

# MAINE STATE LEGISLATURE

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L.D. 2501  
(Filing No. S-484 )

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STATE OF MAINE  
SENATE  
113TH LEGISLATURE  
SECOND REGULAR SESSION

7 COMMITTEE OF CONFERENCE AMENDMENT " A " to S.P.  
8 947, L.D. 2501, Bill, "AN ACT to Clarify and Correct  
9 Errors and Omissions and to Improve the Laws Relating  
10 to Education."

11 Amend the bill by striking out all of section 9  
12 and inserting in its place the following:

13 'Sec. 9. 20-A MRSA §4502, sub-§1, as enacted by  
14 PL 1983, c. 859, Pt. A, §§20 and 25 is amended to read:

15 1. General requirements. Elementary and  
16 secondary schools and school administrative units  
17 and vocational regions shall meet all requirements of  
18 this Title and other statutory requirements applicable  
19 to the public schools and basic school approval  
20 standards.

21 Sec. 10. 20-A MRSA §4502, sub-§5, as amended  
22 by PL 1985, c. 774, §§4 and 11, is further amended to  
23 read:

24 5. Other standards. The state board and the  
25 commissioner shall jointly adopt basic school approval  
26 rules governing school administrative units and,  
27 elementary and secondary schools and vocational  
28 regions. These rules shall set minimum standards in  
29 the following areas, incorporating such standards as  
30 are established by statute:

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- 1           A. Instructional time, including a minimum school  
2           day and week;
- 3           B. Staffing, including student-teacher ratios;
- 4           C. Physical facilities, incorporating the school  
5           construction rules of the state board;
- 6           D. Standards for equipment and libraries;
- 7           E. Minimum school size, but including recognition  
8           of geographically isolated schools;
- 9           F. Grade and program organization;
- 10          G. Assessment and evaluation of student  
11          performance;
- 12          H. Student personnel services, including guidance  
13          and counseling;
- 14          I. Records, record keeping and reporting  
15          requirements;
- 16          J. Health, sanitation and safety requirements;
- 17          K. School improvement; and
- 18          L. Prepare and implement an on-going school  
19          improvement process and annually update a written  
20          school improvement plan, including a fully  
21          developed staff development plan and a plan  
22          addressing truants, dropouts, alternative  
23          education, prevention of truancy and return to  
24          school, citing progress and trends with respect to  
25          school improvement.'
- 26          Further amend the bill by inserting after section  
27          15 the following:
- 28          'Sec. 16. 20-A MRSA §13018, as amended by PL  
29          1985, c. 287, §4, is further amended to read:
- 30          §13018. Recertification of 5-year and 10-year teacher  
31          certificates

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1 Teachers, who hold certificates issued in  
2 accordance with chapter 501, shall continue to hold  
3 those certificates until their termination dates. All  
4 certificates issued after June 30, 1988, shall be  
5 issued in accordance with this chapter, except that  
6 teachers holding a current certificate expiring before  
7 July 1, 1991, and eligible for recertification under  
8 chapter 501 shall receive a 5-year renewal of that  
9 certificate. Teachers who held 5-year or 10-year  
10 certificates prior to June 30, 1988, shall be  
11 considered to have held professional teacher  
12 certificates for the purpose of recertification under  
13 this chapter.

14 Sec. 17. 20-A MRS.A §§13019-D and 13019-E as  
15 enacted by PL 1985, c. 287, §5, are repealed and the  
16 following enacted in their place:

17 §13019-D. Recertification of administrators

18 Administrators who hold certificates issued in  
19 accordance with chapter 501 shall continue to hold  
20 those certificates until their termination dates.  
21 Renewal of administrator certificates issued before  
22 July 1, 1991, shall be in accordance with chapter 501  
23 and shall be valid for 5 years. All new certificates  
24 issued after June 30, 1988, and all renewals issued  
25 after June 30, 1991, shall be issued in accordance  
26 with this chapter.

27 §13019-E. Recertification of other professional  
28 personnel

29 Professional personnel other than teachers and  
30 administrators who hold certificates issued pursuant  
31 to chapter 501 shall continue to hold those  
32 certificates until their termination dates. Renewal  
33 of certificates for professional personnel, other than  
34 teachers, issued before July 1, 1991, shall be in  
35 accordance with chapter 501 and shall be valid for 5  
36 years. All new certificates issued after June 30,  
37 1988, and all renewals issued after June 30, 1991,  
38 shall be issued in accordance with this chapter.'

39 Further amend the bill in section 16 in subsection

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1 2 in paragraph C in the 3rd line (page 8, line 3 in  
2 L.D.) by inserting after "superintendent has" the  
3 following: 'knowingly or intentionally'

4 Further amend the bill by striking out all of  
5 section 17.

6 Further amend the bill by striking out all of  
7 section 20 and inserting in its place the following:

8 'Sec. 20. 27 MRSA §404, sub-§5 is enacted to  
9 read:

10 5. Rules. The Maine Arts Commission may adopt  
11 rules pursuant to the Maine Administrative Procedure  
12 Act, Title 5, chapter 375, to implement this chapter.'

