



## **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 May 11, 2022 at the Burton Cross State Office Building and virtually via Zoom. The following members were present: Chair Fern Desjardins; Kristin Bishop; Paulette Bonneau; Wilson Hess; Thomas Keller; Victoria Kornfield; and Greyson Orne.

Absent with Excuse: Vice Chair Wendy Ault; James Ford; and Joshua Leinwand.

Absent without Excuse: Mark Balfantz

Others Present: Deputy Commissioner Daniel Chuhta; Scott Brown, Director of School Construction Programs; Jaci Holmes, Federal State Legislative Liaison; Angel Loreda, Director, Office of Higher Education and Educator Support Services; Stephanie Fyfe, Team Coordinator, Office of Higher Education and Educator Support Services; Brenda Vigue, Office Manager, Higher Education and Educator Support Services; (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 Board member Kristin Bishop to the meeting.

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

### **VISION STATEMENT:**

Read by student member, Greyson Orne: 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: “Stealing Lilacs” by Alice N. Persons

**RECOGNITION TO GREYSON ORNE:**

Chair Fern Desjardins presented a gift to Greyson Orne for his two years of service as a Student Member on the State Board of Education. Greyson’s term will end on June 14, 2022.

**ADJUSTMENTS TO THE AGENDA:**

Two adjustments were made to the agenda:

Added under New Business, IX.E. – Request Approval of the Maine Administrators of Career and Technical Education (MACTE) FY 23 George Briggs Grant Award.

Added under New Business, IX.F. – Regulation Chapters 60, 61, and 125.

**APPROVAL OF MINUTES:**

MOTION by Wilson Hess, seconded by Victoria Kornfield, and voted five in favor with one member abstaining (Kristin Bishop) to accept the April 13, 2022 minutes as presented.

**PUBLIC COMMENT:**

No Public Comment

**OFFICER’S REPORTS:**

**Chair, Fern Desjardins**

- Fern reviewed the business agenda for the May 11 meeting.
- **COMMITTEE APPOINTMENTS**
  - Certification & Higher Education – Thomas Earl Keller
  - Career & Technical Education – Kristin K. Bishop
  - School Construction Committee – Wilson G. Hess and Fern will Chair the committee
  - Professional Standards Board – Thomas Earl Keller appointed by Governor Janet Mills
- She conducted orientation for new members of the State Board on April 29 and thanked Kristin Bishop and Tom Keller for attending.

- Paulette Bonneau, Wilson Hess, Tom Keller, Tori Kornfield, and Fern met on May 9 to discuss the addition of a professional staff member and administrative assistant to replace Mary as secretary specialist after she retires on July 31. They will meet again on May 13 followed by a meeting with the MDOE on May 16.
- In the absence of the Chair of the Certification & Higher Education Committee, Fern chaired their regular committee meeting on April 27 and special meeting on May 2 which led to a recommendation of bringing to a vote of the State Board the adoption of all changes in Rule Chapter 115.
- Peter Geiger's term ended on April 23 and Fern chaired her first School Construction Committee meeting on April 29. She had school construction planning meetings with Scott Brown, Director of School Construction Programs, on April 21 and 29. The Board will be voting on the consideration for concept approval of the school construction project in RSU 54 later in the meeting.
- Attended the Career and Technical Education Committee meeting (May 5), Board Effectiveness Ad Hoc Committee meeting (4/25), and agenda review with Deputy Commissioner Chuhta (5/2).
- May 10 – Attended Maine Charter School Commission meeting. The School Performance Committee met on April 19 and May 6 to discuss Mid-Year Performance Reports, the renewal progress of two charter schools, and the plan submitted by a school for a change in school facilities. Board training from the National Charter School Institute took place on April 26, and on May 5 she attended the Maine Arts Academy Board of Directors meeting.
- NASBE
  - Chaired the Finance Committee meeting on April 21
  - Attended the April 25 Executive Committee meeting
  - May 2 – Office Hours
 

