



MAINE STATE BOARD OF EDUCATION

23 State House Station
AUGUSTA, MAINE 04333

STATE OF MAINE

The State Board of Education held a regular monthly meeting on December 12, 2018 at Fairfield Primary School, 63 High Street, Fairfield, Maine. The following members were present: Chair Wilson Hess; Vice Chair Jane Sexton; Wendy Ault; John Bird; Fern Desjardins; Martha Harris; Liberty Ladd; Jana Lapoint; and Jaylee Rice.

Vacant: Two Members

Former Board Member, Amy Arata, has been elected to the Maine Legislature and the Board has received her resignation effective December 5, 2018. The Board will invite Amy to a future meeting to acknowledge her service on the State Board of Education.

Others Present: Mary Paine, Chief of Planning and Implementation; Scott Brown, Director of School Construction Programs; and Mary Becker, State Board Secretary Specialist.

CALLED TO ORDER:

Chair, Wilson Hess called the meeting to order at 12:31 PM.

VISION STATEMENT:

Read by student member, Jaylee Rice: The Vision of the State Board is to ensure Maine public school students graduate with the skills, knowledge, and principles to be responsible American citizens; self-directed and dedicated to making contributions to society by pursuing further education and employment.

APPROVAL OF MINUTES:

MOVED by John Bird, seconded by Jana Lapoint, and unanimously voted by those present to approve the November 14, 2018 minutes as amended.

PUBLIC COMMENT:

- Senator Scott Cyrway – represents district #16, Waterville, Winslow, Fairfield, Albion, and Clinton. The Senator has been a DARE Officer for twenty years and in law enforcement for over thirty years. Senator Cyrway

spoke to the Board regarding his concerns with marijuana and other drugs in our communities.

- Ann Macmichael from Skowhegan: Spoke to the Board regarding her concerns with the Skowhegan School District's Controversial Mascot Name.
- Julie Cooke from Cornville: Spoke to the Board regarding her concerns with the Skowhegan School District's Controversial Mascot Name.

OFFICER'S REPORTS:

Chair, Wilson Hess

- The Board meets the second Wednesday of each month. In January, the Department of Education will have a new candidate for Commissioner. The statutory process consists of three steps:
 - As Chair of the Board, Wilson reached out to the in-coming Governor's transition team and spoke with Ben Grant, Co-Chair of the team.
 - At the first of the year or end of 2018, the Board should have the name of a candidate to interview.
 - Following the interview of the candidate, within 10 days, the Chair of the Board will then deliver the Board's written appraisal of the strengths and weaknesses of the candidate to the Governor, who will consider the feedback before formally posting the nomination for the Legislature's consideration.
 - Wilson consulted with Sarah Forster, Assistant Attorney General, and she suggested that the interview of the candidate not be in executive session as traditionally done but conducted in open session.
- Wilson has invited a representative from Maine Educators Association (MEA) to present to the Board at the January 9, 2019 meeting.
- Ed Cervone from Educate Maine has been very gracious in providing an advanced embargoed copy of some of the data they have developed on workforce needs. It will be released to the CTE Committee soon.
- He has been busy with ongoing Board work.

Vice Chair, Jane Sexton

- Every two years the STEM (Science, Technology, Engineering, and Mathematics) Council puts on a great event on STEM education in Maine. The storm on November 16, canceled the event. Jane was disappointed as she was looking forward to attending the event.
- On November 20, she participated in the Legislative Action Committee Conference Call.
- On November 28, she chaired the Certification and Higher Education Committee meeting.
- She attended the Educate Maine meeting on December 7. There were great workshops to attend and she had an opportunity to network with some of the people she formerly served with in the legislature.

AGENDA REVISIONS:

MOTION by Jane Sexton, seconded by Martha Harris, and unanimously voted by those present to move Board Member Reports to follow Student Transfer Appeals on the agenda.

COMMITTEE REPORTS:

School Construction Committee (Martha Harris):

The School Construction Committee met on November 30, 2018, as scheduled.

