

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 898

S.P. 264

In Senate, February 19, 2019

An Act To Provide for a Professional Wage and Support for New Educators

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator MILLETT of Cumberland.
Cosponsored by Representative McCREA of Fort Fairfield and
Senators: BREEN of Cumberland, CARPENTER of Aroostook, CLAXTON of Androscoggin,
SANBORN, L. of Cumberland, VITELLI of Sagadahoc, Representatives: DODGE of Belfast,
PIERCE of Falmouth.

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

2 **Sec. 1. 20-A MRSA §13012-A, sub-§4**, as amended by PL 2017, c. 381, §14, is
3 further amended to read:

4 **4. Requirements.** ~~If a~~ A school administrative unit ~~employs~~ may not employ a
5 conditionally certified teacher or educational specialist unless it has an approved, locally
6 designed support and mentoring system as described in section 13015-A or has received
7 specific authorization from the commissioner in accordance with state board rules. For a
8 conditional certificate issued under subsection 1, paragraph A or B, the school
9 administrative unit shall for at least the first year 2 years of employment, or longer if
10 determined to be necessary, ~~and, for a conditional certificate issued under subsection 1,~~
11 paragraph C, the school administrative unit shall for at least the first year of employment,
12 or longer if determined to be necessary:

13 A. Ensure that the conditionally certified teacher or educational specialist receives
14 high-quality professional development that is sustained, intensive and classroom-
15 focused in order to have a positive and lasting impact on classroom instruction while
16 teaching; and

17 B. Provide a program of intensive supervision for the conditionally certified teacher
18 that consists of structured guidance and regular ongoing support or a mentoring
19 program, which is separate from any student-teacher requirement that may be
20 required under another authority.

21 **Sec. 2. 20-A MRSA §13013, sub-§2-B, ¶B**, as enacted by PL 2017, c. 235, §12
22 and affected by §41, is amended to read:

23 B. Can demonstrate subject matter competency obtained through work experience
24 that is directly related to any endorsements being sought and has held a conditional
25 certificate under section 13012-A for 3 years, ~~unless the applicant is seeking only an~~
26 ~~endorsement for middle school and secondary school, in which case the applicant is~~
27 ~~not required to have held a conditional certificate;~~

28 **Sec. 3. 20-A MRSA §13013, sub-§6** is enacted to read:

29 **6. Teacher preparation programs.** Except as provided in this subsection, by July 1,
30 2020:

31 A. An educational institution offering an approved teacher preparation program must
32 maintain a 3.0 average grade point average based on a 4.0 grade point system or at
33 least an average proficiency rating for teacher preparation programs using
34 proficiency-based grading systems for all students completing the program and
35 receiving a recommendation from the educational institution for certification in the
36 preceding academic year;

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

1 C. An educational institution offering an approved teacher preparation program shall
2 ensure its candidates who receive recommendations for certification have
3 successfully completed either 90 hours of practicum or a student teaching experience
4 of at least 15 weeks, which must commence no later than the candidate's junior year
5 and may continue only after the candidate's satisfactory disposition assessment during
6 the candidate's senior year, or successfully completed 90 hours of practicum or
7 internship hours that are in addition to the 15 weeks required for student teaching in a
8 postbaccalaureate teacher certification program or graduate program; and

9 D. An educational institution offering an approved teacher preparation program shall
10 report to the department average grade point averages and shall report them
11 separately for undergraduate and postbaccalaureate students completing the program
12 who receive recommendations for certification.

13 Prior to July 1, 2020, the dean or director of an approved teacher preparation program in
14 compliance with the requirements of paragraphs A to D may request that the
15 commissioner waive the grade point average requirements established under paragraphs
16 A and D due to extenuating circumstances.

17 If an educational institution through its teacher preparation program is unable to meet the
18 grade point average requirements by July 1, 2020, the educational institution may request
19 up to 2 one-year extensions from the commissioner. The commissioner may not provide
20 an extension that commences on or after July 1, 2022.

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

26 **Sec. 4. 20-A MRSA §13015-A** is enacted to read:

27 **§13015-A. Support and mentoring system**

28 **1. Purpose.** The purpose of an approved support and mentoring system is to:

29 A. Provide strong support services and mentoring programs that are sustained,
30 intensive and classroom-focused in order to have a positive and lasting effect on
31 classroom instruction and develop good teaching and classroom management skills
32 for teachers certified for less than 5 years and teachers with conditional certificates;

33 B. Provide assistance to and review for all individuals who are candidates for a
34 higher level certificate or who are teaching under a waiver of the requirement to be
35 certified under this chapter; and

36 C. Assist all teachers in becoming better teachers.

37 A support and mentoring system is separate from local practices and procedures
38 regarding the supervision and evaluation of a teacher for retention by a school
39 administrative unit.