Guests were at Andrew McFachin and Lindsey Dworkin from NWEA. They discussed research highlighting the importance of summer programming in supporting student success, particularly for students with disabilities, English language learners, and rural students. Aaron Dworkin, representative from the National Summer Learning Association, spoke about ways state boards can ensure that high quality summer programs are accessible and engaging to special student populations and of best practices in planning summer learning offerings.
  - Currently working with an attorney for NASBE and the Board Chair on a special project.
  - Paulette Bonneau reported that the Government Affairs Committee met last week. Reg Leichty of Foresight Law and Policy gave an

update. GAC members discussed recent hearings regarding FY 2023 Appropriations and priorities of the U.S. Department of Education, the status of the COMPETES Act, which has passed both chambers and is now headed to conference committee. The Workforce Innovation and Opportunity Act (WIOA) has advanced out of committee. Discussions focused on how Perkins and WIOA can work together to improve the workforce gap. The COMPETES grants reauthorization has been expanded to include computer science in K-12 and grants to support STEM subjects with an early college focus.

The U.S. Department of Education held an ARP Summit, showcasing best practices communities should adopt as leaders, educators, and families work together to address the pandemic's impact. The department also announced investments to support student academic and mental health recovery. It highlighted summer learning and enrichment opportunities, philanthropic investments, and a federal investment of \$160 million through the Education Innovation and Research (EIR) grant program.

Finally, the Federal Communications Commission announced the opening of the third application window for the Emergency Connectivity Fund. The application period closes Friday, May 13. This will most likely be the last grant round.

**Vice Chair, Wendy Ault**

- Ms. Ault was absent.

**COMMITTEE REPORTS:**

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

The School Construction Committee met on April 29, 2022 as scheduled.

- The Committee received an overview of the RSU 54 New Grades PreK-5 School Construction project. A presentation of the proposed project was given. The Committee voted to recommend that the RSU 54 Concept Approval Exhibit be placed on the May 11, 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, May 27, 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) met on April 27, 2022 as scheduled.

- The Committee received a report from Stephanie Fyfe, Certification Coordinator.
- Angel Loreda reported on Higher Education.
- The Committee met on May 2, 2022 and received a presentation on the Teach Maine Plan from Emily Doughty, Education Excellence Coordinator, DOE.
- Discussion on Chapter 115 and the Committee voted to recommend that the SBE vote to adopt all changes to Rule Chapter 115 at the May 11, 2022 Board meeting.

The next regular Certification and Higher Education Committee monthly meeting is scheduled for Wednesday, May 25, 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 5, 2022 as scheduled. The meeting was held virtually via Zoom under the Board's remote meeting policy due to COVID-19.

- The Committee recommended that three items be place on the May 11, 2022 business agenda for approval by the full board.
  - Approval of the quarterly report of the Maine Carl D. Perkins Grant
  - Approval of the FY23 Budget Allocation of the Maine Carl D. Perkins Grant
  - Approval of the Maine Administrators of Career and Technical Education (MACTE) George Briggs Grant Award
- Received funding updates on Perkins and Briggs. Briggs account is at 172,232.19.
- Received reports from the Maine Community College System, State CTE Director, Educate Maine, and MACTE Director.
- MACTE held their winter retreat in Rockland and the Student of the Year event in Lewiston. Both were paid for by Briggs funds.
- Held a discussion on FY22 and FY23 reserve funds.

The next regular CTE Committee monthly meeting is scheduled for Thursday, May 26, 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 Committee will hold a final wrap up meeting in June.
- LD 313 work will continue.
- LD 680: Resolve, To Re-establish the Task Force to Study the Creation of a Comprehensive Career and Technical Education System.
  - The Legislative Action Committee recommended to the SBE Chair that two members of the SBE CTE Committee be nominated to serve the two seats on the task force. Chair Desjardins sent letters to the Senate President and Speaker of the House with the two nominations of Wilson Hess and Paulette Bonneau to serve the two seats on the task force. Paulette Bonneau has been appointed by the Speaker of the House.