The Committee received a presentation on the following:

- Site Approval Consideration for RSU 24, New Grades 6-12 School Construction Project
- Design and Funding Approval Consideration for RSU 1, New Morse High School/BRCTC Construction Project
- The Committee had a discussion on Modification of Moveable Equipment Budget Requirements

The Committee voted to bring all three items before the Board on December 12, 2018.

The next School Construction Committee meeting is scheduled for Friday, January 2, 2019. The meeting will be held in room 500 of the Cross State Office Building. The approved minutes will be posted on the State Board website.

Certification and Higher Education (Jane Sexton):

The Certification and Higher Education Committee met on November 28, 2018, as scheduled.

- The Committee meetings are usually held on the fourth Wednesday of each month. However, two Committee members will be attending a College Board meeting, so the Committee is hoping to meet on Thursday, January 31. Jane will confirm with members their availability.
- The Committee is hoping to have a representative from ETS (Educational Testing Service) come to a meeting to present an overview to members. If members have questions regarding Praxis testing, please send the questions to Mary Becker in advance of the presentation.

The next Certification and Higher Education Committee meeting is scheduled for Wednesday, January 30, 2019. The meeting will be held in room 538 of the Cross State Office Building. The approved minutes will be posted on the State Board website.

Career and Technical Education (John Bird):

The Career and Technical Education (CTE) Committee met on November 29, 2018, as scheduled.

The Committee received an update from Dwight Littlefield and Jason Libby from the Department of Education regarding the alignment between the Department of Education and the Maine Community College System. The Committee reviewed the Memorandum of Understanding (MOU).

Perkins V Transition Plan – Dwight Littlefield distributed a list of people invited to serve on a stakeholder group and Wilson Hess and John Bird will represent the State Board. The first meeting is scheduled for December 19. Meetings to follow in

February, May and November of 2019. A draft agenda for the first meeting was distributed to the Committee.

The next Career and Technical Education (CTE) Committee meeting is scheduled for Thursday, January 3, 2019. The meeting will be held in room 538 of the Cross State Office Building. The approved minutes will be posted on the State Board website.

Legislative Action (Jana Lapoint):

The Legislative Action Committee has not met since November 20.

When Jana checked with the Department of Education regarding upcoming bills and what they had in mind, she was told that there was nothing for them to report on. Everything is with the Governor and he will get back to the Department with what is approved and what is not. Potential bills will be posted on the Legislative website for review when available. The Committee will go through all the pending legislation and see what fits the Board. The Committee will be reviewing all of the Board's Strategic Plan they have been working on this year and look at the areas where they made a commitment of things they would like to do. The Committee will create a white paper – one pager - so the Board will be prepared and ready to speak in favor or opposition of bills.

Nomination and Election (Wilson Hess):

A committee has not been appointed. Wilson Hess is looking for volunteers interested in serving on the committee and would like to get the group together in January.

Student Voices (Martha Harris):

The Committee has not met.

Charter Commission Representatives (Jana Lapoint):

Accepted New Performance Framework which is the work by David Silvernail. This is part of improving Commission procedures as stated by NASCA (National in their analysis of Commission functions that needed improvement.

Site Review Process to be analyzed by NASCA. This is being done by NASCA and free to our Commission.

Mr. Joseph Drago will be interviewed for reviewing the financial procedures at each Charter School.

Ms. Lisa Plimpton is to be hired to study and review the effectiveness of graduates at the Charter Schools. This study is the beginning of what will eventually be required by all public schools with federal guidelines.

Charter will issue a new RFP at the January meeting. The approval of another school will cap schools at 10.

UNFINISHED (OLD) BUSINESS:

STRATEGIC PLAN REVISIONS

MOVED by Jane Sexton, seconded by Jana Lapoint, and unanimously voted by those present to accept the Strategic Plan Revisions with an amendment to the third bullet down on number one of page twelve - change to Handbook for State Programs and Handbook for Review Team Members, making bullet three - bullet three and four. Correction of Appendix B, number three – change the word innovative to integrated.

