



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 11, 2021 at the Green Ladle, Lewiston Regional Technical Center, Lewiston, Maine. The following members were present: Chair Fern Desjardins; Vice Chair Peter Geiger; Wendy Ault; Paulette Bonneau; James Ford; Wilson Hess; Victoria Kornfield; Joshua Leinwand and Cynthia Murray-Beliveau.

Absent With Excuse: Cordelia Pitman and Greyson Orne

Others Present: Deputy Commissioner Chuhta and Mary Becker, State Board of Education Secretary Specialist. Attending the meeting virtually via Zoom: Angel Loredo, Director of Higher Education and Educator Support Services; Jason Libby, Higher Education Specialist; and Scott Brown, Director of School Facilities (Department of Education)

CALLED TO ORDER:

Chair, Fern Desjardins called the meeting to order at 1:01 PM.

VISION STATEMENT:

Read by student member, Joshua Leinwand: 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 Cynthia Murray-Beliveau, seconded by Wendy Ault, and unanimously voted by those present to accept the July 14, 2021 minutes as presented.

PUBLIC COMMENT:

No Public Comment

OFFICER'S REPORTS:

Chair, Fern Desjardins

- Fern Desjardins reviewed the business agenda for the July 14 meeting.
 - *Unfinished Business*
 - No Unfinished Business
 - *New Business*
 - Major Capital School Construction Program; Site Approval for RSU 10/MSAD 10 New Elementary/Middle School
 - Receipt of Colby College Educator Preparation Interim Report
 - Receipt and Approval of Bates College Educator Preparation Program Review Team Report
 - Receipt of the University of Maine Educator Preparation Program State Review Team Report
 - Approval of the College of the Atlantic Educator Preparation Program Review Team Report
 - Approval of the Quarterly Report of the Maine Carl D. Perkins Grant
 - Receipt of Draft Remote Participation Policy
 - Consideration of two Student Transfer Appeals
- Peter, Mary and Fern held an orientation session for new members on August 9. They reviewed parts of the Policies and Procedures Manual, Bylaws, some of the State Board of Education (SBE) and Department of Education (DOE) Rules, and other procedural items. Fern thanked Paulette Bonneau, James Ford, Cordelia Pitman, Tori Kornfield, Cynthia Murray-Beliveau, and Joshua Leinwand for attending.
- Fern also thanked Paulette Bonneau, Joshua Leinwand, and James Ford for attending Session II of the National Association of State Boards of Education's (NASBE) New Member Institute on July 21. The session was on Parliamentary Procedures and Leading with Evidence, meaning that evidence and data matter in making informed decisions.
- She has been working with Peter Geiger on Retreat Planning during the past month. This meant having meetings with the Board's facilitator, President Robert Hull. Peter worked many hours to make the retreat run as smoothly as it did. She stated that Peter was extremely efficient in carrying out his role as Vice-Chair for planning and coordinating the Annual Retreat and she expressed a heartfelt thanks to Peter.
- She attended a July 29 briefing by NASBE on improving water quality in schools. Some states are leading in school testing programs for lead in water and in lead remediation efforts. They had recommendations for state boards of education to help ensure that school drinking water is

safe. NASBE is working with a Chicago-based environmental nonprofit, Elevate, and a report on their findings is forthcoming.

- The NASBE Board of Directors met on July 26. The Board accepted reports from all of the committees that reported out. At the September meeting, our Board will be voting on a delegate to represent MSBE at the Delegate Assembly in October. Fern will provide members with more information on the committee reports at that meeting so that our delegate can truly represent us.
- On July 22, she attended her first Career and Technical Education (CTE) Committee meeting since becoming a member of the State Board. The meeting was interesting and very productive. The Board has a well-informed and talented group working together on CTE issues under Wilson Hess' seasoned leadership.

