



MAINE STATE BOARD OF EDUCATION

23 State House Station
AUGUSTA, MAINE 04333

STATE OF MAINE

The State Board of Education held a regular monthly meeting on August 17, 2011, at the Harraseeket Inn, 162 Main Street, Freeport, Maine. The following members were present: Chair James Banks, Sr.; Vice Chair Steven Pound; Marilyn Temple Tardy; Nancy Perkins; Lynda Doyle; Dottie Martin; Jana Lapoint; Marta Harris; and Chelsey Whynot.

Excused: Angela Bechard

Also present were: Commissioner Stephen Bowen; Wanda Monthey, Policy Director of Standards, Assessment and Regional Services; Scott Brown, Director of School Facilities; Harry Osgood, Higher Education Specialist; and Mary Becker, Secretary Associate, State Board of Education.

CALLED TO ORDER:

Chair James Banks, Sr., called the meeting to order at 1:01 PM.

MOMENT OF SILENCE FOR BOARD MEMBER JAMES CARIGNAN:

Jim Banks requested a moment of silence for the passing of Board member James Carignan.

Jana Lapoint requested that the minutes of the August 17, 2011 meeting reflect Board members respect and admiration of Jim Carignan.

Jim Banks: When he was appointed to the State Board, Jim Carignan was Chair and there were nine members on the Board. Jim had the opportunity of four new members to get up to speed. The first meeting was held at the Senator Inn and Jim went over all the Committees and the past work that was accomplished. Jim was a very patient man, especially with him. He met several times with Jim Carignan to gather information on how he could contribute to the work of the State Board.

Marilyn Temple Tardy: She always respected Jim Carignan's thoughts and everything he did. Jim and she even agreed on something on two occasions. Jim noted that it was the first time that the two of them were on the same page and agreed on something.

Commissioner Stephen Bowen: When he was in the Legislature, he served on a Citizenship Education Task Force with Jim Carignan. It was a massive Task Force and there were several legislature people and teachers in the group. Jim was a co-chair

with someone from the DOE. He wishes he had a recording of the speech that Jim gave regarding the civic mission of schools and critical issues. He made a very passionate plea for civic commission of schools and the importance of citizenship education. It was a very impressive speech that Jim presented.

Steven Pound: He was fortunate enough to sit on a Board with Jim a couple of years ago on High School Graduation Requirements. Jim pushed very hard to build consensus during the meetings. He was very focused on what he wanted and willing to move with the greater interest of the whole which in the end was a better program for students. The report included such things as multiple measures, multiple pathways, standards based education, interventions, and personal learning plans. It is proven now that the work done by that committee and Jim helped to move this state forward. Jim's legacy lives on with respect as a result of this report and his willingness to build consensus. The State Board is carrying the legacy on for Jim Carignan.

Harry Osgood: He knew Jim Carignan for close to 30 years and the best he could say is he was the Prince of Man. He was always sincere. You could not agree with some or all of what Jim said, but what he said, he always said in a respectful and civil way.

Wanda Monthey: When she first met Jim, the Department had just gotten an advanced placement incentive grant and had not done a public notice for it. Jim called as he had two students that taught AP Summer Institute for him and they had heard about it. Jim immediately offered to help and wanted to run the Professional Development for teachers. He wanted to be sure that all students had access to it. Jim was at Bates and he was truly committed to every student.

Scott Brown: Jim served on the Construction Committee for many years. School Facilities became a real passion for Jim and he gave it his all and attended meetings regardless of his health or condition. The one thing he posed the biggest challenge with is he always wanted us to think in the future. He was very much a green advocate and for high performance schools. Scott admired how hard Jim went at it all.

Lynda Doyle: She only knew Jim a few years, but when she thinks of the last year, the connection was usually by phone when Jim would call into meetings and would tease Board members that he was sitting in Florida by the pool. It makes Lynda smile to know that Jim was enjoying himself this last year.

