

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 293

H.P. 237

House of Representatives, January 19, 2007

An Act To Address the Evaluations of Certain School Employees

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MAKAS of Lewiston.
Cosponsored by Senator BOWMAN of York and
Representatives: BURNS of Berwick, CANAVAN of Waterville, DRISCOLL of Westbrook,
FARRINGTON of Gorham, HARLOW of Portland, NORTON of Bangor, Senators:
MITCHELL of Kennebec, TURNER of Cumberland.

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

2 **Sec. 1. 20-A MRSA c. 503-A** is enacted to read:

3 **CHAPTER 503-A**

4 **EMPLOYMENT OF SCHOOL PERSONNEL WHO ARE SUBJECT TO**
5 **APPROVAL BY DEPARTMENT**

6 **§13251. Definition**

7 For the purposes of this chapter, “school personnel” means persons paid to work in
8 schools in positions that require the approval of the department pursuant to section 13024.

9 **§13252. Nomination and employment**

10 The superintendent shall nominate for employment all school personnel, subject to
11 school board regulations governing compensation and the qualifications of school
12 personnel. If the school board approves the nomination, the superintendent may employ
13 school personnel so nominated for a term not to exceed 2 years as determined by the
14 school board.

15 **§13253. Mandatory evaluation**

16 The superintendent is responsible for the evaluation of all school personnel employed
17 by the school administrative unit. All school personnel must receive a written evaluation
18 of job performance within 6 to 12 months of employment by the school administrative
19 unit. The evaluation of school personnel must use the criteria and standards of job
20 performance established by school boards in accordance with section 13254.

21 **§13254. Dismissal**

22 A school board shall establish reasonable criteria and standards of job performance to
23 be used for the purpose of determining whether employment of its school personnel
24 should be terminated. These criteria and standards must be consistent for all school
25 personnel in the same or similar job classifications and must be applied fairly to all
26 school personnel.

27 **SUMMARY**

28 This bill requires that a person paid to work in a school in a position that does not
29 require certification or authorization but whose employment requires the approval of the
30 Department of Education must receive an evaluation from the school administrative unit
31 before the end of the first year of employment. The bill also provides that school boards
32 must establish criteria and standards for job performance for those personnel and further
33 provides that the evaluation of those personnel must use the criteria and standards of job
34 performance established by school boards.