CHAPTER 502

CREDENTIALING OF EDUCATIONAL PERSONNEL

§13011. General authorization of state board

1. Credentialing and revocation rules. The state board shall adopt rules to carry out the purposes of this chapter under which the commissioner shall:

A. Issue certificates to teachers, administrators, educational specialists, educational technicians and other professional personnel for service in a public school or in an approved private school, except that certification is not required for a person holding a valid license as a speech-language pathologist under Title 32, section 17301 who has received a clearance pursuant to section 13024 to provide speech-language pathology services in a public school or approved private school; [PL 2017, c. 235, §9 (AMD); PL 2017, c. 235, §41 (AFF).]

B. Issue certificates to adult education teachers and other teaching and professional personnel in publicly supported educational programs other than postsecondary school institutions, colleges and universities; [PL 2017, c. 235, §9 (AMD); PL 2017, c. 235, §41 (AFF).]

C. [PL 2017, c. 235, §9 (RP); PL 2017, c. 235, §41 (AFF).]

D. Seek a revocation of a credential in the District Court; [PL 2017, c. 235, §9 (AMD); PL 2017, c. 235, §41 (AFF).]

E. Issue certificates to personnel who provide early childhood educational programs or developmental therapy to children from birth to 5 years of age in the home, in community-based special purpose and integrated programs and in public schools; and [PL 2017, c. 235, §9 (AMD); PL 2017, c. 235, §41 (AFF).]

F. Issue a clearance to all individuals for whom certification is not required prior to being hired or being placed under contract by a public school or a private school that enrolls 60% or more publicly funded students. [PL 2017, c. 235, §9 (AMD); PL 2017, c. 235, §41 (AFF).]

[PL 2017, c. 235, §9 (AMD); PL 2017, c. 235, §41 (AFF).]

2. Moral character. Rules adopted by the state board under this chapter must require that an applicant for certification furnish evidence of:

A. Good moral character. [PL 2005, c. 152, §2 (AMD).]

B. [PL 2005, c. 152, §2 (RP).]

[PL 2005, c. 152, §2 (AMD).]

3. Teacher certificates. The state board rules must establish qualifications for certifying teachers in accordance with sections 13012-A and 13013.

[PL 2017, c. 235, §9 (AMD); PL 2017, c. 235, §41 (AFF).]

4. Appeal. An applicant who has been denied the issuance or renewal of a credential by the commissioner under this chapter may appeal that denial in accordance with rules established by the state board and consistent with the provisions of the Maine Administrative Procedure Act, Title 5, chapter 375.

[PL 2017, c. 235, §9 (AMD); PL 2017, c. 235, §41 (AFF).]

5. Administrator certificates. The state board rules must establish qualifications for certifying administrators in accordance with sections 13012-A and 13019-I to be superintendents of schools, building administrators or principals and for such other administrators as may be determined to be necessary and beneficial for the efficient operation of the schools.

[PL 2017, c. 235, §9 (AMD); PL 2017, c. 235, §41 (AFF).]

6. Alternative pathways to certification.

[PL 2017, c. 235, §9 (RP); PL 2017, c. 235, §41 (AFF).]

6-A. Educational specialist certificates. The state board shall establish qualifications for certifying educational specialists in accordance with sections 13012-A, 13019-G and 13022 and for other educational specialists as may be determined to be necessary and beneficial for the efficient operation of the schools.
[PL 2017, c. 235, §9 (NEW); PL 2017, c. 235, §41 (AFF).]

6-B. Educational technician certificates. The state board shall establish qualifications for certifying educational technicians in accordance with section 13019-H and for other educational technicians as may be determined to be necessary and beneficial for the efficient operation of the schools.
[PL 2017, c. 235, §9 (NEW); PL 2017, c. 235, §41 (AFF).]

7. Certification waiver. Under rules adopted by the state board, the commissioner may grant a waiver for an appropriate period of time to an individual seeking the issuance or renewal of a certificate. The commissioner may grant a waiver to an individual who:

A. Receives allegedly inaccurate, incomplete or untimely information or action from the department or from a local or regional support system. The waiver must be for a reasonable period of time to permit the applicant to complete certification requirements; or [PL 2017, c. 235, §9 (AMD); PL 2017, c. 235, §41 (AFF).]

B. Demonstrates compliance with certification requirements by professional alternative methods, including the following:

(1) Scores on Graduate Record Examinations demonstrating content area proficiency equal to approved course work, with passing scores established under rules adopted by the state board;

(2) Examinations accepted by state-approved programs in lieu of course work, with passing scores established under rules adopted by the state board;

(3) Examinations from professional testing corporations demonstrating content area proficiency equal to approved course work, with professional testing corporations approved by the state board and passing scores established under rules adopted by the state board; and

(4) Work experience equivalent to outcomes for approved course work and a formal recommendation from the state professional organization in that content area. The professional organizations are established under rules adopted by the state board. The waiver is for the duration of the certificate or endorsement sought. [PL 1995, c. 321, §1 (AMD).]

The commissioner may not grant a waiver to an individual who is seeking an endorsement for special education.
[PL 2017, c. 235, §9 (AMD); PL 2017, c. 235, §41 (AFF).]

8. Criminal history record checks. Criminal history record checks of an applicant for a credential, including renewals, must be conducted in accordance with this section, section 6103 and pursuant to rules adopted by the state board.
[PL 2017, c. 235, §9 (AMD); PL 2017, c. 235, §41 (AFF).]

9. Targeted need area certificate; exception.
[PL 2017, c. 235, §9 (RP); PL 2017, c. 235, §41 (AFF).]

10. Conditional certificate; transitional endorsement; exception.
[PL 2017, c. 235, §9 (RP); PL 2017, c. 235, §41 (AFF).]

SECTION HISTORY

PL 1983, c. 845, §4 (NEW). PL 1985, c. 287, §1 (AMD). PL 1989, c. 889, §8 (AMD). PL 1993, c. 200, §1 (AMD). PL 1995, c. 207, §1 (AMD). PL 1995, c. 321, §1 (AMD). PL 1997, c. 452, §§4-7 (AMD). PL 1997, c. 553, §§1-3 (AMD). PL 1997, c. 683, §A11 (AMD). PL 1999, c. 547, §B78 (AMD). PL 1999, c. 547, §B80 (AFF). PL 1999, c. 673, §1 (AMD). PL 1999, c. 791, §5 (AMD). PL 2003, c. 445, §§1, 2 (AMD). PL 2005, c. 152, §§1,2 (AMD). PL 2005, c. 397, §D3 (REV). PL 2011, c. 49, §1 (AMD). PL 2011, c. 635, Pt. B, §§2, 3 (AMD). PL 2015, c. 395, §§6, 7 (AMD). PL 2017, c. 235, §9 (AMD). PL 2017, c. 235, §41 (AFF).

