



## **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 June 15, 2022 at the Burton Cross State Office Building and virtually via Zoom. The following members were present: Chair Fern Desjardins; Kristin Bishop; Paulette Bonneau; James Ford; Wilson Hess; Thomas Keller; Victoria Kornfield; Joshua Leinwand; and Ryan Hafener.

Absent with Excuse: Vice Chair Wendy Ault  
Absent without Excuse: Mark Balfantz

Others Present: Scott Brown, Director of School Construction Programs; (Department of Education) and Mary Becker, State Board of Education Secretary Specialist.

### **CALLED TO ORDER:**

Chair Fern Desjardins called the meeting to order at 1:02 PM. She welcomed new student Board member Ryan Hafener to the meeting.

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

### **VISION STATEMENT:**

Read by student member, Ryan Hafener: 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.

### **POEM READING:**

Poem Read by Victoria Kornfield: "First Fiddleheads" by Susan Pelletier.

**ADJUSTMENTS TO THE AGENDA:**

No Adjustments were made.

**APPROVAL OF MINUTES:**

MOTION by Thomas Keller, seconded by Victoria Kornfield, and unanimously voted by those present to accept the May 11, 2022 minutes as presented.

**PUBLIC COMMENT:**

No Public Comment

**OFFICER’S REPORTS:**

**Chair, Fern Desjardins**

- Fern reviewed the business agenda for the June 15 meeting.
- **COMMITTEE APPOINTMENTS**
  - School Construction Committee – Kristin K. Bishop
  - Maine Teacher of the Year – Victoria Kornfield
- She represented the State Board at the 2022 County Teacher of the Year Induction/Orientation Dinner on May 11 and at the Announcement Ceremony on May 12. Commissioner Makin and Governor Mills were also speakers at the Announcement Ceremony. It was a wonderful celebration of the many outstanding teachers in Maine.
- Worked with Nicole Denis, Director of Finance, on the FY23 Work Program for the State Board and learned that the SBE’s allocation is \$182,342.
- The MDOE led by Deputy Commissioner Dan Chuhta; Angel Loreda, Director of Higher Education & Educator Support Services; and Stephanie Fyfe, Certification Coordinator, held three very informative webinars on Chapter 115 (5/18, 5/25, and 6/8). The webinars and Power Point presentations are available at: <https://www.maine.gov/doe/cert>  
Fern is very pleased with the efforts made by the MDOE in informing educators of the changes to Chapter 115 effective June 10 and in supporting educators through initial certification and in renewals.
- Fern, Paulette Bonneau, and Tom Keller met with Deputy Commissioner Dan Chuhta, Jessica Nixon, Chief of Operations, and Nicole Denis, Director of Finance on May 16 to continue the discussion of the addition of an executive director and administrative assistant to replace Mary as secretary specialist after she retires on July 31. They agreed to move the request for an executive director to FY24 (to provide time to acquire funding for the position) and to give Jessica the go-ahead with her draft of June 14 to the Bureau of Human Resources in requesting a

reclassification of the current position of secretary specialist to 6592, Office Specialist II, Range 20.

- She attended the Board Effectiveness Ad Hoc Committee meeting (5/23), Career and Technical Education Committee meeting (5/26), Chaired the School Construction Committee meeting (5/27), held the June agenda review with Deputy Commissioner Chuhta (6/6), attended two meetings of the Maine Charter School Commission's School Performance Committee (5/24 and 6/6) and the Maine Arts Academy Board of Directors meeting (6/1).
- NASBE
  - The State Education Standard came out in early May. The issue is on *Advancing Math & Science Instruction*.
  - New Member Institute, June 29, July 27, and August 24 from 1-4 pm. Members joining the State Board in the last 18 months were highly encouraged to attend. All sessions are virtual and registration is free. It's a very good professional development opportunity.
  - Student Engagement Collaborative starting in August for all student members of state boards of education. The Collaborative will provide 6-months of virtual cross-state collaborative opportunities, training in policy analysis and action plan development, and technical assistance to support participants. Board members are needed to serve as mentors to student members participating in the Collaborative.
  - Attended the Board of Directors meeting (5/23)
  - May 6 – Office Hours – Jennifer Sattem of Curriculum Associates and one of the authors of the article “The impact of COVID-19 on math achievement” in the most recent issue of The State Education Standard shared new data on math achievement gaps and what state boards can do to help close those gaps through acceleration.

#### **Vice Chair, Wendy Ault**

- Ms. Ault was absent.

