



## MAINE STATE BOARD OF EDUCATION

23 State House Station  
AUGUSTA, MAINE 04333

### STATE OF MAINE

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The State Board of Education held a regular monthly meeting on December 21, 2020 virtually via Zoom. The following members were present: Chair Wilson Hess; Vice Chair Jane Sexton; Wendy Ault; John Bird; Fern Desjardins; Peter Geiger; Martha Harris; Jana Lapoint; and Casey Maddock.

Excused: Jaylee Rice

Vacant: One Member

Others Present: Greyson Orne, Student Member Designee; Deputy Commissioner Daniel Chuhta; Scott Brown, Director of School Facilities; Valerie Chiang, School Construction Coordinator (Department of Education); and Mary Becker, State Board Secretary Specialist.

### **CALLED TO ORDER:**

Chair, Wilson Hess called the meeting to order at 1:02 PM.

The meeting was conducted in accordance with Sec. G-1. 1 MRSA §403-A, Public proceedings through remote access during declaration of state of emergency due to COVID-19. Whereas the meeting is open to the public, all votes will be taken by roll call. Nine Board members attended virtually.

Roll call was taken by Mary Becker, Secretary Specialist. The chair declared a quorum present.

### **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 Fern Desjardins, seconded by John Bird, and unanimously voted by those present to accept the November 4, 2020 minutes as written.

**PUBLIC COMMENT:**

No Public Comment

**OFFICER’S REPORTS:**

**Chair, Wilson Hess**

- Wilson Hess thanked members of the Board, Department of Education staff, and members of the public for their contribution to Education during this historic year. Board members, department staff, and teachers throughout the State of Maine and throughout the country are doing extraordinary things to try to cope with these circumstances. The State Board wants to recognize all the folks throughout the education communities from Pre-K through Graduate Schools for what they are doing during these circumstances.
- The Chair of the Board is graced with the opportunity to sit in on all the Board’s Committee meetings. He thanked all Board members for their work on committees throughout the 2020 year. Each Committee Chair will report during Committee reports later in the agenda.

**Vice Chair, Jane Sexton**

- She attended the School Construction Committee meeting on November 20 and on December 18.
- She attended the CTE Committee meeting on December 10.

**COMMITTEE REPORTS:**

***School Construction Committee (Martha Harris):***

The School Construction Committee met on November 20 and December 18, 2020 as scheduled.

- At the November 20<sup>th</sup> meeting, the Committee received a request from the Auburn School Department for design and funding approval for the new Edward Little High School construction project. The Committee recommended that this exhibit be placed on the December 21, 2020 business meeting agenda and that the Board grant approval.
- At the December 18<sup>th</sup> meeting, the Committee received a request from the South Portland School Department for design and funding approval for the new Middle School construction project. The Committee recommended that this exhibit be placed on the January 13, 2021 business meeting agenda and that the Board grant approval.

- The Committee had a discussion on the Integrated, Consolidated Educational Facility construction project. The Committee looks forward to receiving documentation from the Valley Unified Educational Service Center, which was number one on the construction projects list. The deadline for submitting documentation to the Department of Education of a written plan and evidence that all three boards have voted in the affirmative to adopt the plan is December 31, 2020.

The next School Construction Committee meeting is scheduled for Friday, January 29, 2021. The meeting will be held virtually via Zoom. The approved minutes will be posted on the State Board website.

***Certification and Higher Education (Wendy Ault):***

The Certification and Higher Education Committee met on December 16, 2020 as scheduled. The Committee held special meetings on November 18 and November 19.

- The Committee has been very involved with the re-drafting of Chapter 115 and reviewing the comments from other committees involved. The Committee will continue into the new year with special meetings.
- Wendy appreciates that Board members have called her separately from the meetings to inquire on how the process is moving along.
- Wendy gave a shout out to Jana Lapoint and Fern Desjardins for their commitment to this work. Wendy thanked Deputy Commissioner Dan Chuhta for his leadership and Chair, Wilson Hess and Peter Geiger for their participation.
- The next special meetings are scheduled for January 4 and January 5. There is yet a lot of work to be done and Wendy looks forward to hearing more as the Committee goes into 2021 with their work.