§13011-A. Certification extension for family medical leave

Notwithstanding the term of a conditional or professional certificate under this chapter, upon the request of a school administrative unit, the commissioner shall grant an extension on an individual's conditional or professional certificate if the individual uses family medical leave during the final year of the individual's certificate and the school administrative unit provides the commissioner with sufficient proof of the use of family medical leave. An extension under this section is for the same number of days as the family medical leave used during the final year of the individual's certificate. For the purposes of this section, "family medical leave" has the same meaning as in Title 26, section 843, subsection 4. [PL 2019, c. 610, §1 (NEW).]

SECTION HISTORY

PL 2019, c. 610, §1 (NEW).

§13012. Provisional teacher certificate

(REPEALED)

SECTION HISTORY

PL 1983, c. 845, §4 (NEW). PL 1983, c. 859, §I1 (AMD). PL 1985, c. 287, §§2,8 (AMD). PL 1991, c. 682, §1 (AMD). PL 1995, c. 320, §§1,2 (AMD). PL 1997, c. 266, §15 (AMD). PL 2001, c. 534, §§1-3 (AMD). PL 2005, c. 397, §D3 (REV). PL 2011, c. 635, Pt. B, §4 (AMD). PL 2017, c. 235, §10 (RP). PL 2017, c. 235, §41 (AFF).

§13012-A. Conditional certificate

1. Conditional certificate. The commissioner may issue a conditional certificate to:

A. An individual who has not met all of the requirements for a certificate as set forth in section 13013, 13019-I, 13019-G or 13022. [PL 2017, c. 235, §11 (NEW); PL 2017, c. 235, §41 (AFF).]

B. An individual who is eligible for an endorsement to teach in a teacher shortage area as determined by the commissioner; or [PL 2017, c. 235, §11 (NEW); PL 2017, c. 235, §41 (AFF).]

C. A holder of a professional teacher certificate under section 13013 who is transitioning to another endorsement; [PL 2017, c. 235, §11 (NEW); PL 2017, c. 235, §41 (AFF).]

[PL 2017, c. 235, §11 (NEW); PL 2017, c. 235, §41 (AFF).]

2. Term. A conditional certificate is issued for a 3-year period and may not be renewed.
[PL 2017, c. 235, §11 (NEW); PL 2017, c. 235, §41 (AFF).]

3. Employment. A school administrative unit may employ a conditionally certified individual who is in the process of becoming professionally certified notwithstanding the availability of professionally certified teachers or educational specialists.
[PL 2017, c. 235, §11 (NEW); PL 2017, c. 235, §41 (AFF).]

4. Requirements. A school administrative unit may not employ a conditionally certified teacher or educational specialist unless it has a locally designed peer support and mentoring system as described in section 13015-A. For a conditional certificate issued under subsection 1, paragraph A or B, the school administrative unit shall for at least the first 2 years of employment, or longer if determined to be necessary, and, for a conditional certificate issued under subsection 1, paragraph C, the school administrative unit shall for at least the first year of employment, or longer if determined to be necessary:

A. Ensure that the conditionally certified teacher or educational specialist receives high-quality professional development that is sustained, intensive and classroom-focused in order to have a positive and lasting impact on classroom instruction while teaching; and [PL 2019, c. 518, §1 (AMD).]

B. Provide a program of intensive supervision for the conditionally certified teacher that consists of structured guidance and regular ongoing support or a mentoring program, which is separate from any student-teacher requirement that may be required under another authority. [PL 2017, c. 381, §14 (AMD).]

[PL 2019, c. 518, §1 (AMD).]

5. Program review. The commissioner may conduct a program review of any program developed or administered by a school administrative unit to meet the requirements of subsection 4.

[PL 2017, c. 235, §11 (NEW); PL 2017, c. 235, §41 (AFF).]

SECTION HISTORY

PL 2017, c. 235, §11 (NEW). PL 2017, c. 235, §41 (AFF). PL 2017, c. 381, §14 (AMD). PL 2019, c. 518, §1 (AMD).

§13012-B. Emergency teacher certificate and reciprocal professional 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 teacher certificate or reciprocal professional 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 teacher certificate or reciprocal professional certificate under this section only to address the identified staffing shortage and only in a manner that ensures that the person issued an emergency teacher certificate or reciprocal professional certificate does not supplant an otherwise qualified and available teacher, specialist or administrator.

[PL 2021, c. 228, §2 (NEW).]

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; [PL 2021, c. 228, §2 (NEW).]

B. Is enrolled in an approved educator preparation program; or [PL 2021, c. 228, §2 (NEW).]

C. Holds a certification as an education technician III issued according to rules of the department pursuant to section 13019-H, except that an emergency education technician III is not eligible for an emergency teacher certificate under this paragraph. [PL 2023, c. 200, §1 (AMD).]

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 teacher certificates may be issued per applicant.

[PL 2023, c. 200, §1 (AMD).]

2. Reciprocal professional certificate. The commissioner may issue a reciprocal professional 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, the District of Columbia, a United States territory or another country. A certificate issued pursuant to this subsection is issued for a 5-year period.
[PL 2021, c. 228, §2 (NEW).]

SECTION HISTORY

PL 2021, c. 228, §2 (NEW). PL 2023, c. 200, §1 (AMD).

§13013. Professional teacher certificate

1. Definition. A professional teacher certificate is a renewable certificate issued to an individual who has met the qualifications of this section.
[PL 2017, c. 235, §12 (AMD); PL 2017, c. 235, §41 (AFF).]

2. Qualifications.
[PL 1991, c. 682, §3 (RP).]

2-A. Qualifications.
[PL 2017, c. 235, §12 (RP); PL 2017, c. 235, §41 (AFF).]

2-B. Qualifications. State board rules governing the qualifications for a professional teacher certificate must require that the certificate may be issued only to an applicant who, at a minimum, meets one of the following criteria:

A. Has graduated from an educator preparation program; [PL 2021, c. 228, §3 (RPR).]

B. Has met the criteria established by the state board by:

(1) Passing a qualifying examination;

(2) Meeting grade point average requirements in required course work; or

(3) Successful completion of a portfolio review demonstrating competency through academic or work experience; [PL 2021, c. 228, §3 (RPR).]