#### **COMMITTEE REPORTS:**

##### ***School Construction Committee (Fern Desjardins):***

The School Construction Committee met on May 27, 2022 as scheduled.

- The Committee received a presentation from RSU 49 superintendent, Roberta Hersom, requesting site approval in Benton for a new elementary school construction project. The Committee voted to recommend that the RSU 49 Site Approval Exhibit be placed on the June 15, 2022 State Board business agenda for approval. The project will be reviewed later in the agenda.

The next regular School Construction Committee monthly meeting is scheduled for Friday, June 24, 2022 and will be held in Room 500 at the Burton Cross State Office Building in Augusta. The approved minutes will be posted on the State Board website.

***Certification and Higher Education (Fern Desjardins for Wendy Ault):***

The Certification and Higher Education Committee (C&HE) did not meet on May 25, 2022 as scheduled.

The next regular Certification and Higher Education Committee monthly meeting is scheduled for Wednesday, June 22, 2022 and will be held virtually via Zoom. 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 May 26, 2022 as scheduled. The meeting was held in Room 538 at the Cross State Office Building and virtually via Zoom.

- The Committee discussed and is recommending an action item on the June 15, 2022 business agenda – Exhibit IX.B., requesting approval to allocate Maine Carl D. Perkins Targeted Reserve Grant Funds.
- Received funding updates on Perkins and Briggs Trust fund.
- Received a report from the State Director for CTE. Attention was brought to the following:
  - Request for Application Process is now open. Twenty-million dollars for infrastructure and equipment funding for CTEs.
  - Another Application Process will open at the end of the month.
  - Report for LD 313 task force is forthcoming shortly and was released today, June 15, 2022.
- LD 680 task force is in the process of appointments. Paulette Bonneau has been appointed to the task force by the Speaker of the House and Wilson Hess has been appointed to serve on the task force by the Senate President.
- Received a report from the Maine Community College System. Free college for students that meet the qualifying requirements. Staff is backlogged with applications for student free tuition.
- Received an update from one of the CTE directors that pre-enrollment is 50% ahead of last year.
- Report from Educate Maine with thoughts Jason Judd’s CTE workgroup has developed relating to key systemic barrier of aligning CTE program requirements with graduation requirements.

- The Committee held a discussion during their workshop portion of the agenda on systemic barriers. FY23 and carry-over from this year and next year's funds.
- The Committee reviewed the Board's strategic plan and talked about goal #3 – Promote CTE Program Alignment.
- Held a discussion on FY22 and FY23 reserve funds.

The next regular CTE Committee monthly meeting is scheduled for Thursday, June 23, 2022. The Committee will meet in-person at the Cross State Office Building, Room 538. The approved minutes will be posted on the State Board website.

***Legislative Action (Wilson Hess):***

The Legislative Action Committee (LAC) last met on March 18, 2022 virtually via Zoom under the Board's remote meeting policy due to COVID-19 surge.

The next Legislative Action Committee meeting will be held as needed.

***Nomination and Election (Wilson Hess for Wendy Ault):***

Wendy Ault is the Chair of the Nomination and Election Committee. Wilson Hess and James Ford serve on the committee. The Committee was tasked with presenting a slate of officers for the 2022-2023 year. The Committee presented a slate of officers at the May 11, 2022 meeting.

The Board's procedures indicate that other members who wish 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 15, 2022. The Committee did not receive any other nominations. There will be an opportunity for nominations from the floor.

The Board will vote later in the annual meeting section of the business agenda.

***Student Voices (James Ford):***

The Student Voices Committee did not meet on Tuesday, June 14, 2022 as scheduled.

The next Student Voices Committee meeting will be held on Tuesday, July 12, 2022 at 4:00 PM virtually via Zoom.

**Board Effectiveness (Paulette Bonneau):**

The Board Effectiveness Committee met on May 23, 2022 virtually via Zoom.

- The Committee confirmed the June 15, 2022 meeting speaker. Amy Johnson from MEPRI presented at this morning’s workshop session.
- The Committee talked about inviting stakeholders to present at the July 13, 2022 workshop session. An invite for a panelists group has been sent to Holly Blair, Maine Principals Association (MPA); Steve Bailey, Maine School Superintendents Association (MSSA)/Maine School Boards Association (MSBA); Gay McDonald, Maine Administrators of Services for Children with Disabilities (MADSEC); Grace Leavitt, Maine Education Association (MEA); and John Doty, Maine Curriculum Leaders Association (MCLA).
- Set a date for the August Annual Board Retreat. The retreat will be held at UMaine Farmington on Monday, August 15 and Tuesday, August 16.
- Continued discussion on revisions to the mission statement.