The next Certification and Higher Education Committee regular monthly meeting is scheduled for Wednesday, January 27, 2020. The meeting will be held virtually via Zoom. 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 December 10, 2020 as scheduled.

- The Committee received an annual progress report from Dwight Littlefield and Mercedes Pour on the Memo of Understanding (MOU) between the Department of Education and the Community College System. The Committee had a robust discussion around the second year of the MOU. The goal of the agreement is to provide a statewide framework for the awarding of credits that may be used to offer a seamless transition from

secondary CTE education to postsecondary enrollment in the Maine Community College System. Progress will continue to be made.

- Kate Leveille gave a progress report on the Educate Maine/Hart Consulting evaluation of Perkins-funded CTE grants for Grades 9 and 10 pilot projects. Kate gave a very positive and upbeat report of findings.
- It is a tough time for schools with the COVID situation. The Committee had planned to continue funding pilot programs for Grades 9 and 10 with a round two of Perkins money but shifted gears. At a previous Committee meeting, CTE Directors were asked what would help them the most. The regions agreed to forgo any Perkins money and let it go to the 19 centers. It is great to see the CTEs working together and helping each other.
- Maine Administrators of Career and Technical Education (MACTE) is in the process of an extensive search for a new executive director and following the review of several candidates is close to making a recommendation for the position.

The next CTE Committee regular monthly meeting is scheduled for Thursday, January 28, 2021. The meeting will be held virtually via Zoom. The approved minutes will be posted on the State Board website.

***Legislative Action (Peter Geiger):***

The Legislative Action Committee last met on September 26, 2020.

Peter Geiger shared with the Legislative Action Committee a notification about the operating procedures for the First Regular Session of the 130<sup>th</sup> Legislature, specified in Maine Revises Statutes, Title 3, Section 2. High points included:

- Legislative meetings electronically mean all actions taken during the meeting or proceedings have the same legal effect as if the members are physically present.
- A member who is in attendance through approved electronic means is considered present for purposes of Joint Rules.
- Votes may be taken electronically as long as the chair is able to see and hear the member casting the vote.

Peter also provided (thanks to Karen Kusiak) the make-up of the Education and Cultural Affairs Committee. Mike Brennan will be the House Chair and Mattie Daughtry will be the Senate Chair. Wilson Hess, Jane Sexton and he (Peter Geiger) look forward to working with the new Committee members.

The Legislative Committee is poised for action with the new year.

***Student Voices (Casey Maddock and Wendy Ault):***

- Wendy Ault was unaware of the first Student Cabinet meeting, but Casey attended and will report to the Board. Wendy is excited that there is a new Student Cabinet and did participate in the selection of the Student Cabinet members.
- Casey Maddock reported that the Student Cabinet recently held their first meeting. Half of the students are returning from last year and half of the students are new. At the first meeting, time was spent introducing everyone and what county they were from. Students split into smaller groups and were asked to think about things they are passionate about as a group. Casey is working with middle school students this year.
- Last year the Cabinet took on bullying, mental illness, and civil rights in schools.
- This year, COVID is a hot topic.
- A special Student Cabinet meeting is being held today, December 21<sup>st</sup>. There is an organization - Connect Kids Now that is interested in working with the Student Cabinet.
- Deputy Commissioner Chuhta spoke about Connect Kids Now which is a project that the Department is working on. It expands upon the technology project that the Department did originally to get devices out. It is a project to address social, emotional and mental health well-being of adolescents across the state through a couple different partnerships. It is still in the planning stages, but the Department wanted to reach out to the Student Cabinet to get their feedback on some of the ideas that the Department is considering for this project.
- Mary Becker shared Casey's contact information with the director of the Arts Education Partnership (AEP), a program within Education Commission of the States. AEP is trying to reflect more youth voice in their work. AEP is seeking to get some student representatives on board to write about arts education policy from their perspectives. Greyson Orne and Jaylee Rice also received an invitation from AEP as possible co-authors for an AEP blog post.

***Charter Commission Representatives (Jana Lapoint, John Bird and Fern Desjardins):***

The Charter School Commission met on December 8, 2020 as scheduled.

