

MAINE STATE LEGISLATURE

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L.D. 1066

(Filing No. H- 501)

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

COMMITTEE AMENDMENT "A" to H.P. 762, L.D. 1066, Bill, "An Act Concerning Educational Enhancement"

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

Sec. 1. 20-A MRSA c. 428, first 2 lines are repealed and the following enacted in their place:

CHAPTER 428

BLAINE HOUSE SCHOLARS AND EDUCATORS

Sec. 2. 20-A MRSA §12509, as enacted by PL 1983, c. 859, Pt. F, §§1 and 2, is amended to read:

§12509. Nonlapsing revolving fund

A nonlapsing, interest earning, revolving fund, known as the Blaine House Scholars Fund, is created to implement the purposes of ~~this-chapter~~ sections 12501 to 12508. Any unexpended balance of funds may be carried over for continued use in the program and funds returned through loan repayments shall be invested by the Treasurer of State, as provided by law, with the earned income to be added to the fund. The revolving fund may receive, invest and expend ~~moneys~~ money from gifts, grants, bequests and donations in addition to ~~moneys~~ money appropriated by the State.

Sec. 3. 20-A MRSA §§12511 and 12512 are enacted to read:

§12511. Grants for additional course work or pursuing advanced degrees

1. Blaine House Educators Grants Program. There is established the Blaine House Educators Grants Program to provide

1 financial assistance for post-secondary education of advanced
2 degree or continued study by school administrators and teachers,
3 including secondary vocational education teachers seeking a
4 bachelors degree. The program shall be administered by the
5 commissioner.

7 2. Costs covered. The scholarship grants may be used for
8 travel, day care, books, student fees and other costs related to
9 the pursuit of an advanced degree or continued study.

11 3. Application. Applications shall be submitted to the
12 commissioner at a time and in a format to be determined by rule
13 of the commissioner. The rules adopted by the commissioner shall
14 provide for teachers to receive grant funds in advance of the
15 courses actually being taken and shall utilize locally developed
16 procedures for approving course work.

17 4. Disbursement. Grant funds shall be disbursed to
18 teachers and administrators at the rate of \$50 per approved
19 credit hour up to a maximum of \$450 per year. Grant funds shall
20 be paid by the commissioner directly to the teacher or
21 administrator.

22 5. Funds supplemental. Grant funds shall supplement and not
23 supplant any funds available from a school administrative unit
24 for study by teachers and administrators.

25 §12512. Educators grants fund

26 A nonlapsing, interest-earning revolving fund, known as the
27 Blaine House Educators Grants Fund, is created to implement the
28 purposes of section 12511. At the end of the year, any
29 unexpended balance of funds may be carried over for continued use
30 in the Blaine House Educators Grants Program. The revolving fund
31 may receive, invest and expend funds from gifts, grants, bequests
32 and donations in addition to funds appropriated by the State.
33 The fund shall be administered by the commissioner.

34 Sec. 4. 20-A MRSA c. 506-A is enacted to read:

35 CHAPTER 506-A

36 CAREER TEACHER SALARY GRANTS

37 §13521. Career Teacher Salary Grants Program established

38 There is established the Career Teacher Salary Grants
39 Program to be funded by the State and administered by the
40 commissioner. Grants shall be paid to school administrative
41 units and private schools approved for tuition purposes as
42 provided in this chapter for use by units or schools to enhance
43 career teacher salary schedules.

1
3 §13522. Allocation of salary grants

5 The commissioner shall allocate the money appropriated by
7 the Legislature for career teacher salary grants in accordance
9 with the following conditions.

11 1. Payment to school administrative units. Beginning in
13 fiscal year 1989-90 and annually thereafter, each school
15 administrative unit and private school approved for tuition
17 purposes shall receive a grant equal to \$750 multiplied by the
19 number of teachers employed by that unit or school as determined
21 under subsection 2.

23 2. Calculation of grants. The number of teachers to be
25 used in computing the career teacher salary grant payments under
27 subsection 1 shall be the number of full-time equivalent teachers
29 whose local employment responsibility includes an assignment to
31 work directly with students in an instructional or counseling
33 relationship on a regular basis, excluding teachers whose
35 salaries are paid fully from federal funds. The number of
37 teachers to be used in computing career teacher salary grant
39 payments in any year shall be based on the local staff
41 information data supplied by the school administrative unit or
43 private school approved for tuition purposes to the department in
45 October of the preceding year and adjusted in December of the
47 current year by the October data for that year.