PROPOSED RULE CHAPTER 115, “CREDENTIALING OF EDUCATION PERSONNEL”

BACKGROUND: After obtaining authorization from the State Board of Education, the Maine DOE proposed changes to Rule Chapter 115, Parts I and II on October 24, 2018, beginning the public comment period. Upon learning of numerous strong reactions to some of the proposed changes in Part II, the Commissioner took the matter under advisement and made the unusual decision to withdraw the proposed changes in order to consult further with stakeholders and the State Board of Education. Because it was in the best interest of all stakeholders to act quickly if we were to withdraw, the Department sought and obtained authorization from the Certification and Higher Education Committee to withdraw the proposed changes on October 31, 2018. At the State Board meeting on November 14, the Board voted to have the Certification and Higher Education Committee do a thorough review on Wednesday, November 28 in order to ensure that the Board is fully informed on the rule changes and to build a strong background for any future work on this rule. The Committee walked through Part II, paying attention to provisions that are of particular interest to stakeholders or that carry a sense of urgency, and the Committee voted to authorize the rule with some revisions to proposed changes. There are no new revisions to Part I, and it will be reentered into the Administrative Procedures Act process as it was prior to the withdrawal. Listed below are the major Part II provisions addressed by the CHE Committee on November 28, 2018 and the final actions on each.

1. **Certificate Endorsement, 029, Early Elementary Teacher**
Endorsement: Retaining language of Rule Scheduled to take effect July 1, 2019.
2. **Certificate Endorsement 020: Elementary Teacher:** Per CHE Committee vote, adds only 3 (three) credit hours in literacy to current rule.
3. **Certificate Endorsement, 095: Mathematics Instructional Leader (Public preschool-12):** Retaining endorsement language of Rule scheduled to take effect July 1, 2019.
4. **Certificate Endorsement 093: School Psychologist:** Retains Pathway 4; adds sunset 2020
5. **World Language Teacher (K-12):** Retaining language of Rule scheduled to take effect July 1, 2019. **Note:** CHE Committee approved proposed changes based on an understanding that content had been reorganized but not modified; final DOE review of proposed language

revealed a significant change of which the CHE Committee was not apprised. This change is likely a mistake, but to avoid unintended approval by CHE Committee and the DOE, the Department chose not to make any changes at this time.

6. Endorsement 092: Literacy Specialist, Pathway 2 and 3, **provision for (3) three semester hours in Instructional Supervision, Adult Learning Theory and Instructional Coaching Practices:** The CHE Committee voted against these additional credits and said they could agree to the content (lower case, no credits attached); the DOE would need time and conversations to work out that language and is therefore striking this provision altogether. As there was general hesitation by the CHE Committee to add any new requirements, the DOE is confident that striking is not in conflict with the vote.
7. **Endorsement 093: School Psychologist:** Approved Pathway 4 as proposed, contingent upon a 2020 sunset clause
8. **Professional teacher certificate endorsement based on work experience:** CHE Committee approved; Retaining language of Rule Scheduled to take effect July 1, 2019.

RECOMMENDATION: That the State Board authorize the proposed revisions for Chapter 115 to be filed with the Secretary of State.

MOVED by Jane Sexton, seconded by Jana Lapoint, and unanimously voted by those present to authorize the proposed revisions to Chapter 115, Part I and Part II, with some editing, to be filed with the Secretary of State.

NEW BUSINESS:

MAJOR CAPITAL SCHOOL CONSTRUCTION PROGRAM; SITE APPROVAL CONSIDERATION; RSU 24 NEW GRADES 6-12 CONSTRUCTION PROJECT

STATEMENT OF FACT: Superintendent Michael Eastman requests that the State Board of Education approve a site in Sullivan for a new middle/high school. The Sumner Memorial High School rated 15th on the 2010-2011 Rating Cycle. The proposed new middle/high school will replace the existing Sumner Memorial High School.

