



## 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 June 10, 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; Casey Maddock; and Jaylee Rice

Vacant: One Member

Others Present: Deputy Commissioner Daniel Chuhta; Angel Loreda, Director of Higher Education and Educator Support Services; Jason Libby, Postsecondary and Educator Preparation Coordinator; Walter Beesley, Director of School Nutrition; Joanne Allen, Director of School Finance and Operations and Mary Becker, State Board Secretary Specialist.

### **CALLED TO ORDER:**

Chair, Wilson Hess called the meeting to order at 1:01 PM.

The meeting was conducted virtually 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. Mary Becker will read the roll call.

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

### **VISION STATEMENT:**

Read by 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 Fern Desjardins, and voted seven in favor with one-member abstaining (Peter Geiger) to accept the May 13, 2020 minutes as amended.

## **PUBLIC COMMENT:**

Wilson Hess requested that all guests in attendance on the virtual Zoom Meeting identify themselves and asked Mary Becker to call on each individual for identification: Those present were:

Deputy Commissioner Daniel Chuhta; Angel Loreda, Director of Higher Education and Educator Support Services; Jason Libby, Postsecondary and Educator Preparation Coordinator; Walter Beesley, Director of School Nutrition; Joanne Allen, Director of School Finance and Operations; Vicki Wallack, Maine School Management; Heather Ball, Education Faculty, University of Maine at Machias; and Jenny Stahl, ELA Teacher in Glenburn.

No Public Comment was offered.

## **COMMISSIONER'S UPDATE:**

Deputy Commissioner Chuhta sent greetings and regards from Commissioner Makin who had a conflict today. He gave an update from the Department of Education.

- 1) ***Returning to School Plan:*** The Department of Education (DOE) has been working on a plan for returning to school and personal classroom instruction for the fall. Plans from across the country are coming out soon and Maine will have their plan out by the end of the week. On Wednesday evening, June 10<sup>th</sup>, the DOE is holding another meeting of a stakeholder group that they have assembled to advise them on this work. It is a rather large group of 40 to 50 people that have been convening every other week to work on the framework for the plan. Also, a number of folks from the DOE have convened focus groups in particular areas that have specific needs. Their work will continue as well. On June 10<sup>th</sup>, there will be a wrapping up meeting and they hope to get the framework out on Thursday, June 11<sup>th</sup>. This will be the first version of the framework, whereas schools typically do not start until late August. There may be some new information, new data, or new decisions that occur between now and when schools start up. The CDC may need to give updates as well. The DOE will continue to update the plan as necessary to be sure it is the correct guidance to get out to the schools.
- 2) ***Federal Funds:*** School units have been considering and applying for federal funds administered by the State related to COVID-19. Funds are available through a reimbursement process. A school unit is allotted an amount of money based on student population. It works in a similar way to Title I allocations where the school unit receives the funds and they figure out with some flexible use. They will show related expenses they have had as a result of the impact of the pandemic. They complete an application that is reviewed by DOE staff for financial program approval. Not all units have applied yet. Some are still thinking about what the framework will look like. The DOE is very supportive of SAU's with this work.

- 3) **Chapter 115 Rule:** The DOE has convened a group of about 25 people that have expressed interest in working with the department for consensus-based rule-making of Chapter 115. The group has held two meetings and plans to continue meeting every week on Friday at 9:00 AM. The first meeting was for two hours. A presentation was given by a UMaine Farmington alumnus who shared her experience of aspiring to be an educator. She wanted to share her experiences and help put some perspective on the table. The group had conversation on the framework that had been presented to the Board a few months ago. The group also had conversations around ground rules as they move forward with their work. They do not vote as it is a consensus-based rulemaking committee. The committee is looking at what other states are doing. Peter Geiger, State Board of Education, is also a member of the group. Peter Geiger commended Deputy Commissioner Chuhta on what a well-organized meeting he conducted on Friday, June 5<sup>th</sup>.
- 4) **Guidance:** An update on the DOE's Guidance for Summer Programming, and Guidance for Graduation was given – Deputy Commissioner Chuhta posted links in the Zoom chat for Board members to locate the guidance on the DOE website.

