

# 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)



STATE LAW LIBRARY  
AUGUSTA, MAINE

# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

---

Legislative Document

No. 1191

S.P. 439

In Senate, March 25, 2009

### **An Act To Improve Teacher Confidentiality Laws**

---

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator MILLS of Somerset.

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

2 **Sec. 1. 20-A MRSA §13004, sub-§2-A**, as amended by PL 2007, c. 666, §1, is  
3 repealed and the following enacted in its place:

4 **2-A. Confidentiality.** The provisions of this subsection govern confidentiality.

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

9 B. Except for information designated confidential under section 6101 or section  
10 6103, information designated confidential under paragraph A may be released or used  
11 by the department as necessary to:

12 (1) Complete its own investigations;

13 (2) Provide information to a national association of state directors of teacher  
14 education and certification to which the State belongs;

15 (3) Assist other public authorities to investigate the same teacher's certification  
16 in another jurisdiction;

17 (4) Report or prevent criminal misconduct or assist law enforcement agencies in  
18 their investigations; or

19 (5) Report child abuse or neglect under Title 22, section 4011-A.

20 C. The department may publish and release as public information statistical  
21 summaries of complaints and dispositions as long as the release of such information  
22 does not jeopardize the confidentiality of individually identifiable information.

23 **SUMMARY**

24 This bill permits access to confidential information on denials, revocations and  
25 suspensions of teacher certification to the extent that the information is needed by a  
26 national association of state directors of teacher education and certification, in aid of an  
27 investigation by other jurisdictions investigating qualifications for certification or  
28 considering reciprocal disciplinary action or by law enforcement agencies in aid of an  
29 investigation.

30 The bill also authorizes the Department of Education to disseminate as public  
31 information statistical summaries of complaints and dispositions as long as the  
32 dissemination does not jeopardize the confidentiality of individually identifiable  
33 information.