

# MAINE STATE LEGISLATURE

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Date: 3-28-22

**EDUCATION AND CULTURAL AFFAIRS**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
130TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1442, L.D. 1933, "Resolve, Regarding Legislative Review of Portions of Chapter 115: The Credentialing of Education Personnel, a Major Substantive Rule of the Department of Education, State Board of Education"

Amend the resolve by striking out the title and substituting the following:

**'Resolve, Regarding Legislative Review of Portions of Chapter 115: The Credentialing of Education Personnel, a Major Substantive Rule of the State Board 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 115: The Credentialing of Education Personnel, a provisionally adopted major substantive rule of the State Board of Education that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the following changes are made.

1. The rule must be amended in Part I, section 6, subsection 2, Professional Teacher Certificate, to cross-reference the pre-service candidate standards found in the State Board of Education rule Chapter 114: Purpose, Standards and Procedures for the Review and Approval of Preparation Programs for Education Personnel, section 2, subsection 2.1.

2. The rule must be amended in Part I, section 6, subsection 5, Certification for a Certified Educational Technician, in the portion regarding eligibility to remove the provision that an applicant is eligible to be an educational technician II or III if the applicant has successfully completed a program in the State approved for targeting essential skills and knowledge for performing permitted responsibilities.

3. The rule must be amended in Part II, section 1, subsection 1.18, Endorsement: Pre-kindergarten through Grade 12 Teacher of School Health and Physical Education, to change the endorsement to pre-kindergarten through grade 12 teacher of health and physical education.

**COMMITTEE AMENDMENT**

1 4. The rule must be amended in Part II, section 2, subsection 2.1, Endorsement 282:  
2 Teacher of Children with Disabilities, to:

3 A. Reinstate the grade levels for the endorsement as: birth to school age 5, kindergarten  
4 through grade 8 and grades 7 through 12; and

5 B. For the birth to school age 5 grade level, differentiate and specify the semester hours  
6 in early childhood and early intervention course work necessary for the endorsement  
7 and clarify the permissible student teacher settings.

8 5. All necessary grammatical, formatting, punctuation and other technical,  
9 nonsubstantive editing changes must be made to the rule, including, but not limited to, the  
10 removal of strikethrough or underlined letters or words remaining from prior drafts and  
11 edits and the amendment of any inconsistent numbering or lettering in the rule.<sup>1</sup>

12 Amend the resolve by relettering or renumbering any nonconsecutive Part letter or  
13 section number to read consecutively.

14 **SUMMARY**

15 This amendment authorizes the State Board of Education to finally adopt portions of  
16 major substantive rule Chapter 115: The Credentialing of Education Personnel, only if the  
17 State Board of Education makes specified changes.

18 **FISCAL NOTE REQUIRED**

19 (See attached)



# 130th MAINE LEGISLATURE

LD 1933

LR 2587(02)

**Resolve, Regarding Legislative Review of Portions of Chapter 115: The Credentialing of Education Personnel, a Major Substantive Rule of the Department of Education, State Board of Education**

**Fiscal Note for Bill as Amended by Committee Amendment *A(H-858)***

**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 State Board of Education associated with the rulemaking process can be absorbed within existing budgeted resources.