

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36

Date: (Filing No. H- )

**EDUCATION AND CULTURAL AFFAIRS**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
129TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1080, L.D. 1478, “Resolve, Regarding Legislative Review of Portions of Chapter 115: The Credentialing of Education Personnel, a Late-filed Major Substantive Rule of the Department 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 Department of Education rule Chapter 115: The Credentialing of Education Personnel, a provisionally adopted major substantive rule of the Department of Education, referred to in this section as "the department," 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:

- 1. The rule must be amended in Part I, Section 6(1)(A)(4) to require as a general qualification for certification by the department that the applicant hold a bachelor's degree from a regionally accredited college or university;
- 2. The rule must be amended in Part I, Section 6 to provide eligibility for certification by the department for an applicant who, within 7 years prior to applying for certification, has 5 years of valid teaching experience under an appropriate comparable certificate in the same certification subject area and has completed a bachelor's degree or graduate degree from a regionally accredited college or university;
- 3. The rule must be amended in Part I, Section 6 to clarify that the in-service training eligibility criteria for an applicant for renewal of a certified educational technician certificate requires completion of 45 hours of such in-service training;
- 4. The rule must be amended in Part I, Section 6 to clarify that the condition under that subparagraph requires that the individual has no interruption in service, excluding normal school vacations, paid leave and unpaid leave;
- 5. The rule must be amended in Part II, Section 1.2(A) regarding Endorsement 020: Elementary Teacher as follows:
  - A. The endorsement must allow the holder to teach students in the grade span of kindergarten to grade 8 until July 1, 2022; and

**COMMITTEE AMENDMENT**

1 B. Beginning July 1, 2022, the endorsement must allow the holder to teach students  
2 in the grade span of kindergarten to grade 6;

3 6. The rule must be amended in Part II, Section 1.2(B)(2) regarding Endorsement  
4 020: Elementary Teacher to require as an eligibility criterion for Endorsement Eligibility  
5 Pathway 2 that the applicant has passed pedagogical knowledge and skills assessment at  
6 the appropriate grade span, in accordance with Department of Education Reg. 13, or  
7 demonstrated successful completion of an approved alternative professional studies  
8 program;

9 7. The rule must be amended in Part II, Section 1.3(B)(2)(i) regarding Endorsement:  
10 Secondary Teacher to retain as an eligibility criterion for Endorsement Eligibility  
11 Pathway 2 that the applicant has completed a minimum of 6 semester hours in  
12 foundations of literacy and literacy methods relative to the subject area;

13 8. The rule must be amended in Part II, Section 1.4, regarding Secondary Teacher  
14 endorsement, as necessary, to include an Endorsement 710: Junior Reserve Officers'  
15 Training Corps teacher, which would allow the holder of that endorsement to serve as a  
16 Junior Reserve Officers' Training Corps teacher for students from grade 9 to grade 12.  
17 The internal 710 endorsement checklist must include that an applicant for such  
18 endorsement must be required to meet applicable general credentialing requirements in  
19 Part I of the rule and must be required to satisfy additional specific eligibility  
20 requirements as determined by the department and as specified in Part II of the rule,  
21 except that the rule must provide that an applicant who does not meet such additional  
22 eligibility requirements under Part II of the rule is eligible for a conditional certificate for  
23 this endorsement upon a determination that the applicant has received a Junior Reserve  
24 Officers' Training Corps instructor certification from the United States Department of  
25 Defense in accordance with the applicable standards of the United States Department of  
26 Defense for senior military instructors and has completed a course approved by the  
27 department regarding the teaching of exceptional students in the regular classroom;

28 9. The rule must be amended in Part II, Section 1.3 regarding Endorsements: Middle  
29 Level Teacher, to retain the Middle Level Teacher endorsement with the following  
30 amendments:

31 A. In subsection (A) and subsection (B)(2)(a)(ii), remove the provisions regarding  
32 world language endorsements;

33 B. In subsection (B), specify that individuals who are not eligible through any  
34 pathway may be eligible for a conditional certificate;

35 C. In Endorsement Eligibility Pathway 1, remove the requirement of the completion  
36 of an approved course for teaching exceptional students in the regular classroom,  
37 which is already required elsewhere in the rule, and clarify that the applicant must  
38 have:

39 (1) Graduated from a state-approved program for the education of middle level  
40 teachers, together with a formal recommendation from the preparing institution  
41 for the endorsement being sought; and

42 (2) Earned a bachelor's degree from a regionally accredited college or university,  
43 in accordance with Part I, Section 6 of the rule;

