**An Act To Improve Teacher Certification during Staffing Shortages**

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

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

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

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

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

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

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

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

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

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

**SUMMARY**

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