



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 October 13, 2021 virtually via Zoom. The following members were present: Chair Fern Desjardins; Vice Chair Peter Geiger; Wendy Ault; Paulette Bonneau; James Ford; Wilson Hess; Victoria Kornfield; and Joshua Leinwand.

Absent with Excuse: Greyson Orne

Resignation of Cynthia Murray-Beliveau: Chair Fern Desjardins was notified by the Governor's Office that Cynthia Murray-Beliveau has resigned from the State Board of Education effective as of October 5, 2021. There are now two vacant seats to be filled from the First Congressional District.

Others Present: Deputy Commissioner Daniel Chuhta; Angel Loreda, Director of Higher Education and Educator Support Services; Jason Libby, Higher Education Specialist; (Department of Education) and Mary Becker, State Board of Education Secretary Specialist.

CALLED TO ORDER:

Chair, Fern Desjardins called the meeting to order at 1:00 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.

ANNOUNCEMENT OF 2022 MAINE TEACHER OF THE YEAR:

Victoria Kornfield attended the Maine Teacher of the Year Celebration at Reeds Brook Middle School in Hampden today, October 13, where Kelsey Stoyanova, an 8th grade teacher was named the 2022 Teacher of the Year. There was

attendance by the Commissioner of Education; county teachers of the year; past teachers of the year; Dean Humphrey from the University of Maine; representative from Senator Collins and Senator King's Office; Department of Education staff and staff from Educate Maine; along with many others. Five students spoke at the event and Victoria quoted the many wonderful comments about Kelsey who was one of Victoria's students when she was teaching.

APPROVAL OF MINUTES:

MOVED by Victoria Kornfield, seconded by Peter Geiger, and unanimously voted by those present to accept the September 8, 2021 minutes as presented.

MOVED by Peter Geiger, seconded by Victoria Kornfield, and unanimously voted by those present to accept the September 15, 2021 minutes as presented.

PUBLIC COMMENT:

No Public Comment

OFFICER'S REPORTS:

Chair, Fern Desjardins

- Fern Desjardins reviewed the business agenda for the October 13, 2021 meeting.
 - *Unfinished Business*
 - No Unfinished Business
 - *New Business*
 - Acceptance of the Colby College Educator Preparation Program Interim Report
 - Consideration of one student transfer appeal
- Fern attended all nine of the Certification & Higher Ed Committee meetings since the last SBE meeting and is pleased with the progress being made with Chapter 115 as a result of the public hearing and written comments received.
- Fern was active with NASBE activities in the last month. She attended the Board of Directors meeting on September 20 which covered a lot of the plans for the Annual Conference, was interviewed for the secretary/treasurer position on September 28 and attended the Annual Conference October 6-8. She was extremely pleased in having SBE member Joshua Leinwand present a past board member, Martha Harris, with the Distinguished Service Award. Joshua did an excellent job and Martha was visibly honored and most appreciative with the presentation. She thanked Joshua for his service and Peter Geiger for his role in submitting the application. The virtual conference offered a variety of informative and timely sessions on equity and excellence, teacher

preparation programs, leadership, making sense of polling data, and safe drinking water in schools. Attendees heard from Paolo DeMaria who will be NASBE's President/CEO on January 1, 2022. At the Delegate Assembly, changes to the bylaws and Public Education Positions were approved. Fern was voted Secretary-Treasurer of NASBE and looks forward to serving the national association.

- She recognized Wilson Hess for the excellent job he did as moderator for the air quality and ventilation forum. The session was well organized and very informative.
- Fern attended her first Professional Standards Board meeting on October 4 and deferred to Peter to report out later in the meeting.
- As a member of the Maine Charter School Commission, she attended the public hearings for the renewal of Community Regional Charter School and the Maine Academy of Natural Sciences. She also attended the monthly Board of Directors meetings for Harpswell Coastal Academy and the Maine Arts Academy as their liaison to the Commission.
- Board members received the 2022 SBE calendar in their packets. Fern asked members to contact Mary with comments or suggestions.

Vice Chair, Peter Geiger

- On September 28, Peter participated in a group interview of the three Maine Teacher of the Year (MTOY) finalists – Kelsey Stoyanova (Penobscot County – Reed Brook Middle School, Hamden, RSU 22); Hillary Hoyt (Waldo County – Smith School, Winterport, RSU 22); and Paige Fournier (Cumberland County - Freeport Middle School, RSU 5). This morning, members of Educate Maine and the Department of Education (DOE) are gathering at Reed Brook Middle School to congratulate Kelsey Stoyanova on being named the 2022 MTOY.
- On October 4, the Professional Standards Board met. Peter will report on this during the business meeting.
- October 6 – 8, he attended the virtual National Association of State Boards of Education (NASBE) Conference. There have always been challenges in public education. NASBE allows state board members to think critically about their efforts and to learn from one another. Former board member, Martha Harris, was honored with the prestigious Distinguished Leadership Award, an award Wilson Hess received last year. It is a reminder that Maine contributes mightily to the national organization. Peter is proud of Chair Desjardins and her election to a 2-year term, as NASBE's Secretary/Treasurer.

COMMITTEE REPORTS:

School Construction Committee (Peter Geiger):

The School Construction Committee did not meet on September 24, 2021 as scheduled.

- With a resignation from the Board/Committee, the open position will be filled by Fern Desjardins.

The next regular School Construction Committee monthly meeting is scheduled for Friday, October 29, 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 September 22, 2021 as scheduled.