#### **SCHOOL NUTRITION PRESENTATION:**

Walter Beesley, Director of School Nutrition for the Department of Education gave an update on the School Nutrition Programs. Programs for Child Nutrition include:

- After School Snack Service Program
- Breakfast Program
- Fresh Fruit and Vegetable Program
- National Lunch Program
- Summer Food Service Program
- USDA Food Program – 31 USDA Sponsors
- Farm and Sea to School Program
- Special Milk Program
- Child and Adult Care Food Program

There are currently 29 National and State nutrition-related waivers that are in place through August 31<sup>st</sup>.

School nutrition is working on a plan for schools opening in the fall. With COVID-19, the CDC is looking at school lunch trays – concerns with paper trays and no sanitation. Applications are online for less hand touching than a paper application process.

Webinars are held weekly on Wednesdays – light but informative information for 30 minutes to an hour each week announcing changes, with discussion to update all on what is going on with school nutrition. Thursday webinars are held on “reinventing food service department”. This is a webinar to talk to directors about their concerns. One problem is ordering products early such as paper or plastic products because it takes up to six weeks to receive orders and is an extra expense for districts.

There has been a slight decrease of 10% in meals served. During school closure time, mobile units, buses and SUV's have been serving children breakfast and/or lunch throughout the State. Options of the process are up to each school district.

Wendy Ault commented that as the Director of a foundation that has grants all over the State of Maine, she continuously hears about what a great job Walter is doing with the school nutrition programs. Walter is a great leader in a quiet way making things happen. The districts really appreciate all Walter has done to continue feeding students in Maine.

Following discussion, questions and concerns by Board members, Wilson Hess, on behalf of the Board thanked Walter for his presentation.

### **OFFICER'S REPORTS:**

#### **Chair, Wilson Hess**

- Wilson commented on the tremendous work that is being done by folks at the Department of Education (DOE). He reported that Commissioner Makin had given an extensive hour-long briefing on June 2nd. He thanked Wendy Ault and Fern Desjardins for attending the briefing. The mega Zoom session had approximately 260 participants in attendance. Most members of the Education and Cultural Affairs Committee were in attendance. The Commissioner reviewed events from March 15th, the beginning of the State of Emergency, to where things were at on June 2nd. Commissioner Makin spoke about emergency communications, school nutrition efforts, and the number of meals served throughout the State. There was a great deal of attention given to efforts to provide broadband and technology access. The Commissioner stated it well, that nutrition and internet access are a humanity crisis, as students have been torn from their community networks. The Commissioner noted that the DOE's Strategic Plan has been adjusted in response to the emergency. She spoke on three items – 1) There is 100% student access to the internet, 2) Online learning platforms for anytime anywhere access, and 3) Systematic leveraging capacity as part of the plan going forward. It was a very impressive summary of what is going on.
- The same day, NASBE held a Zoom meeting with even more participants nation-wide. The basic theme of the meeting related to the work of the NASBE Standard publication. Wilson serves on the Standard editorial committee. Three of the authors for the most recent issue were part of the webcast. This particular issue of the Standard deals with school climate – “The State Education Standard – Gauging School Climate.” It is important work in normal circumstances but now nearly every student has experienced some level of trauma around the pandemic or the national protests. The question for the State Board, our colleagues in the Department, and educators throughout America, is how we can discuss school climate in a positive way in the context of Coronavirus recovery. Policy leaders like us need to be able to address the academic, social & emotional learning, and

mental health impacts of this lengthy school closure. We will be asking folks for some background on this topic for the Board's 2020 annual retreat.

**Vice Chair, Jane Sexton**

- She attended and chaired the Certification and Higher Education Committee meetings on May 27<sup>th</sup> and June 10<sup>th</sup>.
- Jane updated the Board on ideas for the annual retreat. She has been in touch with staff at the Department of Education regarding social and emotional learning and mental health. Zoom education is also a topic for the retreat. Jane received suggestions from Wendy Ault and requested other Board member's ideas for topics to be emailed to her for the retreat to be held in August of 2020.