RSU 24 hired PDT Architects to conduct a New vs. Renovations analysis of the existing Sumner Memorial High School and conduct a regional analysis of the four K-8 buildings in the RSU. The analyses resulted in a recommendation of new construction that would include grades 6-8. This would allow the elimination of 6 portable classrooms and provide space to enhance Pre-K programming in the district. The combining and inclusion of grades 6-8 in the project will also facilitate educational equity for middle school programming in the district.

The current high school site is 30.7 acres. Additionally, the district has an option to purchase a .41 acre lot that includes a house and garage for \$135,000. The average value of two independent appraisals is \$110,000 and are within 25% of

each other. This small parcel will provide critical access, safety and flexibility in the development of the project.

This site benefits from good access and is well served by utility and transportation infrastructure. Site investigations and environmental analysis studies have been conducted and have not revealed any issues of significance. The new school can be constructed while the existing school remains operational. A completed Site Application is on file with the Department of Education and meets all the applicable criteria of the State Board of Education's Chapter 61, Rules for Major Capital School Construction Projects.

In a public meeting on May 1, 2018, constructing a new facility on this site was endorsed by a straw poll vote of 43 in favor and 1 opposed.

Project Information

Project: RSU 24 New Grades 6-12 Construction Project

Superintendent: Michael Eastman

Architect: Lyndon Keck, PDT Architects

Schools to be closed: Sumner Memorial High School

Total number of acres: 31.11

Total number of acres eligible for state support: 31.11

Purchase cost: \$135,000

Average appraised value: \$110,000

Amount eligible for state support: \$110,000

Amount of local only land cost: \$25,000

COMMISSIONER'S RECOMMENDATION: The Commissioner of the Department of Education recommends that the State Board of Education grant Site Approval as presented in this exhibit to RSU 24 for a new grades 6-12 school construction project.

SCHOOL CONSTRUCTION COMMITTEE RECOMMENDATION: On November 30, 2018, the School Construction Committee recommended that this exhibit be placed on the December 12, 2018 State Board meeting agenda and that the State Board grant Site Approval to RSU 24 for a new grades 6-12 school construction project.

MOVED by Martha Harris, seconded by Jane Sexton, and unanimously voted by those present to grant Site Approval to RSU 24 for a new grades 6-12 school construction project.

MAJOR CAPITAL SCHOOL CONSTRUCTION PROGRAM; DESIGN AND FUNDING APPROVAL; RSU 1 NEW MORSE HIGH SCHOOL AND BATH REGIONAL CAREER AND TECHNICAL CENTER (BRCTC)

STATEMENT OF FACT: RSU 1 Superintendent of Schools, Patrick Manuel, requests that the State Board of Education grant Design and Funding Approval for the new 650 student High School and 176 student Regional Career and Technical Center in the City of Bath. The current Morse High School and BRCTC sit on a 3.3 acre lot in Bath. Morse High School was originally constructed in 1929 with additions in 1942 and 1969. The 1969 addition included the Bath Vocational

Center which became BRCTC in 1996. BRCTC currently offers nine career and technical programs to high school students in 22 communities.

The Morse High School and BRCTC application rated 11th out of 71 applicants in the 2010-2011 School Facilities Rating Cycle. The project received State Board of Education Site Approval on May 10, 2017 and Concept Approval on September 13, 2017. The project was approved by local referendum vote on November 7, 2017.

It was recommended that in the best interest of the project the construction be separated into two phases. Phase 1 Site Development was approved by the State Board on May 9, 2018 and allowed extensive site work to be completed more quickly than waiting for approval of the site and building combined. This work is currently in progress and the site will be ready for phase 2 building construction in the Spring of 2019.

The Department of Education's construction staff is currently working with the architect in finalizing the building construction documents for bidding. There have only been minor modifications to the building design through the review processes since Concept Approval. The new building has been designed to meet the Department of Education school construction standards and is in the final stages of receiving all required approvals.

