



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 14, 2020 at the Burton Cross State Office Building, 111 Sewall Street, Augusta, Maine and virtually via Zoom. The following members were present: Chair Wilson Hess; John Bird; Peter Geiger; Jana Lapoint; and Casey Maddock. Vice Chair Jane Sexton; Wendy Ault; Fern Desjardins; and Martha Harris attended virtually via Zoom.

Excused: Jaylee Rice

Vacant: One Member

Others Present: Deputy Commissioner Daniel Chuhta and Mary Becker, State Board Secretary Specialist.

CALLED TO ORDER:

Chair, Wilson Hess called the meeting to order at 1:00 PM.

The meeting was conducted in accordance with Sec. G-1. 1 MRSA §403-A, Public proceedings through remote access during declaration of state of emergency due to COVID-19. Whereas the meeting is open to the public, all votes will be taken by roll call. Five Board members attended virtually.

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

VISION STATEMENT:

Read by student member, Casey Maddock: 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 Jana Lapoint, seconded by John Bird, and unanimously voted by those present to accept the September 9, 2020 minutes as written.

PUBLIC COMMENT:

No Public Comment

OFFICER'S REPORTS:

Chair, Wilson Hess

- Wilson reviewed the business agenda for the October 14th meeting.
 - Unfinished Business
 - Action Agenda for 2021: A revised action agenda was sent to all Board members.
 - New Business
 - Consideration of the University of Maine CAEP Review Team
 - Integrated, Consolidated District Governance
- Wilson spoke of the communication that was shared by him through email to Board members regarding MEPRI's introduction of the University of Maine's College of Education and Human Development new webpage with resources for educators and families on social-emotional learning, student wellbeing, and trauma informed practices.

Vice Chair, Jane Sexton

- Jane attended the CTE Committee meeting on September 24.
- She attended the School Construction Committee meeting on September 25 and the Special School Construction Committee meeting on October 9.
- She attended the Agenda Review meeting with Wilson Hess and Deputy Commissioner on September 29.
- She attended Sarah Forster's Rulemaking Training session on September 30 via Zoom.
- She attended the MELMAC Conference on October 9. She enjoyed seeing Brian Langley since having communication with Brian when he served in the Legislature.
- She enjoyed the helpful hints given at a lunchtime presentation for everyone during the COVID-19 times. Jane found the presentation very effective.

COMMITTEE REPORTS:

School Construction Committee (Fern Desjardins for Martha Harris):

The School Construction Committee met on September 25, 2020 as scheduled. The Committee also held a special meeting on October 9.

- At the September 25th meeting, the Committee received an update and further discussed the Integrated, Consolidated 9-16 Educational Facility

Program. The Committee also received an update on the Major Capital School Construction Program. They talked about money being made available for improved energy systems – heating, cooling and ventilation in Maine schools. Due to the pandemic, there is a heightened consideration for looking at different aspects of school facilities for the health and safety of students and staff.

- At the October 9th special meeting, the Committee reviewed the draft letter to Valley Unified Educational Service Center and made edits to the letter. The version that the Board received today includes the updated decisions made by the Committee at the October 9th meeting. The letter will go before the full Board for approval at the business meeting this afternoon.

The next School Construction Committee meeting is scheduled for Friday, October 30, 2020. The meeting will be held virtually via Zoom. The approved minutes will be posted on the State Board website.

Certification and Higher Education (Wendy Ault):

The Certification and Higher Education Committee met on September 23, 2020 as scheduled.

- The Committee held special meetings on October 6 and October 8 to review revisions to Chapter 115. The Committee looked at the Administrators and Education Specialist sections of Chapter 115. The Committee has two more special meetings scheduled for October 26 and October 29.
- Wendy thanked Fern and Jana for their flexibility in meeting to review Chapter 115. She also thanked Peter Geiger and Wilson Hess for their participation in the special meetings.
- The University of Maine is scheduled for a CAEP review. CAEP is a national organization. The review for its educator preparation program is scheduled for December 2020. The State appoints a state review team to assist in the reviewing the standards and to provide a recommendation to the State Board of Education. The Board will vote to accept the proposed review team during new business. Fern Desjardins will serve as the State Board of Education Observer for the CAEP review.

The next Certification and Higher Education Committee regular monthly meeting is scheduled for Wednesday, October 28, 2020. The meeting will be held virtually via Zoom. The approved minutes will be posted on the State Board website.

Career and Technical Education (John Bird):

The Career and Technical Education (CTE) Committee met on September 24, 2020 as scheduled.

