



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 August 13, 2019 at Central Maine Community College, 1250 Turner Street, Auburn, Maine. The following members were present: Chair Wilson Hess; Vice Chair Jane Sexton; Wendy Ault; John Bird; Fern Desjardins; Peter Geiger; Martha Harris; Jana Lapoint; Casey Maddock; and Jaylee Rice

Vacant: One Member

Others Present: Pender Makin, Commissioner of Education; Jason Libby, Higher Education Specialist; Jaci Holmes, Federal State Legislative Liaison; Pamela Ford Taylor, School Approval and School Enrollment; Page Nichols, Chief of the Office of Innovation; and Mary Becker, State Board Secretary Specialist.

CALLED TO ORDER:

Chair, Wilson Hess called the meeting to order at 1:00 PM.

The Board has completed their annual retreat on August 12 and the morning of August 13. Board members spent time working on their strategic plan. It was a pleasure and the Board is grateful to Central Maine Community College for use of their facility for the last day and a half.

VISION STATEMENT:

Read by student member, Casey Maddock: 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 Jane Sexton, seconded by Fern Desjardins, and unanimously voted by those present to approve the July 10, 2019 minutes as written.

PUBLIC COMMENT:

No public comment

OFFICER'S REPORTS:

Chair, Wilson Hess

- Wilson thanked Commissioner Makin for her availability to be at the Board's retreat the past two days, and to meet with Vice Chair Jane Sexton and himself on several occasions over the past month.
- Wilson has had several conversations and one meeting with Assistant Attorney General Sarah Forster around four different issues the Board is working on. Sarah is in the process of reviewing the Board's policy and procedures manual, therefore, the Board will not be voting on this action item today and it will be moved to the September 11, 2019 business meeting agenda under unfinished business. Sarah has also indicated that the issue of appeal of Teacher Certification rulings which is under the purview of the State Board of Education is the Department of Education. Pursuant to the rule, Chapter 119, the decision of an administrative hearing officer with respect to denial of certification is appealable to the court, not to the State Board of Education.

Vice Chair, Jane Sexton

- On July 15, she attended the Opiate Summit and attended a variety of workshops.
- The Commissioner and Deputy Commissioner of the DOE were very helpful in meeting with she and Wilson on the retreat planning.
- She chaired the Certification and Higher Education Committee meetings on July 24 and July 26 to discuss goals for the upcoming year.

COMMITTEE REPORTS:

School Construction Committee (Martha Harris):

The School Construction Committee met on August 6, 2019, as scheduled.

- The Construction Committee discussed and recommended that an exhibit be placed on the August 13, 2019 State Board meeting agenda and that the State Board approve the placement of project 2 on the Integrated, Consolidated 9-16 Educational Facility Approved Projects List for the 2017-2018 Rating Cycle.
- The Committee talked about their goals and objectives for the past year and the upcoming year.
- Committee meeting dates will be moved from the first Tuesday of the month to the fourth Friday of each month.
- On September 12, 2019, the Committee will attend a Construction summit at Geiger in Lewiston with the Department of Education – Commissioner Makin.

The next School Construction Committee meeting is scheduled for Friday, September 27, 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 July 24, 2019, as scheduled.

- Angel Loreda gave a Certification Office update in Stephanie Fyfe’s absence.
 - Processing time for certification is three weeks.
 - Continuing to work on phone wait time reduction.
 - Commissioner and Deputy Commissioner have been speaking with clients calling in to the Certification Office.
- Discussion on Chapter 115: “The Credentialing of Educational Personnel” – Resolve to the Secretary of State’s Office for final adoption.
- Discussion on Praxis Tests – monthly.
- Chapter 114 – Annual Report discussion – Committee requested a list of annual reports and receipt dates – received from Jason Libby. Jane shared the list of receipt dates with Board members.
- Received a verbal list of upcoming College Reviews from Jason Libby – Committee is requesting a written list.
- Tufts University Team Review Report is on the August 13, 2019 Business Agenda for approval by the full Board.
- Purdue University is requesting another approval and the review team needs to hold a review as it is a different degree they are requesting approval for.

