

MAINE STATE LEGISLATURE

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EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1122, L.D. 1530, "Resolve, Regarding Legislative Review of Portions of Chapter 115: Certification, Authorization and Approval of Education Personnel, a Major Substantive Rule of the Department of Education"

Amend the resolve by striking out all of section 1 and inserting in its place the following:

'Sec. 1. Adoption. Resolved: That final adoption of Portions of Chapter 115: Certification, Authorization and Approval of Education Personnel, a provisionally adopted major substantive rule of the Department of Education that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only for the part of the rule specified as "Part I, Section 8, Administrator Certificates" and for the part of the rule specified as "Part II, Section 4, Administrator Certificates" only if the rules proposed for Part II, Section 4 are amended as follows.

1. The rule must be amended in the part designated "Part II, Section 4, subsection 4.1, paragraph B, subparagraph 1, division (g) to clarify that the requirements for either eligibility pathway for a superintendent's certificate must include the completion of an approved internship or practicum based on the Interstate School Leaders Licensure Consortium standards.

COMMITTEE AMENDMENT

2 2. The rule must be amended in the part designated "Part
3 II, Section 4, subsection 4.1, paragraph B, subparagraph 2" to
4 clarify that the eligibility pathway for a superintendent that
5 meets the Interstate School Leaders Licensure Consortium
6 standards must include a reference to the Maine-approved program
7 for a superintendent's certificate.

8 3. The rule must be amended in the part designated "Part
9 II, Section 4, subsection 4.3, paragraph B, subparagraph 1,
10 division (e) to clarify that the eligibility pathway for a
11 special education administrator must include the satisfactory
12 completion of an approved internship or practicum that is based
13 on the Interstate School Leaders Licensure Consortium standards.

14 4. The rule must be amended in the part designated "Part
15 II, Section 4, subsection 4.5, paragraph B, subparagraph 1,
16 division (f) to clarify that the eligibility pathway for a
17 building administrator must include the satisfactory completion
18 of an approved internship or practicum that is based on the
19 Interstate School Leaders Licensure Consortium standards and also
20 relates to the duties of a principal or career and technical
21 education administrator.

22 5. The rule must be amended in the part designated "Part
23 II, Section 4, subsection 4.10, paragraph B to clarify that the
24 eligibility pathway for a curriculum coordinator must include the
25 satisfactory completion of an approved internship or practicum
26 that is based on the Interstate School Leaders Licensure
27 Consortium standards; and be it further

28 **Sec. 2. Finding; filing of revised rule. Resolved:** That the Joint
29 Standing Committee on Education and Cultural Affairs has
30 determined that the provisionally adopted major substantive rule
31 may require significant revisions by the Maine Department of
32 Education following the pending decision of the United States
33 Department of Education regarding the Consolidated State
34 Application for State Grants under Title IX, Part C, Section 9302
35 of the federal Elementary and Secondary Education Act, Public Law
36 107-110. The Joint Standing Committee on Education and Cultural
37 Affairs has determined that the Department of Education and the
38 State Board of Education should review the remaining portions of
39 the provisionally adopted major substantive rule that were not
40 finally adopted, including but not limited to those portions of
41 the rule pertaining to certification of teachers and
42 authorization of educational technicians, and should file a
43 revised rule in accordance with the requirements for state agency
44 rule-making procedures for a major substantive rule pursuant to
45 the Maine Revised Statutes, Title 5, chapter 375, subchapter
46 2-A. In proceeding with the filing of the revised rule for the
47 remaining portions of Chapter 115: Certification, Authorization
48 and Approval of Education Personnel, the Department of Education
49 and

2 shall also consider the concerns raised by interested parties
during public hearings and work sessions on this rule conducted
4 by the Joint Standing Committee on Education and Cultural Affairs
related to other portions of the provisionally adopted major
6 substantive rule that are not necessarily subject to the educator
quality requirements of the federal Elementary and Secondary
Education Act as amended by the No Child Left Behind Act of 2001.'

8
10 **SUMMARY**

12 This amendment provides that only specific portions of the
provisionally adopted major substantive rule submitted by the
14 Department of Education are authorized and also provides that the
remainder of the provisionally adopted major substantive rule may
16 not be adopted, but rather must be reviewed and resubmitted by
the Department of Education. The amendment authorizes the
18 adoption of the proposed provisions to the Administrator
Certificates section of the rule only if certain portions of this
20 section of the rule are amended to include references to the
Interstate School Leaders Licensure Consortium standards as part
22 of the alternative pathways to certain administrator certificates.

24 The amendment requires that, pending the decision of the
United States Department of Education on the Maine Department of
26 Education's Consolidated State Application for State Grants under
Title IX, Part C, Section 9302 of the federal Elementary and
28 Secondary Education Act, Public Law 107-110, the Department of
Education shall review and file a revised provisionally adopted
30 major substantive rule. The amendment further requires that the
Department of Education shall also consider the concerns raised
32 by interested parties during public hearings and work sessions on
this rule conducted by the Joint Standing Committee on Education
34 and Cultural Affairs related to other portions of the
provisionally adopted major substantive rule that are not
36 necessarily subject to the educator quality requirements of the
federal Elementary and Secondary Education Act as amended by the
38 No Child Left Behind Act of 2001.

FISCAL NOTE REQUIRED
(See attached)

**121st Maine Legislature
Office of Fiscal and Program Review**



LD 1530

**Resolve, Regarding Legislative Review of Portions of Chapter 115:
Certification, Authorization and Approval of Education Personnel, a
Major Substantive Rule of the Department of Education**

LR 2076(02)

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund