



125th MAINE LEGISLATURE

LD 1781

LR 2635(01)

An Act To Restructure the National Board Certification Program for Teachers

Preliminary Fiscal Impact Statement for Original Bill

Sponsor: Sen. Alfond of Cumberland

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

Preliminary Fiscal Impact Statement

State Mandate - Unfunded

State Mandates

Required Activity

Unit Affected

Local Cost

Beginning with the 2012-13 school year, requires local school administrative units to:

1) Provide a \$1,000 annual salary supplement to eligible national board-certified teachers utilizing subsidy it already receives from the State.

School

Moderate statewide

2) Spend up to 10% of the per-pupil amount it receives in state subsidy for professional development to provide payment of application fees for teachers who are seeking to attain certification from the National Board for Professional Teaching Standards.

School

Moderate statewide

The required local activities in this bill may represent a State mandate pursuant to the Constitution of Maine. Unless General Fund appropriations are provided to fund at least 90% of the additional costs or a Mandate Preamble is amended to the bill and two-thirds of the members of each House vote to exempt this mandate from the funding requirement, municipalities may not be required to implement these changes.

Although this legislation provides that local school administrative units fund the requirements of this bill utilizing subsidy it receives from the State, the constitutional provision relating to state mandates (Article 9, §21), provides that the State may not meet its funding obligations by requiring a local unit of government to use funds previously appropriated to the unit for another purpose.

Fiscal Detail and Notes

This legislation will not affect the State's share of the total cost of K-12 public education. The bullet points below help illustrate why the State is not impacted apart from the mandates:

~ Public Law 2005, chapter 519, Part AAAA enacted the salary supplement for national board-certified teachers and required the Department of Education to provide certified public school teachers with a \$3,000 per year supplement for the life of the certificate (see Title 20-A, §13013-A, sub-§1).

~ The Department of Education allocates funds for the national board certification salary supplement each fiscal year within the General Purpose Aid for Local Schools (GPA) program as a miscellaneous cost item.

~ Public Law 2009, chapter 213, Part C, enacted language that provided that the amounts available for miscellaneous cost items are limited to the amounts appropriated by the Legislature for these costs (see Title 20-A, §15689-A, sub-§19). This effectively eliminated the requirement that the State fund the entire \$3,000, or now the \$2,000.

~ As an example, according to the Department of Education, 158 teachers qualified for the salary supplement in FY 2011-12. The total cost to provide a \$3,000 salary supplement, pursuant to Title 20-A, §13013-A, sub-§1, to each of the qualified teachers would have been \$474,000. However, because only \$307,550 was allocated within the \$894,437,378 General Fund appropriation for GPA for the national board certification salary supplement in FY 2011-12, each qualified teacher received a prorated amount of approximately \$1,957.