The next Certification and Higher Education Committee meeting is scheduled for Wednesday, August 28, 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 did not meet on July 25, 2019, as scheduled.

- The Committee received a Progress Report on Implementation of the MOU with the Community College System from Dwight Littlefield.
- The Business agenda for the August 13, 2019 has a Quarterly Report of the Carl D. Perkins Grant for approval by the full Board.
- The CTE Directors Workshop at Sugarloaf took place on August 4 to 5. John Bird and Wendy Ault attended the two-day workshop. About sixty people were in attendance with 85 to 90 % of Directors in attendance. It was a great success and a report will be presented to the Committee at the August 22, 2019 Committee meeting.
- The Committee worked on the report of Goals/Outcomes for 2018-19 and Action Plans for 2019-20. The report was presented at the Board Retreat on August 12 and 13.

The next Career and Technical Education (CTE) Committee meeting is scheduled for Thursday, August 22, 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 (Peter Geiger):

The Legislative Action Committee is currently inactive - nothing to report.

Nomination and Election (Fern Desjardins):

No report for the Nomination and Election Committee.

Student Voices (Wendy Ault):

The Commissioner and Deputy Commissioner are both very interested in student voices. The Committee will hold it's first meeting on Monday, August 19, 2019 and meet with Commissioner Makin and Deputy Commissioner Chuhta for lunch.

Charter Commission Representatives (Jana Lapoint):

The Charter School Commission met on August 6, 2019.

- Established three training days for NWEA training in September, January and May.
- Set window dates for NEWA for August 26, September 27, December 16, January 24, April 27 and May 29.
- Next meeting date has been changed to the second Tuesday of the month and will be held on September 10.
- Final action to be taken on Ecology Learning Center Application for approval of the tenth Charter School. The meeting will be held at the Augusta Civic Center in the Washington/York Room.
- Approved intervention protocol process.
- Approved up to \$30,000.00 to be given to the Department of Education (DOE) to conduct/seek an approved research organization to provide an assessment of Maine's public charter school program and the impact that the program has had on Maine's education system as a whole. The study was established in statute and was to be provided after eight years by the DOE. Due to the overload of the DOE requests from the Education and Cultural Affairs Committee, the Commission agreed to pay for the study but requested they have no participation in the study other than to provide whatever information is required by the outside evaluation team.
- The Commission is required by law to report no later than January 1, 2020 their procedures for nonrenewal of schools that are not meeting the required performance framework provision of their charter contract.
- Appointed Nichi Farnham as Chair of the Commission for the year beginning August 2019 to June 2020.

NEW BUSINESS:

REQUEST APPROVAL OF THE QUARTERLY REPORT OF THE MAINE CARL D. PERKINS GRANT AS AUTHORIZED UNDER THE CARL D. PERKINS CAREER AND TECHNICAL EDUCATION ACT OF 2006 (P.L. 109-270)

As a condition for the receipt of Federal funds to support vocational and technical education, §122 of the recently reauthorized Carl D. Perkins Career and Technical Education Act of 2006 (P.L. 109-270) requires a designated “eligible agency” in each State, in Maine’s case, the State Board of Education to submit a State Plan for Career and Technical Education. This plan was approved by the State Board on March 12, 2008. Further requirements are as follows:

“SEC. 121. STATE ADMINISTRATION.

“(a) ELIGIBLE AGENCY RESPONSIBILITIES.—The responsibilities of an eligible agency under this title shall include:

“(3) convening and meeting as an eligible agency (consistent with State law and procedure for the conduct of such meetings) at such time as the eligible agency determines necessary to carry out the eligible agency’s responsibilities under this title, but not less than 4 times annually;

The State Board Chair has requested, in accordance with Title 20-A, Section 405, 7, that the Career and Technical Education (CTE) team submits a quarterly financial report to the Board and in response to this request we are submitting this report as the fourth report for FY2019.