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.

Wilson Hess briefed the Committee on the Policies and Procedures for election of Chair and Vice Chair. The slate of offices is given at the May meeting.

Wilson Hess, on behalf of Wendy Ault, presented the Committee’s recommendation for a slate of officers:

- Fern Desjardins – Chair
- Paulette Bonneau – Vice Chair

The Board will vote at the June 15, 2022 annual 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.

***Student Voices (Greyson Orne):***

The Student Voices Committee met on May 10, 2022 virtually via Zoom.

- The Committee met briefly as Joshua Leinwand and Wendy Ault were not available to meet.
- Greyson was not able to attend the May Student Cabinet meeting. He shared the April meeting minutes with Board members.

The next Student Voices Committee meeting will be held on Tuesday, June 14, 2022 at 4:00 PM virtually via Zoom.

***Board Effectiveness (Paulette Bonneau):***

The Board Effectiveness Committee met on April 25, 2022.

- The Committee discussed consideration of a May meeting speaker. The Community College System representatives presented at this morning's workshop session.
- The Committee talked about inviting MEPRI to present at the June workshop session.
- Discussed remote versus in person SBE meetings. Discussed committee meetings versus all day meetings. Chair Desjardins spoke with Sarah Forster regarding the Board's current remote meeting policy.
- Made progress at adopting a revised vision statement which will be brought forth to the Board at the August Retreat.
- The next committee meeting, a revised mission statement will be discussed.
- Discussed possible dates for the August retreat.

The next Board Effectiveness Committee meeting will be held on Monday, May 23, 2022 at 9:00 AM virtually via Zoom.

***Student Membership (Paulette Bonneau):***

- The candidate for student member has been approved and the Committee's work is completed for this year.

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

The Charter School Commission met in person on May 10, 2022 as scheduled.

- Received updates from Commission Committees. The Committees are as follows:
  - *Executive Committee*
  - *School Performance Committee*

- *Finance Committee*

- Received public comment from four charter schools.
- Received a professional development presentation.
- Received a school spotlight presentation from the Community Regional Charter School.
- Considered and adopted Harpswell Coastal Academy's Consolidation Plan.
- Approved the final two mid-year monitoring reports of the ten schools. The two were Baxter Academy and Community Regional Charter School.
- Accepted a number of governing board member resignations.
- Accepted budget reports for April.
- Received progress reports from the Maine Academy of Natural Sciences and Community Regional Charter School.
- Received updates on changes to performance framework for FY 23.
- Received the FY 23 budget process.

The next Charter Commission meeting will be held on Tuesday, June 14, 2022.

***Professional Standards Board (Fern Desjardins):***

The Professional Standards Board (PSB) did not meet since the last State Board meeting.

- Governor Mills appointed Thomas Keller to serve on the Professional Standards Board.

The next PSB meeting will be held virtually via Zoom on Tuesday, May 17, 2022.

**UNFINISHED (OLD) BUSINESS:**

No Unfinished Business

**NEW BUSINESS:**

MAJOR CAPITAL SCHOOL CONSTRUCTION PROGRAM; CONCEPT APPROVAL CONSIDERATION; RSU 54/MSAD 54 - NEW ELEMENTARY SCHOOL CONSTRUCTION PROJECT

STATEMENT OF FACT: RSU 54/MSAD54 Superintendent Jonathan Moody requests that the State Board of Education grant Concept Approval for a new PreK-5 school to be constructed in the town of Skowhegan. North Elementary School (grades PreK-K) rated 2nd on the Final Priority List of the 2017-2018 Rating Cycle and was placed on the Approved Projects List at the October 9, 2019 State Board of Education meeting.