APPROVAL OF MINUTES:

MOVED by Steven Pound, seconded by Marilyn Temple Tardy, and unanimously voted by those present to approve the July 13, 2011 minutes as written.

OFFICER'S REPORTS:

Chair, James Banks, Sr.:

- Presentation of the Committee Assignments for the 2011-2012 Year:
 - Certification and Higher Education Committee – Nancy Perkins, Chair; Jana Lapoint; and Dottie Martin

- Construction Committee – Marilyn Temple Tardy, Chair; Martha Harris; and James Banks, Sr.
 - Career and Technical Education Committee – Steven Pound, Chair; Dottie Martin; and James Banks, Sr.
 - Public Charter School Committee – James Banks, Sr.; Marilyn Temple Tardy; and Jana Lapoint
 - Teacher of the Year - Lynda Doyle
- The Board members serving on other groups are as follows:
- Science, Technology, Engineering, and Mathematics (STEM) – Steven Pound will be representing the State Board
 - Professional Standards Board (PSB) – Nancy Perkins
 - New England Secondary School Consortium (NESSC) – James Banks, Sr.
 - Chapter 114 Stakeholders Group – Nancy Perkins, Jana Lapoint, and Dottie Martin
 - Consortium on Educator Effectiveness – Nancy Perkins
 - Achieve – Standards New Group that has been formed – Nancy Perkins

Thank you to all members that have stepped up to serve on each of these groups.

- As Vice Chair of the Board, Steven Pound will continue to oversee the budget for the Board, organize the State Board Retreat for 2012 and organize fall meeting locations.
- He spoke at the Maine Heritage Policy Center luncheon at the Cumberland Country Club regarding Charter Schools. He presented a schedule put forward by the Commissioner.
- He attended the Construction Committee meeting on August 8, 2011.
- The National Association of State Boards of Education (NASBE) Silent Auction will take place again this year during the Annual Meeting in Atlanta. The Board needs to decide if they will be donating an item for the auction as done in previous years. Donated auction items need to be sent to NASBE by September 30, 2011.
- The October meeting date needs to be changed as three of the SBE Members will be traveling to Atlanta for the NASBE Annual Conference. The Board needs to set a new date for October by the end of this meeting.

Vice Chair, Steven Pound:

- On July 21, 2011, he attended a Maine Manufacturing Association meeting. The group is looking at career pathways and more ways to certification for their people, weather it is within partnerships of community colleges or externally looking for credits. In the last two weeks Steve has heard two different comments by people stating that businesses like to train their own personnel. That perception is still out there and could not be any further from the truth. Businesses are not looking to train their own they are looking for people to be prepared when they come to the business.

- He met with Mobilize Maine and the group is still very active in involving the education sector in the Bangor Region.
- He attended the Maine Employers Initiative operated by the Maine Development Foundation with Laurie Lachance. They hired a new person to head this up and to increase the number of people involved in career development and businesses.
- He met with Craig Larrabee who is trying to increase the number of Jobs for Maine Graduates (JMG) Programs. This program has lots of support from the Governor. They are looking at partnerships with businesses, so the people can have summer work terms or visit businesses to get exposed to them. Cianbro has an agreement where if students come to work for them after they graduate from JMG, even if they go to school in between, Cianbro will reimburse for the JMG program for some of the students, because they are helping to prepare the workforce.
- On August 18, 2011, he has an Adult Education Pathways meeting with the Bangor Region Adult Education Programs.
- He is working closely with the Local Workforce Investment Boards.
- The Board will be holding their September meeting at the Ashland District School. The Board will have a tour of the Northern Maine Center for Excellence in Alternative Energy.
- He wants to thank all Board members for the effort they put into the Retreat this year.