The next Board Effectiveness Committee meeting will be held on Monday, June 21, 2022 at 1:00 PM virtually via Zoom.

**Charter Commission Representatives (Wilson Hess):**

The Charter School Commission did not meet on June 14, 2022 as scheduled. The Commission will meet on Thursday, June 23, 2022.

- The following Commission Committees met. Wilson Hess briefed the Board on reports received from each committee. The Committees are as follows:
  - *Executive Committee*
  - *School Performance Committee*
  - *Finance Committee*
- Received updates on changes to performance framework for FY23.
- Received the FY23 budget process.

**Professional Standards Board (Thomas Keller):**

The Professional Standards Board (PSB) met virtually via Zoom on May 17, 2022.

- There were 11 participants in attendance of the 24 seats. The meeting was late in the day and late in the school year.
- The Board received a presentation from the Department of Education (DOE) on the Teach Maine Plan. The DOE has recommended that the PSB look at Theme 3 from the Teach Maine Plan and prioritize initiatives.

The next PSB meeting has not been scheduled. A doodle poll for the next meeting date will be sent out to members.

**UNFINISHED (OLD) BUSINESS:**

No Unfinished Business

**NEW BUSINESS:**

MAJOR CAPITAL SCHOOL CONSTRUCTION PROGRAM; SITE APPROVAL CONSIDERATION; RSU 49/MSAD 49 - NEW ELEMENTARY SCHOOL CONSTRUCTION PROJECT

STATEMENT OF FACT: Superintendent Roberta Hersom requests that the State Board of Education approve a site in Benton for a new elementary school. Fairfield Primary School (grades PreK-K) rated 1st on the Final Priority List of the 2017-2018 Rating Cycle. The proposed new elementary school will also include students from Clinton Elementary (grades K-6), Benton Elementary School (grades 1-6), and Albion Elementary School (grades K-6).

RSU 49/MSAD 49 hired CHA Architecture to complete a New vs. Renovations analysis of the existing Fairfield Primary School and conduct further studies of the other elementary school buildings in the district. This analysis resulted in a recommendation for new construction that would include grades 3-6 to provide educational programs and services for 550 students. The district is currently working to include space for early childhood programs in the adjacent Benton Elementary School. This project also allows for the expansion of Pre-K programming in the district which supports the district's goals of improving educational equity.

The current Fairfield Primary School site is 1.42 acres which will not support a school project. A comprehensive search was conducted to find a site that could support the needs of the new elementary school. The process was led by Atlantic Resource Consultants. The search began with a review of 20-acre sites in Fairfield and Benton that had proximity to necessary infrastructure. Initially 21 sites were identified which were then reduced to 11 using established criteria. Studies that included centralized geographic locations were conducted to further reduce the potential sites to 6. Of those only one was available. The selected site in the center of the district is well served by utility and transportation infrastructure and is adjacent to the Benton Elementary School. The 23.43-acre site will have a direct connection to the Benton Elementary School through a .4-acre CMP easement. Site investigations and environmental studies have been conducted and have not revealed any issues of significance.

In a public meeting on January 25, 2022, constructing a new facility on this site was endorsed by a straw poll vote of 73 in favor, 7 opposed, and 5 abstentions.

A completed Site Application is on file with the Department of Education.

*Project Information:*

Project: RSU 49/MSAD 49 New Elementary School Construction Project  
Superintendent: Roberta Hersom  
Architect: Kathy Cogan, CHA Architecture  
Engineer: Andy Johnston, Atlantic Resource Consultants  
Schools to be closed: Fairfield Primary School, Clinton Elementary School, and Albion Elementary School  
Total number of acres: 23.43  
Purchase cost: \$96,500 (average cost of two appraisals that were within 25% of each other)

COMMISSIONER'S RECOMMENDATION: The Commissioner of the Department of Education recommends that the State Board of Education grant Site Approval to RSU 49/MSAD 49 for the new Elementary School construction project as presented.

SCHOOL CONSTRUCTION COMMITTEE RECOMMENDATION: On May 27, 2022, the School Construction Committee recommended that this exhibit be placed on the June 15, 2022 State Board meeting agenda and that the State Board grant Site Approval to RSU 49/MSAD 49 for the new Elementary School construction project as presented.

