

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Further Ensure Effective Teaching and School Leadership

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

Sec. 1. 20-A MRSA §13008, sub-§2, as enacted by PL 2011, c. 635, Pt. B, §1, is amended to read:

2. Data collection. The department shall collect data relating to educator preparation programs, including but not limited to the following information with respect to each educator preparation program:

- A. The number of program completers; and
- B. The number of program completers who pass certification tests and the number of those who attain provisional licensure in the State; ;
- C. ~~The number of program completers who proceed from provisional licensure to professional licensure; and~~
- D. ~~The number of program completers who are teaching in schools in this State 3 and 5 years after they complete that educator preparation program.~~

Sec. 2. 20-A MRSA §13705, sub-§1 is enacted to read:

1. Phase-in grants; contingent extension of full implementation. During the phase-in period under this section, the department, if funds are available, shall make annual phase-in grants to each school administrative unit equal to 1/10 of 1% of the school administrative unit's total cost of education calculated under section 15688, subsection 1 to be used in the manner determined by the school administrative unit to fund the costs of meeting the phase-in requirements not otherwise subsidized by the State. The date for school administrative units to implement a performance evaluation and professional growth system as set forth in this section is extended one year for each year for which transition grants are not made available to school units or for which the level of general purpose aid for local schools falls below the required 55% state share of the total cost of funding public education from kindergarten to grade 12 as set forth in section 15671, subsection 1.

Sec. 3. 20-A MRSA §13706, as enacted by PL 2011, c. 635, Pt. A, §3, is amended to read:

§ 13706. Rules

The department shall adopt rules to implement this chapter, including but not limited to a rule relating to the method of identifying the educator or educators whose effectiveness ratings are affected by the measurement of learning or growth of a particular student. The department shall also adopt rules pertaining to the approval of performance evaluation and professional growth systems pursuant to section 13702. The department shall amend or adopt rules that specify the appropriate qualifications and training protocols that are necessary to ensure that school administrative units are employing qualified evaluators

to implement the performance evaluation and professional growth system pursuant to section 13704, subsection 5. Rules adopted pursuant to this section are major substantive rules pursuant to Title 5, chapter 375, subchapter 2-A.

Sec. 4. 20-A MRSA §15681, sub-§6, as enacted by PL 2011, c. 635, Pt. A, §5, is amended to read:

6. Targeted funds for educator evaluation. For educator evaluation funds beginning with the 2013-2014 school year, the commissioner shall calculate the amount ~~available to assist~~required by school administrative units ~~in developing to develop and implementing~~implement performance evaluation and professional growth systems pursuant to chapter 508. Targeted educator evaluation funds may be provided only if the level of general purpose aid for local schools exceeds the required 55% state share of the total cost of funding public education from kindergarten to grade 12 as set forth in section 15671, subsection 1.

Sec. 5. Submission of provisionally adopted rules. Not later than January 15, 2014, the Department of Education shall submit provisionally adopted rules that amend or adopt rules that specify the appropriate qualifications and training protocols that are necessary to ensure that school administrative units are employing qualified evaluators to implement the performance evaluation and professional growth system required pursuant to the Maine Revised Statutes, Title 20-A, section 13704, subsection 5.

SUMMARY

This bill makes several changes related to the implementation of the performance evaluation and professional growth system provisions established in the Maine Revised Statutes, Title 20-A, chapter 508.

1. It removes 2 of the data elements that the Department of Education is required to collect in order to evaluate the performance of educator preparation programs.

2. It requires the Department of Education to amend or adopt rules regarding the implementation procedures related to the qualifications and preparation that trained evaluators must have in order to participate in the performance evaluation of teachers and school principals.

3. It amends the provisions requiring targeted funds for implementing the performance evaluation and professional growth systems for teachers and principals to require that, beginning with the 2013-2014 school year, the Commissioner of Education provide state funding, outside of the funding provided to school administrative units through the general purpose aid for local schools program, to implement performance evaluation and professional growth systems for teachers and principals.

4. It provides that school administrative units are not required to implement the performance evaluation and professional growth systems for teachers and principals until the Legislature funds the state share of the total cost of funding public education from kindergarten to grade 12 at the 55% level required by the Essential Programs and Services Funding Act. It also provides that targeted educator evaluation funds may be provided only if general purpose aid for local schools exceeds the required 55% state share.