



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 April 11, 2012, at the Cross State Office Building, 111 Sewall Street, Augusta, Maine. The following members were present: Chair James Banks, Sr.; Vice Chair Steven Pound; Marilyn Temple Tardy; Nancy Perkins; Dottie Martin; Lynda Doyle; Martha Harris; Heidi Sampson; Angela Bechard; and Chelsey Whynot.

Excused: Jana Lapoint

Also present were: Commissioner Stephen Bowen; Ann Pinnette, Education Specialist; Mark Cyr, Certification Coordinator; 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.

APPROVAL OF MINUTES:

MOVED by Marilyn Temple Tardy, seconded by Lynda Doyle, and unanimously voted by those present to approve the February 15 and March 14, 2012 minutes as written.

OFFICER'S REPORTS:

Chair, James Banks, Sr.:

- He attended the Confirmation Hearing before the Education and Cultural Affairs Committee for Heidi Sampson and Kristin Bishop - two new members to the State Board.
- He attended a New England Secondary School Consortium conference in Norwood Massachusetts. There were 450 people in attendance. There was participation from three schools of the five member states who participated in innovative practices and development. It was a very informative meeting and excellent presentations on innovative practices.
- He attended a Construction Committee meeting on April 2, 2012.
- He met with Education Committee Legislators regarding the amendment for the statutory requirements to Title 20-A, Chapter 5, the law for the nomination of student members to the Board. This would amend the statutory requirement that one student member appointed by the State Board of Education must reside in

- He attended a Charter School Commission meeting.
- He attended and acted as Master of Ceremonies at the Teacher of the Year event at the Hall of Flags on April 10, 2012. It was an excellent presentation recognizing the eight nominees.

Vice Chair, Steven Pound:

- The Career and Technical Education (CTE) Committee did not meet. At the March 14, 2012 Board meeting members voted to send a letter to Maine Congressional Representatives and the Office of Vocational and Adult Education (OVAE) that supports the current method of Carl D. Perkins grant distributions to locals. Due to the limited timeframe, Steve called all four Congressional offices to let them know the Board's position.
- He continues to participate in the University of Maine search for a new College Dean of the Faculty of Education and Human Development.
- On March 15, 2012 he participated in an Educate Maine (Coalition for Excellence in Education and Compact for Higher Education combined) meeting where the focus is on standards based education and teacher quality. They have been very proactive with the legislature to move this forward. One of the main projects they have taken on is STEM related to the IT Professionals. It is headed up by Mike Dubyak who spoke at the STEM summit on March 20th.
- He attended the Skills USA Competition for Crafts. The United Technology Center continues to host the event. Individuals participate in Skills Competition for crafts in the State, and then they go to the National Competition. Students are engaged in a rigorous and relevant curriculum.
- He spoke at a Piscataquis County Economic Development Council meeting. The panel included the Local Workforce Investment Board, Eastern Maine Community College, Early Childhood Advocate Specialists and Adult Education. All Panelists discussed training initiatives for the future workforce.
- He attended a Science, Technology, Engineering and Math (STEM) Summit where there were over 350 plus people in attendance. He followed up with the STEM Council following the summit. They are still moving ahead with initiatives to create awareness to get STEM careers out there for our people. Students are interested until the high school level and then it seems to change.
- He attended the National Association of State Boards of Education (NASBE) Legislative Conference in Washington, DC from March 21 to 25, 2012. He also attended the NASBE Board of Directors meeting that he serves on. The joint topics for the National Association of State Boards of Education (NASBE) and the Council of Chief State School Officers (CCSSO) are Teacher Quality/Effectiveness. There was also discussion on the Elementary and Secondary Education Act (ESEA). It will be very productive to go to Capitol Hill with a joint voice.
- He attended a program called Pathways, where they are engaging people from age 18 to 55. This program engages in building houses for needy families. They

learn how to use a computer, create a resume and are given an opportunity to be successful.

- He presented a handout of the Board's budget to date and gave an explanation of expenditures. He will be requesting a transfer of funds from the "all other" account to the "personal services" account to cover projected per diem cost through June of 2012.
- He continues to attend and/or participate in the following: Jobs for Maine Graduates (JMG), Department of Labor, Adult Education, Maine Manufacturing Association, Eastern Maine Community College, Tri County Workforce Investment Board, Bangor Chamber of Commerce, Mobilize Maine, and many others to continue his work in education and career development.
- He distributed a handout from the meeting in Washington, DC. on Teacher Effectiveness. "A Teacher Development Continuum, The Role of Policy in Creating a Supportive Pathway into the Profession".