C. Has successfully completed a preparation program in another state, the District of Columbia, a United States territory or another country, subject to the completion of an approved preparation program for the endorsement or certificate being sought with a formal recommendation for certification from the institution that provided the program; or [PL 2021, c. 228, §3 (RPR).]

D. Is otherwise qualified by having met the criteria established by the state board for teaching in a specified content area. [PL 2021, c. 228, §3 (RPR).]
[PL 2021, c. 228, §3 (RPR).]

3. Endorsements. A professional teacher certificate must be issued with an endorsement that specifies the grades and subject area that the teacher is determined qualified to teach. A holder of a professional teacher certificate may not teach outside the certificate holder's area of endorsement unless the certificate holder has received a waiver from the commissioner in accordance with state board rules.
[PL 2019, c. 584, §2 (AMD).]

4. Five-year certificate. A professional teacher certificate is issued for a 5-year period.
[PL 2017, c. 235, §12 (AMD); PL 2017, c. 235, §41 (AFF).]

5. Renewal. A professional teacher certificate may be renewed for 5-year periods in accordance with state board rules, which must require, at a minimum, that the teacher, whether employed or unemployed, complete at least 6 semester hours of professional or academic study or in-service training designed to improve the performance of the teacher in the field. If the teacher has attained certification from the National Board for Professional Teaching Standards, the renewal period is for 10 years. If a

rule adopted pursuant to section 13006-A amends the endorsement specifications for grades or subject areas for a teacher's professional teacher certificate, the teacher may renew the teacher's professional teacher certificate with the same grades and subject areas endorsements as were issued with the active professional teacher certificate that is held by the teacher at the time of the amendment.
[PL 2019, c. 584, §3 (AMD).]

6. Reissuance; retired teacher. The commissioner may issue a professional teacher certificate to a person who is receiving a retirement benefit from the State Employee and Teacher Retirement Program established under Title 5, section 17602 and who was employed for at least 10 years by a public school, who has been receiving a retirement benefit for no more than 5 years and who, immediately prior to receiving that benefit, possessed an active professional teacher certificate in good standing that has subsequently lapsed. The professional teacher certificate must be issued with the same grades and subject areas endorsements as were issued with the active professional teacher certificate that was held by the teacher at the time of the teacher's retirement. A professional teacher certificate issued under this subsection is for the same period as specified in subsection 4 and subject to the same renewal standards as specified in subsection 5. State board rules may further govern qualifications for a professional teacher certificate issued under this subsection.
[PL 2023, c. 442, §1 (NEW).]

SECTION HISTORY

PL 1983, c. 845, §4 (NEW). PL 1991, c. 682, §§2-4 (AMD). PL 1993, c. 435, §5 (AMD). PL 1995, c. 320, §§3,4 (AMD). PL 1997, c. 266, §§16,17 (AMD). PL 1999, c. 75, §6 (AMD). PL 2001, c. 534, §4 (AMD). PL 2017, c. 235, §12 (AMD). PL 2017, c. 235, §41 (AFF). PL 2017, c. 381, §15 (AMD). PL 2019, c. 518, §2 (AMD). PL 2019, c. 584, §§2, 3 (AMD). PL 2021, c. 228, §3 (AMD). PL 2023, c. 442, §1 (AMD).

§13013-A. Salary supplements for national board-certified teachers

1. Department of Education salary supplement. Notwithstanding any provision of law to the contrary, the Department of Education shall provide a public school teacher, a teacher in a publicly supported secondary school or a teacher employed by an education service center as authorized under chapter 123 who has attained certification from the National Board for Professional Teaching Standards, or its successor organization, with an annual national board certification salary supplement for the life of the certificate. The salary supplement must be added to the teacher's base salary and must be considered in the calculation for contributions to the Maine Public Employees Retirement System. If a nationally certified teacher is no longer employed as a teacher, the supplement ceases. The amount of the salary supplement is:

A. For fiscal year 2012-13, $2,500; [PL 2011, c. 702, §2 (NEW).]

B. For fiscal year 2013-14, $2,750; [PL 2019, c. 394, §1 (AMD).]

C. For fiscal year 2014-15 and succeeding years, except for a teacher under paragraph D, $3,000; and [PL 2019, c. 394, §1 (AMD).]

D. For fiscal year 2020-21 and succeeding years, for a teacher who is employed in a school in which at least 50% of students qualify for a free or reduced-price lunch under chapter 223, subchapter 7 during the year that the supplement is provided, $5,000. [PL 2019, c. 394, §1 (NEW).]

[PL 2021, c. 635, Pt. C, §1 (AMD).]

1-A. Funding revenue. The National Board Certification Salary Supplement Fund is established as a nonlapsing dedicated fund within the Department of Education beginning in fiscal year 2012-13. The salary supplement under subsection 1 must be funded from fees collected by the department pursuant to section 13007, subsection 1.
[PL 2011, c. 702, §2 (NEW).]

2. Local filing; certification. On or before October 15th annually, the superintendent of schools of a school administrative unit, the chief administrative officer of a publicly supported secondary school or a career and technical education region or the executive director of an education service center as authorized under chapter 123 shall file with the commissioner a certified list of national board-certified teachers eligible to receive the salary supplement pursuant to subsection 1.
[PL 2021, c. 635, Pt. C, §1 (AMD).]

3. Payment. If there are available resources, the department shall provide the salary supplement to school administrative units, publicly supported secondary schools and education service centers as authorized under chapter 123 for eligible teachers no later than February 15th of each year. The salary supplement paid may be prorated.
[PL 2021, c. 635, Pt. C, §1 (AMD).]

4. Expend funds. A school administrative unit or a publicly supported secondary school may expend funds received through the salary supplement under subsection 1 without calling for a special meeting of the local legislative body.
[PL 2011, c. 702, §2 (AMD).]

5. Scholarship fund. The National Board Certification Scholarship Fund is established as a nonlapsing dedicated fund, referred to in this subsection as "the scholarship fund," within the Department of Education to encourage teachers to apply to and enroll in the certification program offered by the National Board for Professional Teaching Standards or its successor organization, referred to in this subsection and subsection 6 as "the certification program." A school administrative unit, a publicly supported secondary school or an education service center as authorized under chapter 123 may request scholarship funds on behalf of its teachers who meet the requirements set forth in subsection 6. The department shall award funds according to this subsection.