Vice Chair, Peter Geiger

- July tends to be a slower month for meetings. Aside from the Construction Committee meeting on July 30 and the Agenda Review meeting with the Commissioner on August 2, much of his time was spent preparing the logistics for the Board's annual retreat.
- Peter attended the July 29 rulemaking session with Sarah Forster, which he found to be a good refresher class.

COMMITTEE REPORTS:

School Construction Committee (Peter Geiger):

The School Construction Committee met on July 30, 2021 as scheduled.

- The School Construction Committee meeting was held virtually via zoom.
- Deb Alden, Superintendent of RSU 10/MSAD 10, presented site work for a new elementary school. Rumford Elementary School is listed #3 on the priority list and is up for consideration. The district engaged Harriman Associates to evaluate new vs renovations and concluded that new construction of a PreK-8 school can provide education programs and services for over 1,000 students. A committee recommendation will be presented under new business today.
- The Committee discussed briefly LD 705 (Resolve, to Improve Air Quality and Ventilation in Maine's Public Schools) involving school ventilation rules and will address this in rule Chapters 61 and 64.
- Finally, the Committee had a brief conversation about the loss of the Dr. Levesque Elementary School in Frenchville.

The next regular School Construction Committee monthly meeting is scheduled for Friday, August 27, 2021. The approved minutes will be posted on the State Board website.

Certification and Higher Education (Wendy Ault):

The Certification and Higher Education Committee (CHE) held their regular monthly meeting on July 28, 2021 as scheduled.

- Wendy Ault reported that given the pace the committee has been involved in for the past year and a half with Rule Chapter 115 review, it has been very quiet.
- A public hearing for public comment on Rule Chapter 115 is scheduled for Monday, August 16, 2021 at the Burton Cross State Office Building, Room 500, at the Department of Education. Wendy Ault will be participating along with Fern Desjardins and Wilson Hess. Victoria Kornfield will be joining the public hearing virtually via zoom.
- She is very pleased, on behalf of the CHE Committee, that they are taking up so much of the business meeting agenda today and thanked the chair for referencing the items that will be discussed later in the meeting.
- Wendy Ault thanked Board members for their indulgence over the last couple of days for allowing her to weave in and out of the two-day retreat as her son and family are visiting, which is the first time in Maine over the past two years.

The next regular Certification and Higher Education Committee monthly meeting is scheduled for Wednesday, August 25, 2021. The approved minutes will be posted on the State Board website.

Career and Technical Education (Wilson Hess):

The Career and Technical Education (CTE) Committee met on July 22, 2021 as scheduled.

- Wilson Hess thanked members that attended – Wendy Ault and Paulette Bonneau.
- A new member has been appointed to the Committee and Wilson looks forward to Joshua Leinwand joining future meetings.
- The Committee reviewed the quarterly report of the Maine Carl D. Perkins grant. The quarterly report is under new business today for approval.
- The Committee reviewed the annual funding and was informed of revisions. This item will come before the Board at a future meeting
- The CTE Committee, for several years, includes stakeholders at their monthly meeting. The Committee received updates from Dwight Littlefield, State Director for CTE, Department of Education, Jason Judd, Executive Director of Educate Maine, MACTE (Maine Administrators of Career and Technical Education), and from Joan DeCosta, Perkins Grant Coordinator, Community College System.
- MACTE conducted its annual conclave on July 26 to 28. It was an excellent workshop. At yesterday's workshop session of the the retreat, the work group for CTE received a report on MACTE's conclave.

The next regular CTE Committee monthly meeting is scheduled for Thursday, August 26, 2021. The approved minutes will be posted on the State Board website.

Legislative Action (Wilson Hess):

The Legislative Action Committee did not meet in July. The last meeting was on Friday, May 28, 2021.