BOARD MEMBER REPORTS:

Nancy Perkins:

- The Certification and Higher Education Committee did not meet in March of 2012.
- She attended the Science, Technology, Engineering and Math (STEM) Summit on March 20, 2012 and the speakers were excellent. The student work that was displayed and the enthusiasm were fascinating.
- She attended an Education Committee work session on March 20, 2012.
- She participated in a Chapter 114 Stakeholders Group meeting on March 21, 2012.
- She participated in the National Association of State Boards of Education (NASBE) Study Group in Washington, DC on March 23 and 24, 2012.
- She has listened to several webinars. One of the interesting ones was an international lesson on teaching.
- She attended the confirmation hearing for new Board members, Heidi Sampson and Kristin Bishop.
- She attended the Teacher of the Year event at the Hall of Flags on April 10, 2012.

Dottie Martin:

- She feels it is very nice to see the Community Colleges and Universities working together to look at transitioning students from High School to College and having some real serious conversations. She participated in a conference at the end of March in regards to this.

Heidi Sampson:

- She was sworn in by a Dedimus Justice and this is her first official Board meeting.

Martha Harris:

- She participated as the Board Observer of the Review Team for the Beal College Additional Degree-Granting Authority to award the Bachelor of Science in Criminal Justice Degree on March 14, 2012.

- She participated as the Board Observer of the Program Review Team for the Unity College Teacher Education Program on March 4 to March 7, 2012.
- She reported that Hampden Academy participated in the Skills USA Competition and were winners of twelve metals. It is nice being on a local school board as the students come in and you get to recognize them. It is really impressive what the students have done.
- She would like to invite Board members to visit and take a tour of Hampden's new school on April 24 at 4:00 PM.
- Hampden Academy was recognized by the Maine Red Claws for their sportsmanship.

Lynda Doyle:

- She participated in the National Association of State Boards of Education (NASBE) Study Group in Washington, DC on March 23 and 24, 2012. It is amazing how much further Maine is than many other states.
- She will be participating in the Teacher of the Year school site visits for the five semi-finalists.
- She participated in a Charter School Commission meeting.

Chelsey Whynot:

- She participated in the Natural Helpers of Maine Program conference sponsored by Day One. The program is like peer helpers – teens helping teens. The freshman class elects two boys and two girls. One upper classman attends the conference with the freshmen. The Natural Helpers attend a conference and learn how to deal with issues such as extreme grief, suicide, sex, dating, relationships, and stress. It was a fun conference.

Angela Bechard:

- Her school (Monmouth Academy) placed second in the Maine Academic Decathlon Championship. By winning first place small school, Monmouth will compete nationally against other small school winners in the state. She won a silver medal in speech.

Marilyn Temple Tardy:

- The Construction Committee met on April 2, 2012. Jim Banks, Martha Harris and she were in attendance with Scott Brown, Ann Pinnette and Karen Bossie from the Department of Education. The committee reviewed Resolve 1766, the Legislative Review of portions of Chapter 61 which passed by the Legislature as written and signed by the Governor on March 29, 2012. The Resolve took effect immediately upon the Governor's signature. Key aspects of the revision included: a public manager for each construction project who will represent the State's and Local's best interest and will be funded as a project expense; an improved school rating system; a strengthening in the design and funding approval process; and changes to the finance and audit sections that clarify the rule. The committee also asked to recommend that the State Board approve the Federal Qualified School Construction Bond allocation to RSU 86/MSAD 20 in the amount of

\$1,321,142 be returned to the Department of Education and reallocated to the Maine Municipal Bond Bank with the provision to this allocation be issued to provide funds for the two RSU 86/MSAD 20 projects that the State Board previously approved on November 9, 2011. The Department of Education also coordinates the Federal Qualified Zone Academy Bond Program (QZAB). Maine has a QZAB allocation balance from 2010 and 2011 totaling \$6,946,000 available for allocation to school units. The Department of Education is recommending the State Board approve allocations for projects in Auburn, AOS/Waterville and Westbrook and authorize issuance of QZABs and their recommended approvals with the total QZAB authorization amount for 2012 at \$5,307,323. The Major Capital Construction Programs Approved Project List was discussed briefly with Scott Brown and it was his intent at that time to give us additional information (at the April meeting) about the status of the six schools on that list and what activity has occurred to date.

