants as the com-
25 missioner may approve. For the purposes of this
26 paragraph, the state board shall establish by
27 rule the definition of classroom teacher;

28 B. A description of the duties and responsibili-
29 ties of the support system in the preparation of
30 a teacher action plan for both provisional teach-
31 ers and applicants for master professional level
32 II teacher certification;

33 C. A description of the duties of the master
34 professional level II teacher responsible for the
35 design and coordination of a teacher action plan;
36 and

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

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

15 Sec. 6. 20-A MRSA §13016, sub-§§2 and 3, as en-
16 acted by PL 1983, c. 845, §4, are amended to read:

17 2. Professional level I teacher certificates. A
18 professional level I teacher certificate may be re-
19 newed for 5-year periods in accordance with state
20 board rules which shall require, at a minimum, a rec-
21 ommendation of a support system and that the teacher
22 complete at least 6 hours of professional or academic
23 study, or in-service training designed to improve the
24 performance of the teacher in the field for which the
25 teacher holds an endorsement, or in a related subject
26 area. Teachers who desire to qualify for a master
27 professional level II teacher certificate shall coordi-
28 nate their continuing professional education with
29 the requirements of an applicable teacher action
30 plan.

31 3. Professional level II teacher certificate. A
32 master professional level II teacher certificate may
33 be renewed for 5-year periods in accordance with
34 state board rules which shall require, at a minimum,
35 that the master professional level II teacher has ob-
36 tained a recommendation of the support system that
37 the master professional level II teacher has main-
38 tained a high level of professional teacher skills.
39 If the holder of a master professional level II
40 teacher certificate fails to maintain master profes-
41 sional level II teacher skills or chooses not to seek
42 a renewal of the master professional level II teacher
43 certificate, the teacher will be deemed to hold a
44 professional level I teacher certificate and shall
45 meet the requirements for its renewal.

1 **Sec. 7. 20-A MRS**A §13017, as enacted by PL 1983,
2 c. 845, §4, is amended to read:

3 §13017. Interstate agreements

4 Notwithstanding any other requirements of this
5 chapter, a teacher, who is eligible to hold a provi-
6 sional teacher certificate pursuant to an interstate
7 agreement authorized by chapter 511, has at least 2
8 academic years of prior teacher experience outside
9 the State and has taught for fewer than 2 years in
10 Maine with a provisional teacher certificate, may be
11 awarded a professional level I teacher certificate if
12 recommended by the administrative unit's support sys-
13 tem and is otherwise deemed to be eligible by the
14 commissioner.

15 **Sec. 8. 20-A MRS**A § 13018, as amended by PL
16 1985, c. 287, §4, is further amended to read:

17 §13018. Recertification of 5-year and 10-year teach-
18 er certificates

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

31 **Sec. 9. 20-A MRS**A §§13019-D and 13019-E, as en-
32 acted by PL 1985, c. 287, §5, are amended to read:

33 §13019-D. Recertification of administrators

34 Administrators who hold certificates issued in
35 accordance with chapter 501 shall continue to hold
36 those certificates until their termination dates.
37 Renewal of administrator certificates issued in ac-
38 cordance with chapter 501 which are granted after the
39 effective date of this Act and before July 1, ~~1988~~

1 1989, shall be valid for 5 years. All certificates
2 issued after June 30, ~~1988~~ 1989, shall be issued in
3 accordance with this chapter.

4 §13019-E. Recertification of other professional per-
5 sonnel

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

13 Sec. 10. 20-A MRSA §13021, as amended by PL
14 1985, c. 287, §6, is further amended to read:

15 §13021. Periodic review

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

29 Sec. 11. Interim reports. In addition to the
30 report required by the Maine Revised Statutes, Title
31 20-A, section 13021, beginning in 1990, the State
32 Board of Education shall report periodically to the
33 joint standing committee of the Legislature having
34 jurisdiction over education as follows:

- 35 - September 1, 1987
36 - Update on independent evaluation of the admin-
37 istrator pilot projects and administrator
38 - Teacher initial certification requirements

- 1 - December 1, 1987
2 - Update on completion of the administrator pilot
3 projects
4 - Independent evaluation of the administrator pi-
5 lot projects
6 - Initial administrator and teacher certification
7 requirements
8 - Administrator mentoring
9 - Administrator action plans
10 - Results of study of access to administrator po-
11 sitions
12 - Accounting of budgeted pilot project funds and
13 expenditures

- 14 - March 1, 1988
15 - Preliminary report on administrator certifica-
16 tion including: Completion of the administra-
17 tor pilot projects; independent evaluation of
18 the administrator pilot projects, final evalua-
19 tion; administrator mentoring; administrator
20 action plans; administrator training; access to
21 administrator positions; and accounting of bud-
22 geted pilot projects funds and expenditures
23 - Update on teacher certification rules

- 24 - December 1, 1988
25 - Review of administrator certification rules
26 - Recommended legislative changes in the certifi-
27 cation law

28 **Sec. 12. Master teacher pilot projects; report.**
29 The State Board of Education shall continue the oper-
30 ation of pilot projects established pursuant to Pub-
31 lic Law 1983, chapter 845, section 5, for the purpose
32 of testing the professional level II teacher certifica-
33 tion concept. The professional level II pilots shall
34 terminate on or before July 1, 1988.

35 The State Board of Education and the Commissioner
36 of Educational and Cultural Services shall study the
37 results of the pilot projects on professional level
38 II teacher certification and the state board shall
39 report to the joint standing committee of the Legis-
40 lature having jurisdiction over education by January
41 15, 1989. That report shall address appropriate
42 qualifications, methods of selection and duties for
43 professional level II teachers and shall include.

1 draft rules for the implementation of professional
2 level II certification. It shall also include pro-
3 jected costs of implementing the professional level
4 II teacher certificate on a statewide basis. The
5 Joint Standing Committee on Education shall review
6 the report of the state board, conduct its own review
7 of the professional level II teacher certification
8 concept and issue its report to the Legislature by
9 April 1, 1989.

10 Sec. 13. Funds. The funds to cover the addi-
11 tional costs to local school units 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 minority report of the Joint
16 Standing Committee on Education on its review of the
17 teacher and administrator certification law which is
18 required by Public Law 1983, chapter 845, section 5,
19 and Public Law 1987, chapter 84.

20 The 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. Continues the 3 levels of teacher certifica-
28 tion, but renames the 2nd and 3rd levels professional
29 level I and professional level II;

30 4. Generally continues July 1, 1988, as the im-
31 plementation date for the teacher certification law,
32 but allows teachers whose current certificate expires
33 on July 30, 1988, to renew their certificate under
34 the old law if they wish and provides for a continua-
35 tion of pilot projects on the 3rd level of certifica-
36 tion and for delayed implementation of that level;
37 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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