



STATE OF MAINE
DEPARTMENT OF EDUCATION
23 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0023

JOHN ELIAS BALDACCI
GOVERNOR

SUSAN A. GENDRON
COMMISSIONER

EXHIBIT: VIII.B.

TO: Members of the State Board of Education

FROM: Susan A. Gendron, Commissioner*

DATE: September 16, 2009

SUBJECT: Consideration of the Certification and Higher Education Committee recommendation regarding possible revisions to Chapter 115, Parts I and II, Certification, Authorization and Approval of Education Personnel.

Background: At the August 24, 2009 meeting of the Certification and Higher Education Committee of the State Board of Education, two significant actions were taken by the Committee. First, the Chair suggested that it was time that the Committee bring action items to the Board for approval to assist the Committee in designing work that follows the intent of the State Board as a whole. The Committee agreed that this was a positive step and kept this in mind as the meeting continued.

Second, the Committee continued its discussions regarding two major proposals from the field and one major consideration from the Committee to amend Chapter 115, Parts I and II, Certification, Authorization and Approval of Education Personnel - a major substantive rule of the State Board of Education. Those proposals are as follows:

- a proposal from Higher Education to develop a certification for teachers of children with autism spectrum disorder,
- a proposal from the School Psychological Services Providers Advisory Committee to extensively revise their certification requirements
- proposals for the expansion of certain K-12 certificates to B-12 certificates that the Committee is initiating

The complexities of the proposals and the accompanying need to gather additional data, information and input are of concern to the Committee. Time is another factor to consider given the work that would need to be accomplished before initiating rulemaking in accordance with the Administrative Procedure Act (APA), and preparing for legislative review during the Second Session of the 124th Legislature.

It was moved by Nancy Perkins, seconded by Mabel Desmond and carried unanimously to use the three proposals to gather the necessary data and information to prepare for the possibility of opening Chapter 115 for revisions during the 125th Legislative First Session.

The Committee recognizes that other proposals may emerge for consideration throughout the year.

Recommendation:

The Committee recommends that the State Board of Education approve that no revisions be taken into rulemaking in anticipation of the 124th Legislature Second Session, and that the Committee complete the necessary work to prepare for any possible revisions to Chapter 115 that would be ready for Legislative Review during the 125th Legislature First Session.