A. In fiscal year 2012-13, the department shall allocate $50,000 from fees collected by the department pursuant to section 13007, subsection 1 to the scholarship fund. The department shall award an amount equal to the cost of the certification program less any other funds received by the applicant on a first-come first-served basis for the first 20 teachers accepted into the certification program annually. [PL 2011, c. 702, §2 (NEW).]

B. Beginning in fiscal year 2013-14, the department shall allocate $75,000 from fees collected by the department pursuant to section 13007, subsection 1 each fiscal year to the scholarship fund. The department shall award an amount equal to the cost of enrollment in the certification program less any other funds received by the applicant to not more than 30 teachers accepted into the program annually. [PL 2011, c. 702, §2 (NEW).]
[PL 2021, c. 635, Pt. C, §1 (AMD).]

6. Eligibility requirements. In order to receive scholarship funds according to subsection 5 on behalf of a teacher, the school administrative unit, a publicly supported secondary school or an education service center as authorized under chapter 123 must certify to the department that the teacher:

A. Is currently employed by a school administrative unit, a publicly supported secondary school or an education service center; [PL 2021, c. 635, Pt. C, §1 (AMD).]

B. Has completed at least 3 years of teaching in the State; [PL 2011, c. 702, §2 (NEW).]

C. Has agreed to mentor at least one other teacher employed in the State through the national board certification process to apply to and enroll in the certification program; [PL 2011, c. 702, §2 (NEW).]

D. Has provided documentation of acceptance into the certification program; and [PL 2011, c. 702, §2 (NEW).]

E. Has disclosed any other funds received to cover the cost of the certification program. [PL 2011, c. 702, §2 (NEW).]

[PL 2021, c. 635, Pt. C, §1 (AMD).]

7. Nonlapsing funds. Any unencumbered balance of the National Board Certification Scholarship Fund under subsection 5 remaining at the end of a fiscal year may not lapse but must be carried forward to be used for the same purpose.

[PL 2011, c. 702, §2 (NEW).]

SECTION HISTORY

PL 2005, c. 519, §AAAA1 (NEW). PL 2005, c. 683, §H1 (AMD). PL 2007, c. 58, §3 (REV). PL 2007, c. 240, Pt. D, §§1, 2 (AMD). PL 2011, c. 702, §2 (AMD). PL 2019, c. 394, §1 (AMD). PL 2021, c. 398, Pt. JJ, §1 (AMD). PL 2021, c. 635, Pt. C, §1 (AMD).

§13014. Master teacher certificate

(REPEALED)

SECTION HISTORY

PL 1983, c. 845, §4 (NEW). PL 1985, c. 797, §49 (AMD). PL 2017, c. 235, §13 (RP). PL 2017, c. 235, §41 (AFF).

§13015. Support system

(REPEALED)

SECTION HISTORY

PL 1983, c. 845, §4 (NEW). PL 1989, c. 700, §A69 (AMD). PL 1991, c. 622, §X7 (AMD). PL 1999, c. 238, §1 (AMD). PL 2017, c. 235, §14 (RP). PL 2017, c. 235, §41 (AFF).

§13015-A. Peer support and mentoring system

1. Purpose. The purpose of a peer support and mentoring system is to:

A. Provide strong support services and mentoring programs that are sustained, intensive and classroom-focused in order to have a positive and lasting effect on classroom instruction and develop good teaching and classroom management skills for teachers certified for less than 5 years and teachers with conditional certificates; [PL 2019, c. 518, §3 (NEW).]

B. Provide assistance to and review for all individuals who are candidates for a higher level certificate or who are teaching under a waiver of the requirement to be certified under this chapter; and [PL 2019, c. 518, §3 (NEW).]

C. Assist all teachers in becoming better teachers. [PL 2019, c. 518, §3 (NEW).]

A peer support and mentoring system is separate from local practices and procedures regarding the supervision and evaluation of a teacher for retention by a school administrative unit. The system must include opportunities for all educators to share, learn and continually improve their practices as educators in collaboration with peers. Peer support and mentoring must be formative in nature and be for the sole purpose of ongoing professional growth for educators.

[PL 2019, c. 518, §3 (NEW).]

SECTION HISTORY

PL 2019, c. 518, §3 (NEW).

§13016. Renewal of teacher certificates

(REPEALED)

SECTION HISTORY

PL 1983, c. 845, §4 (NEW). PL 1985, c. 287, §3 (AMD). PL 1991, c. 622, §X8 (AMD). PL 1991, c. 824, §C3 (AMD). PL 2011, c. 669, §8 (AMD). PL 2017, c. 235, §15 (RP). PL 2017, c. 235, §41 (AFF).

§13017. Interstate agreements

(REPEALED)

SECTION HISTORY

PL 1983, c. 845, §4 (NEW). PL 1993, c. 200, §2 (RP).

§13017-A. Professional certificate with experience

(REPEALED)

SECTION HISTORY

PL 1993, c. 200, §3 (NEW). PL 2017, c. 235, §16 (RP). PL 2017, c. 235, §41 (AFF).

§13018. Recertification of 5-year and 10-year teacher certificates

(REPEALED)

SECTION HISTORY

PL 1983, c. 845, §4 (NEW). PL 1985, c. 287, §4 (AMD). PL 2017, c. 235, §17 (RP). PL 2017, c. 235, §41 (AFF).

§13019. Visiting international teacher

1. Clearance. A teacher from a country other than the United States who is participating in a visiting teacher program established and administered by the department, a locally established sister-school exchange or a locally established language immersion program may teach in a school as long as the teacher is issued a clearance by the department. The teacher may be authorized to act as an adjunct to existing staff and may not be used to avoid the hiring of professional, certified teachers.
[PL 2021, c. 228, §4 (AMD).]

2. Qualifications.
[PL 2017, c. 235, §18 (RP); PL 2017, c. 235, §41 (AFF).]

SECTION HISTORY

PL 1983, c. 845, §4 (NEW). PL 2017, c. 235, §18 (AMD). PL 2017, c. 235, §41 (AFF). PL 2021, c. 228, §4 (AMD).

§13019-A. Superintendent certificate

(REPEALED)

SECTION HISTORY

PL 1985, c. 287, §5 (NEW). PL 1989, c. 889, §9 (AMD). PL 2001, c. 534, §§5,6 (AMD). PL 2017, c. 235, §19 (RP). PL 2017, c. 235, §41 (AFF).

§13019-B. Principal certificate

(REPEALED)

SECTION HISTORY

PL 1985, c. 287, §5 (NEW). PL 1989, c. 889, §10 (AMD). PL 2001, c. 534, §§7,8 (AMD). PL 2017, c. 235, §20 (RP). PL 2017, c. 235, §41 (AFF).