- She attended the Teacher of the Year event at the Hall of Flags on Tuesday, April 10, 2012. This is the most positive recognition there is.
- She listened to several Education Committee work sessions on-line.
- She attended the Confirmation Hearing for new Board members Heidi Sampson and Kristin Bishop.

Note: *Angela Bechard and Chelsey Whynot left the meeting to observe a Legislative Session at the State House.*

CONSENT AGENDA:

RECEIPT OF THE TEAM REPORT FOR THE UNIVERSITY OF MAINE AT PRESQUE ISLE EDUCATOR PREPARATION PROGRAM REVIEW

RECEIPT OF THE REPORT OF FINDINGS CONCERNING THE THOMAS COLLEGE REQUEST TO ADD AN EARLY CHILDHOOD PROGRAM TO ITS EXISTING STATE APPROVED EDUCATOR PREPARATION PROGRAMS.

RECEIPT OF THE PROGRAM REVIEW TEAM REPORT OF FINDINGS FOR THE SAINT JOSEPH'S COLLEGE EDUCATOR PREPARATION PROGRAMS

RECEIPT OF THE BOARD APPROVED STAKEHOLDERS GROUP RECOMMENDED REVISIONS TO CHAPTER 114 RULES FOR TITLE 20-A, 05-071, CHAPTER 114, PURPOSE, STANDARDS AND PROCEDURES FOR THE REVIEW AND APPROVAL OF PREPARATION PROGRAMS FOR EDUCATION PERSONNEL

MOVED by Steven Pound, seconded by Dottie Martin, and unanimously voted by those present to approve the Consent Agenda.

Note: Nancy Perkins announced that Harry Osgood, Higher Education Specialist, Department of Education will be holding a Chapter 114 Stakeholders Group Informational sharing meeting for educator preparation program deans, chairs, and directors as well as representatives from Maine's professional associations on Monday, April 23, 2012. On Tuesday, April 24, 2012, the Certification and Higher Education Committee will meet to review Chapter 114.

NEW BUSINESS:

CONSIDERATION OF THE REVIEW TEAM REPORT OF FINDINGS CONCERNING STATE PROGRAM APPROVAL FOR THE UNIVERSITY OF MAINE AT FARMINGTON EDUCATOR PREPARATION PROGRAMS

BACKGROUND: The University of Maine at Farmington requested a campus visitation to review, for renewal of State program approval, the following teacher preparation programs:

Undergraduate Programs:

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|-------------------------------------|---|
| Early Childhood Education B-5 | Secondary Education – Life Sciences, 7-12 |
| Early Childhood Education K-3 | Secondary Education – Mathematics, 7-12 |
| Early Childhood Special Education | Secondary Education – Physical Sciences, 7-12 |
| Elementary Education, K-8 | Secondary Education – Social Studies, 7-12 |
| School Health Education, K-12 | Special Education K-8 |
| Secondary Education – English, 7-12 | Special Education 7-12 |

The State of Maine Program Approval and NCATE Unit Accreditation for Professional Education Units in the State of Maine Partnership Agreement stipulates that a joint state and national visitation team, for continuing accreditation, will be composed of Maine educators, representing the Maine State Board of Education, and national educators representing NCATE. The team is to be chaired by an NCATE team member and co-chaired by a Maine team member - the Maine team being one less in number than the NCATE team.

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For the Board's information and reference excerpted portions of Chapter 114, § 3.8 Joint Program Approval are provided as follows:

3.8 Joint Program Approval.

“In lieu of meeting the standards for approval contained in Standards two (2) through six (6), in Section 2 of this rule, preparation programs may obtain approval for purposes of Maine Department of Education Regulation 115 under the following circumstances:

- a) **The applicant unit is accredited by the National Council for the Accreditation of Teacher Education (NCATE) or**
- b)
 - 1) A joint visitation by State representatives and the accrediting authority will provide the basis for decisions of both state program approval and national accreditation. This process will result in a recommendation to the State Board and a report to the accrediting authority.

- f) The Commissioner shall forward the materials received from the joint team to the State Board along with a recommended disposition. On the basis of the documents and information received from the Commissioner, and any other pertinent information, the State Board shall approve, approve with conditions, or deny approval to a preparation program. This final decision rests solely with the State Board.”

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A joint State and National Council for the Accreditation of Teacher Education (NCATE) program approval/accreditation visit to the University of Maine at Farmington was conducted October 3-5, 2010 for the purpose of reviewing the professional educator preparation programs. Following the on-site visit a State Team report was prepared which included the findings resulting from the application of both State and NCATE standards. Commendations, recommendations, and a recommendation for State program approval status were contained in this report.

