

# MAINE STATE LEGISLATURE

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Date: 4-8-08

**EDUCATION AND CULTURAL AFFAIRS**

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**STATE OF MAINE  
SENATE  
123RD LEGISLATURE  
FIRST SPECIAL SESSION  
Minority**

COMMITTEE AMENDMENT "B" to S.P. 912, L.D. 2291, Bill, "An Act To Amend Teacher Confidentiality Laws"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

**Sec. 1. 20-A MRSA §13004, sub-§2-A**, as enacted by PL 1983, c. 470, §11 and amended by PL 1999, c. 547, Pt. B, §78 and affected by §80, is repealed and the following enacted in its place:

**2-A. Confidentiality.** The provisions of this subsection govern confidentiality.

A. Complaints and responses pursuant to section 13020 and any other information or materials that may result in an action to deny, revoke or suspend certification are confidential, except when submitted in court proceedings to revoke or suspend certification.

B. If a complaint under section 13020 is based upon a criminal conviction or upon information that has become generally known to the public, the department may comment publicly on the existence and status of the complaint but shall otherwise preserve confidentiality in accordance with this subsection.

C. Access to confidential information under this subsection may be granted to the extent that relevant information is needed by:

(1) A national association of state directors of teacher education and certification to which the State belongs;

(2) Other public authorities that are considering reciprocal action or that are investigating a person's certification in another jurisdiction; or

(3) Law enforcement agencies in aid of their investigations.

D. This subsection may not prohibit the department from using or releasing relevant information as necessary:

**COMMITTEE AMENDMENT**





# 123rd MAINE LEGISLATURE

LD 2291

LR 3517(03)

**An Act To Amend Teacher Confidentiality Laws**

**Fiscal Note for Bill as Amended by Committee Amendment "B"**

**Committee: Education and Cultural Affairs**

**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - General Fund

### Fiscal Detail and Notes

Additional costs to the Department of Education can be absorbed within existing budgeted resources.