

MAINE STATE LEGISLATURE

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L.D. 2000

(Filing No. S-558)

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STATE OF MAINE
SENATE
115TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 801, L.D. 2000, Bill, "An Act to Amend the Laws Relating to Certification to Promote the Issuance of Professional Certificates to Experienced Out-of-state Teachers"

Amend the bill by striking out the title and substituting the following:

'An Act to Amend the Laws Concerning Certification of Educational Personnel'

Amend the bill by inserting after the enacting clause the following:

'Sec. 1. 20-A MRSA §13012, sub-§1, as amended by PL 1985, c. 287, §§2 and 8, is further amended to read:

1. **Definition.** A provisional teacher certificate is the entry level certificate issued to an individual who has not taught previously in the State, except as provided in section 13013, subsection 2-A, paragraph B.

Sec. 2. 20-A MRSA §13013, sub-§1, as enacted by PL 1983, c. 845, §4, is amended to read:

1. **Definition.** A professional teacher certificate is a renewable certificate issued to an individual who has held a provisional certificate and has met the qualifications of this section, except as provided in subsection 2-A, paragraph B.

Further amend the bill by inserting at the end before the statement of fact the following:

'Sec. 5. 20-A MRSA §13033, as amended by PL 1989, c. 700, Pt. A, §70, is repealed.

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to S.P. 801, L.D. 2000

2 **Sec. 6. Study of appeals process.** The Commissioner of
Education, in consultation with the State Board of Education and
4 statewide labor organizations representing teachers, shall
conduct a study of the appeals process available to persons whose
6 application for certification or endorsement is denied or whose
certification or endorsement is revoked or voided. The study
8 must examine the delays encountered in scheduling an appeals
hearing and the rendering of a final decision, the causes of
10 those delays, the staffing patterns in the Department of
Education and the workload caused by appeals. The commissioner
12 shall report to the joint standing committee of the Legislature
having jurisdiction over education matters by January 1, 1993
14 findings and recommendations on the need to expedite the hearing
and decision-making process and the advisability of reinstating
16 the practice of employing an educator review committee to advise
the commissioner on appeals. The committee may introduce related
18 legislation to the First Regular Session of the 116th
Legislature.

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Sec. 7. Review of out-of-field teaching. The State Board of
22 Education shall review the status of out-of-field teaching
restrictions and present a report to the joint standing committee
24 of the Legislature having jurisdiction over education matters by
January 1, 1993. The report may include: statistics on and
26 trends in the number of waivers and transitional endorsements
requested and granted for out-of-field teaching; the subjects,
28 grades, length and reasons for which waivers were sought; an
assessment of an expedited waiver process for out-of-field
30 teaching to be tested by the Department of Education during 1992;
an evaluation of the impact of the waiver and transitional
32 endorsement processes on school administrative units; and a
summary of the progress made in providing credit for alternative,
34 local in-service professional development programs or other
alternatives to on-campus university level courses to achieve a
36 full endorsement in a new field. The report may be combined with
any other report on waivers made by the Department of Education
38 to the Legislature.

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FISCAL NOTE

42 Any costs associated with facilitating the issuance of Maine
professional teaching certificates to out-of-state candidates and
44 with the study of the certification appeals process can be
absorbed within existing resources of the Department of
46 Education. The State Board of Education can absorb the costs
involved with the review of the status of out-of-field teaching
48 restrictions within its existing resources.'

50 Further amend the bill by renumbering the sections
consecutively.

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STATEMENT OF FACT

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The original bill contained provisions to facilitate the issuance of Maine professional teaching certificates to qualified, experienced out-of-state teachers moving to Maine to teach.

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The amendment retains those provisions and amends other sections to accommodate issuance of professional teaching certificates to out-of-state teachers. The amendment also directs the Commissioner of Education to conduct a study of the appeals process for persons whose application for certification or endorsement is denied or whose certification or endorsement is revoked or voided. The commissioner is required to report to the Joint Standing Committee on Education by January 1, 1993.

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The amendment directs the State Board of Education to review the status of out-of-field teaching restrictions and present a report to the Joint Standing Committee on Education by January 1993.

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The amendment also adds a fiscal note to the bill.

Reported by Senator Estes for the Committee on Education.
Reproduced and Distributed Pursuant to Senate Rule 12.
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