

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 818

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S.P. 263

In Senate, March 2, 2017

### An Act To Improve the Quality of Teachers

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

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator MILLETT of Cumberland.

Cosponsored by Representative COLLINGS of Portland, Representative McCREA of Fort Fairfield and

Senators: BREEN of Cumberland, CARPENTER of Aroostook, DIAMOND of Cumberland, HILL of York, VITELLI of Sagadahoc, Representatives: FARNSWORTH of Portland, FULLER of Lewiston, KORNFIELD of Bangor.

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

2 **Sec. 1. 20-A MRSA §13012, sub-§2-A**, as amended by PL 2011, c. 635, Pt. B,  
3 §4, is further amended to read:

4 **2-A. Qualifications.** State board rules governing the qualifications for a provisional  
5 teacher certificate must require that a certificate may only be issued to an applicant who  
6 meets the requirements of subsection 2-B, has successfully completed 90 hours of  
7 practicum and a student teaching experience of at least 15 weeks, which must commence  
8 no later than the applicant's junior year and continue only after the applicant's satisfactory  
9 disposition assessment during the applicant's senior year, and:

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

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

16 (2) A 4-year program in liberal arts and sciences; or

17 (3) An approved 4-year teacher preparation program and has majored in the  
18 subject area to be taught or an interdisciplinary program in liberal arts;

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

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

25 (2) A 4-year program in liberal arts and sciences; or

26 (3) An approved 4-year teacher preparation program and has majored in the  
27 subject area to be taught;

28 C. Is otherwise qualified by having met separate educational criteria for specialized  
29 teaching areas, including, but not limited to, special education, home economics,  
30 agriculture, career and technical education, art, music, business education, physical  
31 education and industrial arts, as established by the state board for teaching in these  
32 specialized areas; or

33 D. Has completed 6 credit hours of approved study within 5 years prior to  
34 application, has met entry-level standards and has held either a professional teacher  
35 certificate that expired more than 5 years prior to the application date or a provisional  
36 teacher certificate issued prior to July 1, 1988 that expired more than 5 years prior to  
37 the application date.

38 For the purposes of this subsection, "practicum" means direct student engagement,  
39 including but not limited to tutoring, planning and implementing lesson plans and  
40 otherwise directly interacting with students on an individual basis or in a group setting.

1 "Practicum" does not include activities that are composed solely of observing classrooms  
2 or students.

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

4 **2-C. Teacher preparation programs.** Except as provided in this subsection, by  
5 July 1, 2018:

6 A. An educational institution offering an approved teacher preparation program must  
7 maintain a 3.0 average grade point average based on a 4.0 grade point system for all  
8 students completing the program and receiving a recommendation from the  
9 educational institution for certification in the preceding academic year;

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

13 C. An educational institution offering an approved teacher preparation program shall  
14 report to the department average grade point averages and shall report them  
15 separately for undergraduate and postbaccalaureate students completing the program  
16 who receive recommendations for certification.

17 Prior to July 1, 2018, the dean or director of an approved teacher preparation program in  
18 compliance with the requirements of paragraphs A, B and C may request that the  
19 commissioner waive the grade point average requirement established under subsection  
20 2-A, paragraphs A and B for an applicant for a provisional teacher certificate under  
21 extenuating circumstances.

22 If an educational institution through its teacher preparation program is unable to meet the  
23 grade point average requirements by July 1, 2018, the educational institution may request  
24 up to 2 one-year extensions from the commissioner. The commissioner may not provide  
25 an extension that commences on or after July 1, 2020.

26 **Sec. 3. 20-A MRSA §13015, sub-§3, ¶¶C and D,** as enacted by PL 1983, c.  
27 845, §4, are amended to read:

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

30 D. A description of any current or planned linkages the support system has or will  
31 have with institutions of higher education, department personnel and members of the  
32 public in the operation of its support system-; and

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

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

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

36 (2) Formative feedback and improvement conversations throughout the school  
37 year.

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

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

2           **§13407. Minimum salaries beginning in 2018-2019 school year**

3           A school administrative unit shall establish a minimum salary of \$40,000 for certified  
4 teachers for the school year starting after June 30, 2018 and in each subsequent school  
5 year. A school administrative unit shall provide to the department on or before October  
6 1st the number of teachers eligible for incremental salary increases as defined in section  
7 15689, subsection 7-A, paragraph A.

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

9           **7-A. Adjustment for minimum teacher salary.** Beginning in fiscal year 2018-19  
10 and in each subsequent fiscal year, the commissioner shall, in accordance with this  
11 subsection, increase the state share of the total allocation to a qualifying school  
12 administrative unit by an amount necessary to achieve the minimum salary for certified  
13 teachers established in section 13407.

14           A. As used in this subsection, unless the context otherwise indicates, "qualifying  
15 school administrative unit" means a school administrative unit that the commissioner  
16 determines to have a locally established salary schedule with a minimum teacher  
17 salary of less than \$40,000 in school year 2017-2018. As used in this subsection,  
18 unless the context otherwise indicates, "incremental salary increases" means the  
19 incremental increases in the salaries of teachers employed by a qualifying school  
20 administrative unit in school year 2017-2018 necessary to meet the minimum salary  
21 requirements of section 13407 in fiscal year 2018-19 and thereafter.

22           B. The commissioner shall allocate the funds appropriated by the Legislature in  
23 fiscal year 2018-19 and each subsequent fiscal year in accordance with the following.

