

# MAINE STATE LEGISLATURE

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(New Draft of H.P. 468, L.D. 635)  
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1839

H.P. 1345 House of Representatives, June 12, 1987  
Reported by the Majority from the Committee on Education  
and printed under Joint Rule 2.

EDWIN H. PERT, Clerk

Original bill sponsored by Representative BOST of Orono.  
Cosponsored by Senator ESTES of York, Representatives MATTHEWS  
of Caribou and O'GARA of Westbrook.

STATE OF MAINE

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

AN ACT to Amend the Teacher Certification  
Law.

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

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

1. Certification and revocation rules. All Except as provided in 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 state board shall adopt rules prior to April 1, 1988 to carry out the

1 purposes of this chapter under which the commissioner  
2 shall:

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

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

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

14 D. Seek a revocation of a certificate in the Ad-  
15 ministrative Court.

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

20 Sec. 2. 20-A MRSA §13014, as amended by PL 1985,  
21 c. 797, §49, is repealed.

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

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

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

1           Sec. 4. 20-A M RSA §13015, sub-§3, ¶C, as enacted  
2 by PL 1983, c. 845, §4, is repealed.

3           Sec. 5. 20-A M RSA §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. A teacher  
14 action plan shall contain the basis for the positive  
15 or negative recommendation of a support system as to  
16 whether a teacher should be granted a professional  
17 teacher certificate ~~or a master teacher certificate,~~  
18 ~~as applicable.~~

19           Sec. 6. 20-A M RSA §13016, sub-§2, as enacted by  
20 PL 1983, c. 845, §4, is amended to read:

21           2. Professional teacher certificates. A profes-  
22 sional teacher certificate may be renewed for 5-year  
23 periods in accordance with state board rules which  
24 shall require, at a minimum, a recommendation of a  
25 support system and that the teacher complete at least  
26 6 hours of professional or academic study, or in-  
27 service training designed to improve the performance  
28 of the teacher in the field for which the teacher  
29 holds an endorsement, or in a related subject area.  
30 ~~Teachers--who--desire--to--qualify--for--a--master--teacher~~  
31 ~~certificate--shall--coordinate--their--continuing--profes-~~  
32 ~~sional--education--with--the--requirements--of--an--applica-~~  
33 ~~ble--teacher--action--plan.~~

34           Sec. 7. 20-A M RSA §13016, sub-§3, as enacted by  
35 PL 1983, c. 845, §4, is repealed.

36           Sec. 8. 20-A M RSA §13018, as amended by PL 1985,  
37 c. 287, §4, is further amended to read:

38           §13018. Recertification of 5-year and 10-year teach-  
39           er certificates

1 Teachers, who hold certificates issued in accordance with chapter 501, shall continue to hold those  
2 certificates until their termination dates. All certificates issued after June 30, 1988, shall be issued  
3 in accordance with this chapter, except that teachers whose certificates expire before July 1, 1989, may  
4 renew their certificates in accordance with chapter 501. Teachers who held 5-year or 10-year certificates  
5 prior to June 30, ~~1988~~ 1989, shall be considered to have held professional teacher certificates  
6 for the purpose of recertification under this chapter.  
7  
8  
9  
10  
11  
12

13 **Sec. 9. 20-A MRSA §§13019-D and 13019-E, as enacted by PL 1985, c. 287, §5, are amended to read:**  
14

15 §13019-D. Recertification of administrators

16 Administrators who hold certificates issued in accordance with chapter 501 shall continue to hold  
17 those certificates until their termination dates. Renewal of administrator certificates issued in accordance with chapter 501 which are granted after the  
18 ~~effective date of this Act~~ September 19, 1985 and before July 1, ~~1988~~ 1989, shall be valid for 5 years.  
19 All certificates issued after June 30, ~~1988~~ 1989, shall be issued in accordance with this chapter.  
20  
21  
22  
23  
24

25 §13019-E. Recertification of other professional personnel  
26

27 Professional personnel other than teachers and administrators who hold certificates issued pursuant  
28 to chapter 501 ~~of this Title~~ shall continue to hold those certificates until their termination dates.  
29 All certificates issued after June 30, ~~1988~~ 1989, shall be issued and renewed in accordance with rules  
30 of the state board adopted pursuant to this chapter.  
31  
32  
33

34 **Sec. 10. 20-A MRSA §13021, as amended by PL 1985, c. 287, §6, is further amended to read:**  
35

36 §13021. Periodic review

37 The state board shall review teacher and administrator certificate standards ~~every 6--years~~ annually  
38 and report the results of its review to the joint  
39

1 standing committee of the Legislature having juris-  
2 isdiction over education, along with any proposed leg-  
3 islation. The first report to the legislature  
4 committee shall be due starting with the legislative  
5 session beginning in December January 1990. In addi-  
6 tion to information requested by the committee and  
7 other materials considered relevant by the board, the  
8 report shall include an update of rule-making activi-  
9 ty accomplished since the last report and an assess-  
10 ment of the use of conditional certificates.

