

MAINE STATE LEGISLATURE

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L.D. 1370

Date: 3-24-16

(Filing No. S-432)

EDUCATION AND CULTURAL AFFAIRS

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

127TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 502, L.D. 1370, Bill, "An Act To Improve the Quality of Teachers"

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

Sec. 1. 20-A MRSA §13012, sub-§2-A, as amended by PL 2011, c. 635, Pt. B, §4, is further amended to read:

2-A. Qualifications. State board rules governing the qualifications for a provisional teacher certificate must require that a certificate may only be issued to an applicant who meets the requirements of subsection 2-B, has successfully completed 90 hours of practicum and a student teaching experience of at least 15 weeks, which must commence no later than the applicant's junior year and continue only after the applicant's satisfactory disposition assessment during the applicant's senior year, and:

A. For elementary school, has met academic and preprofessional requirements established by the state board for teaching at the elementary school level and has graduated with a grade point average of at least 3.0 based on a 4.0 grade point system in the applicant's teacher preparation course work from an accredited, degree-granting educational institution upon completion of:

- (1) A bachelor's degree from a 4-year accredited college or university;
- (2) A 4-year program in liberal arts and sciences; or
- (3) An approved 4-year teacher preparation program and has majored in the subject area to be taught or an interdisciplinary program in liberal arts;

B. For secondary school, has met academic and preprofessional requirements established by the state board for teaching at the secondary school level and has graduated with a grade point average of at least 3.0 based on a 4.0 grade point system in the applicant's teacher preparation course work from an accredited, degree-granting educational institution upon completion of:

- (1) A bachelor's degree from a 4-year accredited college or university;

COMMITTEE AMENDMENT

- 1 (2) A 4-year program in liberal arts and sciences; or
- 2 (3) An approved 4-year teacher preparation program and has majored in the
- 3 subject area to be taught;
- 4 C. Is otherwise qualified by having met separate educational criteria for specialized
- 5 teaching areas, including, but not limited to, special education, home economics,
- 6 agriculture, career and technical education, art, music, business education, physical
- 7 education and industrial arts, as established by the state board for teaching in these
- 8 specialized areas; or
- 9 D. Has completed 6 credit hours of approved study within 5 years prior to
- 10 application, has met entry-level standards and has held either a professional teacher
- 11 certificate that expired more than 5 years prior to the application date or a provisional
- 12 teacher certificate issued prior to July 1, 1988 that expired more than 5 years prior to
- 13 the application date.

14 For the purposes of this subsection, "practicum" means direct student engagement,
 15 including but not limited to tutoring, planning and implementing lesson plans and
 16 otherwise directly interacting with students on an individual basis or in a group setting.
 17 "Practicum" does not include activities that are composed solely of observing classrooms
 18 or students.

19 **Sec. 2. 20-A MRSA §13012, sub-§2-C is enacted to read:**

20 **2-C. Teacher preparation programs.** Except as provided in this subsection, by
 21 July 1, 2017:

22 A. An educational institution offering an approved teacher preparation program must
 23 maintain a 3.0 average grade point average for all students completing the program
 24 and receiving a recommendation from the educational institution for certification in
 25 the preceding academic year;

26 B. An educational institution offering an approved teacher preparation program shall
 27 develop a disposition assessment instrument that clearly describes the operational
 28 definition of each disposition component for candidates;

29 C. An educational institution offering an approved teacher preparation program shall
 30 report to the department average grade point averages and shall report them
 31 separately for undergraduate and postbaccalaureate program completers who receive
 32 recommendations for certification; and

33 D. The dean or director of an approved teacher preparation program in compliance
 34 with the requirements of paragraphs A, B and C may request that the commissioner
 35 waive the grade point average requirement established under subsection 2-A,
 36 paragraphs A and B for an applicant for a provisional teacher certificate under
 37 extenuating circumstances.

38 If an educational institution through its teacher preparation program is unable to meet the
 39 grade point average requirements by July 1, 2017, the educational institution may request
 40 up to 2 one-year extensions from the commissioner. The commissioner may not provide
 41 an extension that commences on or after July 1, 2019.