RECOMMENDATION: The State Board approve the Quarterly report for the period of April 1, 2019 through June 30, 2019, of the State of Maine Plan for Career and Technical Education under the Carl D. Perkins Career and Technical Education Act of 2006 (P.L.109-270)

MOVED by John Bird, seconded by Jana Lapoint, and unanimously voted by those present to approve the Quarterly report for the period of April 1, 2019 through June 30, 2019, of the State of Maine Plan for Career and Technical Education under the Carl D. Perkins Career and Technical Education Act of 2006 (P.L.109-270)

RENEWAL OF DEGREE-GRANTING AUTHORITY FOR THE TUFTS UNIVERSITY SCHOOL OF MEDICINE AND MAINE MEDICAL CENTER’S MAINE TRACK PROGRAM

BACKGROUND: The review team was chaired by Rafael Grossmann, M.D., with Dr. Monika Bissell, Dr. Jody Capelluti, and Roy Miller, M.D. serving as members of the review team. The team reviewed the institution’s self-study and conducted an onsite review of the Brighton campus on June 10, 2019. Jane Sexton served as the observer for the board.

RECOMMENDATION: The Review Committee recommends that the State Board of Education approve the request from Tufts University and Maine Medical Center to continue to offer the Maine Track program in Maine from Fall 2019 to Fall of 2023.

MOVED by Jane Sexton, seconded by Jana Lapoint, and unanimously voted by those present to approve the request from Tufts University and Maine Medical Center to continue to offer the Maine Track program in Maine from Fall 2019 to Fall of 2023.

REQUEST TO EXTEND THE REVIEW OF THE UNIVERSITY OF MAINE AT MACHIAS
EDUCATOR PREPARATION PROGRAMS TO THE SPRING OF 2020

BACKGROUND: The University of Maine at Machias is scheduled for a program review in the fall of 2019. However, numerous faculty transitions impede the successful adherence to the timeline. At the end of June, the institution's Registrar resigned, and they have been unable to collect some significant data that is to be included in our self-assessment. More recently, their Head of Campus/Vice President of Academic Affairs resigned. Dr. Daniel Qualls, Associate Professor of Education – has been named Interim Head of Campus/Vice President of Academic Affairs. This has reduced the short-term capacity of the unit to finalize preparation of the self-study and provide the review team with an appropriate visit.

RECOMMENDATION: The Certification and Higher Education Committee recommends that the State Board of Education approve the request from the University of Maine at Machias to delay the educator preparation review until Spring 2020.

MOVED by Jane Sexton, seconded by Jana Lapoint, and unanimously voted by those present to approve the request from the University of Maine at Machias to delay the educator preparation review until Spring 2020.

MAJOR CAPITAL SCHOOL CONSTRUCTION PROGRAM – INTEGRATED,
CONSOLIDATED 9-16 EDUCATIONAL FACILITY APPROVED PROJECTS LIST FOR
THE 2017-2018 RATING CYCLE

STATEMENT OF FACT: On August 14, 2018, the State Board of Education approved the Integrated, Consolidated 9-16 Educational Facility Proposed Priority List recommended by the Commissioner of the Department of Education. On September 12, 2018 project number 1 was added to the Approved Projects List to initiate the planning process. The Commissioner now recommends that the State Board of Education select project number 2 to be placed on the Approved Projects List as a qualified applicant to implement the innovative model.

2. RSU 29/MSAD 29, RSU 50, RSU 70/MSAD 70, RSU 84/MSAD 14, Region Two School of Applied Technology – *Concept Approval assigned calendar year 2022*

Any withdrawal of a member applicant, or any withdrawal of a municipality from an applicant member, will require a new recommendation from the Commissioner and approval from the State Board of Education, or a new application submission during the next rating cycle.

The recommendation to select the above project to be added to the Approved Projects List is being requested pursuant to Title 20-A M.R.S. §15905(1) and Chapter 61 State Board of Education Rules for Major Capital School Construction Projects.

