

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 981

S.P. 353

In Senate, March 23, 1995

**An Act to Amend the Teacher Certification Laws Relating to
Certification Waivers.**

Submitted by the Department of Education pursuant to Joint Rule 24.
Reference to the Committee on Education and Cultural Affairs suggested and ordered
printed.

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator SMALL of Sagadahoc.
Cosponsored by Representatives: AULT of Wayne, CLOUTIER of South Portland.

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

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4 **Sec. 1. 20-A MRSA §13011, sub-§7**, as enacted by PL 1993, c. 200, §1, is amended to read:

6 **7. Certification waiver.** Under rules adopted by the state board, the commissioner may grant a waiver for an appropriate period of time to an individual seeking the issuance or renewal of a certificate. The commissioner may grant a waiver to an individual who:

12 A. Receives allegedly inaccurate, incomplete or untimely information or action from the division of certification and placement within the department or its agents, the local support system or a regional support system; or

16 B. Demonstrates compliance with certification requirements by some means not anticipated in the certification rules professional alternative standards authorized by rules adopted by the state board.

22 ~~An individual who is denied the issuance or renewal of a certificate for reasons outlined in paragraphs A and B may apply for a waiver to an appeals committee selected by the state board. The appeals committee must consist of 4 permanent members who serve for terms of 3 years, including one school administrator, one teacher or educational specialist, one faculty member from a teacher education program approved by the state board and one public member who is not, and never has been, a professional educator. For each case considered by the appeals committee, the state board shall select a 5th appeals committee member representing the professional specialty organization in the discipline or level under review.~~

34 ~~The appeals committee shall review the application for a waiver and make a recommendation to the commissioner. Following a review of the application and recommendation, the commissioner shall make a final decision and provide a written justification for the decision.~~

40 ~~The state board and the commissioner shall test and evaluate this certification waiver process and report their findings to the joint standing committee of the Legislature having jurisdiction over educational matters on or before January 1, 1995.~~

STATEMENT OF FACT

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4 This bill amends the specific criteria under which a
teacher, education specialist or administrator may seek a
certification waiver by the Commissioner of Education.