

February 23, 2026

**Re: Testimony Neither For Nor Against LD 2175, "Resolve, Regarding Legislative Review of Portions of Chapter 115: The Credentialing of Education Personnel, a Major Substantive Rule of the Department of Education, State Board of Education"**

Chairman Rafferty, Chairman Murphy, Distinguished Members of the Joint Standing Committee on Education and Cultural Affairs:

My name is Alan Cobo-Lewis. I live in Orono. I am director of the Center for Community Inclusion and Disability Studies at the University of Maine (CCIDS).

CCIDS is Maine's federally funded University Center for Excellence in Developmental Disabilities (UCEDD, pronounced "YOU-said", authorized by the federal Developmental Disabilities Assistance and Bill of Rights Act of 2000 ("DD Act"). The purpose of the national network of UCEDDs is to provide leadership in, advise federal state and community policy leaders about, and promote opportunities for individuals with developmental disabilities to exercise self-determination, be independent, be productive, and be integrated and included in all facets of community life. Part of the federal mandate of CCIDS is to educate and advise policymakers, including members of the state legislature. Consistent with CCIDS responsibilities under the DD Act and consistent with University of Maine Board of Trustees policies [212](#) and [214](#), I am offering information about the bill for myself and for CCIDS, not for the University of Maine nor for the University of Maine System as a whole.

In light of ongoing workforce challenges in our public schools, the provisionally adopted rule would make several changes to certification requirements that might not be considered under other circumstances. **But it critical that the burden of any such changes not be disproportionately felt by students with disabilities.**

The provisionally adopted rule **maintains large aspects of endorsements in regular education:**

- Maintains current Endorsement 029: Early Elementary Teacher
- Maintains current Endorsement 020: Elementary Teacher
- With the exception of changes regarding specific world languages, maintains current Endorsement: Middle Level Teacher (maintaining endorsement areas in English/language arts, social studies, mathematics, and science)
- Somewhat expands Endorsement: Secondary Teacher from grades 6-12 to also include Adult Education (but maintains endorsement areas in English/language arts, social studies, mathematics, physical science, and life science)
- Maintains Endorsement: Secondary Career and Technical Education Teacher
- Maintains Endorsement: Adult Education Teacher (limited to English/language arts, social studies, mathematics, physical science, and life science)

Yet the provisionally adopted rule makes **large changes to endorsements in special education:**

- Endorsement 282: Teacher of Children with Disabilities
  - Existing rule has 282 endorsement specific to grade level birth-school age 5, K-8, or grades 7-12
  - Provisionally adopted rule spans pre-K through grade 12
  - Provisionally adopted rule deletes requirement for anyone with a 282 endorsement to have completed training in teaching early childhood special education. (Provisionally adopted rule creates Endorsement 283 for providers of early intervention and early childhood special education, but holders of a 282 endorsement without age-specific training would still be deemed qualified to teach children with disabilities regardless of age level, notwithstanding lack of training.)
  - Current holders of the age-delineated (birth-school age 5, K-8, or grades 7-12) 282 certificates would be automatically renewed as having birth-grade 12 certification without any requirement for age-specific knowledge.

This feels like disparate impact, treating students with disabilities as less entitled to qualified personnel than students without disabilities, even though federal law—consistent with the constitutional requirements for equal protection—creates a landscape requiring that special education certification requirements not be less rigorous than certification in regular education. For example, under IDEA Part B:

- Qualifications for special education certification or licensure requirements “may not be waived on an emergency, temporary, or provisional basis” [20 United States Code §1412\(a\)\(14\)\(C\)\(ii\)](#)
- Qualifications must ensure that personnel “are appropriately and adequately prepared and trained, including that those personnel have the content knowledge and skills to serve children with disabilities, including that those personnel have the content knowledge and skills to serve children with disabilities.” [20 United States Code §1412\(a\)\(14\)\(A\)](#)

If the Legislature decides, in light of workforce shortages, to water down teacher certification requirements, then it should ensure that such changes not disproportionately impact students with disabilities. Either certification should be watered down across the board—if the Legislature has the stomach to do that—or it should not water down certification for teachers of students with disabilities.

The Legislature might decide to restore rigor to special education certification. Or it might decide to reduce rigor in regular education certification. Or it might choose a combination.

But the key constitutional concept is **Equal Protection**.

Respectfully,

Alan B. Cobo-Lewis, Ph.D.  
 Director, Center for Community Inclusion and Disability Studies  
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