- John Bird reported that several months ago the CTE Committee initiated pilot programs to support grades 9 and 10 with Perkins funding. With the

COVID situation the programs were delayed. The programs will be finishing up and reports will be forthcoming at the end of this calendar year.

- The Committee had a robust conversation on how the State Board of Education can help create greater equity in the CTE community's funding in response to the COVID-19 state of emergency through the use of Perkins funding. Conversations remain open and the Committee will bring forward proposals in the near future.

The next Career and Technical Education (CTE) Committee meeting is scheduled for Thursday, October 22, 2020. The meeting will be held virtually via Zoom. The approved minutes will be posted on the State Board website.

Legislative Action (Peter Geiger):

The Legislative Action Committee last met on September 26, 2020.

- The Committee discussed a number of areas that are of interest to each Committee Chair. The Committee will look at everything related to education. There are areas of specific interest that will be looked at.
- The Committee will meet on a regular weekly basis once the Legislature is in session in January.

Student Voices (Casey Maddock and Wendy Ault):

- Wendy Ault spoke about the Commissioner's Student Cabinet. The Commissioner would like to hold monthly meetings with the students during the pandemic so that she has close understanding on how students are viewing their education and how she may be able to facilitate virtual learning in particular.
- Casey Maddock has been working closely with Rachel Paling at the Department of Education. They are now accepting applications for the second Student Cabinet members. The goal is to meet in Augusta soon to prepare for the process in reviewing applications. There has been some consideration on keeping some of the members from the previous year. She has been talking to Rachel Paling regarding how State Board of Education student members can be more involved in the discussion of agendas and be involved as facilitators.

Student Membership (Fern Desjardins and Wendy Ault):

- Fern Desjardins welcomed Greyson Orne (Maine School of Science and Mathematics) to his first "unofficial" State Board of Education meeting. Governor Mills nominated Greyson as the new student member to the Board. Due to the pandemic, the Legislature has not convened, postponing confirmation.
- Fern commented on Greyson's interview with the State Board of Education

and how respectful he is and eager to learn. He likes to do research before he takes a position on anything. He spoke very highly of STEAM. A teacher recommendation letter stated how Greyson has a great work ethic, is respectful and conscientious. He has a very strong academic record. Greyson wants to serve in the military and become a pilot. He is a sailing instructor and has been teaching sailing in Rockland for the past three years.

- All State Board members welcomed Greyson to the State Board of Education.

Charter Commission Representatives (Jana Lapoint):

The Charter School Commission met on October 6, 2020 as scheduled.

- The Commission approved Maine Academy of Natural Sciences' request to amend their bylaws.
- Approved Maine Academy of Natural Sciences' request to amend their school mission.
- Approved Maine Connections Academy's professional development funding request of \$750.00 for a math acceleration training program connected with NEWA and Kahn Academy.
- Approved ACADIA Academy's renewal application for 5 years. They have tremendous parent support, own their own building, and some families have had to wait a few years to get their children into the school because of the limited enrollment and the lottery system.
- Maine Arts Academy's renewal was also approved for 5 years but with a few recommendations to be followed up on in the coming year.
- The Search Committee for an executive director has been meeting for the past few months. It consists of Shelly Reed, John Bird and is chaired by Fern Desjardins. The position has been advertised stating that "application materials should be received at the Commission office by October 19, 2020 at 5:00 p.m. Materials will be accepted until a suitable candidate is found."

Professional Standards Board (Peter Geiger):

The Professional Standards Board (PSB) held its first meeting on August 12, 2020. The next meeting is scheduled for Monday, October 19th and will be held via Zoom.

- The second meeting of the PSB scheduled for October 19th will be held virtually via Zoom.
- At the first meeting on August 12, 2020, the Board elected a chair (Kristen Levesque) and vice chair (Nikole Seeger).
- 22 members and 2 ex-officio members serve on the Board. Eighteen members of the Professional Standards Board serve on the Chapter 115 Consensus-based Committee. The chair and vice chair of the PSB do not

serve on the Chapter 115 consensus-based committee.

UNFINISHED (OLD) BUSINESS:

2020 ACTION AGENDA

Wilson Hess distributed the State Board of Education revised draft Action Agenda for 2021 – Discussion Starters.

At the September 9, 2020 Board meeting, each Committee chair reviewed with the Board their section of the action agenda. Following conversation, the Board voted to table the action agenda for 2021 for consideration at the next meeting on October 14, 2020.

MOTION by John Bird, seconded by Jana Lapoint and unanimously voted by those present to remove the action agenda from the table for consideration.