COMMISSIONER'S RECOMMENDATION: The Commissioner recommends that the State Board of Education approve the placement of the project listed above on the

Integrated, Consolidated 9-16 Educational Facility Approved Projects List for the 2017-2018 Rating Cycle.

SCHOOL CONSTRUCTION COMMITTEE RECOMMENDATION: On August 6, 2019, the Construction Committee recommended that this exhibit be placed on the August 13, 2019 State Board meeting agenda and that the State Board approve the placement of project 2 on the Integrated, Consolidated 9-16 Educational Facility Approved Projects List for the 2017-2018 Rating Cycle. Further, any withdrawal of a member applicant, or any withdrawal of a municipality from a member applicant, will require a new recommendation from the Commissioner and approval from the State Board of Education, or a new application submission during the next rating cycle.

MOVED by Martha Harris, seconded by Fern Desjardins, and unanimously voted by those present to approve the placement of the project listed above on the Integrated, Consolidated 9-16 Educational Facility Approved Projects List for the 2017-2018 Rating Cycle.

REGULATION CHAPTER 115, “THE CREDENTIALING OF EDUCATIONAL PERSONNEL”

UPDATE: The Joint Committee on Education and Cultural Affairs had a hearing on April 25, 2019 and work sessions on April 30th and May 9th and was enacted on June 28, 2019. The Resolve permitted Parts I and II to be finally adopted with several subtle revisions. All the revisions have been made pursuant to the Resolve and have been reviewed by Sarah Forster, Assistant Attorney General.

RECOMMENDATION: That the State Board of Education vote affirmatively to submit Chapter 115, as amended pursuant to the Resolve, to the Secretary of State for final adoption.

MOVED by Jane Sexton, seconded by Jana Lapoint, and unanimously voted by those present to table Chapter 115, to the September 11, 2019 business meeting agenda under unfinished business.

CHAPTER 125, PROPOSED REPEAL AND REPLACE OF REGULATION CHAPTER 125, BASIC APPROVAL STANDARDS: PUBLIC SCHOOLS AND SCHOOL ADMINISTRATIVE UNITS

The last repeal and replace of Maine Department of Education Regulation was in 2002. The resulting language was highly duplicative of statute, as the effort appeared to be in part geared toward compiling language that resided in several different places in Maine Education and other statute. The revised draft will propose to eliminate duplication where possible, to include minimum requirements where required by law, to incorporate recent legislatively designated changes, and to clarify that which practice has shown to require more granular detail.

Last year the Department conducted an extensive group re-visioning process to prepare for the repeal and replacement and found that certain terminology related to

the intersection of federal and state requirements which had evolved in recent years had caused confusion in the field. So, the first order of business was to gain an understanding of this intersection and change the terminology where necessary. To that end, the proposed regulation replacement will reference a “School Approval Profile,” rather than a “Comprehensive Education Plan.” This is because the review group felt the older term denoted more of a focus on curriculum, instruction and assessment and did not accurately reflect the larger scope of the compendium of written policies, plans and procedures that comprise the state-required evidence for awarding school approval. For clarity and ease of access, Section 4 will contain a chart – the current version of which is currently published on the Department’s webpage – with a comprehensive list of requirements and citations.

The draft proposed Regulation will set out school approval standards and requirements in a linear fashion. The Department realized that the policies and processes adopted by school administrative units are familiar to them through the National School Boards Association/National Education Policy Network (NEPN) Classification Index utilized by the Maine School Management Association (MSMA). In order to align with that with which the school administrative units are familiar, the Section 4 chart of requirements will adopt some of the language, organization and structure of the NEPN Policy Classification Index.

The needs assessment has been and will continue to be foundational to the development of a School Approval Profile. The needs assessment is conducted at least every five years by each school administrative unit and provides the data that informs programming in the unit and may also provide data for federal requirements (ESSA).