- Wendy Ault reported that the Committee has met 9 times since the last Board meeting. The bulk of the conversation continues to be around Chapter 115.
- Deputy Commissioner Chuhta provided an update on Chapter 115.
 - Public hearing on August 16.
 - Comment period following the hearing for 30 days. Comment period ended on September 15.
 - The Committee started meeting to respond to each comment. There are 30 pages of comments that the Committee is reviewing.
 - There were themes and trends that appeared throughout the document:
 - Grade spans within endorsements – Committee is proposing a change to the grade span for elementary certification. While the existing proposal is PreK – 8, the Committee is going to propose to the State Board a K-6 grade span for the elementary teacher certificate. All other grade spans as proposed in Chapter 115 will stand as is.
 - Elimination of Adaptive Physical Education (APE) endorsement. The Committee will propose a reinstatement of the APE endorsement back into the rule.
 - Defining the renewal period of school psychologists' certificates as 3 years rather than 5 years.
 - The grade span change would be a substantial change that would warrant another comment period. A special SBE meeting would be held in two weeks to have the Board provisionally adopt a new version of Chapter 115 that would incorporate the suggestions that the committee has made. It would then have a subsequent comment period. We would

need time for the committee to respond to the new set of comments and for the Board to act on a version of Chapter 115 to send to the Education and Cultural Affairs Committee which is due the beginning of January.

- Chair Desjardins and Committee Chair Ault thanked Deputy Commissioner Chuhta for all his work with the Committee on Rule Chapter 115.
- Wendy Ault announced that the special Committee meeting scheduled for today, October 13 will need to be re-scheduled. Mary Becker will coordinate a new meeting date.

The next regular Certification and Higher Education Committee monthly meeting is scheduled for Wednesday, October 27, 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 September 23, 2021 as scheduled. The meeting was held virtually via Zoom under the Board's remote meeting policy due to COVID-19 surge.

- The Committee reviewed the following:
 - Perkins V finances. The Committee does not have the final year end numbers yet.
 - Briggs Trust Fund and the numbers remain unchanged.
- The Committee received an update from the State CTE Director on the Perkins administration reviews - biennial report - which was received very positively.
- Had a conceptual conversation related to LD 313.
- Educate Maine gave an update on the data project work which has begun. Middle School programming data has started to be collected.
- The Community College System gave an update on the work they are doing on credential pathways. This was also talked about at the MELMAC Education Foundation conference. The conference was very well done – a thank you to Wendy Ault, Executive Director at MELMAC for a great job with the conference.
- Received an update from Maine Administrators of Career and Technical Education (MACTE) and feedback from the field. The MACTE October meeting was canceled.
- Worked on the Strategic Plan. Wilson thanked Committee members for their work on the strategic plan.

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

Legislative Action (Wilson Hess):

The Legislative Action Committee's organizational meeting was held on Wednesday, August 25, 2021 virtually via Zoom under the Board's remote meeting policy due to COVID-19 surge.

- Reports are being prepared by various agencies and hopefully the Committee will get some feedback from those reports.

Student Voices (Greyson Orne; Joshua Leinwand; Wendy Ault and James Ford):

- Wendy Ault reported that no meetings have been scheduled for the Commissioner's Student Cabinet.
- The recruitment process has started for new members to the Commissioner's Student Cabinet. Some students have dropped off for many reasons, some have graduated.
- Mary Becker will send an email to Rachel Paling requesting that she add Joshua Leinwand and James Ford to her email distribution list for any emails going out to Student Cabinet Members.

Charter Commission Representatives (Wilson Hess):

The Charter School Commission will meet on Thursday, October 14, 2021 as scheduled.

- Fern Desjardins announced that whereas Cynthia Murray-Beliveau has resigned from the State Board, someone on the Board will need to replace Cynthia.
- Wilson Hess reported that last month they indicated that renewal visits are in the process of taking place for two charter schools, Community Regional Charter School in Skowhegan and Maine Academy of Natural Sciences in Hinckley. The Charter Commission will meet tomorrow, October 14, and will be taking under consideration the two renewals.

Professional Standards Board (Peter Geiger):

The Professional Standards Board (PSB) met on October 4, 2021.

- Chair, Kristen Levesque called the meeting to order. The agenda included (1) Election of a chair and vice chair for 2021/2022; (2) Update from the State on Rule Chapter 115; and (3) Discussion of goals for the upcoming year. Andrew McCullough has been elected Chair and Nicole Seeger continues as vice chair. Fern Desjardins and Peter Geiger updated the status of Rule Chapter 115. With new leadership, the committee will meet late November and is tasked with setting goals for the upcoming year.

UNFINISHED (OLD) BUSINESS:

No Unfinished Business

NEW BUSINESS:

ACCEPT 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 “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. The Board previously received the report in August 2021.

RECOMMENDATION: That the State Board of Education accept the Colby College Interim Report.

MOTION by Wendy Ault, seconded by Peter Geiger, and unanimously voted by those present to accept the Colby College Interim Report.

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 one transfer request.

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

The Board's role in these proceedings is to review the 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 Peter Geiger, 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 EW to review the Commissioner's decision to approve or disapprove a request for a student transfer, pursuant to Title 20-A, section 5205, subsection 6, paragraph F at 1:52 PM.

The Board returned to the regular business meeting at 2:19 PM.

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

ANNOUNCEMENTS:

- Submit travel and expense account vouchers to Mary Becker at the end of this meeting.
- The Board will hold a special meeting on Tuesday, October 26, 2021 at 3:30 PM for provisional adoption of Chapter 115.
- The next regular Board meeting is scheduled to be held at the Burton Cross State Office Building in Augusta on Wednesday, November 10, 2021, at 1:00 PM.

ADJOURNMENT:

The October 13, 2021 State Board of Education meeting adjourned at 2:23 PM.

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