1 **Sec. 3. 20-A MRSA §13015, sub-§3, ¶¶C and D**, as enacted by PL 1983, c.
2 845, §4, are amended to read:

3 C. A description of the duties of the master teacher responsible for the design and
4 coordination of a teacher action plan; ~~and~~

5 D. A description of any current or planned linkages the support system has or will
6 have with institutions of higher education, department personnel and members of the
7 public in the operation of its support system; ~~and~~

8 **Sec. 4. 20-A MRSA §13015, sub-§3, ¶E** is enacted to read:

9 E. For provisional teachers during each year of their probationary period:

10 (1) Observations of classroom instruction of a minimum of 4 classes; and

11 (2) Formative feedback and continuous improvement conversations throughout
12 the school year.

13 **Sec. 5. 20-A MRSA §13406**, as enacted by PL 2005, c. 635, §6, is repealed.

14 **Sec. 6. 20-A MRSA §13407** is enacted to read:

15 **§13407. Minimum salaries beginning in 2017-2018 school year**

16 Each school administrative unit shall establish a minimum salary of \$40,000 for
17 certified teachers for the school year starting after June 30, 2017 and in each subsequent
18 school year. Each school administrative unit shall provide to the department on or before
19 October 1st the number of teachers eligible for incremental salary increases as defined in
20 section 15689, subsection 7-A, paragraph A.

21 **Sec. 7. 20-A MRSA §15689, sub-§7-A** is enacted to read:

22 **7-A. Adjustment for minimum teacher salary.** Beginning in fiscal year 2017-18
23 and in each subsequent fiscal year, the commissioner shall, in accordance with this
24 subsection, increase the state share of the total allocation to a qualifying school
25 administrative unit by an amount necessary to achieve the minimum salary for certified
26 teachers established in section 13407.

27 A. As used in this subsection, unless the context otherwise indicates, "qualifying
28 school administrative unit" means a school administrative unit that the commissioner
29 determines to have a locally established salary schedule with a minimum teacher
30 salary of less than \$40,000 in school year 2016-2017. As used in this subsection,
31 unless the context otherwise indicates, "incremental salary increases" means the
32 incremental increases in the salaries of teachers employed by a qualifying school
33 administrative unit in school year 2016-2017 necessary to meet the minimum salary
34 requirements of section 13407 in fiscal year 2017-18 and thereafter.

35 B. The commissioner shall allocate the funds appropriated by the Legislature in
36 fiscal year 2017-18 and each subsequent fiscal year in accordance with the following.

37 (1) The amount of increased funds provided to qualifying school administrative
38 units under this subsection must be the amount necessary to fund the incremental
39 salary increases.

1 (2) The number of teachers eligible for incremental salary increases in a
2 qualifying school administrative unit for a fiscal year must be based on the local
3 staff information supplied to the department pursuant to section 13407 in that
4 fiscal year.

5 (3) The increased funds provided under this subsection must be issued to the
6 qualifying school administrative units as an adjustment to the state school
7 subsidy for distribution to the teachers. Qualifying school administrative units
8 must use the payments provided under this subsection to provide salary
9 adjustments to those teachers eligible for incremental salary increases. The
10 department shall collect the necessary data to allow the funds to be included in
11 the qualifying school administrative unit's monthly subsidy payments beginning
12 no later than February 1st of each fiscal year.

13 **Sec. 8. 20-A MRSA §15689-A, sub-§27** is enacted to read:

14 **27. Salary supplements for approved support systems for teacher certification.**
15 The commissioner shall pay the costs attributable to the involvement of teachers in the
16 operation of a school administrative unit's support system approved in accordance with
17 the provisions of section 13015. The amount of the payments must be equal to the
18 teacher's per diem salary rate multiplied by the number of days the teacher is involved in
19 the operation of an approved support system.

