

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

(Governor's Bill)  
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1847

H.P. 1353 House of Representatives, June 12, 1987  
Reference to the Committee on Education suggested and  
ordered printed.

EDWIN H. PERT, Clerk  
Presented by Representative SMALL of Bath.

Cosponsored by Representatives BROWN of Gorham, SOUCY of  
Kittery and LAWRENCE of Parsonsfield.

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 Ex-  
cept as provided in section 13014, subsection 5, and  
section 13018, all teacher certificates issued or re-  
voked after June 30, 1988, and all administrator and  
other professional certificates issued or revoked af-  
ter 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

1 to April 1, 1988 to carry out the purposes of this  
2 chapter under which the commissioner 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 Sec. 2. 20-A MRSA §13013, as enacted by PL 1983,  
17 c. 845, §4, is amended to read:

18 §13013. Professional level I teacher certificate

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

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

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

30 B. Taught in a classroom for 2 academic years;  
31 and

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

1           3. Endorsements. The professional level I teach-  
2 er certificate shall be issued with an endorsement  
3 which specifies the grades and subject area which the  
4 teacher is deemed qualified to teach. A holder of a  
5 professional level I teacher certificate may not  
6 teach outside his or her area of endorsement unless  
7 he or she has received a waiver from the commissioner  
8 in accordance with state board rules.

9           4. Five-year certificate. A professional level I  
10 teacher certificate shall be issued for a 5-year pe-  
11 riod and may be renewed in accordance with section  
12 13016.

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

15           §13014. Professional level II teacher certificate

16           1. Definition. A master professional level II  
17 teacher certificate is a renewable certificate issued  
18 to an individual who has achieved additional profes-  
19 sional standards in accordance with this section.

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

25           A. Possesses a professional level I teacher cer-  
26 tificate;

27           B. Has demonstrated exemplary professional  
28 skills in classroom instruction and who may have  
29 additionally contributed to the profession in  
30 such areas as:

31                   (1) Curriculum development;

32                   (2) Teacher in-service training and effec-  
33 tive staff development; or

34                   (3) Student-teacher supervision; and

35           C. Has obtained the support system's positive  
36 recommendation based on the contents of a teacher  
37 action plan pursuant to section 13015.

1           3. Endorsements. The holder of a master profes-  
2 sional level II teacher certificate shall possess, at  
3 a minimum, the endorsements held under the profes-  
4 sional level I certificate.

5           4. Five-year certificate. A master professional  
6 level II teacher certificate may be issued for a  
7 5-year period and may be renewed in accordance with  
8 section 13016.

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

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

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

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

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

39           Sec. 5. 20-A MRSA §13015, sub-§4, as enacted by  
40 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 MRSA §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 MRSA § 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 MRSA §§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.

1 STATEMENT OF FACT

2 This bill:

3 1. Allows for the completion of the administra-  
4 tor certification pilot projects currently in opera-  
5 tion;

6 2. Extends the implementation date for adminis-  
7 trator certification from July 1, 1988, to July 1,  
8 1989;

9 3. Continues the 3 levels of teacher certifica-  
10 tion, but renames the 2nd and 3rd levels professional  
11 level I and professional level II;

12 4. Generally continues July 1, 1988, as the im-  
13 plementation date for the teacher certification law,  
14 but allows teachers whose current certificate expires  
15 on July 30, 1988, to renew their certificate under  
16 the old law if they wish and provides for a continua-  
17 tion of pilot projects on the 3rd level of certifica-  
18 tion and for delayed implementation of that level;  
19 and

20 5. Changes the 6-year review and reporting re-  
21 quirement by the State Board of Education on certifi-  
22 cation issues to an annual one and establishes a se-  
23 ries of interim reports on the implementation of the  
24 teacher and administrator certification law prior to  
25 the first annual report.

26

3405061087