

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985

Chapters 1-384

PUBLISHED BY THE REVISOR OF STATUTES IN ACCORDANCE WITH
MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 163-A,
SUBSECTION 4.

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

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1985

3. Deferment. Contract students under this section who, during the repayment period, either return to a Maine practice and then leave the State or who initially remain out-of-state and then return to a Maine practice may seek a deferment of the annual principal and interest payments while outside the State for a period of time not to exceed 3 years. Interest shall be assessed during this time and the student's total debt to the State, including principal and interest, shall be repaid either through return service or cash payments within 10 years from the date which marks the beginning of the repayment period. Requests for deferments shall be made to the commissioner who shall make a determination on a case-by-case basis. The decision of the commissioner shall be final.

Sec. 2. 20-A MRSa §11804, sub-§5 is enacted to read:

5. Deferment. Contract students under this section who, during the repayment period, either return to a Maine practice and then leave the State or who initially remain out-of-state and then return to a Maine practice may seek a deferment of the annual principal and interest payments while outside the State for a period of time not to exceed 3 years. Interest shall be assessed during this time and the student's total debt to the State, including principal and interest, shall be repaid either through return service or cash payments within 10 years from the date which marks the beginning of the repayment period. Requests for deferments shall be made to the commissioner who shall make a determination on a case-by-case basis. The decision of the commissioner shall be final.

Effective September 19, 1985.

CHAPTER 287

H.P. 871 - L.D. 1228

AN ACT to Provide for State Certification of
School Administrators.

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

Sec. 1. 20-A MRSa §13011, sub-§5 is enacted to read:

5. Administrator certificates. The state board rules shall establish qualifications for certifying superintendents of schools, principals and directors of vocational education and shall also establish qualifications for such other certificates for administrators as may be determined to be necessary and beneficial for the efficient operation of the schools.

Sec. 2. 20-A MRSA §13012, as amended by PL 1983, c. 859, Pt. I, §1, is further amended to read:

§13012. Provisional teacher certificate

1. Definition. A provisional teacher certificate is the entry level certificate issued to an individual who has not taught previously in the State.

2. Qualifications. State board rules governing the qualifications for a provisional teacher certificate shall require that a certificate may only be issued to an applicant who, at a minimum:

A. For elementary school, has graduated from an accredited, degree-granting institution upon completion of:

(1) A 4-year program in liberal arts and sciences; or

(2) An approved 4-year teacher preparation program and has majored in the subject area to be taught or an interdisciplinary program in liberal arts; and

Has met other academic and preprofessional requirements established by the state board for teaching at the elementary school level;

B. For secondary school, has graduated from an accredited, degree-granting, educational institution upon completion of:

(1) A 4-year program in liberal arts and sciences; or

(2) An approved 4-year teacher preparation program and has majored in the subject area to be taught; and

Has met other academic and preprofessional requirements established by the state board for teaching at the secondary school level; or

C. Is otherwise qualified by having met separate educational criteria for specialized teaching areas including, but not limited to, special education, home economics, agriculture, vocational education, art, music, business education, physical education and industrial arts, as established by the state board for teaching in these specialized areas.

3. Endorsements. The provisional teacher certificate shall be issued with an endorsement which specifies the grades and subject area which the teacher is deemed qualified to teach. The state board shall by rule establish the criteria for assessing teacher proficiency and subject matter competency for the provisional certificate. A holder of a provisional teacher certificate may not teach outside his or her area of endorsement unless he or she has received a waiver from the commissioner in accordance with state board rules. These endorsements shall not apply to teachers in private schools approved for attendance purposes only.

4. Two-year limit. The provisional teacher certificate may be issued for a 2-year period and may only be renewed in accordance with section 13016.

5. Qualifying examinations. The provisional teacher certificate shall only be issued to those applicants who have taken the teacher qualifying examinations set forth in chapter 502-A.

Sec. 3. 20-A MRSA §13016, sub-§4, as enacted by PL 1983, c. 845, §4, is repealed.

Sec. 4. 20-A MRSA §13018, as enacted by PL 1983, c. 845, §4, is amended to read:

§13018. Recertification of 5-year and 10-year teacher certificates

Teachers, who hold certificates issued in accordance with chapter 501, shall continue to hold those certificates until their termination dates. All certificates issued after June 30, 1988, shall be issued in accordance with this chapter. Teachers who held 5-year or 10-year certificates prior to June 30, 1988, shall be considered to have held professional teacher certificates for the purpose of recertification under this chapter.

Sec. 5. 20-A MRSA §§13019-A to 13019-E are enacted to read:

§13019-A. Superintendent certificate

1. Initial certification. A superintendent's certificate is the certificate required for employment as a superintendent of a school administrative unit in the State. State board rules shall require that qualifications for such a certificate include the following:

A. Evidence of at least 3 years of satisfactory teaching experience or an equivalent experience;

B. Evidence of previous administrative experience in schools or equivalent experience;

C. Academic and professional knowledge as demonstrated through the completion of required graduate or undergraduate courses or programs, performance in examinations or completion of specialized programs approved for this purpose;

D. A basic level of knowledge in the following areas:

(1) Community relations;

(2) School finance and budget;

(3) Supervision and evaluation of personnel;

(4) Federal and state civil rights and education laws;

(5) Organizational theory and planning;

(6) Educational leadership;

(7) Educational philosophy and theory;

(8) Effective instruction;

(9) Curriculum development;

(10) Staff development; and

(11) Other competency areas as determined by state board rule; and

E. Satisfactory completion of an approved internship or practicum relating to the duties of a superintendent.

2. Certificate renewal. A superintendent's certificate is limited to 5 years in duration and may be

renewed based on further approved study or demonstrated professional growth and improvement through an approved administrator action plan in accordance with state board rules.