- The Committee will meet before the end of August to pursue the planning work looking ahead to the year.
- In terms of LD 705, there was a resolve by the Education and Cultural Affairs Committee of the Legislature that will open up Rule Chapter 61, which is a school construction rule, for the purpose of clarifying and updating the standards in the rule on school air quality and ventilation. With the consent of Peter Geiger, School Construction Committee Chair and Fern Desjardins, Chair of the State Board, Wilson has been in the process of organizing a forum on air quality and ventilation with policy experts and science and policy makers. Recently, some of the speaker's organizations have said that because of the rise in COVID-19 delta variant they would not be able to participate, by company policy. As of today, Wilson has canceled the forum scheduled for Monday, August 16 and will reschedule in the near future, either in person or virtual. An email will go out today notifying all that the forum is canceled.

Student Voices (Greyson Orne, Joshua Leinwand and Wendy Ault):

- Wendy Ault reported that whereas it is summer, the Commissioner chose not to hold a Student Cabinet meeting over the summer months. She is looking forward to working with Greyson Orne and Joshua Leinwand going forward.

Charter Commission Representatives (Wilson Hess):

The Charter School Commission did not meet on August 10, 2021 as scheduled.

Professional Standards Board (Peter Geiger):

The Professional Standards Board (PSB) last met on May 3, 2021.

- The PSB's next meeting will be held in the Fall of 2021.

UNFINISHED (OLD) BUSINESS:

No Unfinished Business

NEW BUSINESS:

MAJOR CAPITAL SCHOOL CONSTRUCTION PROGRAM; SITE APPROVAL CONSIDERATION; RSU 10/MSAD 10 - NEW ELEMENTARY/MIDDLE SCHOOL CONSTRUCTION PROJECT

STATEMENT OF FACT: Superintendent Deb Alden requests that the State Board of Education approve a site in Mexico for a new elementary/middle school. Rumford Elementary School (grades PreK-5) rated 3rd on the Final Priority List of the 2017-2018 Rating Cycle. The proposed new elementary/middle school will also include students from Meroby Elementary (grades PreK-5) and Mountain Valley Middle School (grades 6-8).

RSU 10/MSAD 10 hired Harriman to complete a New vs. Renovations analysis of the existing Rumford Elementary School and conduct further studies of the other elementary and middle school buildings in the district. This analysis resulted in a recommendation of new construction that would include grades PreK-8 which will provide educational programs and services for 1,034 students. The district is currently working with the Department to explore including CDS and other early childhood programs in the new facility. This project allows for the elimination of 3 portable classrooms and expands Pre-K programming in the district which supports the district's goals of improving educational equity.

The current Rumford Elementary school site is 5 acres which will not support this school project. A comprehensive search was conducted to find a site that could support the needs of the new combined elementary/middle school. The process was led by Harriman. The search began with a review of all potential sites within a 3-mile radius of the bridge that connects Rumford and Mexico. Through an evaluation process 7 sites were identified and studied using the criteria on the site selection matrix developed by the design team and the school district. This process identified the top 3 sites. Further investigation identified the existing Meroby Elementary School and Mountain Valley Middle School 37.87 acre site as the best site for the new school.

This proposed site is in the heart of the community in Mexico and 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 schools remain 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 June 28, 2021, constructing a new facility on this site was endorsed by a straw poll vote of 17 in favor and 0 opposed.

Project Information:

Project: RSU 10/MSAD 10 New Elementary/Middle School Construction Project

Superintendent: Deb Alden

Architect: Harriman

Engineer: Harriman

Schools to be closed: Rumford Elementary, Meroby Elementary and Mountain Valley Middle School

Total number of acres: 37.87

Purchase cost: \$0

COMMISSIONER'S RECOMMENDATION: The Commissioner of the Department of Education recommends that the State Board of Education grant Site Approval to RSU 10/MSAD 10 for the new Elementary/Middle School construction project as presented.

SCHOOL CONSTRUCTION COMMITTEE RECOMMENDATION: On July 30, 2021, the School Construction Committee recommended that this exhibit be placed on the August 11, 2021 State Board meeting agenda and that the State Board grant Site Approval to RSU 10/MSAD 10 for the new Elementary/Middle School construction project as presented.