**BOARD MEMBER REPORTS:**

**Martha Harris**

- Martha is the Board representative for the Visual and Performing Arts Standards Steering Committee. The group has held approximately ten meetings with one more scheduled to be held in early July.
- She serves on the Government Affairs Committee at NASBE and participated in a meeting on Monday, June 8<sup>th</sup>. The Committee is working on trying to get more funding from the federal government. They have asked for specific issues from each State. Robert Hull, President of NASBE, is planning to retire but due to the pandemic, he has agreed to stay another year with NASBE.
- Martha attended the Maine County Teachers of the Year celebration. She spoke on behalf of the State Board both at the day the teachers met together and the day the teachers were announced to the public.
- She has heard that Hampden Academy graduation will not be moving forward, but she hopes something will happen for the seniors, as they do need a celebration. Students are suffering not being in school, although teachers have done a marvelous job.

**Fern Desjardins**

- Fern has been participating in all the NASBE Office Hours Zoom meetings being held every Thursday. Starting this week, they will meet every other week. She also attends webinars with NASBE as a member of the NASBE Board of Directors. She has been taking notes and sharing them with Board members following each meeting. Should anyone have questions regarding her notes, they can email Fern. She summarizes the meetings, and also receives official minutes from NASBE to share with Board members. The webinar on the NASBE Standard was great as she got to hear from the authors of the publication.
- She serves as the Board representative on the World Languages Standards Review Steering Committee. The Committee will hold its last meeting in July.
- She attended Commissioner Makin's virtual briefing on June 2<sup>nd</sup>.

### **Wendy Ault**

- Wendy reminded Board members about the student that is a sophomore at Bowdoin College and is still interested in participating in some sort of meaningful project. Wendy will have a conversation with Wilson Hess regarding a project that the Board might have needs for that the student could work on.

### **Jaylee Rice**

- Jaylee participated in the Maine State Science Fair and received first place in her category which is material science. She received a scholarship from them. It was all virtual and she had a week to put it all together. She received a scholarship from UMaine for full tuition for four years of study. She is a jazz musician and if she signs on to jazz or sing jazz, she will be paid by a stipend by UMaine for \$3,000.00 a year for four years.

### **COMMITTEE REPORTS:**

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

The School Construction Committee did not meet on May 29, 2020 as scheduled.

The next School Construction Committee meeting is scheduled for Friday, June 26, 2020. The meeting will either be held in Room 500 of the Cross State Office Building or virtually via Zoom. 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 May 27, 2020 as scheduled and held a special meeting on June 10, 2020.

- At the May 27<sup>th</sup> meeting the Committee reviewed the UMA report which will come before the Board on June 10<sup>th</sup> for receipt of the report.
- At the June 10<sup>th</sup> meeting the Committee reviewed the Colby College report and will recommend that the Board approve the report today at the June 10<sup>th</sup> meeting.
- At the end of June, the Committee will meet and receive an update on Northeastern University, review the annual reports from each college/university, and hold a discussion on the upcoming site reviews where five will be scheduled at future dates.

The next Certification and Higher Education Committee meeting is scheduled for Wednesday, June 24, 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 May 28, 2020 as scheduled.

- The Committee has been meeting virtually every month via Zoom. Four CTE representatives (Directors) join the meetings each month. Wilson Hess also attends as an ex-officio member.
- The Committee held discussion on pilot projects for grades 9 and 10 which would have been completed this June, but will be extended into the fall. Educate Maine has served as a fiscal agent for the Board and will be doing an evaluation on 9th and 10th grade projects in the fall.
- The Committee held a very successful summit last summer with CTE instructors. Board members and other folks were invited. The Committee wanted to hold another summit this summer. With all the uncertainty about school start-up, backlogged planning, and CTE instructors finishing up the best they can, the Committee probably will postpone the summit until after the summer. Another real challenge has been with students getting their certification requirements so they can get jobs.
- A proposal will be presented to the Board on June 10<sup>th</sup>, under new business, with a recommendation to approve a FY21 Perkins contract, in the amount of no more than \$20,000, to the Educate ME foundation acting as the Board's fiscal agent, for the evaluation of 9<sup>th</sup> and 10<sup>th</sup> grade CTE pilots in order to facilitate discussion on how to integrate these opportunities statewide.
- At the March 26<sup>th</sup> Committee meeting, Don Cannan submitted a request to carryover funds for MACTE from this year's Briggs Grant until December 31, 2020. The Committee voted to bring the request before the Board on June 10<sup>th</sup> under Old Business.