- Jana Lapoint suggested that Fern Desjardins and John Bird report on the hiring of a new executive director for the Charter Commission. Fern Desjardins reported that the Commission held five business meetings, three to interview the top five candidates. From there it was narrowed down and all Commission members were involved in selecting the final candidate who was offered the position. The Commission hired Jeremy Jones from Texas and he will begin working for the Commission on January 5, 2021. The search committee has officially completed its work.

There were 34 highly qualified candidates to choose from. John Bird commented on how pleased Commission members were with the attraction of people with real talent that want to be involved with Charter Schools throughout the country. Jeremy Jones will be a good fit for this position. He will be taking the place of Bab Kautz who has done a wonderful job as executive director for the Maine Charter School Commission.

**Professional Standards Board (Peter Geiger):**

The Professional Standards Board (PSB) held its fifth meeting on November 30, 2020.

The Professional Standards Board (PSB) has met five times. With Kirsten Levesque serving as Chair, and Nikole Seeger as Vice Chair. While most of the members of the PSB also serve on the Chapter 115-consensus group. PBS has met to understand the various endorsements being proposed. During three separate meetings the PSB voted to do a “sub-endorsement” of each certification area: Administration, Career and Technical Education (CTE), Librarian Specialist, School Psychologist, Special Eds and Teacher Certification.

It is the intent of the PBS, once the certifications become rule, to monitor their effectiveness by working with the Department of Education (DOE) to collect valid data and assess it.

The next meeting is scheduled for Monday, January 4, 2021 and will be held via Zoom.

**UNFINISHED (OLD) BUSINESS:**

No Old Business

**NEW BUSINESS:**

MAJOR CAPITAL SCHOOL CONSTRUCTION PROGRAM; DESIGN AND FUNDING APPROVAL CONSIDERATION; AUBURN SCHOOL DEPARTMENT-NEW EDWARD LITTLE HIGH SCHOOL CONSTRUCTION PROJECT

STATEMENT OF FACT: Superintendent Dr. Cornelia Brown requests that the State Board of Education grant Design and Funding Approval for a new high school in Auburn that will replace the existing Edward Little High School. The Edward Little High School rated 16<sup>th</sup> on the 2010-2011 Rating Cycle and was placed on the Approved Projects List at the September 14, 2016 State Board of Education meeting.

The Auburn School Department hired Harriman to conduct a New vs. Renovations analysis of the existing Edward Little High School. The analysis was completed with a recommendation of new construction. Harriman then worked with the

district and city administrative personnel to identify potential school sites. After extensive evaluation of the final sites the existing Edward Little site clearly became the best option for the new high school. The project received State Board of Education Site Approval on September 12, 2018.

The proposed new school went through a vigorous visioning process that included strong community involvement. The process also included a review of pathway and program needs at the Lewiston Regional Technical Center (LRTC). As a result, a total of 12 satellite programs will be included in the project to support a Technology pathway and a Public Services pathway for all students of the LRTC region. The facility will have the capacity to hold 1,100 Auburn High School students daily and 210 career and technical education students per half day. The project received State Board of Education Concept Approval on April 10, 2019 and was approved by a local referendum vote on June 11, 2019.

The Department of Education's construction staff is currently working with the architect in finalizing the construction documents for bidding. There have only been minor modifications to the building and site 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: Auburn School Department - New Edward Little High School  
Construction Project  
Superintendent: Dr. Cornelia Brown  
Architect: Harriman – Mark Lee, Lisa Sawin  
Schools to be closed: Existing Edward Little High School

*Project Budget Information:*

Total Project Cost: \$122,016,342.  
Local Only (no State participation): \$16,117,492.  
Approved for State/Local Debt Service Subsidy: \$105,898,850.

COMMISSIONER'S RECOMMENDATION: The Commissioner of the Department of Education recommends that the State Board of Education grant Design and Funding Approval to the Auburn School Department for the new Edward Little High School construction project as presented.

SCHOOL CONSTRUCTION COMMITTEE RECOMMENDATION: On November 20, 2020, the School Construction Committee recommended that this exhibit be

placed on the December 21, 2020 State Board meeting agenda and that the State Board grant Design and Funding Approval to the Auburn School Department for the new Edward Little High School construction project as presented.

