

# MAINE STATE LEGISLATURE

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Date: 4/5/18

L.D. 1851  
(Filing No. H-722)

SMC  
R.O.S.

**EDUCATION AND CULTURAL AFFAIRS**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
128TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1288, L.D. 1851, "Resolve, Regarding Legislative Review of Portions of Chapter 180: Performance Evaluation and Professional Growth Systems, a Late-filed Major Substantive Rule of the Department of Education"

Amend the resolve by striking out all of section 1 and inserting the following:

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 180: Performance Evaluation and Professional Growth Systems, a provisionally adopted major substantive rule of the Department of Education that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A outside the legislative rule acceptance period, is authorized only if the following changes are made:

1. The rule must be amended in Section 11(1) by including in the lists of educators described in Section 11(1) additional references to conditionally certified special education teachers, as described in Section 11(5);

2. The rule must be amended in Sections 11(3) and 11(4) to reduce from 2 years to one year the required period of employment for a teacher employed by a school administrative unit who holds a conditional certificate for a regular education endorsement or a conditional certificate for a special education endorsement as the requirement relates to the formative peer mentoring or coaching component of a performance evaluation and professional growth system implemented under the rule;

3. The rule must be amended in Section 11(5) to replace all references to the Maine Alternative Certification and Mentoring program in Section 11(5) with references to an alternative certification and mentoring program designated by the department; and

4. All other necessary changes must be made to the rule to ensure conformity throughout the rule with the changes directed in this section.

The Department of Education is not required to hold hearings or undertake further proceedings prior to final adoption of the rule in accordance with this section.

**COMMITTEE AMENDMENT**

COMMITTEE AMENDMENT "A" to H.P. 1288, L.D. 1851

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**SUMMARY**

This amendment provides that final adoption of portions of Chapter 180: Performance Evaluation and Professional Growth Systems, a provisionally adopted major substantive rule of the Department of Education, is authorized only if the department incorporates certain specific amendments to the rule prior to final adoption.

**FISCAL NOTE REQUIRED**

(See attached)



# 128th MAINE LEGISLATURE

LD 1851

LR 2951(02)

Resolve, Regarding Legislative Review of Portions of Chapter 180: Performance Evaluation and Professional Growth Systems, a Late-filed Major Substantive Rule of the Department of Education

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-722)

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

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## Fiscal Note

Minor cost increase - General Fund

### Fiscal Detail and Notes

Additional costs to the Department of Education associated with the rulemaking process can be absorbed within existing budgeted resources.