At the October 14, 2020 meeting the Board came to a consensus to add items under School Construction on the action agenda:

MOTION by Jane Sexton, seconded by John Bird, to amend the action agenda for 2021 to add a bullet under School Construction to advocate for improved ventilation and funding for school ventilation in school construction.

Following discussion, the motion was withdrawn by Jane Sexton, seconded by John Bird.

MOTION by Jane Sexton, seconded by Martha Harris, and unanimously voted by those present to amend the motion to advocate for ventilation, heating and cooling, and funding for all Maine schools. No action was taken.

MOTION by Peter Geiger, seconded by John Bird, and unanimously voted by those present to move the Action Agenda consideration to the November 4, 2020 meeting.

NEW BUSINESS:

INTEGRATED, CONSOLIDATED DISTRICT GOVERNANCE

Following conversation, a motion was made and the letter will be transmitted.

MOTION by Fern Desjardins, seconded by Jane Sexton, and unanimously voted by those present to approve the draft letter of a response to the Valley Unified Regional Service Center.

CONSIDERATION OF THE UNIVERSITY OF MAINE CAEP REVIEW TEAM

BACKGROUND: The University of Maine is scheduled for a CAEP review for its educator preparation programs in December 2020. In conjunction with the accreditation body's team, a state review team assists in reviewing standards and provides a recommendation to the State Board of Education on Maine standards not included in CAEP accreditation.

The following individuals are recommended to serve on the review team:

Dr. Katherine Yardley, The University of Maine at Farmington
Dr. Andrea Stairs-Davenport, University of Southern Maine
Dr. Fern Desjardins, State Board of Education Board Observer

RECOMMENDATION: That the State Board of Education accept the proposed review team.

MOTION by Wendy Ault, seconded by Jana Lapoint, and unanimously voted by those present to accept the proposed review team for the University of Maine CAEP review team.

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

Wilson Hess, Chair of the Board, read a procedure for the Board when going into executive session to review requests for review of the Commissioner's decisions on student transfer requests.

The Board will be considering 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 John Bird, seconded by Jane Sexton, 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 MG 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 2:23 PM.

The Board returned to the regular business meeting at 2:45 PM.

MOTION by John Bird, seconded by Jana Lapoint, and unanimously voted by those present to overturn the Deputy Commissioner’s decision in the denial of a transfer for MG. The motion carries and the transfer is granted.

NOTE: During the Board’s transfer appeal hearing, XG (student) and her mother, Mrs. G, indicated verbally that they wished to withdraw the appeal for XG to transfer to a school unit requested and denied by the Deputy Commissioner for the 2020/21 school year. In accordance with their request, no action was taken. Therefore, the Deputy Commissioner’s decision stands.

MOTION by John Bird, seconded by Jane Sexton, 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 AM and RM 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 2:48 PM.

The Board returned to the regular business meeting at 3:10 PM.

MOTION by Jana Lapoint, seconded by John Bird, and voted three in favor with five members opposed (Wendy Ault, Fern Desjardins, Wilson Hess, Martha Harris, and Jane Sexton), not to override Deputy Commissioner's decision in the denial of a transfer for AM. The motion does not carry and the Chair requested an affirmative motion to implement the Board's will.

MOTION by Jana Lapoint, seconded by John Bird, and voted five in favor with three members opposed (John Bird, Peter Geiger, and Jana Lapoint) to overturn the Deputy Commissioner's decision in the denial of a transfer for AM. The motion carries and the transfer is granted.

MOTION by Jana Lapoint, seconded by John Bird, and voted five in favor with three members opposed (Fern Desjardins, Martha Harris and Wilson Hess) to uphold Deputy Commissioner's decision in the denial of a transfer for RM. The motion carries and the transfer is denied.

ANNOUNCEMENTS:

- Submit travel and expense account vouchers to Mary Becker at the end of this meeting.
- Jane Sexton commented on the draft 2021 SBE meeting calendar that Mary Becker sent to Committee chairs to review at their next meeting. Jane emailed Board members with some suggested date changes due to holidays in the fall of 2021.
- John Bird requested that the Educate Maine invitation to a meeting on October 15, 2020 via Zoom from 3:30 PM to 4:30 PM be forwarded to all Board members.
- The next Board meeting will be held at the Cross State Office Building and virtually via Zoom on Wednesday, November 4, 2020, at 1:00 PM.

ADJOURNMENT:

The October 14, 2020 State Board of Education meeting adjourned at 3:23 PM.