

Testimony of Honorable Joyce A. Maker
before the
JOINT STANDING COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS
April 7, 2021
(L.D. 1189) Bill "An Act To Amend the Teacher Certification Statutes"

Senator Rafferty, Representative Brennan and distinguished members of the Educational and Cultural Affairs Committee. I am Honorable Joyce A Maker, a citizen of Calais, Maine and a prior Legislator. I am here today not in support of parts of LD 1189.

Although I have some concerns about most of the bill, I will let the Committee discuss these sections to come to a conclusion. Most of my concern deals with Sec. 10. 20-A MRSA §13020, sub-§3, as amended by PL 2019, c. 165, §2, is further amended to read: It seems if you "injured the health or welfare of a child through physical or sexual abuse or exploitation" is being removed and replaced with "been convicted in any state or federal court of a criminal offense involving the physical or sexual abuse or exploitation of a child within 5 years of the application for initial certification or renewal". Also removed "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."

If the idea is that it is all over after the 5 years or it is the intend to only take away the certification if they are convicted then more thought should be put in this bill. Many of these cases never go to court because the child won't or can't testify but the teacher resigns and everyone is aware of what happened. Agreements are made and the teacher or employee goes on to the next school. In fact I remember exactly during my last year of serving having this very discussion in Committee with members of the Department of Education. We all knew it was going on and nothing could or would be done about it but they were going to try.

In discussion with District Attorneys regarding how much little time these crimes get, I was informed how difficult children are for witnesses and therefore some can't be used at all. I know it is getting better with specialty people but what this is doing with this bill is letting the fox in the chicken house. The other part being taking out "injured the health or welfare of a child through physical abuse".

In closure, to eliminate any time frame regarding convicted abuse of a child and to include evidence of harm to a child should also be included in reasons to not grant a certificate.

Thank you in advance for your consideration on such a serious matter.

Sincerely,

Joyce A. Maker
89 Lafayette Street
Calais, Maine. 04619

Joyce Maker
Calais

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