The State Board voted to receive and to hold the State Team Report in abeyance until the Board’s State program approval decision could be informed by the NCATE Unit Accrediting Board’s action on continuing national accreditation of UMF’s preparation programs (see attached receipt exhibit dated and acted upon by the Board during its November 10, 2010 meeting; see also attached copies of the State Team Report and the UMF Application for renewal of State program approval which accompanied the November 10, 2010 exhibit).

Because the NCATE Unit Accrediting Board meets twice per-year (mid-October and mid-April) it was anticipated that the State Board would be able to act upon UMF’s State program approval following the mid-April decision by NCATE. On April 22, 2011, the Associate Provost and Dean of the UMF College of Education received a notice that “. . . the professional education unit at University of Maine At Farmington has been deferred until the October 2011 UAB meeting because the board found that Standard 4 was not met” (see attached notice from NCATE). Following a formal rejoinder being filed on behalf of UMF and numerous communications to and from NCATE, in a message from the Senior Vice President of NCATE, dated October 28, 2011 UMF was informed “. . . We are pleased to inform you that accreditation without qualifications has been continued for the professional education unit at University of Maine At Farmington. Congratulations!” While this message was welcome, and a well-deserved relief to the folks at UMF, the State Board was not subsequently asked to consider and act upon the UMF State Team Report for renewal of State program approval; an oversight which it is now sought to be remedied.

RECOMMENDATION: Given the NCATE Unit Accrediting Board’s decision to grant full continuing national accreditation to the University of Maine at Farmington’s educator preparation programs it is recommended: That the State Board of Education approve the State Review Team’s report of findings, as received by the Board during its November 10, 2010 meeting, and grant State program approval of the UMF educator preparation programs with the effective program approval cycle being from Fall 2010 through Fall 2017.

MOVED by Dottie Martin, seconded by Nancy Perkins, and unanimously voted by those present to approve the State Review Team’s report of findings, as received by the Board

during its November 10, 2010 meeting, and grant State program approval of the UMF educator preparation programs with the effective program approval cycle being from Fall 2010 through Fall 2017.

FINAL ADOPTION OF CHAPTER 115, "CERTIFICATION, AUTHORIZATION AND APPROVAL OF EDUCATION PERSONNEL"

BACKGROUND: On September 28, 2011, changes made to Title 20-A during the 125th Legislature went into effect. Accordingly, Chapter 115 was opened to revise the corresponding rules. LD 129, "An Act to Eliminate Dual Certification Requirements for Speech-Language Pathologists" now allows professionals who are licensed by the State of Maine to be employed in Maine schools without needing to hold the Department of Education educational specialist certificate. LD 1094, "An Act to Improve the Delivery of School Psychological Services to Children" eliminates references to the title "School Psychological Service Providers" and changes the title to "School Psychologists." The revised rule reinstates a requirement for supervision during the first year of independent practice in order to renew the initial certificate. It will also reinstate a transcript analysis pathway to certification that was removed during an earlier revision to Chapter 115. A public hearing was held on Tuesday, November 22, 2011, from 1:00 PM – 3:00 PM during which time several members of the public provided testimony. Several additional comments were received in written form during the comment period which went until December 5, 2011. As a result of the public hearing and comment period, several minor non-substantial changes were made to the proposed drafted changes to Chapter 115 originally presented to the State Board of Education in October. This rule was presented to the Education and Cultural Affairs Committee which held its hearing and work session. As a result of an amendment, a few minor changes were made in formatting. It went on to the Legislature, passed, and was approved by Governor LePage on March 14, 2012. This must now come back to the State Board of Education for final adoption.

MOVED by Nancy Perkins, seconded by Steven Pound, and unanimously voted by those present to approve final adoption of Chapter 115, "Certification, Authorization and Approval of Education Personnel, in accordance with the State of Maine Administrative Procedure Act.

FINAL ADOPTION OF AMENDMENTS TO STATE BOARD RULE CHAPTER 61 – RULES FOR MAJOR CAPITAL SCHOOL CONSTRUCTION PROJECTS

STATEMENT OF FACT: Chapter 61: Rules for Major Capital School Construction Projects, governs the expenditure of millions of Maine taxpayers' dollars for safe and effective schools that support the demands of 21st century education. Extensive needs for improved educational facilities across the state makes it imperative that the rules be kept clear, current and supportive of the state's educational goals. The Department of Education and the Construction Committee of the State Board of Education have worked jointly to propose modifications to Chapter 61.