§13019-C. Director of career and technical education certificate

(REPEALED)

SECTION HISTORY

PL 1985, c. 287, §5 (NEW). PL 1989, c. 878, §B18 (RPR). PL 2001, c. 534, §§9,10 (AMD). PL 2005, c. 397, §D3 (REV). PL 2011, c. 679, §26 (AMD). PL 2017, c. 235, §21 (RP). PL 2017, c. 235, §41 (AFF).

§13019-D. Recertification of administrators

(REPEALED)

SECTION HISTORY

PL 1985, c. 287, §5 (NEW). RR 1991, c. 2, §67 (COR). PL 2017, c. 235, §22 (RP). PL 2017, c. 235, §41 (AFF).

§13019-E. Recertification of other professional personnel

(REPEALED)

SECTION HISTORY

PL 1985, c. 287, §5 (NEW). PL 2017, c. 235, §23 (RP). PL 2017, c. 235, §41 (AFF).

§13019-F. One-year conditional certificates for administrators

(REPEALED)

SECTION HISTORY

PL 1995, c. 282, §1 (NEW). PL 2005, c. 152, §§3,4 (AMD). PL 2017, c. 235, §24 (RP). PL 2017, c. 235, §41 (AFF).

§13019-G. Educational specialist certificate

1. Requirement. An educational specialist certificate is required for employment as an educational specialist at a public school or a private school approved for attendance purposes pursuant to section 2901, subsection 2, paragraph B.
[PL 2017, c. 235, §25 (NEW); PL 2017, c. 235, §41 (AFF).]

2. Qualifications. The state board shall adopt rules establishing the qualifications for an educational specialist certificate.
[PL 2017, c. 235, §25 (NEW); PL 2017, c. 235, §41 (AFF).]

3. Endorsements. The educational specialist certificate must be issued with an endorsement that specifies the work area for which the individual is determined to be qualified. A holder of an educational specialist certificate may not work outside the holder's area of endorsement.
[PL 2017, c. 235, §25 (NEW); PL 2017, c. 235, §41 (AFF).]

4. Certificate renewal. An educational specialist's certificate is issued for a 5-year period and may be renewed in accordance with state board rules, which must require, at a minimum, that the educational specialist, whether employed or unemployed, complete at least 6 semester hours of professional or academic study or the equivalent or in-service training designed to improve the performance of the educational specialist in the field.
[PL 2017, c. 235, §25 (NEW); PL 2017, c. 235, §41 (AFF).]

SECTION HISTORY

PL 2017, c. 235, §25 (NEW). PL 2017, c. 235, §41 (AFF).

§13019-H. Educational technician certificate

1. Requirement. An educational technician certificate is required for employment as an educational technician at a public school or a private school approved for attendance purposes pursuant to section 2901, subsection 2, paragraph B, if the employed individual will:

A. Introduce new learning plans developed in consultation with the classroom teacher or appropriate content specialist; and [PL 2017, c. 235, §25 (NEW); PL 2017, c. 235, §41 (AFF).]

B. Supervise small groups of students in community-based programs. [PL 2017, c. 235, §25 (NEW); PL 2017, c. 235, §41 (AFF).]

[PL 2017, c. 235, §25 (NEW); PL 2017, c. 235, §41 (AFF).]

2. Qualifications. The state board shall adopt rules establishing the qualifications and supervision for an educational technician certificate.

[PL 2017, c. 235, §25 (NEW); PL 2017, c. 235, §41 (AFF).]

3. Certificate renewal. An educational technician certificate is issued for a 5-year period and may be renewed in accordance with state board rules, which must require, at a minimum, that the educational technician, whether employed or unemployed, complete at least 3 semester hours of professional or academic study or the equivalent or in-service training designed to improve the performance of the educational technician in the field.

[PL 2017, c. 235, §25 (NEW); PL 2017, c. 235, §41 (AFF).]

4. Emergency educational technician certificate. The commissioner may issue an emergency certificate pursuant to this section to an applicant who has submitted to a criminal history background check and has successfully completed a program in this State approved for targeting essential skills and knowledge for performing permitted responsibilities. A certificate issued pursuant to this subsection is issued for a 5-year period.

[PL 2021, c. 228, §5 (NEW).]

5. Approved educational technician III training programs; certification. The commissioner may approve training programs for educational technician III certification, as defined by rule, offered by an accredited postsecondary institution in this State. Programs approved under this subsection may include, but are not limited to, learning facilitator programs offered through the Maine Community College System. An applicant who successfully completes a training program approved under this subsection may receive an educational technician III certificate if the applicant meets all other certification requirements established by rule, except that the applicant is not required to meet the minimum 90 credits of approved study in an educationally related field. An education technician III certified under this subsection is eligible for certificate renewal in accordance with subsection 3.

[PL 2023, c. 200, §2 (NEW).]

REVISOR'S NOTE: (Subsection 5 as enacted by PL 2023, c. 442, §2 is REALLOCATED TO TITLE 20-A, SECTION 13019-H, SUBSECTION 6)

6. (REALLOCATED FROM T. 20-A, §13019-H, sub-§5) Reissuance; retired educational technician. The commissioner may issue an educational technician certificate to a person who has been receiving a retirement benefit from the State Employee and Teacher Retirement Program established under Title 5, section 17602 for no more than 5 years until July 31, 2026 and for no more than 3 years beginning August 1, 2026 and who, immediately prior to receiving that benefit, possessed an active educational technician certificate in good standing that has subsequently lapsed. An educational technician certificate issued under this subsection is for the same period and subject to the same renewal standards as specified in subsection 3. State board rules may further govern qualifications for an educational technician certificate issued under this subsection.

[PL 2025, c. 423, §3 (AMD).]

SECTION HISTORY

PL 2017, c. 235, §25 (NEW). PL 2017, c. 235, §41 (AFF). PL 2021, c. 228, §5 (AMD). PL 2023, c. 200, §2 (AMD). PL 2023, c. 442, §2 (AMD). RR 2023, c. 1, Pt. A, §7 (COR). PL 2025, c. 423, §3 (AMD).

§13019-I. Administrator certificate

1. Requirement. An administrator's certificate is required for employment as an administrator at a school administrative unit in the State, at a public school or at a private school approved for attendance purposes pursuant to section 2901, subsection 2, paragraph B.
[PL 2017, c. 235, §25 (NEW); PL 2017, c. 235, §41 (AFF).]

