

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 2342

H.P. 1692

House of Representatives, February 22, 1990

Reported by Representative HANDY for the Blue Ribbon Task Force to Promote Equity of Opportunity for Women in the Public School System pursuant to Resolve 1989, chapter 55.

Reference to the Joint Standing Committee on Education suggested and printing ordered under Joint Rule 18.

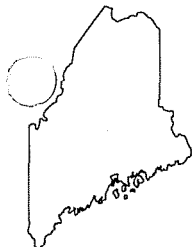
A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

**An Act to Promote Equity of Opportunity for Women in
Administrative Positions in the Public School System.**



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

4 Sec. 1. 5 MRSA §4576 is enacted to read:

6 §4576. Gender equity in school administrative positions

8 The commission shall hire staff to promote gender equity in
10 the hiring of public school administrators in cooperation with
12 the Commissioner of Educational and Cultural Services and to
14 investigate on behalf of the commission all human rights
16 complaints associated with the public school system.

18 The commission shall report annually on or before March 1st
20 to the Governor, the Legislative Council and to the joint
22 standing committee of the Legislature having jurisdiction over
24 educational matters on the status of efforts to promote gender
26 equity in the public school system with analysis and any
28 recommendations the commission determines necessary. The report
30 must include a summary of all information reported to the
32 commission under Title 20-A, section 1001, subsection 14.

34 Sec. 2. 20-A MRSA §6 is enacted to read:

36 §6. Gender equity hearings

38 The joint standing committee of the Legislature having
40 jurisdiction over educational matters shall hold biennial
42 hearings on the status of women in public school administration.
44 The committee shall solicit testimony from all public and private
46 educational organizations on progress in providing support to
48 women and in advancing the efforts of women to achieve
50 administrative positions.

52 Sec. 3. 20-A MRSA §254, sub-§§8 to 10 are enacted to read:

8. Model hiring procedure. The commissioner, in
collaboration with organizations representing school boards,
school administrators, teachers and other interested parties,
shall develop a model hiring procedure for school
administrators. The counsel for the Maine Human Rights
Commission appointed under Title 5, section 4566, subsection 3
shall review the model hiring procedure.

9. Statewide goal. The commissioner shall set a statewide
target goal for the 5 years following the effective date of this
subsection for the employment of women in positions requiring
administrator certification.

10. Gender equity. Commencing on July 1, 1991, the
commissioner shall hire staff sufficient to provide technical
assistance in the area of gender equity, to school administrative
units and to monitor progress in attaining the goals established

2 under subsection 9, promote communication between professional
3 groups on this topic and initiate program development in the area
4 of gender equity.

5 **Sec. 4. 20-A MRSA §256, sub-§1**, as amended by PL 1987, c. 395,
6 Pt. A, §46, is further amended to read:

7 **1. Report to Governor and Legislature.** The commissioner
8 shall prepare and deliver to the Governor and Legislature an
9 annual report on the status of public education in the State,
10 including any suggestions and recommendations to improve public
11 education and including the reporting requirements of section
12 13506, subsection 3-A. This annual report shall ~~shall~~ **must** also include
13 a description of the activities and accomplishments of the state
14 board.

15 The commissioner shall include in the annual report a listing of
16 requests by school districts for affirmative action workshops and
17 an assessment of the department's ability to meet past and
18 projected demand for in-service training related to affirmative
19 action or gender equity.

20 The commissioner may be invited by the Speaker of the House of
21 Representatives and the President of the Senate annually, in
22 January, to appear before a joint session of the Legislature to
23 address the Legislature on the status of public education in the
24 State and such related matters as the commissioner desires to
25 bring to the Legislature's attention.

26 **Sec. 5. 20-A MRSA §256, sub-§7** is enacted to read:

27 **7. Women in administration; data; report.** The commissioner
28 shall compile data, annually, on the number of women holding
29 administrative positions requiring certification and shall report
30 the data annually, on or before January 1st, to the joint
31 standing committee of the Legislature having jurisdiction over
32 educational matters.

33 **Sec. 6. 20-A MRSA §1001, sub-§§13 and 14** are enacted to read:

34 **13. Nondiscriminatory hiring.** They shall develop a
35 nondiscriminatory hiring practice for positions requiring
36 administrator certification. That hiring practice must include:

37 A. Creation or reassessment of the job description;

38 B. Clearly stated criteria for the position;

39 C. An applicant screening and interview process that is not
40 limited to current school administrative unit
41 administrators; and

2 D. An interview format that includes questions based on the
3 job description and the stated criteria.

4
5 14. Hiring practices report. They shall submit a record of
6 the hiring of superintendents, principals and assistant
7 principals to the Maine Human Rights Commission for review by
8 January 1st of each year. The report must contain the
9 qualifications and gender of all persons hired for these
10 positions in the previous calendar year and the qualifications,
11 certifications and gender of all unsuccessful candidates who met,
12 without waiver, the locally established standards for the
13 positions. The school administrative unit shall retain for at
14 least 3 years the files of all candidates included in the report.

15 Sec. 7. 20-A MRSA §4502, sub-§§4-A and 4-B are enacted to read:

16
17 4-A. Affirmative action plan. Each school administrative
18 unit shall develop an affirmative action plan in accordance with
19 Title 5, chapter 65 as part of the school approval process and
20 update this plan annually. The unit shall submit the plan
21 annually to the commissioner.

