



Maine Education Association

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Testimony In Support of LD 803: An Act to Address Certification Violations for School Staff April 16, 2025

Senator Rafferty, Representative Murphy, and other members of the Education and Cultural Affairs Committee,

My name is Mallory Cook, and I have the pleasure of serving the nearly 24,000 members of the Maine Education Association as the Director of Training and Early Educator Engagement. I am here today to testify in support of LD 803: *An Act to Address Certification Violations for School Staff*.

As you are aware, in the 131st session, a resolve was passed directing the State Board of Education to amend Chapter 115: The Credentialing of Education Personnel, a Major Substantive Rule. This is the second time these rules have undergone amendment since 2021. Talk with any member of the State Board's Certification and Higher Education Committee, and they will tell you, this is a long, arduous process. Outlined in the pages of Chapter 115 Parts I and II are the requirements set to "provide the highest quality personnel to meet the standards of the Learning Results." MEA believes that every student deserves access to high-quality educators. These rules are essential for ensuring a high-quality education for every Maine student, as the quality of educators significantly impacts student achievement.

Within these pages, there are pathways that have been carved out for those who are not yet fully-qualified to enter the profession – pathways that are necessary amid an educator shortage. These include the conditional certificate, which is issued to teachers, specialists, or administrators who have not met all the requirements for certification but can reasonably be expected to do so within three years; the emergency certificate which is issued on a yearly basis, for identified shortage areas, and requires a 4-year degree or equivalent work experience, or enrollment in an educator prep program, or an Education Technician III certification. Lastly, there is a certification waiver, which can be issued by the Commissioner when a position is essential to meet the Learning Results or to comply with state or federal laws, and/or the district is unable to find a qualified candidate. Waivers cannot be issued to Special Educators.

We stand before you to advocate in favor of this bill, because despite these pathways that have been written into rule, there continue to be violations. In this context, a violation occurs when a district submits mandatory staffing data through NEO, and that staffing data does not align with an individual's certification record within the state's Maine Educator Identification System (MEIS). NEO lists and MEIS certification records are publicly accessible via the State's website. However, residents must manually pull individual certifications to identify a violation. Only the Department of Education has the capability to cross-reference these systems and identify violations on a large scale. Before you today, MEA has prepared violations as they exist for teacher and education technicians in two districts in rural

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Maine. Had we more time and personnel, we would have prepared a much more comprehensive list of violations. The district names have been redacted for anonymity.

District 1 (PK-8) District redacted for anonymity

*Criminal History Record Check

| Teacher | Grades | Certification | Violation |
|-----------|-------------|------------------|-----------|
| Teacher 1 | PK, K, 1, 2 | No Cert/No CHRC* | Yes |
| Teacher 2 | 03, 04 | Conditional | No |
| Ed Tech I | Elementary | No Cert/No CHRC | Yes |
| Ed Tech I | Elementary | No Cert/No CHRC | Yes |
| Ed Tech I | Elementary | No Cert/No CHRC | Yes |

The table above represents a small Maine district, serving grades PK-8, that employs only one educator for PK-grade 2 and one educator for grades 3 and 4. Based on the data in NEO and MEIS, a student attending this school will not have a fully certified teacher until they reach grade 5. The district employs 7 education technicians; 3 of whom have no record at the Department of Education.

District 2 (PK-12) District redacted for anonymity

| Teacher | Grades | Certification | Violation |
|-------------|----------------------------|-----------------|-----------|
| Teacher 1 | 1 | No Cert/No CHRC | Yes |
| Teacher 2 | K-6 Art | No Cert/No CHRC | Yes |
| Teacher 3 | 9-12 PE | No Cert | Yes |
| Teacher 4 | 7-8 Science | No Cert/No CHRC | Yes |
| Teacher 5 | 9 History | Conditional | No |
| Teacher 6 | 9-10 Bio and Earth Science | No Cert | Yes |
| Teacher 7 | 9-12 Nursing | Conditional | No |
| Teacher 8 | 9-12 Business | Conditional | No |
| Teacher 9 | 6-12 Comp. | Conditional | No |
| Ed Tech I | Elementary | No Cert/No CHRC | Yes |
| Ed Tech I | Elementary | No Cert/No CHRC | Yes |
| Ed Tech I | Elementary | No Cert/No CHRC | Yes |
| Ed Tech I | Middle School/High School | No Cert | Yes |
| Ed Tech I | Middle School/High School | No Cert | Yes |
| Ed Tech I | Middle School/High School | No Cert/No CHRC | Yes |
| Ed Tech III | Elementary | No Cert/No CHRC | Yes |
| Ed Tech III | Middle School/High School | No Cert/No CHRC | Yes |

The table above represents another rural Maine district that serves students PK-grade 12 and employs 48 teachers. 5 of the teachers do not hold a valid Maine teacher certification, and 4 of the 5 do not have a record at the Maine Department of Education. The district employs 39 education technicians, 8 of whom do not hold a certification. 6 of those 8 do not have a record at the Department of Education.

It is understood that the Department of Education alerts Superintendents of violations at set intervals throughout the year. Special attention has been given to CHRC (Criminal History and Record Check) violations over the past year, as the Certification and Higher Education Committee has requested regular reports on these numbers at each meeting. The latest report indicated that the number of violations was over 1,000, a significant decrease from the previous year. Although the committee has requested violation reports for other certifications and endorsements, they have been informed that the current data

systems are not properly communicating. However, the Department is currently undergoing an RFP process to upgrade the system, with the hope that the new system will enable more accurate reporting. Emergency certificates, Conditional Certificates, and Waivers do not show up as violations. There are many educators who are reflected under such status in the system. This is terrific. This is what we want to see. We want our systems to paint an accurate picture of how many individuals hold each certificate. When MEA stood before you to oppose the extension of condition certificates, we shared the conditional, emergency, and waiver numbers as of 3/11/2025.

| | |
|-------------|-------|
| Conditional | 4,165 |
| Emergency | 294 |
| Waiver | 87 |

Given the knowledge of violations, it is evident that these numbers would be significantly higher if all teachers, specialists, or administrators were required to apply and fall under one of the statuses. Those who do not qualify for a professional license would contribute to an increased count.

The intention of this bill is to create a multi-layered system of accountability. This is not just about the Department, Superintendents, or School Boards; this is about individuals following through with their end of the processes and procedures; it is about districts following up to ensure individuals have completed their applications or completed their fingerprinting to ensure students are working with credentialed educators. It is about creating open lines of communication around pathways to move forward to obtain full certification. In some of these scenarios, a person who has no record at the department might have a master's degree or Ph.D.; they simply have not completed the necessary steps to procure the certificate. MEA has and will continue to support our members as they navigate the certification process and understand that we have a role to play in this as well.

It has been brought to our attention that school boards are not often made aware of violation data. We believe that after sufficient time has been given to the district and an individual to create an action plan, and there is failure to do so, school boards should be made aware so they can work with their Superintendent to provide any additional support that is needed. As someone who frequently crosses paths with the Certification Department, I can attest to their exceptional technical assistance. They work hard to ensure applicants receive all the information they need. However, they require an application and record to provide this support.

Thank you, and I will do my best to answer any questions you may have.