2. Qualifications. State board rules governing the qualifications for an administrator certificate must require that the certificate may be issued only to an applicant who at a minimum:

A. Has at least 3 years of satisfactory teaching experience or the equivalent; [PL 2017, c. 235, §25 (NEW); PL 2017, c. 235, §41 (AFF).]

B. Has academic and professional knowledge as demonstrated through the completion of required graduate or undergraduate courses or programs, performance in examinations or completion of specialized programs approved for this purpose; [PL 2017, c. 235, §25 (NEW); PL 2017, c. 235, §41 (AFF).]

C. Has a basic level of knowledge in competency areas determined by the state board; and [PL 2017, c. 235, §25 (NEW); PL 2017, c. 235, §41 (AFF).]

D. Has satisfactorily completed an approved internship or practicum relating to the duties of an administrator. [PL 2017, c. 235, §25 (NEW); PL 2017, c. 235, §41 (AFF).]
[PL 2017, c. 235, §25 (NEW); PL 2017, c. 235, §41 (AFF).]

3. Certificate renewal. An administrator's certificate is issued for a 5-year period and may be renewed in accordance with state board rules, which must require, at a minimum, that the administrator, whether employed or unemployed, complete at least 6 semester hours of professional or academic study or the equivalent or in-service training designed to improve the performance of the administrator in the field.
[PL 2017, c. 235, §25 (NEW); PL 2017, c. 235, §41 (AFF).]

4. Endorsements. The administrator certificate must be issued with an endorsement that specifies the work area for which the individual is determined to be qualified. A holder of an administrator certificate may not work outside the holder's area of endorsement unless permitted under rules established by the state board. This includes the following areas:

A. Employment as a superintendent of a school administrative unit in the State; [PL 2017, c. 235, §25 (NEW); PL 2017, c. 235, §41 (AFF).]

B. Employment as a building administrator or principal of a public school or as chief administrator of a private school approved for attendance purposes pursuant to section 2901, subsection 2, paragraph B; and [PL 2017, c. 235, §25 (NEW); PL 2017, c. 235, §41 (AFF).]

C. Employment as any other administrator as may be determined by the state board to be necessary and beneficial for the efficient operation of the schools. [PL 2017, c. 235, §25 (NEW); PL 2017, c. 235, §41 (AFF).]
[PL 2017, c. 235, §25 (NEW); PL 2017, c. 235, §41 (AFF).]

SECTION HISTORY

PL 2017, c. 235, §25 (NEW). PL 2017, c. 235, §41 (AFF).

§13020. Revocation or suspension of a certificate

1. General. The state board's rules adopted under this chapter shall specify the procedure to be followed by the commissioner in seeking the revocation or suspension of a certificate in the District Court and shall authorize the commissioner to enter into a consent agreement with any certificated person in lieu of initiating or completing a proceeding in the District Court.
[PL 1983, c. 845, §4 (NEW); PL 1999, c. 547, Pt. B, §78 (AMD); PL 1999, c. 547, Pt. B, §80 (AFF).]

2. Grounds for revocation or suspension of a certificate. The following are grounds for revocation or suspension of a certificate issued under this Title:

A. Evidence that a person has injured the health or welfare of a child through physical or sexual abuse or exploitation shall be grounds for revocation or suspension of a certificate. Notwithstanding Title 5, chapter 341, a certified court record that a person certificated under this Title was convicted in any state or federal court of a criminal offense involving the physical or sexual abuse or exploitation of a child within the previous 5 years shall be sufficient grounds for revocation or suspension of that person's certificate; and [PL 1983, c. 845, §4 (NEW).]

B. Other grounds as may be established by the state board in its rules relating to criminal offenses not inconsistent with Title 5, chapter 341, fraud or gross incompetence. [PL 1983, c. 845, §4 (NEW).]

[PL 1983, c. 845, §4 (NEW).]

2-A. Grounds for discipline of a school psychologist or guidance counselor. Evidence that a person who is certified under this Title as a school psychologist or guidance counselor has advertised, offered or administered conversion therapy as defined in Title 32, section 59-C, subsection 1 to a child is grounds for discipline of that person.

[PL 2019, c. 165, §1 (NEW).]

3. Denial of certificate for prior immoral or prohibited conduct. Evidence that an applicant for initial certification or renewal has injured the health or welfare of a child through physical or sexual abuse or exploitation is grounds for a denial of a certificate. Evidence that an applicant for initial certification or renewal as a school psychologist or guidance counselor has advertised, offered or administered conversion therapy as defined in Title 32, section 59-C, subsection 1 to a child is grounds for a denial of a certificate. Notwithstanding Title 5, chapter 341, every person who, within 5 years of the application for initial certification or renewal, has been convicted in any state or federal court of a criminal offense involving the physical or sexual abuse or exploitation of a child may be presumed by the commissioner to lack good moral character for the purposes of this chapter. This presumption is a rebuttable presumption. Notwithstanding Title 5, chapter 341, the commissioner is entitled to consider all records of prior criminal convictions involving child abuse or exploitation in determining an applicant's eligibility for a certificate.

[PL 2019, c. 165, §2 (AMD).]

4. Reinstatement of certificate. Revoked certificates may only be reinstated in accordance with state board rules. The following provisions govern the reinstatement of any certificate revoked for reasons of child abuse or exploitation.

A. Notwithstanding Title 5, chapter 341, no certificate revoked for reasons of child abuse or exploitation may be reinstated within 5 years of the revocation and in no case less than 3 years from the expiration of probation or parole or discharge from imprisonment for a criminal conviction involving child abuse or exploitation. [PL 1983, c. 845, §4 (NEW).]

B. In determining whether a certificate may be reinstated, the commissioner shall determine whether the applicant has been sufficiently rehabilitated to warrant the public trust. The applicant shall be required to demonstrate sufficient evidence of rehabilitation, notwithstanding Title 5, chapter 341, and the commissioner shall state in writing the basis for any decision which denies reinstatement of a certificate. [PL 1983, c. 845, §4 (NEW).]

C. Denial of reinstatement pursuant to paragraph B may be appealed to the Superior Court. [PL 1983, c. 845, §4 (NEW).]

[PL 1983, c. 845, §4 (NEW).]

SECTION HISTORY

PL 1983, c. 845, §4 (NEW). PL 1999, c. 547, §B78 (AMD). PL 1999, c. 547, §B80 (AFF). PL 2019, c. 165, §§1, 2 (AMD).