RSU 54/MSAD 54 hired Stephen Blatt Architects to conduct a New vs. Renovations analysis of the existing North Elementary School and conduct further facilities analysis of three other elementary buildings in the district. The analyses resulted in a recommendation of new construction that would include grades preK-5 students from North Elementary, Bloomfield Elementary, Canaan Elementary (grades 3-5), and Margaret Chase Smith Elementary Schools. The new school will provide educational programs and services for 942 students and will include space for Child Development Services (CDS), Career and Technical Education (CTE), and Early Childhood (EC) programming. It will eliminate 21 portable classrooms and allows the district to expand and move to universal full-day Pre-K programming.

The proposed new school will be built on the existing Margaret Chase Smith School 26.11-acre site. The site will allow the new school to be constructed while the existing schools remain operational. This site benefits from good access and is well served by existing utility and transportation infrastructure. The project will necessitate the relocation of a district bus garage to the existing North Elementary school location after demolition. The project received State Board of Education Site Approval on July 14, 2021.

The new building has been designed incorporating the Department of Education school construction standards. All appropriate state and local agencies have had input, and where necessary, documented approvals are on file.

This Concept Approval is being requested pursuant to 20-A M.R.S., Section 15905(1) and State Board of Education Rule, Chapter 61, Rules for Major Capital School Construction Projects.

*Project Description by Jonathan Moody, Superintendent:*

In 2019 RSU 54/MSAD 54's North Elementary School was identified as #2 on the state Major Capital Construction list, one of five district schools identified on the list as needing repair or replacement. The district hired Stephen Blatt Architects early in 2020 to do a comprehensive analysis of the district and North Elementary School to examine options (renovation, new construction, consolidation of schools, etc.). That analysis resulted in a recommendation that the district move to combine all or part of four elementary schools in a comprehensive approach that was both fiscally responsible and educationally sound.

District Demographics:

+/- 2350 students

87% Poverty (2019-20 ED534)

## 23% Special Education

RSU 54/MSAD 54's current district composition is as follows:

Bloomfield Elementary School: Grades 1-3

Canaan Elementary School: Grades PK-6

Margaret Chase Smith Elementary School: Grades 4-5

Mill Stream Elementary School: Grades PK – 6

North Elementary School: Grades PK-K

Skowhegan Area Middle School: Grade 6 (Skowhegan only), Grades 7-8 (all students)

Skowhegan Area High School: Grades 9-12

Somerset Career & Technical Center: Grades 9-12

RSU 54/MSAD 54's building configuration has long created instructional challenges for students, including lack of continuity of instruction, numerous transitions for students/staff which has created educational and instructional inefficiencies over time. Currently Skowhegan students can have up to 7 building transitions as they move through school. In addition to those transitions, numerous challenges were identified as part of this process, including inconsistent programming between buildings, lack of collaboration, and access to staff and resources. In addition to providing a state-of-the-art quality learning environment for students for years to come, the RSU 54/MSAD 54 elementary building project will accomplish the following:

- Consolidates all or parts of four elementary schools.
- Is part of a larger district comprehensive plan, including transitioning all 6<sup>th</sup> grade students to the middle school.
- Creates continuity of instruction for ALL district students.
- Closes two elementary schools and repurposes two for our special education and alternative education students.
- Moves students into buildings from 27 portable classrooms.
- Creates equity of services and dedicated space for special education and Title I students
- Utilizes current school sites to avoid urban sprawl and to continue the history of district in-town schools.
- Supports the transition of all grade 6 students to the Skowhegan Area Middle School at no cost to the state.
- Includes over \$4,000,000 in local funding to support district initiatives including expanded early childhood space, after school Programming, and the school gymnasium.

- Leverages over \$9,000,000 in additional funding for capital projects to support the district's comprehensive PK-12 plan outside of this major capital construction project.
- Allows the district to expand to universal full-day Pre-K programming five days per week.
- Allows the district to fully incorporate and expand programming for early childhood (0-3).
- Allows the district to capture over \$500,000 annually in operational costs and efficiencies.
- Enhances programming that was previously provided in district elementary schools.
- Provides a comprehensive long-term solution for the district.

