

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

SECOND REGULAR SESSION-2002

Legislative Document

No. 2021

H.P. 1517

House of Representatives, December 26, 2001

**An Act Regarding Provisional Certification for Teachers and
Administrators.**

Submitted by the Department of Education pursuant to Joint Rule 204.
Received by the Clerk of the House on December 19, 2001. Referred to the Committee on
Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to
Joint Rule 401.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative RICHARD of Madison.
Cosponsored by Senator SMALL of Sagadahoc.

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

2 **Sec. 1. 20-A MRSA §13012, sub-§2,** as amended by PL 1995, c.
4 320, §§1 and 2, is repealed.

6 **Sec. 2. 20-A MRSA §13012, sub-§§2-A and 2-B** are enacted to
8 read:

10 **2-A. Qualifications.** State board rules governing the
12 qualifications for a provisional teacher certificate must require
14 that a certificate may only be issued to an applicant who meets
16 the requirements of subsection 2-B and:

18 A. For elementary school, has met academic and
20 preprofessional requirements established by the state board
22 for teaching at the elementary school level and has
24 graduated from an accredited, degree-granting educational
26 institution upon completion of:

28 (1) A bachelor's degree from a 4-year accredited
30 college or university;

32 (2) A 4-year program in liberal arts and sciences; or

34 (3) An approved 4-year teacher preparation program and
36 has majored in the subject area to be taught or an
38 interdisciplinary program in liberal arts;

40 B. For secondary school, has met academic and
42 preprofessional requirements established by the state board
44 for teaching at the secondary school level and has graduated
46 from an accredited, degree-granting educational institution
48 upon completion of:

50 (1) A bachelor's degree from a 4-year accredited
college or university;

(2) A 4-year program in liberal arts and sciences; or

(3) An approved 4-year teacher preparation program and
has majored in the subject area to be taught;

C. Is otherwise qualified by having met separate
educational criteria for specialized teaching areas,
including, but not limited to, special education, home
economics, agriculture, vocational education, art, music,
business education, physical education and industrial arts,
as established by the state board for teaching in these
specialized areas; or

2 D. Has completed 6 credit hours of approved study within 5
4 years prior to application, has met entry-level standards
6 and has held either a professional teacher certificate that
expired more than 5 years prior to the application date or a
provisional teacher certificate issued prior to July 1, 1988
that expired more than 5 years prior to the application date.

8 **2-B. Learning results.** In order to help students achieve
10 learning results as established in section 6209, a provisional
teacher certificate may be issued only if the applicant:

12 A. Demonstrates knowledge of the central concepts, tools of
14 inquiry and structures of the discipline that the applicant
teaches and can create learning experiences that make these
16 aspects of the subject matter meaningful to students;

18 B. Demonstrates the ability to integrate the concepts,
tools of inquiry and structures among the disciplines that
20 the applicant teaches;

22 C. Demonstrates a knowledge of the diverse ways in which
students learn and develop by providing learning
24 opportunities that support their intellectual, physical,
emotional and social development;

26 D. Plans instruction based upon knowledge of subject
matter, students and curriculum goals;

28 E. Understands and uses a variety of instructional
30 strategies and appropriate technologies;

32 F. Creates and maintains a classroom environment that
supports and encourages learning;

34 G. Demonstrates the ability to support students' learning
36 and well-being by engaging students and their homes, school,
colleagues and community;

38 H. Understands and uses a variety of formal and informal
40 assessment strategies to evaluate and support the
development of the student;

42 I. Demonstrates an awareness of and commitment to the
44 ethical and legal responsibilities of a teacher; and

46 J. Demonstrates a strong professional ethic and a desire to
48 contribute to the education profession.

50 **Sec. 3. 20-A MRS §13013, sub-§2-A, ¶C**, as amended by PL 1997,
c. 266, §17, is further amended to read:

2 C. Holds a provisional teacher certificate issued under
pursuant to section 13012, subsection 2 2-A, paragraph D and
4 has taught for at least one year under a provisional teacher
certificate; or

6 **Sec. 4. 20-A MRSA §13019-A, sub-§1, ¶D**, as amended by PL 1989,
c. 889, §9, is further amended to read:

8
10 D. A basic level of knowledge in ~~the--following--areas;~~
competency areas determined by the state board; and

- 12 {1}--Community-relations;
- 14 {2}--School-finance-and-budget;
- 16 {3}--Supervision-and-evaluation-of-personnel;
- 18 {4}--Federal-and-state-civil-rights-and-education-laws;
- 20 {5}--Organizational-theory-and-planning;
- 22 {6}--Educational-leadership;
- 24 {7}--Educational-philosephy-and-theory;
- 26 {8}--Effective-instruction;
- 28 {9}--Curriculum-development;
- 30 {10}--Staff-development;
- 32 {11}---Cultural--differences--and--discriminatory--and
34 nondiscriminatory-hiring-practices;-and
- 36 {12}---Other--competency--areas--as--determined--by--state
board-rule;-and

38 **Sec. 5. 20-A MRSA §13019-B, sub-§1, ¶C**, as amended by PL 1989,
c. 889, §10, is further amended to read:

40
42 C. A basic level of knowledge in ~~the--following--areas;~~
competency areas determined by the state board; and

- 44 {1}--Community-relations;
- 46 {2}--School-finance-and-budget;
- 48 {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;~~
16 ~~{11}---Cultural--differences--and--discriminatory--and~~
18 ~~nondiscriminatory-hiring-practices;-and~~
20 ~~{12}---Other--competency-areas--as--determined-by--state~~
 ~~board-rule;-and~~

22 **Sec. 6. 20-A MRSA §13019-C, sub-§1, ¶C,** as repealed and
replaced by PL 1989, c. 878, Pt. B, §18, is amended to read:

24 C. A basic level of knowledge in the--following--areas+
26 competency areas determined by the state board; and

- 28 ~~{1}--Community-relations;~~
30 ~~{2}--School-finance-and-budget;~~
32 ~~{3}--Supervision-and-evaluation-of-personnel;~~
34 ~~{4}--Federal-and-state-civil-rights-and-education-laws;~~
36 ~~{5}--Organizational-theory-and-planning;~~
38 ~~{6}--Educational-leadership;~~
40 ~~{7}--Educational-philosophy-and-theory;~~
42 ~~{8}--Effective-instruction;~~
44 ~~{9}--Curriculum-development;~~
46 ~~{10}--Staff-development;-and~~
48 ~~{11}---Other--competency-areas--as--determined-by--state~~
 ~~board-rule;-and~~

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SUMMARY

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6 This bill amends the law regarding the certification for
8 school administrators and teachers by incorporating performance
standards for provisional teacher certification and allows the
State Board of Education to determine competency areas for school
administrators.