LAW WITHOUT
GOVERNOR'S
SIGNATURE
(Originals not returned
by Governor)
JULY 5, 2015

CHAPTER

321

PUBLIC LAW

STATE OF MAINE

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IN THE YEAR OF OUR LORD

TWO THOUSAND AND FIFTEEN

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S.P. 191 - L.D. 522

An Act To Clarify a Recently Enacted Law Designed To Expand the Number of Qualified Educators

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §17859, sub-§1-A, as enacted by PL 2013, c. 486, Pt. A, §1, is amended to read:

1-A. Restoration to work of classroom-based employees. Effective August 1, 2014, a classroom-based employee who has reached normal retirement age and who retires after September 1, 2011 may be restored to service as a classroom-based employee in a school in the unorganized territory or with a school administrative unit as defined in Title 20-A, section 1, subsection 26:

A. In one-year contracts, which may be nonconsecutive. The maximum time that a classroom-based employee may be restored to service with an individual school administrative unit pursuant to this paragraph is 5 years;

B. Subject to the 5-year restriction specified in subsection 1 and the 75% compensation limitation for retired state employees and retired teachers specified in subsection 2, paragraph A; or

C. In any combination of paragraphs A and B, as long as the total time the classroom-based employee is restored to service does not exceed 10 years with an individual school administrative unit.

The retired classroom-based employee must have had a bona fide termination of employment in accordance with state and federal laws and rules, may not return to employment after retirement with the same employer for at least 30 calendar days after the termination of employment and may not return to employment before the effective date of the person's retirement.

For purposes of this section, "classroom-based employee" means a teacher whose principal function is to introduce new learning to students in the classroom or to provide support in the classroom during the introduction of new learning to students.