The next Career and Technical Education (CTE) Committee meeting is scheduled for Thursday, June 25, 2020. The meeting will be held in Room 538 of the Cross State Office Building or 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 Friday March 6, 2020. There has been no action since that meeting. The Educational and Cultural Affairs Committee will be returning for a meeting on June 18th.

### ***Nomination and Election (Martha Harris):***

Martha Harris Chaired the Nominations and Election Committee.

Wendy Ault and Fern Desjardins served on the Committee.

At the May 13, 2020 Board meeting, Martha Harris put forward the Slate of Officers: Wilson Hess as Chair and Jane Sexton as Vice Chair.

It was noted that the Board's Procedure indicates that other members who wish their names to be placed on the ballot must obtain two supporting nominations from

Board members and present them to the Nomination and Election Committee Chair at least two weeks prior to the annual meeting on June 10, 2020.

The Committee did not receive any other nominations, therefore, at today's meeting, under new business Martha Harris will make a motion for Wilson Hess and Jane Sexton to continue their current positions for a year – July 1, 2020 through June 30, 2021.

***Student Voices (Jaylee Rice, Casey Maddock and Wendy Ault):***

Jaylee reported that another Student Cabinet meeting was held two weeks ago but she was not able to attend. Casey was not available to attend the last two Cabinet meetings. Casey has had a lot of students reaching out to her due to all that is going on throughout the country.

Deputy Commissioner Dan Chuhta did a quick report regarding the Student Cabinet at the last State Board meeting. It is a great group that we get lots of active engagement from. Commissioner Makin also spoke about the feedback from the Cabinet during her briefing on June 2nd. Wendy Ault commended the Commissioner for convening the student advisory cabinet.

***Student Membership (Fern Desjardins):***

Wendy Ault, Fern Desjardins and Jaylee Rice were appointed by Chair Hess to serve on the ad-hoc committee reviewing student applications, selecting the six semi-finalists for interviews and also following the interviews, sending the names of the three finalists to the Governor for an appointment to the Board.

Six semi-finalists are scheduled for interviews on Monday, June 15th. The Education Committee is meeting on June 18th, but there will not be sufficient time for the Legislature to act on a confirmation hearing for the selected student.

***Charter Commission Representatives (Jana Lapoint):***

The Charter School Commission met on June 9, 2020.

The Ecology Learning Center, Maine's tenth Charter School, announced the location of its school which is being purchased from the Unity Foundation and their undertaking of a \$100,000.00 capital campaign. They also announced that they have enrolled 26 students and fully expect to reach their goal of 48 students by August of 2020.

Baxter Academy will be holding their graduation ceremony on Sunday, June 14<sup>th</sup> for 90 students. Graduation will be held at 7:00 PM at the Saco Drive-in Theatre.

Maine Virtual Academy's renewal was approved with stipulations.

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

The Professional Standards Board has not met. Waiting to hold the initial meeting in June.



**UNFINISHED (OLD) BUSINESS:**

APPROVAL OF THE MACTE BRIGGS GRANT EXTENSION TO  
DECEMBER 31, 2020

Following the March 26 CTE Committee meeting, Don Cannan submitted to the Committee a request to carryover funds for MACTE from this year's Briggs Grant until December 31, 2020.

- A third of the school year has been disrupted with COVID-19 protocols
- Provides an opportunity to complete the director's conclave and CTE conference, as well as;
- To meet other priorities of the grant
- Activities planned for October 2020 will be developed with State Board priorities in mind

MOTION by Wendy Ault, seconded by Jana Lapoint, and unanimously voted by those present for the State Board of Education to approve the extension of the Briggs grant to December 31, 2020.

**NEW BUSINESS:**

RECEIPT OF THE UNIVERSITY OF MAINE AT AUGUSTA EDUCATOR  
PREPARATION PROGRAM REPORT IN ACCORDANCE WITH CHAPTER 114

BACKGROUND: The review team was chaired by Dr. Pamela Thompson of Thomas College. The review took place December 1-3, 2019. The review team reviewed the institution's self-study using Chapter 114 standards.