BOARD MEMBER REPORTS:

Marilyn Temple Tardy:

- The Construction Committee met on Monday, August 8, 2011. The Committee is presently comprised of three members; Jim Banks, Martha Harris and Marilyn Temple Tardy, Chair. Scott Brown met with the Committee and announced that the review process was complete for those schools who requested hearings and no subsequent changes were made to the Proposed Priority List. The Committee recommended that the Final Priority List for the 2010-2011 Rating Cycle be presented to the Board at the August meeting. The Committee talked with Scott about the process of funding and how many projects would be considered. Scott, along with his team is preparing a presentation for the Commissioner within the next few weeks on this subject. With the ultimate decision likely coming from the Commissioner. The Committee also talked about updating the Rules in Chapter 61. The Schools Facilities Team, Finance Staff, and Consultants are preparing a first draft of suggested changes to Chapter 61 and possibly having a more comprehensive draft by the October Construction Meeting.
- She filled in for Jim Banks at a New England Secondary School Consortium meeting.

Nancy Perkins:

- She attended the Positive Youth Conference and read Tony Wagner's book – "Global Achievement Gap". It is well worth reading.

- She attended an Educational Testing Service (ETS) meeting. This service provides the Praxis Test for Maine. The group looked at National Trends and talked about research on Teacher for America. The more knowledge we have the better off we will be.
- She attended the Chapter 114 Stakeholders meeting and the group has a lot of work to do.
- She met with Jaci Holmes and Mark Cyr at the Department of Education regarding two bills – LD 129, An Act to Eliminate Dual Certification Requirements for Speech Language Pathologists and LD 1094 – An Act to Improve the Delivery of School Psychological Services to Children.
- She attended a State Consortium on Educator Effectiveness (SCEE) meeting and the group is working on reorganizing for the year.
- She listened to a couple of webinars. It is good to listen to what other states are doing that might be helpful to the State Board.
- She attended the Certification and Higher Education Committee meeting on July 25, 2011

Chelsey Whynot:

- No Report

Lynda Doyle:

- She participated as a Blue Ribbon Panel Member assisting the recommendation of Educator for the 2011 National Milken Educator. She was very excited that it is one of the clearest cut experiences of who would receive the award. The group agreed 100% on who would receive the award. The announcement will come out soon.

Dorothy Martin:

- She continues to serve on the Chapter 114 Stakeholders Group.
- She heard that Commissioner Bowen attended the President's meeting at the Community College, and he was a great hit. They were thrilled to have the Commissioner in attendance.

Martha Harris:

- She will be attending and representing the Board at the dedication of the new Brewer School on Saturday, August 20, 2011.
- She attended the National Association of State Boards of Education (NASBE) New Member Institute that Lynda encouraged her to attend. It was a great opportunity and the nicest part of attending was that she and Jana got to know each other a whole lot better.
- She attended a walk through of the Hampden School and invited Marilyn to join her. It was very exciting. She is the Chair of the building committee of her local school Board that she has been on for 17 years.

Jana Lapoint:

- She attended the National Association of State Boards of Education (NASBE) New Member Institute in Washington, DC. She attended a night tour of Washington in 95 degree weather. Jana shared with the Board what is written on the Jefferson Memorial as she feels it is appropriate for individuals in education.

“I am not an advocate for frequent changes in laws and constitutions, but laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed, more enlightened, as new discoveries are made, new truths discovered and manners and opinions change, with the change of circumstances, institutions must advance also to keep pace with the times. We might as well require a man to wear still the coat which fitted him when a boy as civilized society to remain ever under the regimen of their barbarous ancestors”. The changes are coming and we need to be willing to accept those changes. She was delighted that she had the opportunity to meet Brad Hull. The new members were provided with a mentor and navigator throughout the two days and they will provide you with any information you need. She had many discussions with people from other States. Ohio has a Board that is politically appointed. It is a delightful thing that the Maine State Board votes on issues and not on what party you belong to. We need to be constantly vigil in letting the public know of our work. We need to set specific goals and evaluate those goals each year to see if they are met.

- She continues to serve on the Chapter 114 Stakeholders Group and will be attending a meeting on Thursday, August 18, 2011.