11 **Sec. 11.** PL 1983, c. 845, §5, first ¶ is amended  
12 to read:

13 **Sec. 5.** Pilot project and report to the Second  
14 Regular Session of the 112th Legislature. ~~Notwith-~~  
15 ~~standing the effective date set forth in the Revised~~  
16 ~~Statutes, Title 20-A, section 13014, subsection 4,~~  
17 ~~temporary master teacher certificates may be issued~~  
18 ~~as of July 1, 1985, in accordance with temporary~~  
19 ~~state board rules, to qualified individuals who have~~  
20 ~~participated in pilot projects designed to train in-~~  
21 ~~dividuals to become master teachers. These certifi-~~  
22 ~~cates may be renewed in accordance with the final~~  
23 ~~rules established by the state board. These projects~~  
24 ~~will be developed by the commissioner and the state~~  
25 ~~board, in consultation with local administrative~~  
26 ~~units and representatives from other appropriated~~  
27 ~~support constituencies, beginning on the effective~~  
28 ~~date of this Act. The number of projects to be de-~~  
29 ~~veloped and the selection of units to be involved in~~  
30 ~~the projects will be determined by the state board.~~  
31 ~~The pilot projects shall terminate as of July 1,~~  
32 ~~1987.~~

33 **Sec. 12.** Interim reports. Prior to commencement  
34 of the annual report required by the Maine Revised  
35 Statutes, Title 20-A, section 13021, beginning in  
36 1990, the State of Board of Education shall report  
37 periodically to the joint standing committee of the  
38 Legislature having jurisdiction over education at the  
39 following times on the following topics.

- 40 - September 1, 1987  
41 - Independent evaluation of the administrator pi-  
42 lot projects  
43 - Initial administrator and teacher certification  
44 requirements

- 1 - December 1, 1987  
2 - Completion of the administrator pilot projects  
3 - Independent evaluation of the administrator pi-  
4 lot projects  
5 - Initial administrator and teacher certification  
6 requirements  
7 - Administrator mentoring  
8 - Administrator action plans  
9 - Results of study of access to administrator po-  
10 sitions  
11 - Accounting of budgeted pilot project funds and  
12 expenditures
- 13 - March 1, 1988  
14 - Preliminary report on administrator certifica-  
15 tion, including completion of the administrator  
16 pilot projects, final independent evaluation of  
17 the administrator pilot projects, administrator  
18 mentoring, administrator action plans, adminis-  
19 trator training, access to administrator posi-  
20 tions and accounting of budgeted pilot project  
21 funds and expenditures  
22 - Update on teacher certification rules
- 23 - December 1, 1988  
24 - Review of administrator certification rules  
25 - Recommended legislative changes in the certifi-  
26 cation law

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

31 **Sec. 14. Pilot projects on career development**  
32 **options for teachers.** The State Board of Education  
33 and the Commissioner of Educational and Cultural Ser-  
34 vices shall jointly conduct a series of pilot  
35 projects to test career development options for  
36 teachers. The pilots shall consist of 10 sites; 5  
37 shall test the master teacher certification concept  
38 at the local level and 5 shall test the concept of  
39 local staff development plans for teachers. The  
40 sites selected for testing each concept, so far as  
41 practicable, shall represent a diversity of geograph-  
42 ical location, school size and grade level. Pilot  
43 projects to test both the master teacher certifica-

1 tion concept and staff development plans shall not be  
2 established in the same school administration unit.  
3 Sites shall be selected and pilot projects estab-  
4 lished by December 31, 1987. The pilot projects  
5 shall terminate on December 31, 1988.

6 1. Master teacher. The pilot projects to test  
7 the master teacher concept shall be similar to the  
8 pilots previously established for such purposes and  
9 may be established at the same sites or at other  
10 sites. The pilot projects to test the master teacher  
11 concept shall be established according to the guide-  
12 lines developed by the state board and the commis-  
13 sioner and reviewed by the Joint Standing Committee  
14 on Education, including a process for independent  
15 evaluation of the pilot projects. The projects shall  
16 be designed to test:

17 A. The appropriate qualifications for master  
18 teachers;

19 B. The objective measurement of those qualifica-  
20 tions;

21 C. Objective methods of selection of master  
22 teachers;

23 D. Appropriate duties for master teachers; and

24 E. Projected costs of implementing the master  
25 teacher concept.

26 The master teacher pilot projects required by this  
27 section shall be designed to be consistent with the  
28 support system and other provisions of the Maine Re-  
29 vised Statutes, Title 20-A, chapter 502.

30 2. Local staff development plans for teachers.  
31 The pilot projects to test local staff development  
32 plans for teachers shall be established according to  
33 guidelines developed by the state board and the com-  
34 missioner and reviewed by the Joint Standing Commit-  
35 tee on Education, including a process for independent  
36 evaluation of the pilot projects. The projects shall  
37 be designed to test:

38 A. The appropriate criteria and methodology for  
39 assessment of staff development needs;



1 B. The development of the support necessary for  
2 new teachers to bridge the gap from preservice  
3 training to the teaching profession;

4 C. The development of the support necessary for  
5 the professional growth of experienced teachers;

6 D. Methods to provide appropriate opportunities  
7 for the professional development and improvement  
8 of all teachers, including recognition of out-  
9 standing teachers and an opportunity for those  
10 teachers to be involved as lead teachers in the  
11 professional growth of other teachers; and

12 E. Projected costs of implementing local staff  
13 development plans for teachers on a statewide ba-  
14 sis.

15 The assessment of staff development needs and the  
16 adoption of staff development plans in the pilot  
17 projects required by this Act shall be consistent  
18 with and designed to implement and enhance the staff  
19 development assessment and plan requirements of the  
20 Maine Revised Statutes, Title 20-A, section 4502.

