

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

SECOND REGULAR SESSION-2010

Legislative Document

No. 1799

S.P. 704

In Senate, February 25, 2010

**An Act To Encourage the Use of Models in the Collection and Use of
Student Achievement Data**

(EMERGENCY)

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 ALFOND of Cumberland. (GOVERNOR'S BILL)

1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** the Maine Revised Statutes, Title 20-A, section 6204, subsection 3
4 separates the student assessment program from teacher evaluation; and

5 **Whereas,** the Maine Revised Statutes, Title 20-A, section 13802 is limited to
6 teacher evaluation models and does not apply to principal evaluations; and

7 **Whereas,** immediate enactment of this legislation is necessary to ensure the State's
8 eligibility to apply for a significant amount of federal funding for continued education
9 reform, which is jeopardized by significant and continuing reductions in state funding for
10 education; and

11 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
12 the meaning of the Constitution of Maine and require the following legislation as
13 immediately necessary for the preservation of the public peace, health and safety; now,
14 therefore,

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

16 **Sec. 1. 20-A MRSA §6204, sub-§3,** as enacted by PL 1983, c. 859, Pt. D, §§3
17 and 4, is repealed.

18 **Sec. 2. 20-A MRSA §13802,** as enacted by PL 1985, c. 173, is amended to read:
19 **§13802. Teacher and principal evaluation models**

20 **1. Department to establish models.** The department shall establish models for
21 evaluation of the professional performance of teachers and principals employed in any a
22 school administrative unit within the State. The models must include multiple measures.

23 **2. Use of models.** Each school administrative unit within the State ~~shall have~~ has the
24 option to incorporate the models developed pursuant to subsection 1 for the evaluation of
25 the professional performance of any a teacher or principal employed by that school
26 administrative unit.

27 **Emergency clause.** In view of the emergency cited in the preamble, this
28 legislation takes effect when approved.

29 **SUMMARY**

30 This bill eliminates the prohibition on the use of student assessment data in the
31 establishment of models for evaluation of the professional performance of teachers. It
32 also extends the models for evaluation developed by the Department of Education to
33 principals and requires that the models include multiple measures.