MOTION by Martha Harris, seconded by Peter Geiger, and unanimously voted by those present to grant Design and Funding Approval to the Auburn School Department for the new Edward Little High School construction project as presented in Exhibit VIIIA.

#### APPROVAL OF THE UNIVERSITY OF NEW ENGLAND GRADUATE DEGREE IN INCLUSION REVIEW TEAM

BACKGROUND: The University of New England was scheduled to have its regular Chapter 114 review in October 2020. Due to the Covid-19 pandemic, the Certification and Higher Education Committee agreed to delay Chapter 114 reviews until 2021. The postponement in the review of this graduate degree would result in a delay in the institution's ability to promote it as a state-approved program. The Certification and Higher Education Committee agreed to hold an abbreviated review specifically for this program in order to maintain the timeline for its initial approval.

The following individuals are recommended to serve on the review team:

Dr. Doris Santoro, Bowdoin College  
Dr. Heather Ball, University of Maine at Machias

State Board of Education Board Observer – Jana Lapoint

RECOMMENDATION: That the State Board of Education accepts the proposed review team.

MOTION by Wendy Ault, seconded by Fern Desjardins, and unanimously voted by those present to accept the proposed review team for the University of New England.

#### CONSIDERATION OF RULE CHAPTER 115

MOTION by Wendy Ault, seconded by Jana Lapoint, and unanimously voted by those present to table consideration of Chapter 115 approval until the January 13, 2021 meeting.



## PROCEDURE FOR HANDLING REQUESTS FOR REVIEW OF COMMISSIONER DECISIONS ON STUDENT TRANSFER REQUESTS

Wilson Hess, Chair of the Board, read a procedure for the Board when going into executive session to review requests for review of the Commissioner's decisions on student transfer requests.

The Board will be considering requests for Board review of the Commissioner's decision regarding requested transfers of students to another school district, pursuant to Title 20-A, section 5205(6)(F). The Board will be going into executive session to consider the request because each one involves reviewing and discussing information contained in student records made confidential by the federal law known as FERPA, the Family Educational Rights and Privacy Act. The parents and any attorney representing a parent are welcome to attend the executive session for the discussion of their particular student's transfer, as are the Superintendents of the school districts involved in that requested transfer. The Board will review each of the transfer requests in separate executive sessions. Today, the Board has one transfer request.

After the Board comes out of executive session, the Board will entertain a motion and take a vote on the disposition of the requests in public session.

The Board's role in these proceedings is to review the Commissioner's decision based on the record that was before her at the time she made the decision. Although the statute directs the Board to "communicate with" the parties involved, which the Board has done, the Board cannot accept any new evidence pertaining to a transfer request that was not considered or not available in the record at the time of the Commissioner's decision.

The Board provides for public comment which was explained earlier in the meeting. In the executive session the same rules apply for public comment and there will be a three-minute time limit for comment. This is not a time for debate or a time to introduce new evidence. It is a time for families to highlight the things they want the Board to consider in the record.

### **EXECUTIVE SESSION:**

MOTION by Jane Sexton, seconded by John Bird, and unanimously voted by those present for the Board to go into Executive Session, pursuant to Title 1 of the Maine Revised Statutes, section 405, subsection 6, paragraph F, to discuss information contained in records that are confidential under the Family Educational Rights and Privacy Act, Title 20 of the United States Code, section 1232g relating to a request from WT to review the Commissioner's decision to approve or disapprove a request for a student transfer, pursuant to Title 20-A, section 5205, subsection 6, paragraph F at 1:58 PM.

The Board returned to the regular business meeting at 2:31 PM.

MOTION by John Bird, seconded by Fern Desjardins, and voted seven in favor with one member opposed (Jana Lapoint) to overturn the Deputy Commissioner's decision in the denial of a transfer for WT. The motion carries and the transfer is granted.

**ANNOUNCEMENTS:**

- Submit travel and expense account vouchers to Mary Becker at the end of this meeting.
- The next Board meeting is currently scheduled to be held virtually via Zoom on Wednesday, January 13, 2021, at 1:00 PM.

**ADJOURNMENT:**

The December 21, 2020 State Board of Education meeting adjourned at 2:35 PM.