13 Further amend the bill by striking out all of  
14 section 21.

15 Further amend the bill by inserting before the  
16 statement of fact the following:

17 'Sec. 23. Study; report; educator briefings.  
18 Prior to full implementation of the Maine Revised  
19 Statutes, Title 20-A, chapter 502, in July 1991, the  
20 Joint Standing Committee on Education, the State Board  
21 of Education and the Department of Educational and  
22 Cultural Services shall study the certification  
23 requirements as follows.

24 1. Review of Title 20-A, chapter 502,  
25 certification law and rules. Beginning in January  
26 1989, the Joint Standing Committee on Education shall  
27 conduct a thorough review and assessment of Title  
28 20-A, chapter 502, of the certification law and rules  
29 promulgated under that chapter. The State Board of  
30 Education, the Department of Educational and Cultural  
31 Services and the University of Maine System shall  
32 provide necessary assistance to the committee. The  
33 committee shall meet as prescribed below to perform  
34 the following responsibilities.

35 A. January 1989. The state board and the  
36 department shall report to the committee on:

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- 1 (1) The final educator certification rules;
- 2 (2) Adoption of support system plans by
- 3 local school administrative units; and
- 4 (3) Changes in numbers of applicants for
- 5 initial and renewed certification in various
- 6 categories.

7 B. April 1989. The committee shall provide for a  
8 preliminary cost assessment of compliance with  
9 chapter 502, including the costs to local school  
10 administrative units of employing substitute  
11 teachers, stipends for support systems, support  
12 team or mentoring teachers and the costs to  
13 educators of meeting endorsement course  
14 requirements. The committee's assessment may  
15 include a case study or studies of support system  
16 sites showing time devoted to certification duties  
17 and an analysis of any shift in spending from  
18 staff development activities to required  
19 certification duties. The department shall report  
20 on the cost of administration of chapter 502.

21 C. May 1989. The University of Maine System  
22 shall report to the committee on its progress in  
23 providing the preservice and in-service  
24 requirements of chapter 502.

25 D. January 1990. The committee shall complete  
26 analysis of the impact of chapter 502, including  
27 administration by the state board and the  
28 department, the costs to local school units of  
29 compliance with the law, the effect of the law on  
30 the supply of certified teachers and the ability  
31 of the University of Maine System and other  
32 institutions of higher education to meet the  
33 preservice and in-service training needs of Maine  
34 teachers, administrators and education specialists.

35 E. February 1990. The Joint Standing Committee  
36 on Education shall issue a report on its findings,  
37 including any recommended legislative changes, to  
38 the Second Regular Session of the 114th  
39 Legislature.

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1           2. Informational briefings on certification  
2 requirements. From September 1990 through May 1991,  
3 the state board and the department shall conduct a  
4 statewide series of informational meetings on the  
5 certification law and final rules. The purpose of the  
6 meetings shall be to meet in a convenient forum with  
7 educators statewide to appraise them of chapter 502  
8 certification requirements and to answer questions on  
9 those requirements.

10

FISCAL NOTE

11           This bill will reduce the cost to local units of  
12 implementing the new certification requirements by  
13 delaying recertification of teachers, administrators  
14 and education specialists. The supplemental budget  
15 includes a General Fund appropriation of \$1,600,000 in  
16 fiscal year 1988-89 for this purpose. In fiscal year  
17 1989-90, the Legislature will incur additional  
18 printing costs estimated at approximately \$2,000 to  
19 distribute a report.'

20           Further amend the bill by renumbering the sections  
21 to read consecutively.

22

STATEMENT OF FACT

23           The purpose of this amendment is to delete several  
24 sections of the original bill which are unnecessary at  
25 this time. The bill also applies the school approval  
26 process to vocational regions, provides that, for a  
27 superintendent's certificate to be revoked for hiring  
28 uncertified personnel, he or she must do so  
29 intentionally or knowingly and grants rule-making  
30 authority to the Maine Arts Commission.

31           This committee of conference amendment provides  
32 for a phase-in of the new certification requirements.  
33 Between July 1988 and July 1991, currently certified  
34 teachers, administrators and other education  
35 specialists whose certificates expire will be  
36 recertified under existing requirements. Educators

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1 seeking new certificates and master teacher  
2 certificates will be subject to the new certification  
3 requirements beginning in July 1988. After July 1,  
4 1991, all educators will be subject to the new  
5 requirements.

6 The amendment also provides for a detailed review  
7 and analysis of the certification laws to be  
8 coordinated by the Joint Standing Committee on  
9 Education, with the assistance of the State Board of  
10 Education, the Department of Educational and Cultural  
11 Services and the University of Maine System. The  
12 amendment also provides for a series of informational  
13 briefings to be conducted by the department to explain  
14 the new certification rules to educators.

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