20 **Sec. 9. State Board of Education; rulemaking.** The State Board of Education
21 shall amend the standards and procedures for the review and approval of preparation
22 programs for education personnel established in its rule Chapter 114: Purpose, Standards
23 and Procedures for the Review and Approval of Preparation Programs for Education
24 Personnel to articulate and outline clear standards for the memorandum of understanding
25 between student teachers, teacher preparation programs and participating school
26 administrative units. The State Board of Education must solicit comments from teacher
27 preparation programs, teachers and school administrative unit leaders as to the
28 appropriate standards that should be part of any memorandum of understanding. The
29 proposed amendments to the rules must include:

30 1. A memorandum of understanding template, which must be developed with teacher
31 preparation programs and cooperating teachers, that clearly outlines the requirements for
32 both participants. Student teachers, teacher preparation programs and school
33 administrative units hosting cooperating teachers must be required to sign a memorandum
34 of understanding outlining the expectations of all parties involved in the student teaching
35 experience and practicum;

36 2. Ways to increase the number of cooperating teachers, including but not limited to
37 financial compensation, a positive effect on the performance evaluation of a cooperating
38 teacher, recertification credit and college credit; and

39 3. Rules to implement the grade point average requirement provisions for teacher
40 preparation programs established under the Maine Revised Statutes, Title 20-A, section
41 13012, subsection 2-C related to the issuance of provisional teacher certificates.

42 Rules adopted or amended pursuant to this section are major substantive rules as
43 defined in Title 5, chapter 375, subchapter 2-A. The State Board of Education shall

ROFS

1 submit the provisionally adopted amendments to its rule Chapter 114: Purpose, Standards
2 and Procedures for the Review and Approval of Preparation Programs for Education
3 Personnel to the Executive Director of the Legislative Council by January 13, 2017.

4 **Sec. 10. Professional Standards Board.** The Governor shall appoint members
5 for all vacant positions on the Professional Standards Board established under the Maine
6 Revised Statutes, Title 20-A, chapter 502-B no later than September 1, 2016, and the
7 Professional Standards Board shall convene a meeting no later than October 1, 2016.

8 **Sec. 11. Costs.** The Department of Education shall determine the amount of state
9 funds necessary to meet the requirements of the Maine Revised Statutes, Title 20-A,
10 section 15689, subsection 7-A and shall report that amount to the joint standing
11 committee of the Legislature having jurisdiction over education matters no later than
12 December 15, 2016. The committee shall report out a bill to the First Regular Session of
13 the 128th Legislature to provide the necessary funding.

14 **Sec. 12. Appropriations and allocations.** The following appropriations and
15 allocations are made.

16 **FINANCE AUTHORITY OF MAINE**

17 **Student Financial Assistance Programs 0653**

18 Initiative: Provides funding to pay the costs of doubling the amount of loans awarded to
19 eligible students from the Educators for Maine Program.

20	GENERAL FUND	2015-16	2016-17
21	All Other	\$0	\$250,000
22			
23	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$250,000</u>
24			

25 **SUMMARY**

26 This amendment is the majority report of the Joint Standing Committee on Education
27 and Cultural Affairs and, like the bill, proposes to improve teacher quality in the State by
28 amending the current statutes related to programs involving teacher preparation, support
29 systems for provisional teachers, teacher certification, teacher salaries and college loans
30 for students enrolled in a program of study leading to certification as a teacher.

31 The amendment amends the provisions of the bill that expand the student teaching
32 experience and academic achievement requirements for a provisional teacher certificate.
33 The amendment specifies the number of hours of practicum an applicant must complete,
34 clarifies the time frame during which the student teaching experience must occur and
35 specifies that the grade point average requirement applies only to an applicant's teacher
36 preparation course work. The bill increases to 24 the minimum number of weeks of
37 student teaching experience an applicant must complete; the amendment retains the
38 current requirement of 15 weeks. The amendment enacts a grade point average
39 requirement with respect to applicants recommended by educational institutions offering
40 teacher preparation programs.

COMMITTEE AMENDMENT

1 The amendment retains the provisions of the bill that strengthen the support systems
2 required to provide assistance for provisional teachers during each year of their
3 probationary period and that require the Commissioner of Education to pay salary
4 supplements to teachers who are involved in the operation of such systems.

5 The amendment removes the provision of the bill that requires an individual who is
6 issued a teacher certificate on or after July 1, 2015 and has not completed a master's
7 degree program to complete a master's degree program before the individual may have
8 the individual's certificate renewed or be issued another certificate.