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

MOTION by Jane Sexton, seconded by Jana Lapoint, and unanimously voted by those present for the Board to receive the University of Maine at Augusta Review Team report of findings and vote at the July 15, 2020 meeting for the institution's educator preparation program to be granted five-year program initial approval.

CONSIDERATION OF THE APPROVAL OF THE COLBY COLLEGE EDUCATOR  
PREPARATION PROGRAM IN ACCORDANCE WITH CHAPTER 114

BACKGROUND: The review team was chaired by Dr. Heather Ball of the University of Maine at Machias. The review took place September 22-24, 2019. The review team reviewed the institution's self-study using Chapter 114 standards and has recommended five-year program approval for the following

programs:

- Secondary education 7-12 (English, social studies, life science, physical science, mathematics)
- K-12 foreign language in French, Spanish, and German

RECOMMENDATION: That the State Board of Education grant Colby College program approval from Fall 2019 to Fall 2024 for the Colby Professional Teacher Certification Program. By May 2021, the unit must submit an interim report of progress toward meeting Standards 1 and 2. If this condition is not met, program approval may be revoked.

MOTION by Jane Sexton, seconded by Jana Lapoint, and voted seven in favor with one member opposed (Peter Geiger) to grant Colby College conditional program approval from Fall 2019 to Fall 2021 for the Colby Professional Teacher Certification Program. By May 2021, the unit must submit an interim report of progress toward meeting Standards 1 and 2.

#### APPROVAL OF THE EDUCATE ME FY21 PERKINS CONTRACT

The State Board of Education's Career and Technical Education Committee recommends to the State Board of Education any and all pertinent materials so that the State Board may perform its duties, including the administration on oversight of Maine's Perkins grant funding.

The committee makes recommendations to the State Board of Education for the approval of Perkins funded programs to enhance career and technical education.

Recommendation: The State Board of Education approve a FY21 Perkins contract, in the amount of no more than \$20,000, to the Educate ME foundation. This contract will be funded with State level Perkins funds. Acting as the Board's fiscal agent, Educate Maine will be responsible for the evaluation of 9<sup>th</sup> and 10<sup>th</sup> grade CTE pilots in order to facilitate discussion on how to integrate these opportunities statewide.

MOTION by John Bird, seconded by Wendy Ault, and unanimously voted by those present to approve a FY21 Perkins contract, in the amount of no more than \$20,000, to the Educate ME foundation. This contract will be funded with State level Perkins funds. Acting as the Board's fiscal agent, Educate Maine will be responsible for the evaluation of 9<sup>th</sup> and 10<sup>th</sup> grade CTE pilots in order to facilitate discussion on how to integrate these opportunities statewide.

#### ELECTION OF STATE BOARD OF EDUCATION OFFICERS – CHAIR AND VICE CHAIR FOR THE 2020-2021 YEAR

MOVED by Martha Harris, seconded by Fern Desjardins, and voted seven in favor with one abstention (Wilson Hess) to elect Wilson Hess as chair and Jane Sexton as vice chair for the term of one-year beginning July 1, 2020 and ending June 30, 2021.

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 a request for Board review of the Commissioner's decision regarding a requested transfer of a student 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 two.

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 SS 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 3:40 PM.

The Board returned to the regular business meeting at 4:03 PM.

MOTION by Jane Sexton, seconded by Martha Harris, and voted six in favor with two members opposed (Wendy Ault and Fern Desjardins) to uphold the Deputy Commissioner's decision in the denial of a transfer for SS. Motion Carries and the transfer is denied.

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 EP 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 4:05 PM.

The Board returned to the regular business meeting at 4:17 PM.

MOTION by Wilson Hess, seconded by John Bird, and voted seven in favor with one member opposed (Wendy Ault) to uphold the Deputy Commissioner's decision in the denial of a transfer for EP. Motion Carries and the transfer is denied.

**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 or virtually via Zoom on Wednesday, July 15, 2020, at 1:00 PM.

**ADJOURNMENT:**

MOTION by Martha Harris, seconded by Jana Lapoint, and unanimously voted by those present to adjourn the State Board of Education meeting at 4:20 PM.