Some specific proposed revisions to the Rule include the following:

- Based on a cross-walk conducted by the Department, language which is duplicative of statute will be eliminated;
- Terminology revision: “Comprehensive Education Plan” will be revised to “School Approval Profile.” This change will need to be reflected in statutory language;
- Certain requirement exceptions for school administrative units that tuition all or whole populations of students out of the resident unit and specifics about what may be delegated to a receiving unit will be detailed;
- Certain requirement exceptions for Career and Technical Regions will be detailed;
- Based on a review of all statutory requirements in 2018, a comprehensive list will be embedded in a chart in Section 4. The list is organized by NEPN category;
- New minimum requirement language proposed, based on statutory requirements:
 - Multiple Tiers of Intervention,
 - Provision of Family Outreach and Support Programs Designed to Improve Parent Engagement and Parent-School Relations,
 - Promotion, Retention, Acceleration and Graduation of Students,
 - Developmentally appropriate educational practices for K-2;

- The section outlining the initial approval process for school administrative units will be revised to reflect current practice.

Pamela Ford-Taylor, School Enrollment Specialist, Department of Education presented the exhibit on Chapter 125 as an introduction to the Board.

Following discussion, the Chair formed and designated an Ad-Hoc Committee to review and consult with the Department of Education on revisions to Chapter 125. Chaired by Fern Desjardins, with Peter Geiger and Jane Sexton as Committee members. First meeting is scheduled for Wednesday, August 21, 2019 at 1:00 PM to be held at the Department of Education.

POLICIES AND PROCEDURES MANUAL APPROVAL

MOTION by Jane Sexton, seconded by Martha Harris, and unanimously voted by those present to table approval of the revisions to the Board's policies and procedures manual to the September 11, 2019 business meeting agenda under unfinished business.

EXECUTIVE SESSION:

MOTION by John Bird, seconded by Martha Harris, and voted unanimously by those present for the Board to go into executive session to discuss student transfer appeals at 2:15 PM.

The Board returned to the regular business meeting at 3:02 PM.

MOTION by John Bird, seconded by Jana Lapoint, and unanimously voted by those present to uphold the Commissioner's decision in the denial of a transfer for KP. Motion Carries and the transfer is denied.

MOTION by Jane Sexton, seconded by Jana Lapoint, and unanimously voted by those present to overturn the Commissioner's decision in the denial of a transfer for JW. Motion Carries and the transfer is granted.

MOTION by Wilson Hess, seconded by Jana Lapoint, and unanimously voted by those present to uphold the Commissioner's decision in the approval of a transfer for BT. Motion Carries and the transfer is granted.

MOTION by Jana Lapoint, seconded by Wendy Ault, and voted five in favor with three members opposed (Peter Geiger, Martha Harris, and Jane Sexton) to overturn the Commissioner's decision in the denial of a transfer for CAD. Motion Carries and the transfer is granted.

MOTION by Jana Lapoint, seconded by John Bird, and voted seven in favor with one member opposed (Fern Desjardins) to uphold the Commissioner's decision in the denial of a transfer for COD. Motion Carries and the transfer is denied.

MOTION by Peter Geiger, seconded by Martha Harris, and unanimously voted by those present to uphold the Commissioner's decision in the denial of a transfer for OB. Motion Carries and the transfer is denied.

ANNOUNCEMENTS:

- The Board received the end of year expenditure financials for the fiscal year and were under budget. Wilson thanked Mary Becker for the good work in keeping the Board's budget on track.
- Submit travel and expense account vouchers to Mary Becker at the end of this meeting.
- The next Board meeting will be held at Brunswick High School on Wednesday, September 11, 2019, at 1:00 PM.
- Jane Sexton announced the Fall State Board Meeting Locations:
 - October 9 – Rumford Elementary School
 - November 13 – Corinth Elementary School
 - December 11 – Sanford High School

ADJOURNMENT:

The August 13, 2019 State Board of Education meeting adjourned at 3:24 PM.