9 The amendment provides that the provisions of the bill increasing the minimum
10 salary for certified teachers to \$40,000 apply beginning with the 2017-2018 school year
11 and that the provisions of the bill that include in the school funding formula the state
12 funding for the incremental costs of meeting this minimum apply beginning in fiscal year
13 2017-18. The amendment removes the provision of the bill requiring the Commissioner
14 of Education to pay the increased teacher retirement contributions resulting from the
15 increase in minimum salary.

16 The amendment removes the provision of the bill that requires the Department of
17 Education to increase the qualifying scores for the standardized qualifying examinations
18 for initial teacher certification.

19 The amendment requires the State Board of Education to amend its rule Chapter 114:
20 Purpose, Standards and Procedures for the Review and Approval of Preparation Programs
21 for Education Personnel to articulate and outline clear standards for the memorandum of
22 understanding between student teachers, teacher preparation programs and participating
23 school administrative units.

24 The amendment directs the Governor to appoint members to vacant positions on the
25 Professional Standards Board by September 1, 2016 and directs the board to reactivate by
26 October 1, 2016.

27 The amendment provides additional appropriations for the Educators for Maine
28 Program within the Finance Authority of Maine in order to double the annual investment
29 of state loan funds awarded to eligible students.

FISCAL NOTE REQUIRED

(See attached)

30
31



127th MAINE LEGISLATURE

LD 1370

LR 891(02)

An Act To Improve the Quality of Teachers

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-432)
Committee: Education and Cultural Affairs
Fiscal Note Required: Yes

Fiscal Note

Future biennium cost increase - General Fund
Future biennium cost increase - School Administrative Units

	FY 2015-16	FY 2016-17	Projections FY 2017-18	Projections FY 2018-19
Net Cost (Savings)				
General Fund	\$0	\$250,000	\$250,000	\$250,000
Appropriations/Allocations				
General Fund	\$0	\$250,000	\$250,000	\$250,000

Fiscal Detail and Notes

This bill includes ongoing General Fund appropriations of \$250,000 per year beginning in fiscal year 2016-17 to the Student Financial Assistance Program within the Finance Authority of Maine for the costs of doubling the amount of loans awarded to eligible students in the Educators for Maine Program.

This legislation requires local school administrative units to increase the minimum salary for certified teachers to \$40,000 beginning in the 2017-2018 school year. Although the actual cost can not be determined at this time, the estimated cost is expected to be approximately \$12.2 million in fiscal year 2017-18 and \$11.0 million in fiscal year 2018-19. This estimate is derived by adjusting teacher salary data provided by the Department of Education for the 2015-2016 school year for assumed cost-of-living increases of 1.6% per year and an estimated 75 new teachers hired at the current minimum salary of \$30,000 per year. Because the language in the bill is not clear as to how salaries for part-time teachers is to be addressed, this fiscal note does not provide an estimated cost for these teachers. It also does not address the additional costs to local school administrative units to adjust salary schedules for certified teachers whose salaries will be above the \$40,000 minimum in fiscal year 2017-18 when teachers whose salaries are below the \$40,000 threshold will be increased to \$40,000.

Additionally, this requirement will increase the employer contribution for the normal cost component of the Maine Public Employers Retirement System (MainePERS) due to the increase in salaries. Because the contribution rate for the normal cost component for teachers for fiscal year 2017-18 is not yet known, this fiscal note utilizes the rate for the 2016-2017 biennium of 3.36%. When this rate is applied to the projected increase in teacher salaries, the additional amount local school administrative units will have to pay to MainePERS for the normal cost of teacher retirement is estimated to be \$409,880 in fiscal year 2017-18 and \$370,225 in fiscal year 2018-19.

CA (S-432)

This bill requires the Department of Education to determine the amount of state funds necessary to fund the increase in the minimum salary for teachers and report that amount to the Joint Standing Committee on Education and Cultural Affairs no later than December 15, 2016 and provides that the committee shall report out a bill to the First Regular Session of the 128th Legislature to provide the necessary funding. Unless this funding is approved and enacted by the 128th Legislature during the 1st Regular session, the full cost of this measure will be borne by local school administrative units. For any future fiscal year that the State chooses not to fund the additional cost of this minimum salary requirement, local school administrative units will be required to fund 100% of the cost.