49 3. Payment of grants. The commissioner shall make career
51 teacher salary grant payments to school administrative units and
53 private schools approved for tuition purposes as part of the
55 monthly subsidy payment.

57 §13523. Local collective bargaining

59 1. Use of salary grants. Career teacher salary grants
61 shall supplement and not supplant funds available from school
63 administrative units and private schools approved for tuition
65 purposes and shall not be considered as offsets to the unit
67 during local collective bargaining for the purpose of setting
69 teacher salaries.

71 2. Career teacher salary grants. When a teacher bargaining
73 agent exists, the teacher bargaining agent and school
75 administrative unit or private school approved for tuition
77 purposes shall, at a minimum, in accordance with the collective
79 bargaining procedures set forth in Title 26, chapter 9-A,
81 negotiate or, when a contract is in effect, reopen negotiations,
83 as to the use of the career teacher salary grants provided in
85 this chapter for teacher salary schedules. When negotiations are
87 reopened, each party may introduce one other issue into the
89 negotiations as long as the career teacher salary grants are

1 totally utilized in the salary schedule. If an agreement as to
3 the use of the career teacher salary grants and any other issue
5 has been reached by the school administrative unit and bargaining
7 agent, a certificate of agreement shall be signed by both parties
9 before funds are disbursed by the State. When no bargaining
11 agent exists, school administrative units shall consult with
13 teachers as to the use of the career teacher salary grant for
15 teacher salaries.

17 §13524. State collective bargaining

19 Notwithstanding any other provision of law, the State and
21 the bargaining agent for state teachers in state-operated schools
23 and related classifications shall at a minimum, in accordance
25 with bargaining procedures set forth in Title 26, chapter 9-B,
27 negotiate as to the impact of rising salaries for teachers
29 employed in local school administrative units on the recruitment
31 and retention of personnel in those state positions.

33 Sec. 5. 20-A MRS §17105 is enacted to read:

35 §17105. Enhanced quality of time grants

37 1. Objectives. Grants shall be awarded to enhance the
39 instructional quality of the school day. The grants shall be
41 used by school administrative units to implement projects
43 designed to achieve enhancement objectives which include, but are
45 not limited to, the following:

47 A. Improving teacher planning time;

49 B. Relieving teachers from nonteaching duties;

51 C. Eliminating nonessential interruptions of class time;

D. Planning and implementing better utilization of class
scheduling;

E. Providing enforcement of school attendance laws; and

F. Providing for smaller class sizes.

2. Development of grant proposals. Proposals for use of
grant funds under this section shall be developed by a local
planning committee. The development of a grant proposal shall be
a collaborative effort including teachers, support personnel,
administrators, parents and school board members, with a majority
of the committee consisting of teachers. Proposals developed by
the committee shall be presented as recommendations to the
superintendent and the school board for action. The school board
shall make the final decision on whether a grant application is
submitted and on the content of the proposal.

1
3 3. Grant application. School administrative units applying
5 for grants under this section shall submit their application to
7 the commissioner by March 1st of each year. The commissioner
9 shall notify units of the decision for grant award or denial by
11 July 1st of each year. The grant allocation, as determined in
13 subsection 4, shall be distributed to a school administrative
15 unit by the commissioner by September 1st of each year.

17 4. Allocation of grants. The State shall provide each
19 school administrative unit with a minimum of \$2,000 or \$20 per
21 pupil, whichever is greater, based on the previous October's
23 enrollment. The grants shall be made annually commencing on July
25 1, 1990, and shall terminate after 3 years unless continued by
27 act of the Legislature.

29 A. The department shall develop a process for evaluating
31 enhanced quality of time grants. Beginning in July 1992,
33 the department shall use that evaluation process to assess
35 the effectiveness of the grants awarded in fiscal year
37 1990-91 and fiscal year 1991-92 in improving instructional
39 quality in schools. The department shall present the results
41 of the evaluation to the joint standing committee of the
43 Legislature having jurisdiction over education matters by
45 January 1, 1993. The report shall include, at a minimum,
47 the recommendation of the department on whether the grants
49 program should be continued and, if continued, how it should
51 be financed, including whether the grants should be
53 incorporated into the formula or held outside the formula
55 forever. During the evaluation process, the department
57 shall develop a manual of effective practices and working
59 models to assist schools in improving the use of
61 instructional time. Following consideration of the
63 department's recommendations, the committee may introduce
65 legislation for consideration by the First Regular Session
67 of the 116th Legislature.