21 3. Conduct of pilot projects. The pilot  
22 projects established in this Act shall be open to any  
23 teacher employed at any of the sites and the active  
24 participation by the broad spectrum of teachers at  
25 each site shall be encouraged. The pilot projects  
26 shall be class room instruction oriented. Any evalu-  
27 ation of a teacher's job performance as a result of  
28 the operation of the pilot projects shall be used  
29 solely for the purposes of the pilot projects and  
30 shall not be used for evaluation for employment re-  
31 tention purposes.

32 4. Reports to the Legislature. During the oper-  
33 ation of the pilot projects established by this Act,  
34 the state board and the commissioner shall report to  
35 the Joint Standing Committee on Education as follows:

36 A. On or before December 1, 1987, on:

- 37 - Development of guidelines for operation of the  
38 pilot project;  
39 - Site selection criteria and progress on selec-  
40 tion of sites; and

- 1 - Progress on development of independent evaluation  
2 criteria and process for the pilot sites.
- 3 B. On or before March 1, 1988, on:
- 4 - Selection of sites; and
- 5 - Operation of pilot projects to date.
- 6 C. On or before June 30, 1988, on:
- 7 - Completion of the first semester of pilot  
8 project operation.
- 9 D. On or before December 1, 1988, on:
- 10 - Update on operation of pilot project; and
- 11 - Tentative findings as a result of operation of  
12 the pilot projects.
- 13 E. Other reports at times and on topics deter-  
14 mined necessary by the Joint Standing Committee  
15 on Education.

16 The state board and the commissioner shall review the  
17 operation of both sets of pilot projects, including  
18 the findings of independent evaluators and issue a  
19 final written report to the Joint Standing Committee  
20 on Education on or before February 1, 1989. The  
21 Joint Standing Committee on Education shall consider  
22 the report of the state board and the commissioner,  
23 conduct its own review of career development options  
24 for teachers, including the pilot projects estab-  
25 lished in this Act and make recommendations which it  
26 deems appropriate to the Legislature on or before May  
27 1, 1989.

28 FISCAL NOTE

29 This new draft will increase the operating costs  
30 of 10 local school units beginning in fiscal year  
31 1987-88. This will increase school subsidies begin-  
32 ning in fiscal year 1989-90. The amount cannot be  
33 determined at this time. The State Board of Educa-

1 tion, however, has estimated these additional costs  
2 at \$250 per teacher involved in these pilot projects.  
3 The increase in school subsidies will be approximate-  
4 ly 57% of the local costs incurred.

5 STATEMENT OF FACT

6 This new draft represents an attempt to reach a  
7 compromise position between the Joint Standing Com-  
8 mittee on Education majority and minority recommenda-  
9 tions on teacher and administrator certification.  
10 The law currently in effect terminates the existing  
11 certification pilot projects on July 1, 1987, and re-  
12 quires implementation of the new certification law on  
13 July 1, 1988. Several of the concepts being tested  
14 in pilot projects have not been completely examined.  
15 As a result, there is insufficient data for develop-  
16 ment of rules for implementation of the complete cer-  
17 tification law.

18 This new draft incorporates the elements of the  
19 majority and minority reports on which agreement was  
20 reached earlier. Those are:

21 1. Allowing for the completion of the adminis-  
22 trator certification pilot projects currently in op-  
23 eration;

24 2. Extending the implementation date for admin-  
25 istrator certification from July 1, 1988, to July 1,  
26 1989;

27 3. Generally continuing July 1, 1988, as the im-  
28 plementation date for the teacher certification law,  
29 but allowing teachers whose current certificate ex-  
30 pires on July 30, 1988, to renew their certificate  
31 under the old law if they wish; and

32 4. Changing the 6-year review and reporting re-  
33 quirement by the State Board of Education on certifi-  
34 cation issues to an annual one and establishing a se-  
35 ries of interim reports on the implementation of the  
36 teacher and administrator certification law prior to  
37 the first annual report.

1           In addition, this new draft extends the pilot  
2 projects on the master teacher concept for another  
3 year. It also provides for testing on an equal basis  
4 the concept of locally developed staff development  
5 plans for teachers. The new draft adds specific cri-  
6 teria to be tested at both sets of sites and estab-  
7 lishes an open process for participation and evalua-  
8 tion of the results. After a year of testing the  
9 master teacher and staff development concepts, in-  
10 cluding careful monitoring of the pilot projects by  
11 the Joint Standing Committee on Education the commit-  
12 tee will make recommendations to the First Regular  
13 Session of the 114th Legislature. At that time, the  
14 Legislature will decide what approach has the most  
15 merit.

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