MOTION by Peter Geiger, seconded by James Ford, and unanimously voted by those present to grant Site Approval to RSU 10/MSAD 10 for the new Elementary/Middle School construction project as presented.

RECEIPT OF THE COLBY COLLEGE EDUCATOR PREPARATION PROGRAM
INTERIM REPORT

BACKGROUND: A review of the Colby College Educator Preparation Program was conducted in September 2019. The review team, chaired by Dr. Heather Ball of the University of Maine at Machias, reviewed the institution's self-study using Chapter 114 standards and 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

Additionally, the review team found that Standards 1 and 2 were *partially met* and recommended that the unit submit an interim report of progress toward meeting these standards.

On June 10, 2020, the Maine State Board of Education approved the recommendation that "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.”

The interim report was submitted by Colby College and reviewed by the Certification and Higher Education Committee.

RECOMMENDATION: That the State Board of Education receive the Colby College Interim Report as required by the Maine State Board of Education’s decision on June 10, 2020.

Note: James Ford left the meeting room at 1:34 PM.

MOTION by Wendy Ault, seconded by Peter Geiger, and unanimously voted by those present to receive the Colby College Interim Report as required by the Maine State Board of Education’s decision on June 10, 2020.

RECEIPT AND APPROVAL OF BATES COLLEGE EDUCATOR PREPARATION PROGRAM REVIEW TEAM REPORT

BACKGROUND: The review team was chaired by Dr. Thomas Edwards of Thomas College. The review took place the week of April 26-30, 2021. The review team reviewed the institution’s self-study using Chapter 114 standards.

The following programs were reviewed for renewal:

- Secondary Education, 7-12 in English, Math, Life Sciences, Physical Sciences, Social Studies, and Art
- World Languages, K-12

The team recommends a full five-year approval from Fall 2020 to Fall 2025.

RECOMMENDATION: That the State Board of Education receive and approve the Bates College Review Team report of findings that the institution’s educator preparation program be granted program approval by the Maine State Board of Education from Fall 2020 to Fall 2025.

MOTION by Wendy Ault, seconded by Paulette Bonneau, and unanimously voted by those present to receive and approve the Bates College Review Team report of findings that the institution’s educator preparation program be granted program approval by the Maine State Board of Education from Fall 2020 to Fall 2025.

RECEIPT OF THE UNIVERSITY OF MAINE EDUCATOR PREPARATION PROGRAM STATE REVIEW TEAM REPORT

BACKGROUND: The state review team was chaired by Dr. Andrea Stairs-Davenport of the University of Southern Maine. The review took place December 13-15, 2020 concurrently with a review conducted by the Council for the

Accreditation for Educator Preparation (CAEP). The state review team reviewed the institution's self-study using only Chapter 114 standards 5 and 6 as outlined in an agreement between the Maine State Board of Education and CAEP.

The following programs were reviewed for approval renewal:

- Early Childhood, ages 0-5
- Early Elementary, K-3
- Elementary Education, K-8; and
- Secondary Education, 7-12 in English Language Arts, Mathematics, Physical Science, Life Science, and Social Studies
- Physical Education, K-12
- World Language, K-12

The team recommends a full seven-year approval from Fall 2021 to Fall 2028.

RECOMMENDATION: That the State Board of Education receive The University of Maine State Review Team report of findings that the institution's educator preparation program be granted program approval by the Maine State Board of Education from Fall 2021 to Fall 2028.

MOTION by Wendy Ault, seconded by Cynthia Murray-Beliveau, and unanimously voted by those present to receive The University of Maine State Review Team report of findings that the institution's educator preparation program be granted program approval by the Maine State Board of Education from Fall 2021 to Fall 2028.

James Ford returned to the meeting room at 1:53 PM.