MOTION by Fern Desjardins, seconded by James Ford, and unanimously voted by those present to grant Site Approval to RSU 49/MSAD 49 for the new Elementary School construction project as presented.

REQUEST APPROVAL TO ALLOCATE MAINE CARL D. PERKINS TARGETED RESERVE GRANT FUNDS AS AUTHORIZED UNDER THE STRENGTHENING CAREER AND TECHNICAL EDUCATION FOR THE 21ST CENTURY ACT (P. L. 115-224)

The State Board of Education's Career and Technical Education Committee recommends to the State Board of Education the FY23 Perkins V targeted reserve grant funds, and unused FY22 Perkins V targeted reserve grant funds, be allocated to Maine's secondary CTE eligible recipients to support CTE program



and curricula academic integration efforts to increase congruence between CTE coursework and district-wide graduation requirements and standards.

- FY23 Perkins V targeted reserve grant funds to be allocated is \$383,958.
- FY22 Perkins V targeted reserve grant funds to be allocated will be finalized after the conclusion of the FY22 fiscal year, December 31, 2022, but will not be less than \$533,051 and should not exceed \$600,000.

Funds will be used in accordance with section 112 (c) of the Perkins V Act and will supplement and not supplant current resources. The committee reviews proposals to make recommendations for the approval of programs to enhance career and technical education to the State Board of Education.

RECOMMENDATION: The State Board of Education approve the FY23 Perkins V targeted reserve grant funds, and unused FY22 Perkins V targeted reserve grant funds, be allocated to Maine’s secondary CTE eligible recipients to support CTE program and curricula academic integration efforts to increase congruence between CTE coursework and district-wide graduation requirements and standards in an amount not to exceed \$983,958.

MOTION by Kristin Bishop, seconded by Wilson Hess, and unanimously voted by those present to approve the FY23 Perkins V targeted reserve grant funds, and unused FY22 Perkins V targeted reserve grant funds, be allocated to Maine’s secondary CTE eligible recipients to support CTE program and curricula academic integration efforts to increase congruence between CTE coursework and district-wide graduation requirements and standards in an amount not to exceed \$983,958.

**ANNUAL MEETING BUSINESS:**

**BOARD ANNUAL RETREAT DATES**

Fern Desjardins announced that the State Board of Education Annual 2-day Retreat will be held at UMF in Farmington on August 15 and 16, 2022.

**ELECTION OF STATE BOARD OF EDUCATION OFFICERS – CHAIR AND VICE CHAIR FOR THE 2022-2023 YEAR**

Chair of the Nomination and Election Committee, Wendy Ault, was not in attendance at the June 15, 2022 meeting. Wilson Hess and James Ford served on the Nominations and Election Committee.

A slate of officers was read by Wilson Hess:

Fern Desjardins as Chair  
Paulette Bonneau as Vice Chair

An opportunity for nominations from the floor was given. No nominations from the floor were received.

Wilson Hess, pro tem, asked for a show of hands for the slate of officers to serve for the term of one-year beginning July 1, 2022 and ending June 30, 2023.

Fern Desjardins as Chair – 6 in favor with one member abstaining (Fern Desjardins), none opposed.

Paulette Bonneau as Vice Chair – 6 in favor with one member abstaining (Paulette Bonneau), none opposed.

#### TENTATIVE MEETING SCHEDULE FOR JULY 1, 2022 – JUNE 30, 2023

The State Board of Education will meet monthly the first Wednesday following the second Tuesday of each month.

The annual retreat will be held for two days in August – Monday, August 15 and Tuesday, August 16. The Board's business meeting will be held on Tuesday at 1:00 PM.

From September through December, the Board will meet at various schools. The Vice Chair of the Board will arrange locations for the Board to meet throughout the State. Board members will be reimbursed for travel and lodging as needed.

The Board meets in Augusta for the months of January through June when the Legislature is in session.

#### **ANNOUNCEMENTS:**

- Submit travel and expense account vouchers to Mary Becker at the end of this meeting. The deadline for Mary to send to Finance is June 15, 2022.
- A recognition event will be held at the Green Ladle in Lewiston on June 22, 2022 for Peter Geiger and secretary specialist Mary Becker.
- The next regular Board meeting is scheduled to be held on July 13, 2022. The meeting will be held in person. The Board will meet at the Burton Cross State Office Building in Augusta, Room 103.

**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 Deputy 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 nine 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 request in public session.