- 1 D. In Endorsement Eligibility Pathway 2, amend the rule as follows:
- 2 (1) The applicant must have earned a bachelor's degree from a regionally  
3 accredited college or university, in accordance with Part I, Section 6 of the rule;
- 4 (2) The applicant does not have to hold a valid provisional or professional  
5 teaching certificate with a public preschool to grade 3, kindergarten to grade 6,  
6 grade 4 to grade 8, grade 6 to grade 12 or public preschool to grade 12  
7 endorsement and instead must have completed a minimum of 24 semester hours  
8 in the area relevant to the middle school level endorsement being sought and that,  
9 for the purposes of this requirement, life and physical sciences must be  
10 aggregated and must include a minimum of 9 semester hours in life sciences and  
11 a minimum of 9 semester hours in physical sciences; and
- 12 (3) The applicant must have passed a content area methods course, in accordance  
13 with Department of Education Reg. 13; and
- 14 E. The rule must be amended in the conditional certificate for endorsement to clarify  
15 that the applicant must have earned a bachelor's degree from a regionally accredited  
16 college or university in accordance with Part I, Section 6 of the rule and that the  
17 applicant must have completed a minimum of 24 semester hours in the areas relevant  
18 to the middle level teacher endorsement being sought and that the applicant is not  
19 required to hold a valid Maine provisional or professional teaching certificate with a  
20 public preschool to grade 3, kindergarten to grade 6, grade 4 to grade 8, grade 6 to  
21 grade 12 or public preschool to grade 12 endorsement;
- 22 10. The rule must be amended in Part II, Section 1.4(A) regarding Endorsement:  
23 510, 517, 520, 614, 620, 625, 640, 670, 680 and 700, public preschool to grade 12, to  
24 describe endorsement area 700 as industrial arts/engineering and technology;
- 25 11. The rule must be amended in Part II, Section 1.11(B)(2)(e) and Part II, Section  
26 1.11(B)(3)(c) regarding Endorsement 092: Literacy Specialist to retain that, in addition to  
27 having earned a master's degree in literacy and reading from a regionally accredited  
28 college or university in accordance with Part I, Section 6 of the rule, the applicant has  
29 earned graduate semester hours for a literacy and reading clinic encompassing course  
30 content in educational and instructional leadership, instructional supervision, adult  
31 learning theory and instructional coaching practices;
- 32 12. The rule must be amended in Part II, Section 1.12 regarding Certificate 215:  
33 Athletic Director to clarify that there are 2 steps and add the requirement that the  
34 applicant have completed an approved course for teaching exceptional students in the  
35 regular classroom;
- 36 13. The rule must be amended in Part II, Section 2.1(B)(3)(a)(iii), Part II, Section  
37 2.1(B)(3)(b)(iii) and Part II, Section 2.1(B)(3)(c)(iii) regarding Endorsement 282:  
38 Teacher of Children with Disabilities to provide that, as an eligibility criterion under  
39 Endorsement Eligibility Pathways 1 to 3 for a conditional certificate for that  
40 endorsement, an applicant must have participated in an alternative certification and  
41 mentoring program designated by the department;
- 42 14. The rule must be amended in Part II, Section 2.2(B)(2)(a)(iii), Part II, Section  
43 2.2(B)(2)(b)(iii) and Part II, Section 2.2(B)(2)(c)(iii) regarding Endorsement 286:

1 Teacher of Children with Severe Disabilities to provide that, as an eligibility criterion  
2 under Endorsement Eligibility Pathways 1 to 3 for a conditional certificate for that  
3 endorsement, an applicant must have participated in an alternative certification and  
4 mentoring program designated by the department;

5 15. The rule must be amended in Part II, Section 3 regarding Professional Teacher  
6 Certificate Based on Work Experience, by changing the title of Section 3 from  
7 "Professional Teacher Certificate Based on Work Experience" to "Professional Teacher  
8 Certificate Based on Authentic Field Experience";

9 16. The rule must be amended in Part II, Section 3 to require that the applicant have  
10 passed a content area assessment, in accordance with Department of Education Reg. 13,  
11 and passed a pedagogical knowledge and skills assessment in accordance with  
12 Department of Education Reg. 13 or demonstrated successful completion of an approved  
13 alternative professional studies program;

14 17. The rule must be amended in Part II, Section 4.2(B)(1)(c) regarding Endorsement  
15 860: Cooperative Education Coordinator to provide that as a general endorsement  
16 eligibility criterion, for each endorsement, the applicant must have completed a minimum  
17 of one year of paid applied employment or teaching in the endorsement area during the 4  
18 years preceding the initial application;

19 18. All necessary grammatical, formatting, punctuation and other technical  
20 nonsubstantive editing changes must be made to the rule, including, but not limited to, the  
21 removal of strikethrough or underlined letters or words remaining from prior drafts and  
22 edits and the amendment of inconsistent section, subsection, paragraph and subparagraph  
23 numbering or lettering in the rule, or any other inconsistent numbering and lettering in the  
24 rule, to ensure consistency in the sequential numbering and lettering of the rule; and

25 19. All other necessary changes must be made to the rule to ensure conformity  
26 throughout the rule and consistency with the provisions of this section.

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

29 **Sec. 2. Report. Resolved:** That the Department of Education, in consultation  
30 with the teacher preparation programs in the State, shall report to the Joint Standing  
31 Committee on Education and Cultural Affairs on the progress, steps taken and  
32 implementation of the transition of the Endorsement 020: Elementary from a grade span  
33 of kindergarten to grade 8 to a grade span of kindergarten to grade 6 pursuant to section  
34 1, subsection 5 of this resolve. The department shall submit the report to the joint  
35 standing committee of the Legislature having jurisdiction over education and cultural  
36 affairs no later than March 1st of each year of the 3 years between the grade span  
37 changing from kindergarten to grade 8 to kindergarten to grade 6.

38 **Sec. 3. Funding in fiscal year 2019-20. Resolved:** Notwithstanding any  
39 provision of law to the contrary, in fiscal year 2019-20 only, the Department of Education  
40 shall use funds within the Departmental Services, Other Special Revenue Funds account  
41 within the department to pay for the one-time programming charges and contracting staff  
42 necessary to implement the rule changes to Chapter 115: The Credentialing of Education  
43 Personnel authorized pursuant to this resolve.