Somerset county has the lowest per-capita quality childcare supports in the state and this new building will help support the district's ongoing effort to support the community and meet the needs of our youngest learners. The new Elementary School in Skowhegan will serve young people from 6 weeks of age through grade 5, something RSU 54/MSAD 54 has done for years. The school will serve as a learning center for high school students and pre-service teachers by moving the current Somerset Career and Technical Center early childhood program at North Elementary school into the new building. This new school includes space to support CDS services, a move by the state that the district supports as we have seen, time and again, our youngest learners not getting the services they need. This new building will support state and district initiatives and the consolidation/economy of scale will allow for consistent comprehensive supports for students.

The RSU 54/MSAD 54 elementary building project is an efficient consolidation of schools that has included numerous stakeholders throughout the process. The form and function of the concept design is born from hours and hours of feedback from our community and staff. In addition to ongoing conversations through the building committee, our parent advisory groups, and in our traditional parent forums, the district has held 10 separate public informational meetings over the past year and a half, including two meetings which included straw poll votes (May 2021, April 2022) which have thus far been unanimously supported by the community. Staff feedback and involvement has been integral in shaping the concept design and function of spaces in the building. The collaborative process effort to include stakeholders at the table from conception to site selection and through concept design has led to a well-thought-out design and educational program for the building.

*Project Information:*

Project: RSU 54/MSAD 54 New Grades PreK-5 School Construction Project (includes EC, CTE, and CDS components)

Superintendent: Jonathan Moody

Architect: Steven Blatt Architects – Steve Blatt and Doug Breer

Schools to be closed: North Elementary School, Margaret Chase Smith Elementary School

*Project Budget Information:*

Total Project Cost: \$75,338,985.

Local Only (no State participation): \$4,440,572.

Approved for State/Local Debt Service Subsidy: \$70,898,413.

COMMISSIONER’S RECOMMENDATION: The Commissioner of the Department of Education recommends that the State Board of Education grant Concept Approval to RSU 54/MSAD 54 for a new grades PreK-5 school construction project as presented.

SCHOOL CONSTRUCTION COMMITTEE RECOMMENDATION: On April 29, 2022 the School Construction Committee recommended that this exhibit be placed on the May 11, 2022 State Board meeting agenda and that the State Board grant Concept Approval to RSU 54/MSAD 54 for a new grades PreK-5 school construction project as presented.

MOTION by Fern Desjardins, seconded by Victoria Kornfield, and unanimously voted by those present to grant Concept Approval to RSU 54/MSAD 54 for a new grades PreK-5 school construction project as presented.

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 third report for FY2022.

RECOMMENDATION: The State Board of Education approve the Quarterly report for the period of January 1, 2022 through March 31, 2022, of the State of Maine Plan for the Strengthening Career and Technical Education for the 21st Century Act (P. L. 115-224).

MOTION by Kristin Bishop, seconded by Paulette Bonneau, and unanimously voted by those present to approve the Quarterly report for the period of January 1, 2022 through March 31, 2022, of the State of Maine Plan for the Strengthening Career and Technical Education for the 21st Century Act (P. L. 115-224).

REQUEST APPROVAL OF THE FY23 BUDGET ALLOCATION 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:

PART A ALLOTMENT and ALLOCATION §112 - WITHIN STATE ALLOCATION

(a) From the amount allotted to each State for a fiscal year, the eligible agency shall make available—

- (1) not less than 85 percent for distribution to local eligible recipients
- (2) not more than 10 percent to carry out State leadership activities
- (A) not more than 2 percent to serve State correctional institutions (Arthur R Gould School)

(B) not less than \$60,000 and not more than \$150,000 shall be available for services that prepare individuals for non-traditional fields

(C) an amount equal to 0.1 percent shall be made available for the recruitment of special populations to enroll in CTE programs

(3) an amount equal to not more than 5 percent, for administration of the State plan

#### PART B STATE PROVISIONS §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;

In accordance with § 121 – Within State Allocation, the Career and Technical Education (CTE) team has prepared the FY2023 Perkins budget allocations and submits this budget to the State Board of Education for approval.

