

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 1169

H.P. 847

House of Representatives, March 22, 2021

An Act To Improve Teacher Certification during Staffing Shortages

Received by the Clerk of the House on March 18, 2021. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative SAMPSON of Alfred.

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

2 **Sec. 1. 20-A MRSA §13012-B** is enacted to read:

3 **§13012-B. Emergency educator certificate**

4 Upon the identification of an educator staffing shortage in the State, the commissioner
5 may issue emergency certificates to teachers, specialists and administrators in accordance
6 with this section. The commissioner shall issue an emergency certificate to an applicant
7 who meets the requirements of this section. The commissioner shall provide to an applicant
8 who is not qualified information regarding any remaining requirements and other
9 certification options available to the applicant. The commissioner may issue an emergency
10 certificate under this section only to address the identified staffing shortage and only in a
11 manner that ensures that the person issued an emergency certificate does not supplant an
12 otherwise qualified and available teacher, specialist or administrator.

13 **1. Emergency teacher certificate.** The commissioner may issue an emergency
14 teacher certificate under this section to an applicant who has submitted to a criminal history
15 background check and who:

16 A. Holds a 4-year postsecondary degree or the equivalent in work or academic
17 experience;

18 B. Is enrolled in an approved teacher preparation program; or

19 C. Holds a certification as an education technician III issued according to rules of the
20 department pursuant to section 13019-H.

21 A teacher holding an emergency teacher certificate shall participate in a mentoring program
22 provided by the department or a school administrative unit. A certificate issued pursuant to
23 this subsection is issued for a one-year period and no more than 3 emergency certificates
24 may be issued per applicant.

25 **2. Educator and administrator certification reciprocity.** The commissioner may
26 issue a reciprocal emergency certificate pursuant to this section to a teacher, specialist or
27 administrator who has submitted to a criminal history background check and holds a
28 comparable certificate in another state or country. A certificate issued pursuant to this
29 subsection is issued for a 5-year period.

30 **SUMMARY**

31 Pursuant to Governor Mills' Executive Order #7 in fiscal year 2020-21, the
32 Commissioner of Education was authorized to issue emergency certification to teachers,
33 specialists and administrators who meet certain criteria, so long as the applicants are
34 employed only as necessary to meet identified staffing shortages and supplement, rather
35 than supplant, otherwise qualified applicants who meet regular certification standards. This
36 bill makes that authority of the Commissioner of Education permanent.