§13019-B. Principal certificate

1. Initial certificate. A principal's certificate is the certificate required for employment as principal of a public school and as chief administrator of a private school approved for attendance purposes pursuant to section 2901, subsection 2, paragraph B. State board rules shall require that qualifications for such a certificate include the following:

A. Three years of satisfactory teaching experience or an equivalent relevant experience;

B. Academic and professional knowledge as demonstrated through the completion of graduate or undergraduate courses or programs, performance in examinations or completion of specialized programs approved for this purpose;

C. A basic level of knowledge in the following areas:

(1) Community relations;

(2) School finance and budget;

(3) Supervision and evaluation of personnel;

(4) Federal and state civil rights and education laws;

(5) Organizational theory and planning;

(6) Educational leadership;

(7) Educational philosophy and theory;

(8) Effective instruction;

(9) Curriculum development;

(10) Staff development; and

(11) Other competency areas as determined by state board rule; and

D. Satisfactory completion of an approved internship or practicum in the duties of a principal.

2. Certificate renewal. A principal's certificate is limited to 5 years in duration and may be renewed based on further approved study or demonstrated professional growth and improvement through an approved administrator action plan in accordance with state board rules.

§13019-C. Director of vocational education certificate

1. Initial certificate. A director of vocational education certificate shall be required of each director of a vocational region or center established pursuant to this Title and of a vocational program in an approved school.

2. State board rules shall require that qualifications for such a certificate include the following:

A. Three years of satisfactory experience in teaching or vocational training or equivalent experience;

B. Academic and professional knowledge as demonstrated through completion of graduate or undergraduate courses or programs, performance in examinations or completion of specialized programs approved for this purpose;

C. A basic level of knowledge in the following areas:

(1) Community relations;

(2) School finance and budget;

(3) Supervision and evaluation of personnel;

(4) Federal and state civil rights and education laws;

(5) Organizational theory and planning;

(6) Educational leadership;

(7) Educational philosophy and theory;

(8) Effective instruction;

(9) Curriculum development;

(10) Staff development; and

(11) Other competency areas as determined by state board rule; and

D. Satisfactory completion of an approved internship or practicum relating to the duties of a director of vocational education.

2. Certificate renewal. A certificate issued under this section is limited to 5 years in duration and may be renewed based on further graduate study or demonstrated professional growth and improvement through an approved administrator action plan in accordance with state board rules.

§13019-D. Recertification of administrators

Administrators who hold certificates issued in accordance with chapter 501 shall continue to hold those certificates until their termination dates. Renewal of administrator certificates issued in accordance with chapter 501 which are granted after the effective date of this Act and before July 1, 1988, shall be valid for 5 years. All certificates issued after June 30, 1988, shall be issued in accordance with this chapter.

§13019-E. Recertification of other professional personnel

Professional personnel other than teachers and administrators who hold certificates issued pursuant to chapter 501 of this Title shall continue to hold those certificates until their termination dates. All certificates issued after June 30, 1988, shall be issued and renewed in accordance with rules of the state board adopted pursuant to this chapter.

Sec. 6. 20-A MRS §13021, as enacted by PL 1983, c. 845, §4, is amended to read:

§13021. Periodic review

The state board shall review teacher and administrator certificate standards every 6 years and report the results of its review to the Legislature, along with any proposed legislation. The first report to the Legislature shall be due starting with the legislative session beginning in December 1990.

Sec. 7. Pilot project; report to the Legislature; legislative study. The Commissioner of Educational and Cultural Services shall establish pilot

projects for certification of administrators. The commissioner may use the school based innovative grants established in the Maine Revised Statutes, Title 20-A, section 17103, for those projects and waive the local match requirement established in the Maine Revised Statutes, Title 20-A, section 4254 for those projects. At least 2 of the projects given such a waiver will include the study of the mentor concept or the development of administrator action plans for certification and recertification of administrators. The study required by Public Law 1983, chapter 845, to be conducted by the commissioner and the state board and the report required of the state board shall also include consideration of administrator certification. The study required by Public Law 1983, chapter 845, to be conducted by the joint standing committee of the Legislature having jurisdiction over education shall also include administrator certification.

Sec. 8. Effective date. Section 2 of this Act shall be effective July 1, 1988.

Effective September 19, 1985, unless otherwise indicated.

CHAPTER 288

S.P. 591 - L.D. 1554

AN ACT to License Respiratory Care Practitioners.

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

Sec. 1. 5 MRSA §12004, sub-§1, ¶A, sub-¶33-A is enacted to read:

(33-A) Board of Respiratory Care Practitioners §35/Day 32 MRSA §9703

Sec. 2. 10 MRSA §8001, as amended by PL 1983, c. 746, §1 and c. 758, §1, is repealed and the following enacted in its place:

§8001. Department; agencies within department

There is created and established the Department of Business, Occupational and Professional Regula-