69 5. Utilization of grants negotiable. The utilization of
71 the enhanced quality of time grants shall be a negotiable item to
73 the extent that there is an impact upon working conditions, hours
75 or salaries as set forth in Title 26, chapter 9-A, and, when a
77 contract is in effect, shall be cause for reopening negotiations
79 as to the use of these funds.

81 6. Rule-making authority. The commissioner shall establish
83 rules to carry out this section.

85 Sec. 6. Appropriation. The following funds are appropriated
87 from the General Fund to carry out the purposes of this Act.

	1989-90	1990-91
EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENT OF		
Higher Education Services		
Positions	(1.0)	(1.0)
Personal Services	\$22,428	\$32,461
All Other	14,266	12,295
Capital Expenditures	2,500	
TOTAL	<u>\$39,194</u>	<u>\$44,756</u>
Provides funds to administer the Blaine House Educator Grants Program, the Career Teacher Salary Grants Program and the enhanced quality of time grants program.		
Higher Education Services		
All Other		\$1,000,000
Provides funds to be transferred to a nonlapsing, interest-earning revolving fund, known as the Blaine House Educators Grants Fund.		
Curriculum		
All Other		\$4,300,000
Provides funds for the enhanced quality of time grants program.		
Career Teacher Salary Grants		
All Other	\$11,817,975	\$12,528,750
Provides funds to be paid to school administrative units and private schools approved for tuition purposes on a per teacher basis.		
DEPARTMENT OF EDUCATIONAL AND CULTURAL SERVICES		
TOTAL	<u>\$11,857,169</u>	<u>\$17,873,506</u>

1 **Sec. 7. Allocation.** The following funds are allocated from
3 Other Special Revenue funds to carry out the purposes of this Act.

5 **1990-91**

7 **EDUCATIONAL AND CULTURAL
SERVICES, DEPARTMENT OF**

9 **Blaine House Educators Grants**

11 All Other **\$1,000,000**

13 Authorizes expenditures for the Blaine House
15 Educators Grants.

17
19 **FISCAL NOTE**

21 This bill appropriates \$11,857,169 and \$13,573,506 from the
23 General Fund in fiscal years 1989-90 and 1990-91, respectively.
25 One million dollars of these General Fund appropriations in
27 fiscal year 1990-91 will be transferred to a nonlapsing,
revolving fund account. This transfer is an increase in
dedicated revenue, therefore, these funds are also allocated in
this bill.'

29
31 **STATEMENT OF FACT**

33 This amendment retains the 3 original purposes of the bill.
35 It provides supplemental grants to teachers pursuing continued
37 study or advanced degrees, provides grants to school units based
on the number of teachers employed to be used to enhance teacher
39 salaries and provides grants to school units to be used to
improve the instructional quality of the school day by, for
41 example, providing more teacher planning time and reassigning
nonteaching duties. The salary grants begin in fiscal year
43 1989-90 and the continuing study grants and the quality of
instruction grants begin in fiscal year 1990-91.

45 In addition to several technical changes the amendment
accomplishes the following:

47 1. Clarifies that continuing study grants are available to
49 secondary vocational education teachers pursuing a bachelors
degree;

51 2. Extends the continuing study grants to school
administrators at the same rate as for teachers;

COMMITTEE AMENDMENT "A" to H.P. 762, L.D. 1066

1
3 Utilizes locally developed procedures for course work
approval of study permitting eligibility for the continuing study
grants;

5
7 Establishes the teacher salary grants to schools as a
state funded program outside the school funding formula;

9
11 Permits each side to introduce one additional issue into
collective bargaining over use of the salary grants while
retaining the intent of the bill that the grants to schools be
used for teacher salary schedules;

13
15 Provides that salary increases for teachers in public
schools shall be considered during the collective bargaining
process for teachers in state-operated schools;

17
19 Provides a collaborative process for development, at the
local level, of a plan on how to use the grants to improve
instructional time while retaining the final authority with the
school board on whether to apply for such a grant and how to use
it; and

23
25 Clarifies that the instructional time grants are for 3
years and directs the Department of Educational and Cultural
Services to study the operation of the grants and to report to
the Legislature at the end of 3 years on whether they would be
continued and, if so, how they should be funded.

Reported by the Committee on Education
Reproduced and distributed under the direction of the Clerk of the
House
6/13/89 (Filing No. H-501)