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

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

31           (3) The increased funds provided under this subsection must be issued to the  
32 qualifying school administrative units as an adjustment to the state school  
33 subsidy for distribution to the teachers. Qualifying school administrative units  
34 must use the payments provided under this subsection to provide salary  
35 adjustments to those teachers eligible for incremental salary increases. The  
36 department shall collect the necessary data to allow the funds to be included in  
37 the qualifying school administrative unit's monthly subsidy payments beginning  
38 no later than February 1st of each fiscal year.

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

1           **27. Salary supplements for approved support systems for teacher certification.**

2           The commissioner shall pay the costs attributable to the involvement of teachers in the  
3           operation of a school administrative unit's support system approved in accordance with  
4           the provisions of section 13015. The amount of the payments must be equal to the  
5           teacher's per diem salary rate multiplied by the number of days the teacher is involved in  
6           the operation of an approved support system.

7           **Sec. 9. State Board of Education; rulemaking.** The State Board of Education  
8           shall amend the standards and procedures for the review and approval of preparation  
9           programs for education personnel established in its rule Chapter 114: Purpose, Standards  
10          and Procedures for the Review and Approval of Preparation Programs for Education  
11          Personnel to articulate and outline clear standards for a memorandum of understanding  
12          between student teachers, teacher preparation programs and participating school  
13          administrative units. The State Board of Education shall solicit comments from teacher  
14          preparation programs, teachers and school administrative unit leaders as to the  
15          appropriate standards that should be part of the memorandum of understanding. The  
16          proposed amendments to the rules must include:

17          1. A memorandum of understanding template, which must be developed with teacher  
18          preparation programs and cooperating teachers, that clearly outlines the requirements for  
19          both participants. Student teachers, teacher preparation programs and school  
20          administrative units hosting cooperating teachers must be required to sign a memorandum  
21          of understanding outlining the expectations of all parties involved in the student teaching  
22          experience and practicum as defined in the Maine Revised Statutes, Title 20-A, section  
23          13012, subsection 2-A;

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

27          3. Rules to implement the grade point average requirement provisions for teacher  
28          preparation programs established under Title 20-A, section 13012, subsection 2-C related  
29          to the issuance of provisional teacher certificates.

30          Rules adopted or amended pursuant to this section are major substantive rules as  
31          defined in Title 5, chapter 375, subchapter 2-A. The State Board of Education shall  
32          submit the provisionally adopted amendments to its rule Chapter 114: Purpose, Standards  
33          and Procedures for the Review and Approval of Preparation Programs for Education  
34          Personnel to the Executive Director of the Legislative Council by January 12, 2018.

35          **Sec. 10. Professional Standards Board.** The Governor shall appoint members  
36          for all vacant positions on the Professional Standards Board established under the Maine  
37          Revised Statutes, Title 20-A, chapter 502-B no later than November 1, 2017, and the  
38          Professional Standards Board shall convene a meeting no later than December 1, 2017.

39          **Sec. 11. Costs.** The Department of Education shall determine the amount of state  
40          funds necessary to meet the requirements of the Maine Revised Statutes, Title 20-A,  
41          section 15689, subsection 7-A and shall report that amount to the Joint Standing  
42          Committee on Education and Cultural Affairs no later than December 15, 2017. The

1 committee shall report out a bill to the Second Regular Session of the 128th Legislature  
2 to provide the necessary funding.

3 **Sec. 12. Appropriations and allocations.** The following appropriations and  
4 allocations are made.

5 **FINANCE AUTHORITY OF MAINE**

6 **Student Financial Assistance Programs 0653**

7 Initiative: Provides funding to pay the costs of doubling the funds available for loans  
8 awarded to eligible students from the Educators for Maine Program.

9			
10	<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
11	All Other	\$250,000	\$250,000
12			
13	GENERAL FUND TOTAL	\$250,000	\$250,000

14 **SUMMARY**

15 This bill proposes to improve teacher quality in the State by amending the current  
16 statutes related to programs involving teacher preparation, support systems for  
17 provisional teachers, teacher certification and teacher salaries and funding college loans  
18 for students enrolled in a program of study leading to certification as a teacher.

19 The bill expands the student teaching experience and academic achievement  
20 requirements for a provisional teacher certificate. It specifies the number of hours of  
21 practicum an applicant must complete, clarifies the time frame during which the student  
22 teaching experience must occur and specifies that the grade point average requirement  
23 applies only to an applicant's teacher preparation course work. The bill enacts a grade  
24 point average requirement with respect to applicants recommended by educational  
25 institutions offering teacher preparation programs.

26 The bill strengthens the support systems required to provide assistance for provisional  
27 teachers during each year of their probationary period and requires the Commissioner of  
28 Education to pay salary supplements to teachers who are involved in the operation of  
29 such systems.

30 The bill increases the minimum salary for certified teachers to \$40,000 beginning  
31 with the 2018-2019 school year and includes in the school funding formula state funding  
32 for the incremental costs of meeting this minimum beginning in fiscal year 2018-19.

33 The bill requires the State Board of Education to amend its rule Chapter 114:  
34 Purpose, Standards and Procedures for the Review and Approval of Preparation Programs  
35 for Education Personnel to articulate and outline clear standards for a memorandum of  
36 understanding between student teachers, teacher preparation programs and participating  
37 school administrative units.

1           The bill directs the Governor to appoint members to vacant positions on the  
2 Professional Standards Board by November 1, 2017 and directs the board to convene a  
3 meeting by December 1, 2017.

4           The bill provides additional appropriations for the Educators for Maine Program  
5 within the Finance Authority of Maine in order to double the annual investment of state  
6 loan funds awarded to eligible students.