

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

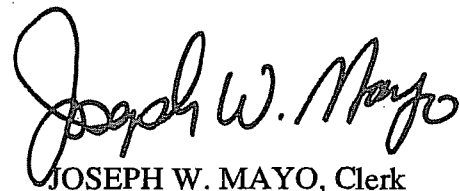
No. 579

H.P. 453

House of Representatives, February 22, 1993

An Act to Amend Teacher Certification Laws.

Reference to the Committee on Education suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative KONTOS of Windham.
Cosponsored by Representatives: BAILEY of Township 27, MITCHELL of Vassalboro,
NORTON of Winthrop, PINETTE of Fort Kent, SIMONDS of Cape Elizabeth, Senators:
HANDY of Androscoggin, O'DEA of Penobscot.

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

2 Sec. 1. 20-A MRSA §13017, as enacted by PL 1983, c. 845, §4,
4 is repealed.

6 Sec. 2. 20-A MRSA §13031, as enacted by PL 1983, c. 859, Pt.
8 I, §§2 and 3, is amended to read:

10 **§13031. Purpose**

12 The Legislature declares that the purpose of this chapter is
14 to establish require that persons seeking provisional teacher
16 certification to teach in the State take standardized qualifying
18 examinations for--those--persons--seeking--provisional--teacher
20 certificates-to-teach-in-the-State. It is not the intent of this
22 chapter to require the attainment of minimum qualifying scores by
24 persons seeking provisional certification.

26 Sec. 3. 20-A MRSA §13032, first ¶, as enacted by PL 1983, c.
28 859, Pt. I, §§2 and 3, is amended to read:

30 ~~The--provisional~~ Provisional teacher ~~certificate--shall~~
32 ~~certificates may~~ only be issued to those applicants who have
34 taken the teacher qualifying examinations. The scores attained
36 on the qualifying examinations may not be used to deny
38 certification. The examinations may be administered in separate
40 parts and may be taken by applicants for provisional teacher
42 certificates at any time after completion of the sophomore year
44 of attendance at a post-secondary higher education institution.
46 The examination shall must test the applicant in the following
48 areas:

50 Sec. 4. 20-A MRSA §13035, as enacted by PL 1983, c. 859, Pt.
I, §§2 and 3, is repealed.

36 Sec. 5. Study of appeals process. The Commissioner of
38 Education, in consultation with the State Board of Education and
40 statewide labor organizations representing teachers, shall
42 conduct a study of the appeals process available to any person
44 whose application for certification or endorsement is denied or
46 whose certification or endorsement is revoked or voided. The
48 study must examine the delays encountered in scheduling an
50 appeals hearing and the rendering of a final decision, the causes
of those delays, the staffing patterns in the Department of
Education and the workload caused by appeals. The commissioner
shall report to the Joint Standing Committee on Education by
January 1, 1994 findings and recommendations on the need to
expedite the hearing and decision-making process and the
advisability of reinstating the practice of employing an educator
review committee to advise the commissioner on appeals. The
committee may introduce related

2 legislation to the Second Regular Session of the 116th
Legislature.

4 **Sec. 6. Review of out-of-field teaching.** The State Board of
Education shall review the status of out-of-field teaching
6 restrictions and present a report to the Joint Standing Committee
on Education by January 1, 1994. The report may include:
8 statistics on and trends in the number of waivers and
transitional endorsements requested and granted for out-of-field
10 teaching; the subjects, grades, length and reasons for which
waivers were sought; an assessment of an expedited waiver process
12 for out-of-field teaching to be tested by the Department of
Education during 1993; an evaluation of the impact of the waiver
14 and transitional endorsement processes on school administrative
units; and a summary of the progress made in providing credit for
16 alternative, local in-service professional development programs
or other alternatives to on-campus university level courses to
18 achieve a full endorsement in a new field. The report may be
combined with any other report on waivers made by the department
20 to the Legislature.

22
24 **STATEMENT OF FACT**

26 Local school systems must provide a substantial amount of
financial and human resources for the administration of the
educational personnel certification laws. The purpose of this
28 bill is to ease the demand on human resources at the local level
by reducing the need for support system services for experienced
30 teachers and will reduce professional uncertainty for both
teachers and administrators, as well as facilitating local
32 personnel assignments, by hastening resolution of the currently
lengthy certification appeals process.

34
36 The bill directs the Department of Education and the State
Board of Education to study those issues and to report back to
the Joint Standing Committee on Education with recommendations.

38
40 The bill abolishes the use of minimum qualifying test scores
to prevent applicants from attaining provisional certification.