APPROVAL OF COLLEGE OF THE ATLANTIC EDUCATOR PREPARATION PROGRAM REVIEW TEAM REPORT

BACKGROUND: The review team was chaired by Dr. Lane Clarke of the University of New England. The review took place the week of April 5-9, 2021. The review team reviewed the institution's self-study using Chapter 114 standards.

The following programs were reviewed for approval renewal:

- Elementary Education, K-8; and
- Secondary Education, 7-12 in English Language Arts, Life Sciences, and Social Studies

Additionally, the following program was reviewed for initial certification:

- A minor in Art Education, K-12

The team recommends a full five-year approval from Fall 2020 to Fall 2025.

RECOMMENDATION: That the State Board of Education approve the College of the Atlantic Review Team report of findings that the institution's educator preparation program be granted program approval by the Maine State Board of Education from Fall 2020 to Fall 2025.

MOTION by Wendy Ault, seconded by Cynthia Murray-Beliveau, and unanimously voted by those present to approve the College of the Atlantic Review Team report of findings that the institution's educator preparation program be granted program approval by the Maine State Board of Education from Fall 2020 to Fall 2025.

REQUEST APPROVAL OF THE QUARTERLY REPORT OF THE MAINE CARL D. PERKINS GRANT AS AUTHORIZED UNDER THE STRENGTHENING CAREER AND TECHNICAL EDUCATION FOR THE 21ST CENTURY ACT (P. L. 115-224).

As a condition for the receipt of Federal funds to support vocational and technical education, §122 of the Strengthening Career and Technical Education For The 21st Century Act (P. L. 115-224), requires a designated eligible agency in each State, which in Maine is the State Board of Education, to submit a State Plan for Career and Technical Education. The State Plan was approved by the Office of Career and Technical and Adult Education on May 22, 2020. 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 of Education 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 and final report for The FY2021 Perkins grant.

RECOMMENDATION: The State Board or Education approve the Quarterly report for the period of April 1, 2021 through June 30, 2021, of the State of Maine Plan for the Strengthening Career and Technical Education For The 21st Century Act (P. L. 115-224).

MOTION by Paulette Bonneau, seconded by Wendy Ault, and unanimously voted by those present to approve the Quarterly report for the period of April 1, 2021 through June 30, 2021, of the State of Maine Plan for the Strengthening Career and Technical Education for The 21st Century Act (P. L. 115-224).

RECEIPT OF DRAFT REMOTE PARTICIPATION POLICY

A draft of a policy for Remote Participation at Board meetings was distributed to all Board members. Following much discussion, a motion was made.

MOTION by Wilson Hess, seconded by Victoria Kornfield, and unanimously voted by those present for the State Board of Education to adopt a remote participation policy as distributed, with the exception, that at the end of the third paragraph after 1 MRS §403-B(2)(B)(1-4), remove “due to” and add the sentence, “The Board defines ‘not practicable’ as follows:”

STUDENT TRANSFER APPEALS:

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

Fern Desjardins, 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 two transfer requests.

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 Peter Geiger, seconded by James Ford, 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 AB and WB 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 2:54 PM.

The Board returned to the regular business meeting at 3:41 PM.

MOTION by Cynthia Murray-Beliveau, seconded by Victoria Kornfield, and voted seven in favor with one member opposed (James Ford) to uphold the Deputy Commissioner's decision in the denial of a transfer for AB. The transfer is denied.

MOTION by Cynthia Murray-Beliveau, seconded by James Ford, and voted five in favor with three members opposed (Peter Geiger, Wilson Hess, and Victoria Kornfield) to overturn the Deputy Commissioner's decision in the denial of a transfer for WB. 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 scheduled to be held at the Burton Cross State Office Building in Augusta on Wednesday, September 15, 2021, at 1:00 PM.

ADJOURNMENT:

MOTION by Peter Geiger, seconded by Paulette Bonneau, and unanimously voted by those present to adjourn the August 11, 2021 State Board of Education meeting at 3:57 PM.

Respectfully Submitted by
Mary Johnson Becker
Secretary Specialist
State Board of Education