§13021. Periodic review

(REPEALED)

SECTION HISTORY

PL 1983, c. 845, §4 (NEW). PL 1985, c. 287, §6 (AMD). PL 2017, c. 235, §26 (RP). PL 2017, c. 235, §41 (AFF).

§13022. School psychologists

1. Definitions. For purposes of this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "School psychologist" means a professional certified by the department as a school psychologist who provides school psychological services consistent with the national standards articulated in current federal and state education regulations and rules and under the domains of practice in the current Model for Comprehensive and Integrated School Psychological Services developed and published by the National Association of School Psychologists. "School psychologist" includes a school psychologist - doctoral and a school psychologist - specialist. [PL 2021, c. 228, §6 (AMD).]

B. "School psychologist - doctoral" means a professional who meets the qualifications established in subsection 3 and holds a doctoral degree in psychology or a related field as determined by the advisory committee established in subsection 7. [PL 2011, c. 386, §2 (NEW).]

C. "School psychologist - specialist" means a professional who meets the qualifications established in subsection 3 and holds a master's degree or specialist-level degree. [PL 2011, c. 386, §2 (NEW).]

[PL 2021, c. 228, §6 (AMD).]

1-A. Scope of services. A school psychologist delivers services to children from birth to grade 12 who are eligible to be enrolled in educational and intermediate educational units, special education programs and approved private schools. The services delivered are the services articulated under the domains of practice in the current Model for Comprehensive and Integrated School Psychological Services developed and published by the National Association of School Psychologists.

[PL 2011, c. 386, §2 (NEW).]

2. Certification by commissioner. The commissioner shall certify school psychologists pursuant to rules adopted by the state board. The rules must include practice standards for certified school psychologists that follow national standards set forth by the National Association of School Psychologists or a successor organization and ethics standards set forth by the National Association of School Psychologists or a successor organization and the American Psychological Association or a successor organization, violation of which constitutes grounds for suspension or revocation of the certification.

[PL 2011, c. 386, §2 (AMD).]

3. Qualifications. State board rules governing the qualifications for a school psychologist certificate must require that a certificate be issued only to an applicant who has met the academic and preprofessional requirements established by the state board for the provision of school psychological services and who, at a minimum:

A. Holds a graduate degree from an accredited program in school psychology that was approved by the National Association of School Psychologists, the American Psychological Association in School Psychology or the department at the time the degree was awarded; [PL 2021, c. 228, §7 (AMD).]

B. Has completed graduate work that is determined by the commissioner to be substantially similar to the programs referred to in paragraph A; or [PL 1993, c. 207, §3 (NEW).]

C. Holds a valid license from the State Board of Examiners of Psychologists with demonstrated competency in the area of school psychology through training and experience. [PL 2021, c. 228, §7 (AMD).]

[PL 2021, c. 228, §7 (AMD).]

4. Term of issuance. The commissioner shall issue a school psychologist certificate for a term of years consistent with rules adopted by the state board. The school psychologist certificate may be renewed in accordance with academic and professional requirements established by the state board. A certificate holder must be supervised for the first year following initial certification at no additional cost to the school administrative unit or the department. Supervision of the first-year school psychologist must be in accordance with supervision standards established by the National Association of School Psychologists or a successor organization and provided by a person who is certified as a school psychologist.

A. [PL 2021, c. 228, §8 (RP).]

B. [PL 2021, c. 228, §8 (RP).]

[PL 2021, c. 228, §8 (AMD).]

5. Exclusive regulatory authority. The provisions of Title 32, chapter 56 do not apply to persons certified as school psychologists under this section except to the extent that the persons are also licensed or seek licensure under that chapter, engage in the practice of psychology beyond the scope of this section or hold themselves out as psychologists or psychological examiners.

[PL 2011, c. 386, §2 (AMD).]

6. Designation. Persons certified under this section may hold themselves out as school psychologists but must include the word "school" in the designation, or as nationally certified school psychologists if they hold the credentials as designated by the National Association of School Psychologists or a successor organization. Persons certified under this section may not hold themselves out as psychologists, psychological examiners or any business name incorporating variations of those titles other than school psychologists or nationally certified school psychologists unless they are appropriately licensed under Title 32, chapter 56.

[PL 2011, c. 386, §2 (AMD).]

7. Advisory committee. There is established within the department, in accordance with Title 5, section 12004-I, the Advisory Committee on School Psychologists, referred to in this subsection as "the committee."

A. The duties of the committee are:

(1) To advise the state board in the adoption of rules and a code of ethics and practice standards for school psychologists; and

(2) To assist the commissioner in:

(i) Certifying school psychologists;

(ii) Investigating alleged violations of the code of ethics and practice standards adopted by the state board; and

(iii) Investigating alleged violations of section 13020 and certification rules governing school psychologists. [PL 2011, c. 386, §2 (AMD).]

B. The committee consists of 9 members appointed by the commissioner. The membership consists of 2 certified school psychologists, 2 licensed psychologists, one faculty member from a

graduate program in school psychology, one educator from a public school or approved private school and 3 parents or guardians of students. [PL 2011, c. 386, §2 (AMD).]

C. Three members of the committee must be initially appointed for a term of one year, 3 for a term of 2 years and 3 for a term of 3 years. All appointments must be for a term of 3 years thereafter. Any member may serve beyond the expiration date of that member's term until a successor has been appointed and qualified. Any vacancy on the committee must be filled for the unexpired portion of the term. The committee shall elect its own chair. [PL 1993, c. 207, §3 (NEW).]

D. Members of the committee are entitled to receive compensation according to the provisions of Title 5, chapter 379. [PL 1993, c. 207, §3 (NEW).]

[PL 2011, c. 386, §2 (AMD).]

8. Transition. Persons certified as school psychological service providers and school psychological examiners on or after October 13, 1993 may continue to provide the services authorized by their respective certificates until the scheduled expiration of those certificates.

[PL 2021, c. 228, §9 (AMD).]

SECTION HISTORY

PL 1993, c. 207, §3 (NEW). PL 2011, c. 386, §2 (AMD). PL 2021, c. 228, §§6-9 (AMD).

§13023. Educational technician authorization

(REPEALED)

SECTION HISTORY

PL 1997, c. 553, §4 (NEW). PL 2001, c. 98, §1 (AMD). PL 2005, c. 457, §FF2 (AMD). PL 2015, c. 395, §8 (AMD). PL 2017, c. 235, §27 (RP). PL 2017, c. 235, §41 (AFF).

§13024. Clearance for person paid to work in school

1. Clearance. A person paid to work in a school in a position that does not require certification must be issued a clearance by the department. This section applies to:

A. Personnel employed in a public school or an approved private school as regular or substitute employees; [PL 2005, c. 457, Pt. FF, §3 (NEW).]

