



## **126th MAINE LEGISLATURE**

## FIRST REGULAR SESSION-2013

**Legislative Document** 

No. 1144

H.P. 809

House of Representatives, March 21, 2013

An Act To Further Ensure Effective Teaching and School Leadership

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

Millient M. Mac Jarland

MILLICENT M. MacFARLAND Clerk

Presented by Representative KUSIAK of Fairfield.

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

Sec. 1. 20-A MRSA §13008, sub-§2, as enacted by PL 2011, c. 635, Pt. B, §1, is
 amended to read:

- **2. Data collection.** The department shall collect data relating to educator
   preparation programs, including but not limited to the following information with respect
   to each educator preparation program:
- 7 A. The number of program completers; and
- 8 B. The number of program completers who pass certification tests and the number
  9 of those who attain provisional licensure in the State;
- 10 C. The number of program completers who proceed from provisional licensure to
   professional licensure; and
- D. The number of program completers who are teaching in schools in this State 3
   and 5 years after they complete that educator preparation program.
- 14 Sec. 2. 20-A MRSA §13705, sub-§1 is enacted to read:

15 1. Phase-in grants; contingent extension of full implementation. During the phase-in period under this section, the department, if funds are available, shall make 16 17 annual phase-in grants to each school administrative unit equal to 1/10 of 1% of the school administrative unit's total cost of education calculated under section 15688, 18 19 subsection 1 to be used in the manner determined by the school administrative unit to 20 fund the costs of meeting the phase-in requirements not otherwise subsidized by the State. The date for school administrative units to implement a performance evaluation and 21 22 professional growth system as set forth in this section is extended one year for each year for which transition grants are not made available to school units or for which the level of 23 24 general purpose aid for local schools falls below the required 55% state share of the total cost of funding public education from kindergarten to grade 12 as set forth in section 25 26 15671, subsection 1.

Sec. 3. 20-A MRSA §13706, as enacted by PL 2011, c. 635, Pt. A, §3, is amended to read:

## 29 **§13706. Rules**

30 The department shall adopt rules to implement this chapter, including but not limited 31 to a rule relating to the method of identifying the educator or educators whose 32 effectiveness ratings are affected by the measurement of learning or growth of a particular student. The department shall also adopt rules pertaining to the approval of 33 34 performance evaluation and professional growth systems pursuant to section 13702. The 35 department shall amend or adopt rules that specify the appropriate qualifications and training protocols that are necessary to ensure that school administrative units are 36 employing qualified evaluators to implement the performance evaluation and professional 37 growth system pursuant to section 13704, subsection 5. Rules adopted pursuant to this 38 39 section are major substantive rules pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. 4. 20-A MRSA §15681, sub-§6, as enacted by PL 2011, c. 635, Pt. A, §5, is
 amended to read:

3 6. Targeted funds for educator evaluation. For educator evaluation funds beginning with the 2013-2014 school year, the commissioner shall calculate the amount 4 available to assist required by school administrative units in developing to develop and 5 6 implementing implement performance evaluation and professional growth systems pursuant to chapter 508. Targeted educator evaluation funds may be provided only if the 7 8 level of general purpose aid for local schools exceeds the required 55% state share of the 9 total cost of funding public education from kindergarten to grade 12 as set forth in section 10 15671, subsection 1.

**Sec. 5. Submission of provisionally adopted rules.** Not later than January 15, 2014, the Department of Education shall submit provisionally adopted rules that amend or adopt rules that specify the appropriate qualifications and training protocols that are necessary to ensure that school administrative units are employing qualified evaluators to implement the performance evaluation and professional growth system required pursuant to the Maine Revised Statutes, Title 20-A, section 13704, subsection 5.

17 SUMMARY

18 This bill makes several changes related to the implementation of the performance 19 evaluation and professional growth system provisions established in the Maine Revised 20 Statutes, Title 20-A, chapter 508.

I. It removes 2 of the data elements that the Department of Education is required to
 collect in order to evaluate the performance of educator preparation programs.

23 2. It requires the Department of Education to amend or adopt rules regarding the 24 implementation procedures related to the qualifications and preparation that trained 25 evaluators must have in order to participate in the performance evaluation of teachers and 26 school principals.

3. It amends the provisions requiring targeted funds for implementing the performance evaluation and professional growth systems for teachers and principals to require that, beginning with the 2013-2014 school year, the Commissioner of Education provide state funding, outside of the funding provided to school administrative units through the general purpose aid for local schools program, to implement performance evaluation and professional growth systems for teachers and principals.

4. It provides that school administrative units are not required to implement the performance evaluation and professional growth systems for teachers and principals until the Legislature funds the state share of the total cost of funding public education from kindergarten to grade 12 at the 55% level required by the Essential Programs and Services Funding Act. It also provides that targeted educator evaluation funds may be provided only if general purpose aid for local schools exceeds the required 55% state share.