RECOMMENDATION: The State Board of Education approve the FY2023 Perkins State Budget for the period of July 1, 2022 through June 30, 2023 in accordance to §121 of the Strengthening Career and Technical Education for the 21st Century Act (P. L. 115-224).

MOTION by Paulette Bonneau, seconded by Kristin Bishop, and unanimously voted by those present to approve the FY2023 Perkins State Budget for the period of July 1, 2022 through June 30, 2023 in accordance to §121 of the Strengthening Career and Technical Education for the 21st Century Act (P. L. 115-224).

#### REGULATION CHAPTER 115, “THE CREDENTIALING OF EDUCATION PERSONNEL”

BACKGROUND: A complete review of Chapter 115 has been in process with The State Board’s Certification and Higher Education Committee, supported by the Deputy Commissioner and Department of Education staff, since October 2020. The proposed Rule Chapter 115 went to a public hearing on August 16, 2021 with a period of public comment and later to a targeted comment period from October 27 through November 29, 2021 to address substantive changes.

The State Board voted to authorize the filing for Provisional adoption of Rule Chapter 115 on December 15, 2021 and submitted the Administrative Procedures Act forms to the Secretary of State's office for Legislative review. The Education and Cultural Affairs Committee held a public hearing on February 8 and work session on February 17. The Bill was reported out as Ought to Pass as Amended on March 28. Following House and Senate action, Governor Mills signed the Resolve on April 7 as Chapter 144 Resolves.

In subsequent meetings of the State Board's Certification and Higher Education Committee, the changes required in the Resolve were addressed. They included:

- Part I, section 6, subsection 2, Professional Teacher Certificate – Reference was made to the pre-service candidate standards in rule Chapter 114 section 2, subsection 2.1
- Part I, section 6, subsection 5, Certification for a Certified Educational Technician – Removed the provision that an applicant was eligible to be an Educational Technician II or III if the applicant successfully completed a State approved program targeting essential skills and knowledge.
- Part II, section 1, subsection 1.18, Endorsement: Pre-k through Grade 12 Teacher of School Health and Physical Education – Eliminated “School”
- Part II, section 2, subsection 2.1, Endorsement 282: Teacher of Children with Disabilities
  - Reinstated the grade levels birth-school age 5, K-8, and 7-12
  - For birth to school age 5 – added 3 semester hours for teaching early childhood special education and clarified the permissible student teaching at that level.

On May 2, the Certification and Higher Education Committee unanimously voted to forward the revised version of Chapter 115 to the State Board for adoption.

RECOMMENDATION: That the State Board of Education vote to adopt all changes to Rule Chapter 115: The Credentialing of Education Personnel, Part I and Part II, including the changes outlined in the Resolve.

MOTION by Fern Desjardins, seconded by Victoria Kornfield, and unanimously voted by those present to adopt all changes to Rule Chapter 115: The Credentialing of Education Personnel, Part I and Part II, including the changes outlined in the Resolve.

## REQUEST APPROVAL OF THE MAINE ADMINISTRATORS OF CAREER & TECHNICAL EDUCATION (MACTE) FY23 GEORGE BRIGGS GRANT AWARD

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 its fiduciary responsibilities, as the agency responsible for the administration and oversight of the state Career and Technical Education (CTE) program.

The committee reviews proposals to make recommendations for the approval of programs to enhance career and technical education to the State Board of Education.

The George M. Briggs Trust Fund was established in 1948 under Article 4 of the will of the late George Millett Briggs of Turner, Maine. Under the terms set forth in his will the net income of the funds is to be disbursed for special purposes in the field of career and technical education. Such special purposes must first meet the approval of the majority of the State Board of Education. The Fund must be used "with a view of enabling the young people of Maine to be qualified to become self-supporting and useful citizens of the State."

