

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 2016 to August 2, 2017

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
NOVEMBER 1, 2017

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

Augusta, Maine
2017

Authorization and Approval 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 outside the legislative rule acceptance period, is authorized only if the following changes are made to the provisionally adopted major substantive rule:

1. The rule must be amended in Part I, Section 4, 4.2, C, which concerns the determination of eligibility for alternative pathways for certification by the Department of Education, by restoring the current language of this section regarding the waiver of the requirement for student teaching upon documentation of substantial teaching experience;

2. The rule must be amended in current Part I, Section 12, which concerns the functions and eligibility of substitute personnel, by revising the section header and the section provisions to address the functions and eligibility of long-term substitute personnel by:

A. Restoring the current language of 12.1, A and amending the provision to specify that substitute personnel may serve on a long-term basis;

B. Restoring the current language of 12.1, B;

C. Restoring the current language of 12.2, A and amending the provision to specify the eligibility that the Department of Education can specify for substitute personnel on a long-term basis;

D. Restoring the current language of 12.2, B, 1 and amending the provision to specify that substitute teachers and education specialists may serve on a long-term basis and to establish that a school administrative unit may consider a waiver if finding candidates that meet the eligibility criteria is difficult; and

E. Restoring the current language of 12.2, B, 4;

3. The rule must be amended in current Part I, Section 13, which was renumbered as Section 12 and which concerns the reinstatement of a lapsed certificate, authorization or approval of educational personnel, by restoring the section as Section 13 since Section 12 will be restored and amended;

4. The rule must be amended in Part I, Section 13, which was renumbered as Section 12, by striking all of new Section 12, 12.5, which concerns the reinstatement of revoked certification;

5. Since Part I, Section 12 will be restored and amended, all the cross-references to the current provisions of Part I that follow Section 12 that are restored must be restored;

6. The rule must be amended in Part II, Section 1, 1.2, B, 2, (d), which concerns the development of Endorsement Eligibility Pathway 2 for elementary school

teachers, by clarifying that the endorsement eligibility is subject to the completion of courses that include 3 semester hours in reading methods and 3 semester hours in writing instruction methods;

7. The rule must be amended in Part II, Section 1, 1.5, B, 1, (d), which concerns the development of Endorsement Eligibility Pathway 1 for public preschool through grade 12 teachers, by clarifying that the endorsement eligibility is subject to passing the content area assessment for Art, Music, Theater and Dance for the Entry Level Teacher's Assessment;

8. The rule must be amended in Part II, Section 1, 1.5, B, 2, (d), which concerns the development of Endorsement Eligibility Pathway 2 for public preschool through grade 12 teachers, by clarifying that the endorsement eligibility is subject to passing the content area assessment for Art, Music, Theater and Dance for the Entry Level Teacher's Assessment; and

9. The rule must be amended in Part II, Section 3, 3.1, B, 1, (e), which concerns the development of endorsement for secondary career and technical education teachers in grades 9 through 12, by clarifying that the endorsement eligibility is subject to meeting the cut score on the Basic Skills Test in reading, writing and mathematics or earning a passing grade in 2 college-level courses in English language arts and mathematics.

The State Board of Education is not required to hold hearings or undertake further proceedings prior to final adoption of the rule in accordance with this section.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective June 23, 2017.

CHAPTER 21

H.P. 289 - L.D. 398

Resolve, To Establish the Task Force To Recognize Computer Science in the Path to Proficiency

Sec. 1. Science, Technology, Engineering and Mathematics Council to form task force to recognize computer science in the path to proficiency. Resolved: That the Science, Technology, Engineering and Mathematics Council, referred to in this resolve as "the council," shall establish and convene a computer science education task force, referred to in this resolve as "the task force," to develop an informed strategy to integrate computer science into the State's proficiency-based high school diploma requirements, as well as to expose all students to com-

puter science as a basic skill and as a potential career path. The council shall invite members to the task force and appoint the task force chair, who must be a person whose professional responsibilities include the advancement of computer science professional development and education in the State and who is aligned with the State's business community in carrying out those responsibilities; and be it further

Sec. 2. Duties. Resolved: That the duties of the task force must include, but are not limited to, the following.

1. The task force shall recommend a framework for an effective kindergarten to grade 12 computer science education system in the State and outline a strategy to ensure students have access to this education system. The task force shall:

A. Identify the key elements of computer science education that provide mathematics or science competencies needed to attain a proficiency-based diploma;

B. Identify models of age-appropriate computer science curricula that provide students in kindergarten to grade 12 basic knowledge of and familiarity with computer science concepts and applications and opportunities to explore how computer science may serve their educational needs and career aspirations; and

C. Develop a sustainable professional development strategy to deliver kindergarten to grade 12 computer science education and to ensure that all students have access to computer science education.

2. In determining the strategy described in subsection 1, the task force shall investigate best practices for and barriers to implementation of the strategy. The task force shall:

A. Identify and inventory computer science education activities currently underway in the State and in other states, including:

(1) Classroom initiatives integrating computer science education into existing curricular opportunities;

(2) Full access to courses that provide an opportunity for credit from an institution of higher learning; and

(3) Models of education that effectively use offsite resources and online learning opportunities to augment the resources available on site; and

B. Identify and inventory computer science professional development activities currently underway in the State and highlight best practices for and barriers encountered in delivering computer

science professional development to teachers across the State; and be it further

Sec. 3. Coordination with Department of Education. Resolved: That the task force shall coordinate with the Department of Education to provide information on identified areas of computer science education in the State and to enable the department to undertake rulemaking related to improving access to computer science education in the State. The work of the task force must inform and complement the work of the department, and nothing in the duties of the task force may be construed to mean that the department may not undertake initiatives or rulemaking related to computer science education separate from the work of the task force; and be it further

Sec. 4. Report; recommendations. Resolved: That the task force shall report its findings of best practices for computer science education and a recommended strategy to develop and implement a high-quality computer science education curriculum for all students to the Joint Standing Committee on Education and Cultural Affairs by January 15, 2018. The task force is authorized to make recommendations, including proposed legislation and rules, in its report. The joint standing committee may report out a bill based upon the report to the Second Regular Session of the 128th Legislature; and be it further

Sec. 5. Resources. Resolved: That the council may provide funding and in-kind donations received from public or private sources to fund the costs of the task force and enable the task force to accomplish its duties. Any unused funds at the termination of the task force may be retained by the council.

See title page for effective date.

CHAPTER 22

S.P. 590 - L.D. 1640

Resolve, To Allow the Issuance of Open Burn Permits through Private Online Services

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, under current law, anyone performing out-of-door burning, including burning for agricultural purposes and of brush, leaves, wood waste and grass fields, is required to obtain a permit from the town forest fire warden or from the forest ranger having jurisdiction over the location where the fire is to be set; and