

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 486, L.D. 666, Bill, "An Act Concerning Teacher Employment"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in it place the following:

'20-A MRSA §13201, first ¶, as amended by PL 1985, c. 797, §50, is further amended to read:

The superintendent shall nominate all teachers, subject to such regulations governing salaries and the qualifications of teachers as the school board shall make. Upon the approval of nominations, by the school board, the superintendent may employ teachers so nominated and approved for such terms as the superintendent may deem proper, subject to the approval of the school board. At least 3 months before the expiration of a first or 2nd year probationary teacher's contract, the superintendent shall notify the teacher in writing of the superintendent's decision to nominate or not nominate that teacher for another teaching contract. If, after receiving a complaint from a teacher, the commissioner finds that the superintendent has failed to notify a teacher of a decision not to nominate that teacher, the school administrative unit shall pay a forfeiture to the teacher. The amount of that forfeiture shall be equal to the teacher's per diem salary rate times the number of days between the notification deadline and the date on which notification is made or on which the complaint is filed, whichever occurs first. No teacher may be employed unless nominated by the superintendent and approved by the school board. In case the superintendent of schools and the school board fail to legally elect a teacher, the commissioner shall have the authority to appoint a substitute teacher who shall serve until such election is made.

FISCAL NOTE

The Department of Educational and Cultural Services may

COMMITTEE AMENDMENT "A" to H.P. 486, L.D. 666

1 incur some minor additional administrative costs which could be
absorbed within existing budgeted resources.'

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STATEMENT OF FACT

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7 This amendment replaces the provisions of the original
bill. It provides for a 90-day notice to probationary teachers
of whether they will be nominated for another contract or not.
9 The amendment also provides for a decision by the Commissioner of
Educational and Cultural Services on whether a unit has failed to
11 comply and for the imposition of a monetary penalty to a school
administrative unit which fails to comply with the notification
13 requirement. Finally, the amendment adds a fiscal note.

Reported by the Committee on Education
Reproduced and distributed under the direction of the Clerk of the
House
5/9/89

(Filing No. H-163)