The Maine Administrators of Career & Technical Education (MACTE) proposal calls for regenerating its statewide professional development efforts which have recently been curtailed by the COVID-19 pandemic. The activities will be conducted through MACTE's annual statewide CTE conference, Tech Updates, its annual Director's Conclave, and CTE Student of the Year recognition banquet.

Under the terms of its proposal, MACTE proposes to support State Board of Education Strategic Priority Goals 2, 3, and 5:

- SBE Strategic Priority Goal 2: Encouraging expanded program opportunities, especially enrollment in grades 9 & 10.
- SBE Strategic Priority 3: Promoting CTE program alignment with the Maine Community College System.
- SBE Strategic Priority Goal 5: Promoting CTE outreach, engagement, and partnerships through MACTE professional development events.

As a condition of the award of funds, MACTE agrees that the following testimonial statement shall be read at all events and displayed in printed materials associated with such events, activities, programs as may be sponsored by Briggs Trust funding.



“The George M. Briggs Trust was established in February 1948 through the generosity of the late George Millett Briggs of Turner for the purposes of supporting the field of career and technical education and thereby enabling the young people of Maine to become self-supporting and useful citizens of the State. MACTE and the State Board of Education are pleased that Mr. Briggs’ memory and purposes can be furthered through activities such as [this event] for the advancement of career and technical education in Maine.”

Recommendation: The State Board of Education approve a FY23 George Briggs grant award, in the amount of no more than \$28,000, to the Maine Administrators of Career & Technical Education (MACTE) under the terms of its proposal dated April 6, 2022.

MOTION by Wilson Hess, seconded by Paulette Bonneau, and unanimously voted by those present to approve a FY23 George Briggs grant award, in the amount of no more than \$28,000, to the Maine Administrators of Career & Technical Education (MACTE) under the terms of its proposal dated April 6, 2022.

REGULATION CHAPTERS 60, 61, AND 125 UPDATE: LD 1935, which contained the changes to Chapters 60, 61, and 125 to require standards governing air quality and ventilation for all public schools with mechanical and non-mechanical ventilation systems, was placed on the Appropriations table, and was not addressed, so enactment did not occur. The Legislature failed to act on the final adoption of Chapters 60, 61 and 125, therefore the State Board can finally adopt the rules that were provisionally adopted in December 2021.

RECOMMENDATION: That the State Board of Education vote to authorize the filing of the Final adoption of Chapters 60, 61, and 125 rules and the Administrative Procedures Act forms with the Secretary of State’s Office following the May 11, 2022 State Board meeting for a targeted rulemaking to include the same statement in the appropriate section of each rule.

MOTION by Wilson Hess, seconded by Victoria Kornfield, and unanimously voted by those present to authorize the filing of the Final adoption of Chapters 60, 61, and 125 rules and the Administrative Procedures Act forms with the Secretary of State’s Office following the May 11, 2022 State Board meeting for a targeted rulemaking to include the same statement in the appropriate section of each rule.

**STUDENT TRANSFER APPEAL:**

**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 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 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 Victoria Kornfield, seconded by Paulette Bonneau, 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 NN 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 3:21 PM.

The Board returned to the regular business meeting at 3:49 PM.

MOTION by Fern Desjardins, seconded by Victoria Kornfield, and voted five in favor with one member opposed (Thomas Keller) to uphold the Deputy Commissioner's decision in the denial of a transfer for NN. The transfer is denied.

**ANNOUNCEMENTS:**

- Submit travel and expense account vouchers to Mary Becker at the end of this meeting.
- 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 June 15, 2022. The meeting will be held in person. The Board will meet at the Burton Cross State Office Building in Augusta, Room 103.

**ADJOURNMENT:**

The May 11, 2022 State Board of Education meeting adjourned at 3:54 PM.

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