The Board's role in these proceedings is to review the Deputy Commissioner's decision based on the record that was before him at the time he 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 Deputy 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 Paulette Bonneau, seconded by Victoria Kornfield, 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 PM to review the Deputy 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 2:25 PM.

The Board returned to the regular business meeting at 2:39 PM.

MOTION by James Ford, seconded by Victoria Kornfield, and unanimously voted by those present to uphold the Deputy Commissioner's decision in the denial of a transfer for PM. The transfer is denied.

MOTION by Paulette Bonneau, seconded by Victoria Kornfield, 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 JB to review the Deputy 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 2:43 PM.

The Board returned to the regular business meeting at 3:05 PM.

MOTION by Victoria Kornfield, seconded by Paulette Bonneau, and voted two in favor with five members opposed (Kristin Bishop, Fern Desjardins, James Ford, Wilson Hess, and Thomas Keller) to uphold the Deputy Commissioner's decision in the denial of a transfer for JB. The motion failed.

MOTION by Wilson Hess, seconded by James Ford, and voted five in favor with two members opposed (Victoria Kornfield and Paulette Bonneau) to overturn the Deputy Commissioner's decision in the denial of a transfer for JB. The transfer is granted.

MOTION by Paulette Bonneau, seconded by Kristin Bishop, 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 JK to review the Deputy 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 3:12 PM.

The Board returned to the regular business meeting at 3:25 PM.

MOTION by Wilson Hess, seconded by Thomas Keller, and unanimously voted by those present to uphold the Deputy Commissioner's decision in the denial of a transfer for JK. The transfer is denied.

MOTION by Paulette Bonneau, seconded by Victoria Kornfield, 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 AH to review the Deputy 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 3:33 PM.

The Board returned to the regular business meeting at 3:45 PM.

MOTION by Victoria Kornfield, seconded by James Ford, and unanimously voted by those present to overturn the Deputy Commissioner's decision in the denial of a transfer for AH. The transfer is granted.

MOTION by Paulette Bonneau, seconded by Thomas Keller, 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 FG to review the Deputy 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 3:47 PM.

The Board returned to the regular business meeting at 4:04 PM.

MOTION by Paulette Bonneau, seconded by Victoria Kornfield, and voted three in favor with four members opposed (Kristin Bishop, Fern Desjardins, James Ford and Wilson Hess) to uphold the Deputy Commissioner's decision in the denial of a transfer for FG. The motion failed.

MOTION by Kristin Bishop, seconded by James Ford, and voted four in favor with three members opposed (Paulette Bonneau, Thomas Keller, and Victoria Kornfield) to overturn the Deputy Commissioner's decision in the denial of a transfer for FG. The transfer is granted.

MOTION by Paulette Bonneau, 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 EM to review the Deputy 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 4:10 PM.

The Board returned to the regular business meeting at 4:30 PM.

Motion by Kristin Bishop, seconded by Fern Desjardins, and voted three in favor with four members opposed (Paulette Bonneau, Wilson Hess, Thomas Keller, and Victoria Kornfield) to overturn the Deputy Commissioner's decision in the denial of a transfer for EM. The motion failed.

MOTION by Victoria Kornfield, seconded by Paulette Bonneau, and voted four in favor with three members opposed (Kristin Bishop, Fern Desjardins, and James Ford) to uphold the Deputy Commissioner's decision in the denial of a transfer for EM. The transfer is denied.

MOTION by Paulette Bonneau, seconded by Victoria Kornfield, 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 MS to review the Deputy 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 4:38 PM.

The Board returned to the regular business meeting at 4:45 PM.

MOTION by Victoria Kornfield, seconded by Thomas Keller, and voted three in favor with three members opposed (Kristin Bishop, Fern Desjardins, and James Ford) to uphold the Deputy Commissioner's decision in the denial of a transfer for MS. By Board Policy VIII.C, when acting in its appellate capacity, a tie vote is defined to be a "no opinion" ruling. The original decision under appeal stands. The transfer is denied.

At 4:33 PM, Wilson Hess left the meeting due to another commitment and Victoria Kornfield left after the last vote at 4:48. Chair Desjardins could no longer declare a quorum in attendance. The Board had two more transfer appeals to review and tabled the two to the July 13, 2022 meeting. With deepest apologies, Chair Desjardins informed all parties involved with the appeals that

student transfer appeals will take place at the beginning of the business meeting on July 13, 2022.

**ADJOURNMENT:**

The June 15, 2022 State Board of Education meeting adjourned at 4:50 PM.

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