40 **2. Approval.** A school administrative unit's locally designed support and mentoring
41 system is subject to approval by the commissioner in accordance with state board rules.

1 which must require, at a minimum, that an approved support and mentoring system
2 contain the following:

3 A. A majority of classroom teachers and other personnel, such as personnel from the
4 Department of Education or institutions of higher education, and other outside
5 consultants as the commissioner may approve. The approved support and mentoring
6 system may consist of as few as 2 classroom teachers. For the purposes of this
7 paragraph, the state board shall establish by rule the definition of "classroom
8 teacher";

9 B. A description of the duties and responsibilities of the support and mentoring
10 system in the preparation of a teacher support plan for both conditionally certified
11 teachers and probationary teachers certified for less than 5 years;

12 C. A description of the duties of the assigned educator responsible for the design and
13 coordination of a teacher support plan;

14 D. A description of any current or planned linkages the support and mentoring
15 system has or will have with institutions of higher education, department personnel
16 and members of the public in its operation; and

17 E. For teachers certified for less than 5 years, during each year of their probationary
18 period:

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

20 (2) Formative feedback and improvement conversations throughout the school
21 year.

22 **Sec. 5. 20-A MRSA §13406**, as enacted by PL 2005, c. 635, §6, is amended to
23 read:

24 **§13406. Minimum salaries for certified teachers**

25 Each school administrative unit shall establish a minimum salary of \$30,000 for
26 certified teachers for the school year starting after June 30, 2007 ~~and in each subsequent~~
27 to the school year starting after June 30, 2019. A school administrative unit shall
28 establish a minimum salary of \$40,000 for certified teachers for the school year starting
29 after June 30, 2020 and in each subsequent school year. A certified teacher's salary may
30 not remain at the minimum level for longer than 2 years. A school administrative unit
31 shall provide to the department annually on or before October 1st the number of teachers
32 eligible for incremental salary increases as defined in section 15689, subsection 7-A,
33 paragraph A.

34 **Sec. 6. 20-A MRSA §15689, sub-§7-A** is enacted to read:

35 **7-A. Adjustment for minimum teacher salary.** In fiscal year 2020-21, the
36 commissioner shall, in accordance with this subsection, increase the state share of the
37 total allocation to a qualifying school administrative unit by an amount necessary to
38 achieve the minimum salary for certified teachers established in section 13406. In fiscal
39 year 2021-22, the commissioner shall increase the state share of the total allocation to a
40 qualifying school administrative unit by 66% of the amount necessary to achieve the

1 minimum salary for certified teachers established in section 13406. In fiscal year 2022-
2 23, the commissioner shall increase the state share of the total allocation to a qualifying
3 school administrative unit by 33% of the amount necessary to achieve the minimum
4 salary for certified teachers established in section 13406.

5 A. As used in this subsection, unless the context otherwise indicates, "qualifying
6 school administrative unit" means a school administrative unit that the commissioner
7 determines to have a locally established salary schedule with a minimum teacher
8 salary of less than \$40,000 in school year 2019-2020. As used in this subsection,
9 unless the context otherwise indicates, "incremental salary increases" means the
10 incremental increases in the salaries of teachers employed by a qualifying school
11 administrative unit in school year 2019-2020 necessary to meet the minimum salary
12 requirements of section 13406 from fiscal year 2020-21 to fiscal year 2022-23.

13 B. The commissioner shall allocate the funds appropriated by the Legislature from
14 fiscal year 2020-21 to fiscal year 2022-23 in accordance with the following.

15 (1) The amount of increased funds provided to qualifying school administrative
16 units under this subsection must be the amount necessary to fund the percentage
17 of the incremental salary increases specified in this subsection.

18 (2) The number of teachers eligible for incremental salary increases in a
19 qualifying school administrative unit for a fiscal year must be based on the local
20 staff information supplied to the department pursuant to section 13406 in that
21 fiscal year.

22 (3) The increased funds provided under this subsection must be issued to
23 qualifying school administrative units as an adjustment to the state school
24 subsidy for distribution to the teachers. Qualifying school administrative units
25 must use the payments provided under this subsection to provide salary
26 adjustments to those teachers eligible for incremental salary increases. The
27 department shall collect the necessary data to allow the funds to be included in a
28 qualifying school administrative unit's monthly subsidy payments beginning no
29 later than February 1st of each fiscal year.