B. Personnel in a private school that enrolls more than 60% of its students at public expense; [PL 2005, c. 457, Pt. FF, §3 (NEW).]

C. Personnel employed by or serving the school administrative unit as contracted service providers; and [PL 2005, c. 662, Pt. A, §38 (AMD).]

D. Personnel for whom certification is not required prior to being hired or being placed under contract by a public school or an intermediate educational unit. [PL 2017, c. 235, §28 (AMD); PL 2017, c. 235, §41 (AFF).]

E. [PL 2005, c. 662, Pt. A, §40 (RP).]

[PL 2017, c. 235, §28 (AMD); PL 2017, c. 235, §41 (AFF).]

2. Qualifications. The commissioner shall adopt rules to define the function, eligibility, term and renewal of the clearance under subsection 1. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[PL 2017, c. 235, §28 (AMD); PL 2017, c. 235, §41 (AFF).]

3. Fees.

[PL 2017, c. 235, §28 (RP); PL 2017, c. 235, §41 (AFF).]

SECTION HISTORY

PL 2005, c. 457, §FF3 (NEW). PL 2005, c. 662, §§A38-40 (AMD). PL 2017, c. 235, §28 (AMD). PL 2017, c. 235, §41 (AFF).

§13025. Investigations

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. [PL 2019, c. 403, §1 (RP).]

B. "Covered investigation" means an investigation by a school entity into the conduct of a holder of a credential that a school entity has a reasonable expectation would affect the credential holder's employment or contracted service because the alleged conduct involves alcohol, illegal drugs, physical abuse, emotional abuse, inappropriate contact between a credential holder and a student, stalking or similar behavior that endangers the health, safety or welfare of a student. [PL 2019, c. 403, §1 (AMD).]

C. "School entity" means an approved private school, school administrative unit, public charter school, education service center, school in the unorganized territory or school operated by the State. [PL 2019, c. 219, §6 (AMD).]

[PL 2019, c. 219, §6 (AMD); PL 2019, c. 403, §1 (AMD).]

2. Subpoenas. When conducting an investigation relating to the credentialing of personnel under chapter 501 and this chapter and rules of the state board, the commissioner may issue subpoenas for education records relevant to that investigation.

[PL 2017, c. 477, §1 (NEW).]

3. Duties of school entities. A school entity shall notify the department immediately if a credential holder who is the subject of a covered investigation leaves the school entity's employment for any reason prior to the conclusion of the covered investigation. A school entity shall notify the department immediately if a credential holder is disciplined, suspended or terminated as a result of a covered investigation in which the school entity determined that a student's health, safety or welfare was endangered. The school entity shall provide to the department any final report produced in support of the school entity's decision to discipline, suspend or terminate the credential holder. The credential holder who is the subject of the report may submit to the department a written rebuttal to the report. The written rebuttal must be placed in the department's investigative file.

[PL 2019, c. 403, §1 (AMD).]

4. Duties of department. The department shall act in accordance with this subsection.

A. The department shall notify the superintendent or chief administrative officer of a school entity within 15 business days of the department's initiating an investigation into a holder of a credential who works for the school entity and shall notify the school entity immediately if the department takes action on that credential. Within 5 business days after completion of an investigation, the department shall notify each school entity for which the credential holder works of the final outcome of the investigation, including, but not limited to, any actions taken, and shall provide to the school entity any final written decision. [PL 2017, c. 477, §1 (NEW).]

B. Immediately upon receipt from a school entity of notification pursuant to subsection 3 of the discipline, suspension or termination of a credential holder, or the leaving of employment by a credential holder prior to the completion of a covered investigation of that credential holder, the department shall notify the superintendent or chief administrative officer of all other school entities for which the credential holder works, as reported to the department under section 13026, that the credential holder was disciplined, suspended or terminated as a result of a covered investigation, or that the credential holder left employment prior to completion of a covered investigation. If a credential holder provides consent as part of that credential holder's application for employment with a school entity, the department shall notify the superintendent or the chief administrative

officer of that school entity if that credential holder left employment with a school entity prior to the completion of a covered investigation of that credential holder. [PL 2019, c. 403, §1 (AMD).]

C. The department shall destroy copies of all records and reports related to a finding resulting in discipline, suspension or termination of a credential holder if the finding resulting in that discipline, suspension or termination is reversed upon appeal at the school entity level. [PL 2019, c. 403, §1 (NEW).]

[PL 2019, c. 403, §1 (AMD).]

5. Confidentiality. The department may share information that is confidential pursuant to section 6101 or 13004 with a school entity in accordance with subsection 4. A school entity that receives confidential information shall maintain the confidentiality of that information.
[PL 2019, c. 403, §1 (AMD).]

6. Rules.
[PL 2019, c. 403, §1 (RP).]

7. Certification hearing officers; immunity. The commissioner shall appoint a certification hearing officer for covered investigations. For the purposes of this section, while carrying out their official duties, certification hearing officers appointed pursuant to this subsection are considered state employees and are entitled to the immunity provided state employees under the Maine Tort Claims Act.
[PL 2023, c. 643, Pt. Z, §2 (NEW).]

SECTION HISTORY

PL 2013, c. 167, Pt. D, §1 (NEW). PL 2017, c. 235, §29 (AMD). PL 2017, c. 235, §41 (AFF). PL 2017, c. 477, §1 (RPR). PL 2019, c. 219, §6 (AMD). PL 2019, c. 403, §1 (AMD). PL 2023, c. 643, Pt. Z, §2 (AMD).

§13026. Compliance with criminal history record check and fingerprinting requirements

1. List of school administrative unit employees. Beginning January 1, 2019, and quarterly thereafter, a school administrative unit shall submit to the department a list of the names of all employees subject to certification, approval or authorization and indicate for each person included on the list the date on which the person most recently commenced employment with the school administrative unit.
[PL 2017, c. 426, §1 (NEW).]

2. Notification of noncompliance. Upon receipt of a list from a school administrative unit pursuant to subsection 1, the department shall determine for each person included on the list whether the person has complied with all applicable criminal history record check and fingerprinting requirements of section 6103 and rules adopted by the state board. If the department determines that the person has failed to comply with any such applicable requirement, the department shall immediately notify the school administrative unit of the person's failure to comply.
[PL 2017, c. 426, §1 (NEW).]

SECTION HISTORY

PL 2017, c. 426, §1 (NEW).

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