Design and Funding Approval is being requested pursuant to Title 20-A M.R.S. §15905(1) and State Board of Education Rule, Chapter 61, Rules for Major Capital School Construction Projects.

Project Information

Project: RSU 1 New Morse High School and BRCTC
Superintendent: Patrick Manuel, Ed.D.
Architect: Ron Lamarre, Lavallee Brensinger Architects
Schools to be closed: Morse High School and BRCTC

Project Budget Information

Total Project Cost: \$75,328,411
Local Only (no State participation): \$7,900,000
Approved for State/Local Debt Service Subsidy: \$67,428,411

COMMISSIONER'S RECOMMENDATION: The Commissioner of the Department of Education recommends that the State Board of Education grant Design and Funding Approval for the new Morse High School and BRCTC as described above.

SCHOOL CONSTRUCTION COMMITTEE RECOMMENDATION: On November 30, 2018, the School Construction Committee recommended that this exhibit be placed on the December 12, 2018 State Board meeting agenda and that the State Board grant Design and Funding Approval to RSU 1 for the new Morse High School and BRCTC as described above.

MOVED by Martha Harris, seconded by John Bird, and unanimously voted by those present to grant Design and Funding Approval to RSU 1 for the new Morse High School and BRCTC as described above.

MODIFICATION OF CHAPTER 61 RULES FOR MAJOR CAPITAL SCHOOL CONSTRUCTION PROJECTS SECTION 10.4.A MOVEABLE EQUIPMENT BUDGET REQUIREMENTS

BACKGROUND: This exhibit pertains to State Board of Education Chapter 61 Rules for Major Capital School Construction Projects Section 10.4.A. Budget Requirements.

“Budget Requirements: Moveable equipment costs will generally constitute 9% of the building construction costs in a project budget. This percentage may be modified by the State Board upon recommendation of the Facilities Team. This budget may be adjusted by the Commissioner at the time of Final Funding Approval.”

The Facilities Team has recommended that the percentage be modified to align the Moveable Equipment percentage with past Chapter 61 budget requirements.

The School Construction Committee recommends that the Board modify the Moveable Equipment Budget Requirement to a base of 6% of the building construction costs. However, this amount may be increased to an amount up to 8% based on special and unique circumstances. The Committee additionally proposes that this change in the percentages used to support Moveable Equipment be effective for projects that have not yet received State Board of Education Concept Approval.

SCHOOL CONSTRUCTION COMMITTEE RECOMMENDATION: The School Construction Committee recommends that the State Board of Education instruct the Facilities Team to modify the Moveable Equipment Budget Requirement to a base of 6% of the building construction costs. However, this amount may be increased to an amount up to 8% based on special and unique circumstances. The Committee additionally proposes that this change in the percentages used to support Moveable Equipment be effective for projects that have not yet received State Board of Education Concept Approval.

MOVED by Martha Harris, seconded by John Bird, and unanimously voted by those present for the State Board of Education to instruct the Facilities Team to modify the Moveable Equipment Budget Requirement to a base of 6% of the building construction costs. However, this amount may be increased to an amount up to 8% based on special and unique circumstances. The Committee additionally proposes that this change in the percentages used to support Moveable Equipment be effective for projects that have not yet received State Board of Education Concept Approval.

RECEIPT OF THE MAINE COLLEGE OF ART (MECA) EDUCATOR PREPARATION PROGRAM REPORT IN ACCORDANCE WITH CHAPTER 114

BACKGROUND: The review team was chaired by Dr. Mara Tieken of Bates College. The review took place October 14-16, 2018. The review team reviewed the institution's self-study using Chapter 114 standards.

RECOMMENDATION: That the State Board of Education receive the MECA Review Team report of findings that the institution's educator preparation program be granted five-year program approval by the Maine State Board of Education.

