

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 2054

H.P. 1431

House of Representatives, March 25, 1999

An Act to Extend New Teachers' Probationary Periods.

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative PIEH of Bremen.

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

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44
46
48
50
52

Sec. 1. 20-A MRSA §13201, first ¶, as amended by PL 1989, c. 285, is further amended to read:

The superintendent shall nominate all teachers, subject to such regulations governing salaries and the qualifications of teachers as the school board shall make. Upon the approval of nominations, by the school board, the superintendent may employ teachers so nominated and approved for such terms as the superintendent may deem proper, subject to the approval of the school board. Prior to May 15th before the expiration of a ~~first or 2nd-year~~ probationary teacher's contract, the superintendent shall notify the teacher in writing of the superintendent's decision to nominate or not nominate that teacher for another teaching contract. If, after receiving a complaint from a teacher, the commissioner finds that the superintendent has failed to notify a teacher of a decision not to nominate that teacher, the school administrative unit shall pay a forfeiture to the teacher. The amount of that forfeiture shall must be equal to the teacher's per diem salary rate times the number of days between the notification deadline and the date on which notification is made or on which the complaint is filed, whichever occurs first. In case the superintendent of schools and the school board fail to legally elect a teacher, the commissioner shall have the authority to appoint a substitute teacher who shall serve until such election is made.

Sec. 2. 20-A MRSA §13201, 2nd ¶, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

After a probationary period not to exceed 2 years for a person who has been employed as a teacher for more than 3 years or 3 years for a person who has been employed as a teacher for 3 or fewer years, subsequent contracts of duly certified teachers shall must be for not less than 2 years. Unless a duly certified teacher receives written notice to the contrary at least 6 months before the terminal date of the contract, the contract shall must be extended automatically for one year and similarly in subsequent years. The right to an extension for a longer period of time through a new contract is specifically reserved to the contracting parties.

Sec. 3. 20-A MRSA §13201, 4th ¶, as amended by PL 1983, c. 806, §93, is further amended to read:

After a the probationary period ~~of 2 years~~ provided in this section, any teacher, who receives notice in accordance with this section that ~~his or her~~ the teacher's contract is not going to be renewed, may during the 15 days following such notification request a hearing with the school board. The teacher may request reasons. The hearing shall must be private except by mutual

2 consent and except that either or both parties may be represented
by counsel. That hearing must be granted within 30 days of the
4 receipt of the teacher's request.

6 **SUMMARY**

8 This bill provides that a probationary period may not exceed
10 2 years for a person who has been employed as a teacher for more
than 3 years or 3 years for a person who has been employed as a
12 teacher for 3 or fewer years.