30 **Sec. 7. 20-A MRSA §15689-A, sub-§28** is enacted to read:

31 **28. Salary supplements for approved support and mentoring systems for**
32 **teacher certification.** The commissioner shall pay the costs attributable to the
33 involvement of teachers in the operation of a school administrative unit's support and
34 mentoring system approved in accordance with the provisions of section 13015-A. The
35 amount of the payments must be equal to the teacher's per diem salary rate multiplied by
36 the number of days the teacher is involved in the operation of an approved support and
37 mentoring system.

38 **Sec. 8. State Board of Education; rulemaking.** The State Board of Education
39 shall amend the standards and procedures for the review and approval of preparation
40 programs for education personnel established in its rule Chapter 114: Purpose, Standards
41 and Procedures for the Review and Approval of Preparation Programs for Education
42 Personnel to articulate and outline clear standards for a memorandum of understanding
43 between student teachers, teacher preparation programs and participating school

1 administrative units. The State Board of Education shall solicit comments from teacher
2 preparation programs, teachers and school administrative unit leaders as to the
3 appropriate standards that should be part of the memorandum of understanding. The
4 proposed amendments to the rules must include:

5 1. A memorandum of understanding template, which must be developed with teacher
6 preparation programs and cooperating teachers, that clearly outlines the requirements for
7 both participants. Student teachers, teacher preparation programs and school
8 administrative units hosting cooperating teachers must be required to sign a memorandum
9 of understanding outlining the expectations of all parties involved in the student teaching
10 experience and practicum as defined in the Maine Revised Statutes, Title 20-A, section
11 13013, subsection 6;

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

15 3. Rules to implement the grade point average requirement provisions for teacher
16 preparation programs established under the Maine Revised Statutes, Title 20-A, section
17 13013, subsection 6, paragraph A.

18 Rules adopted or amended pursuant to this section are major substantive rules as
19 defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A. The State
20 Board of Education shall submit the provisionally adopted amendments to its rule
21 Chapter 114: Purpose, Standards and Procedures for the Review and Approval of
22 Preparation Programs for Education Personnel to the Executive Director of the
23 Legislative Council by January 12, 2020.

24 **Sec. 9. Professional Standards Board.** The Governor shall appoint members
25 for all vacant positions on the Professional Standards Board established under the Maine
26 Revised Statutes, Title 20-A, chapter 502-B no later than November 1, 2019, and the
27 Professional Standards Board shall convene a meeting no later than December 1, 2019.

28 **Sec. 10. Costs.** The Department of Education shall determine the amount of state
29 funds necessary to meet the requirements of the Maine Revised Statutes, Title 20-A,
30 section 15689, subsection 7-A and shall report that amount to the Joint Standing
31 Committee on Education and Cultural Affairs no later than December 15, 2019. The
32 committee shall report out a bill to the Second Regular Session of the 129th Legislature
33 to provide the necessary funding.

34 **Sec. 11. Appropriations and allocations.** The following appropriations and
35 allocations are made.

36 **FINANCE AUTHORITY OF MAINE**

37 **Student Financial Assistance Programs 0653**

38 Initiative: Provides funding to pay the costs of doubling the funds available for loans
39 awarded to eligible students from the Educators for Maine Program established in the
40 Maine Revised Statutes, Title 20-A, section 12502.

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GENERAL FUND	2019-20	2020-21
All Other	\$250,000	\$250,000
GENERAL FUND TOTAL	<u>\$250,000</u>	<u>\$250,000</u>

SUMMARY

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

The bill expands the student teaching experience and academic achievement requirements for candidates for a professional teacher certificate. It specifies the number of hours of practicum an applicant must complete and clarifies the time frame during which the student teaching experience must occur. The bill enacts a grade point average requirement with respect to applicants recommended by educational institutions offering teacher preparation programs.

The bill strengthens the support and mentoring systems required to provide assistance for teachers, including teachers certified for less than 5 years, and requires the Commissioner of Education to pay salary supplements to teachers who are involved in the operation of such systems. The bill provides that a school administrative unit may not employ a conditionally certified teacher or educational specialist unless it has an approved, locally designed support and mentoring system or has received specific authorization from the commissioner.

The bill increases the minimum salary for certified teachers to \$40,000 beginning with the 2020-2021 school year and provides that a certified teacher's salary may not remain at the minimum level for longer than 2 years. The bill includes in the school funding formula state funding for the incremental costs of meeting this minimum in fiscal year 2020-21, state funding for 66% of these incremental costs in fiscal year 2021-22 and state funding for 33% of these incremental costs in fiscal year 2022-23.

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

The bill directs the Governor to appoint members to vacant positions on the Professional Standards Board by November 1, 2019 and directs the board to convene a meeting by December 1, 2019.

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