MOVED by Jane Sexton, seconded by John Bird, and unanimously voted by those present for the State Board of Education to receive the MECA Review Team report of findings for the institution's educator preparation program.

BOARD MEMBER REPORTS:

John Bird

- He attended a MACTE (Maine Administrators of Career and Technical Education) Conference at the United Technologies Center in Bangor on December 11. It was a wonderful day and John is proud of what kids are doing and the facilities and equipment they work with.

Wendy Ault

- She attended a MACTE (Maine Administrators of Career and Technical Education) Conference at United Technologies Center in Bangor on December 11. It was a very impressive and meaningful day

Jana Lapoint

- On December 10, she attended a Maine Community College System Program Event offered to their foundation. They announced a grant of 3.6 million dollars from the Alford Foundation bringing the Community College up to 40 million dollars in their foundation. They had a speaker, the in-coming Governor, and she made a very good promotion to education in the State of Maine and especially for workforce development.
- She attended the Educate Maine event on December 11.
- She attended the Certification and Higher Education Committee meeting on November 28.
- She attended the Charter Commission meeting on December 4.
- She attended the Career and Technical Education Committee meeting on November 29.
- She attended the luncheon for Charter Schools at Governor Hill Mansion in Augusta on November 29.

Fern Desjardins

- She was the Board Observer with Martha Harris for the Husson University Team Review on December 2 to 5. It was a totally incredible experience.
- She attended the Construction Committee meeting on November 30.
- She attended the Charter Commission meeting on December 4.

- She has been asked to participate on the Math Standards Review and she has agreed to do that. The group will start working on the standards in January.
- She and Wilson Hess presented a certificate to the Dr. Levesque School for the National Blue Ribbon Award they received.

Liberty Ladd

- She has been busy this past month with college applications.
- They had a blood drive at her school that went very well.
- She had lunch with the veterans.
- They have a complimentary breakfast daily for all students at her school.

Jaylee Rice

- She has been very busy the past two months with all the bands she participates in.
- She missed the last Board meeting as she participated in the Artist in Residence Program where the Artist come and spend time with students for a full week.
- She has a Christmas band concert tonight, December 12.
- She went to a Latin Convention at Cony High School in Augusta.

Martha Harris

- She attended the Teacher of the Year Gala in Portland on November 19.
- She chaired the Construction Committee meeting on November 30.
- She was a Board Observer for the Husson University Review Team on December 2 to 5. She concurs with Fern Desjardins that it is a wonderful experience.
- She participated in the National Association of State Boards of Education GAC Conference Call Meeting.
- She participated in the Legislative Action Committee Conference Call meeting on November 20.

EXECUTIVE SESSION:

MOTION by Wilson Hess, seconded by Jane Sexton, and voted unanimously by those present for the Board to go into executive session to discuss student transfer appeals at 2:23 PM.

The Board returned to the regular business meeting at 2:43 PM.

MOTION by Jana Lapoint, seconded by Jane Sexton, and voted five in favor with one member abstained (Wendy Ault) to uphold the Commissioner’s decision in the denial of a transfer for GW. The transfer is denied.

MOTION by Jana Lapoint, seconded by Martha Harris, and voted five in favor with one member abstained (Wendy Ault) to uphold the Commissioner’s decision in the denial of a transfer for the older JW. The transfer is denied.

MOTION by Jana Lapoint, seconded by Martha Harris, and voted five in favor with one member abstained (Wendy Ault) to uphold the Commissioner's decision in the denial of a transfer for the younger JW. The transfer is denied.

MOTION by Wendy Ault, seconded by Fern Desjardins, and unanimously voted by those present to overturn the Commissioner's decision in the denial of a transfer for BM. The transfer is approved.

ANNOUNCEMENTS:

- Submit travel and expense account vouchers to Mary Becker at the end of this meeting.
- The next Board meeting will be held at the Cross State Office Building in Augusta on January 9, 2019.

ADJOURNMENT:

The December 12, 2018 State Board of Education meeting adjourned at 2:47 PM.