22
23 4-B. Gender equity; in-service training. Each school
24 administrative unit shall develop and offer in-service training
25 on gender equity for teachers, administrators and school boards.

26
27 Sec. 8. 20-A MRSA §4502, sub-§5, ¶L, as amended by PL 1989, c.
28 415, §11, is repealed and the following enacted in its place:

29 L. Prepare and implement an ongoing school improvement
30 process and annually update a written school improvement
31 plan, including:

32 (1) A fully developed staff development plan for
33 identifying at-risk students in kindergarten and grades
34 1 to 12, including, but not limited to, truants and
35 dropouts, and the development of appropriate
36 alternative programs to meet the needs of at-risk
37 students; and

38 (2) A plan for meeting the 5-year goal established
39 under section 254, subsection 9.

40
41 Sec. 9. 20-A MRSA §13011, sub-§6 is enacted to read:

42
43 6. Alternative certification. The state board and the
44 commissioner shall promote existing alternative certification
45 requirements and procedures for administrator certifications and
46 make changes necessary to facilitate this process. The state
47 board and the commissioner shall test and evaluate this
48 process.

2 alternative certification process and report their findings to
4 the joint standing committee of the Legislature having
6 jurisdiction over educational matters on or before January 1,
8 1992.

10 **Sec. 10. 20-A MRSA §13019-A, sub-§1, ¶¶D and E,** as enacted by
12 PL 1985, c. 287, §5, are amended to read:

14 D. A basic level of knowledge in the following areas:

- 16 (1) Community relations;
- 18 (2) School finance and budget;
- 20 (3) Supervision and evaluation of personnel;
- 22 (4) Federal and state civil rights and education laws;
- 24 (5) Organizational theory and planning;
- 26 (6) Educational leadership;
- 28 (7) Educational philosophy and theory;
- 30 (8) Effective instruction;
- 32 (9) Curriculum development;
- (10) Staff development; and
- (11) Other competency areas as determined by state board rule; and

34 E. Satisfactory completion of an approved internship or
36 practicum relating to the duties of a superintendent. ; and

38 **Sec. 11. 20-A MRSA §13019-A, sub-§1, ¶F** is enacted to read:

40 F. Demonstrated understanding of cultural differences and
42 knowledge of discriminatory and nondiscriminatory hiring
practices.

44 **Sec. 12. 20-A MRSA §13019-B, sub-§1, ¶¶C and D,** as enacted by
46 PL 1985, c. 287, §5, are amended to read:

48 C. A basic level of knowledge in the following areas:

- 50 (1) Community relations;
- 52 (2) School finance and budget;
- (3) Supervision and evaluation of personnel;

- 2 (4) Federal and state civil rights and education laws;
- 4 (5) Organizational theory and planning;
- 6 (6) Educational leadership;
- 8 (7) Educational philosophy and theory;
- 10 (8) Effective instruction;
- 12 (9) Curriculum development;
- 14 (10) Staff development; and
- 16 (11) Other competency areas as determined by state board rule; and

18 D. Satisfactory completion of an approved internship or
20 practicum in the duties of a principal; and

22 **Sec. 13. 20-A MRSA §13019-B, sub-§1, ¶E** is enacted to read:

24 E. Demonstrated understanding of cultural differences and
26 knowledge of discriminatory and nondiscriminatory hiring
practices.

28 **Sec. 14. Study of incentive programs.** The State Board of
30 Education and the Commissioner of Educational and Cultural
32 Services shall conduct a study and recommend a program to
34 establish and partially fund local internships in educational
36 administration. These internships must be specifically aimed at
38 providing an opportunity for women in the positions of assistant
40 principal, principal and assistant superintendent. The state
42 board and the commissioner shall design the program to require
application to school administrative units by individuals who are
selected on a competitive basis. The state board and the
commissioner shall design the program to enhance each
participating unit's compliance with each unit's affirmative
action plan. The state board and commissioner shall recommend an
appropriate level of funding for the program.

44 **Sec. 15. University of Maine System study of gender equity**
46 **curriculum.** The Trustees of the University of Maine System shall
study and report to the Joint Standing Committee on Education on:

- 48 1. How the university, in cooperation with the Department
50 of Educational and Cultural Services and the Maine Human Rights
52 Commission, will address the recommendations of the Blue Ribbon
Task Force to Promote Equity of Opportunity for Women in the
Public School System; and

2. How the university will develop and implement a curriculum on cultural differences that is a requirement of program certification.

The University of Maine System, through its undergraduate and graduate programs in the College of Education shall include the study of gender equity and cultural differences. The university shall support its campuses in the delivery of this curriculum.

STATEMENT OF FACT

This is the majority report of the Blue Ribbon Task Force to Promote Equity of Opportunity for Women in the Public School System, pursuant to Resolve 1989, chapter 55. The bill addresses barriers identified by the task force that have prevented women from entering the field of educational administration.

The bill establishes a series of measures to implement nondiscriminatory hiring practices for school administrators, intensify monitoring of compliance with existing sex discrimination prohibitions and promote greater awareness of gender equity issues among school administrators. The bill also directs the State Board of Education and the Commissioner of Educational and Cultural Services to develop a financial incentives program designed to increase the number of qualified female school administrators.