Chelsey Whynot:

- No Report

UNFINISHED BUSINESS:

RECEIPT APPROVAL TO PROCEED WITH EMERGENCY RULEMAKING OF CHAPTER 13, QUALIFYING EXAMINATIONS OF TEACHERS, EDUCATIONAL SPECIALISTS AND ADMINISTRATORS, IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT (APA)

BACKGROUND: On May 11, 2011, the Board gave its approval to proceed with rulemaking for changes to Chapter 13, to change the way in which test codes and required scores are updated. Although rulemaking for Chapter 13 went as planned, the Board’s Assistant Attorney General (AAG) could not grant final approval to file the amended rule due to a legal concern about the proposed changes. A new rulemaking process will be required, but we will need to work with the AAG to find the right language before we offer an alternative rulemaking package.

At this time, the old version of Chapter 13 is still in effect, and it will take some time to develop language to achieve the Board’s initial goal. In order to ensure that the new test codes and scores are effective when the new test year starts in September, we are proposing that the Board undertake Emergency Rulemaking to amend the existing Rule

to adopt the test codes and required scores that the Board approved at its June 15, 2011 meeting.

The emergency rulemaking will allow the Board to retain its authority over test codes and scores by updating the current rule with the new codes and required scores for those tests that have changed. We can then address the change in the process through a regular rulemaking at a later date.

MOVED by Steven Pound, seconded by Marilyn Temple Tardy, to undertake Emergency Rulemaking to amend the existing Rule to adopt the test codes and required scores that the Board approved at its June 15, 2011 meeting. The motion was unanimously opposed by those present.

NEW BUSINESS:

MAJOR CAPITAL IMPROVEMENT PROGRAM SCHOOL FACILITIES FINAL PRIORITY LIST – RATING CYCLE 2010-2011

STATEMENT OF FACT: On March 9, 2011, the State Board of Education received the Proposed Priority List recommended by the Commissioner of the Department of Education. Following the release of the Proposed Priority List, eight school systems opted to meet with the Department's Rating Team to review their scores. Following these reviews the Commissioner received three requests for an informal hearing. The Review Committee heard presentations from the three school systems on June 21, 2011. The three-member Review Committee upheld the scoring of the Team and thus the Proposed Priority List remains unchanged. The Proposed Priority List following the close of the Administrative Review Process becomes the Final Priority List once it is recommended by the Commissioner and approved by the State Board of Education.

CONSTRUCTION COMMITTEE RECOMMENDATION: On Monday, August 8, 2011, the Construction Committee voted unanimously to refer this exhibit to the State Board of Education on August 17, 2011, with a recommendation that the State Board approve the School Facilities Final Priority List for the 2010-2011 Rating Cycle.

RECOMMENDATION: It is recommended that the State Board of Education approve the School Facilities Final Priority List for the 2010-2011 Rating Cycle.

MOVED by Marilyn Temple Tardy, seconded by Martha Harris, and unanimously voted by those present to approve the School Facilities Final Priority List for the 2010-2011 Rating Cycle.

CONSIDERATION OF THE REVIEW TEAM REPORT OF FINDINGS CONCERNING THE APPLICATION FOR ADDITIONAL DEGREE-GRANTING AUTHORIZATION AS SUBMITTED BY THE UNIVERSITY OF NEW ENGLAND TO AWARD THE DOCTOR OF NURSING PRACTICE (DNP) DEGREE.

BACKGROUND: 20-A MRSA, Chapter 409 provides that a postsecondary educational institution desiring to confer additional degrees must obtain authorization from the Maine State Board of Education.

Officials of the University of New England, located in Biddeford, Maine, submitted an application seeking authority to confer an additional degree, the Doctor of Nursing Practice (DNP). A program approval visit with University of New England officials was conducted for May 12, 2011 on the UNE Portland Campus. Subsequently, the Team's report of findings was compiled and distributed during the Board's July 13, 2011 meeting.

RECOMMENDATION: That the State Board of Education accept the Review Team report of findings and approve the request from the University of New England for additional degree-granting authority to confer the Doctor of Nursing Practice (DNP) degree.

