MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

SECOND REGULAR SESSION-2020

Legislative Document

No. 1857

H.P. 1328

House of Representatives, December 23, 2019

An Act To Protect Teachers from Punitive or Retaliatory Transfers

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 19, 2019. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

ROBERT B. HUNT
Clerk

Presented by Representative McCREA of Fort Fairfield.
Cosponsored by Senator MILLETT of Cumberland and
Representatives: BRENNAN of Portland, DODGE of Belfast, FARNSWORTH of Portland,
INGWERSEN of Arundel, SAMPSON of Alfred.

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

Sec. 1. 20-A MRSA §13203 is enacted to read:

§13203. Punitive or retaliatory transfers

A school administrative unit may not transfer a teacher to another location or teaching assignment for a punitive or retaliatory reason unless the teacher consents to the transfer. A teacher who has been involuntarily transferred and believes the transfer is for a punitive or retaliatory reason may request a hearing with the school board. The school board shall hold a hearing within 15 days of the receipt of the teacher's request. If the teacher demonstrates that the transfer was for a punitive or retaliatory reason, the school board must reverse the transfer.

11 SUMMARY

This bill prohibits the transfer of a teacher to another location or teaching assignment for a punitive or retaliatory reason without the teacher's consent. It authorizes a teacher who has been involuntarily transferred to request a hearing with the school board and requires the school board to reverse the transfer if the teacher demonstrates that the transfer was for a punitive or retaliatory reason.