MOVED by Jana Lapoint, seconded by Lynda Doyle, and unanimously voted by those present to approve the request from the University of New England for additional degree-granting authority to confer the Doctor of Nursing Practice (DNP) degree.

CONSIDERATION OF REVIEW TEAM REPORT OF FINDINGS REGARDING THE REQUEST FROM LESLEY UNIVERSITY TO RENEW ITS CURRENT AUTHORIZATION TO OFFER ACADEMIC CREDIT PROGRAMS IN MAINE

BACKGROUND: 20-A MRSA, Chapter 409 provides that the State Board of Education may approve an application from a postsecondary educational institution located outside the State of Maine to offer within the state courses or programs for academic credit. Officials from Lesley University have made application to renew its current authorization to offer, in Maine, the degree of Master of Education in the areas of: Creative Arts in Learning; Technology in Education; Literacy; Language, Reading and Writing; Special Education, Pre-K-9; and Teaching, Learning and Assessment.

Lesley University is incorporated under the laws of the State of Massachusetts and is authorized to grant undergraduate and graduate degrees by the Massachusetts Board of Higher Education and the Massachusetts Department of Education. The institution has been continuously accredited by the New England Association of Schools and Colleges since 1952. It received ten-year accredited status at its latest review, conducted in the spring of 2005. Since 2006, Lesley has offered five master's level education degree programs in Poland, Westbrook, Cape Elizabeth, Hinckley, and York with cohort sizes ranging from a low of 11 to a high 22.

The review Team met with Lesley University program representatives on May 6, 2011 in the South Portland offices of Husson University. Subsequently, the Team Report was compiled and distributed to State Board members during the July 13, 2011 meeting.

RECOMMENDATION: That the State Board of Education accept the Review Team report of findings concerning the Lesley University application to continue to offer its graduate programs in the State of Maine. The period of approval would be from summer 2011 to summer 2014.

MOVED by Steven Pound, seconded by Martha Harris, and unanimously voted by those present to accept the Review Team report of findings concerning the Lesley University application to continue to offer its graduate programs in the State of Maine. The period of approval would be from summer 2011 to summer 2014.

RECEIPT OF THE CERTIFICATION AND HIGHER EDUCATION COMMITTEE
RECOMMENDATIONS TO THE STATE BOARD OF EDUCATION FROM THE
PROFESSIONAL STANDARDS BOARD

BACKGROUND: The report of the Professional Standards Board was received by the State Board of Education on July 13, 2011 and sent to the Certification and Higher Education Committee for consideration of the recommendations:

- That National Board Certification or Recertification achieved within the current State of Maine certification cycle be sufficient for the State's five year professional certificate renewal.

The Certification and Higher Education Committee met on Monday, July 25, 2011. Sue Williams, Professional Development Coordinator, met with the committee and discussed the proposal.

RECOMMENDATION: The Certification and Higher Education Committee is recommending that the State Board of Education request that the Commissioner, through official correspondence, endorse the Professional Standards Board request. The Commissioner will encourage all local Certification Boards to accept the National Board Certification process for a 5 year professional certificate renewal.

MOVED by James Banks, Sr., seconded by Steven Pound, and unanimously voted by those present to request that the Commissioner, through official correspondence, endorse the Professional Standards Board request. The Commissioner will encourage all local Certification Boards to accept the National Board Certification process for a 5 year professional certification renewal.

BUDGET FOR 2011-2012:

Moved by Marilyn Temple Tardy, seconded by Dottie Martin, and unanimously voted by those present to accept the 2011-2012 State Board Budget.

ANNOUNCEMENTS:

Submit Expense Account Vouchers to Mary at the end of the meeting.

PUBLIC COMMENTS:

No Public Comment

ADJOURNMENT:

Moved by Marilyn Temple Tardy, seconded by Steven Pound, and unanimously voted by those present to adjourn the July 13, 2011, State Board of Education meeting at 2:49 PM.