Key aspects of this revision include:

- A Public Manager for each construction project who will represent the State's and Local's best interests and will be funded as a project expense;

- An improved school rating system;
- A strengthening in the Design and Funding approval process; and
- A number of changes to the Finance and Audit sections that clarify the Rule.

The State Board of Education provisionally adopted the proposed amendments to rule on December 14, 2011. The provisionally adopted amendments were considered by the Legislature in the form of Resolve 1766: Resolve, Regarding Legislative Review of Portions of Chapter 61: Rules for Major Capital School Construction Projects, a Major Substantive Rule of the Department of Education and the State Board of Education [emergency].

Resolve 1766 was passed by the Legislature as written and signed by the Governor on March 29, 2012, taking effect immediately upon the Governor's signature.

DEPARTMENT RECOMMENDATION: It is recommended by the Department of Education that the State Board of Education finally adopt the attached proposed amendments to Chapter 61: Rules for Major Capital School Construction Projects, in accordance with the State of Maine Administrative Procedure Act.

MOVED by Marilyn Temple Tardy, seconded by Dottie Martin, and unanimously voted by those present to finally adopt the proposed amendments to Chapter 61, Rules for Major Capital School Construction Projects, in accordance with the State of Maine Administrative Procedure Act.

FEDERAL QUALIFIED SCHOOL CONSTRUCTION BOND PROGRAM – RSU 86/MSAD 20

STATEMENT OF FACT: The Department of Education coordinates the Federal Qualified School Construction Bond (QSCB) program. QSCBs are bonds issued by state or local governments which the Federal government subsidizes by providing tax credits to bondholders or direct payment interest subsidies to issuers. Bond proceeds can be used for construction, rehabilitation, or repair of public school facilities.

RSU 86/MSAD 20 submitted a 2011 QSCB application for Fort Fairfield Middle/High School and Fort Fairfield Elementary School and on November 9, 2011 received State Board of Education approval for a QSCB allocation in the amount of \$1,321,142. RSU 86/MSAD 20 has requested that they be permitted to return their allocation to the Department of Education and that the Department reissue the RSU 86/MSAD 20 allocation directly to the Maine Municipal Bond Bank (MMBB) for the two RSU 86/MSAD 20 projects. Pursuant to this reallocation, the MMBB shall issue a QSCB to provide funds for the previously approved RSU 86/MSAD 20 projects.

CONSTRUCTION COMMITTEE RECOMMENDATION: The Construction Committee considered this exhibit and recommended approval at its April 2, 2012 meeting.

DEPARTMENT RECOMMENDATION: The Department of Education recommends that the State Board approve that the Federal allocation to RSU 86/MSAD 20 of QSCBs in the amount of \$1,321,142 be returned to the Department of Education and reallocated to the Maine Municipal Bond Bank provided that the QSCB issued by the Maine Municipal

Bond Bank pursuant to this allocation shall be issued to provide funds for the two RSU 86/MSAD 20 projects that the State Board of Education previously approved on November 9, 2011.

MOVED by Marilyn Temple Tardy, seconded by Nancy Perkins, and unanimously voted by those present to approve that the Federal allocation to RSU 86/MSAD 20 of QSCBs in the amount of \$1,321,142 be returned to the Department of Education and reallocated to the Maine Municipal Bond Bank provided that the QSCB issued by the Maine Municipal Bond Bank pursuant to this allocation shall be issued to provide funds for the two RSU 86/MSAD 20 projects that the State Board of Education previously approved on November 9, 2011.

FEDERAL QUALIFIED ZONE ACADEMY BOND PROGRAM

STATEMENT OF FACT: The Department of Education coordinates the Federal Qualified Zone Academy Bond (QZAB) program. QZABs are bonds issued by state or local governments which the Federal government subsidizes by providing tax credits to bondholders. Maine has a QZAB allocation balance from 2010 and 2011 totaling \$6,946,000 available for allocation to school units.

Three SAUs submitted QZAB applications to the Department requesting bonding authority. The Department has completed its review of the applications and verified that the school districts on the accompanying list and their proposed projects meet the eligibility criteria which includes having a 35% free and reduced lunch rate, receiving a private contribution worth 10% of the bond proceeds, and using bond proceeds for rehabilitation or repair of school buildings, purchasing equipment, developing course materials, and/or training teachers and other school personnel.

CONSTRUCTION COMMITTEE RECOMMENDATION: The Construction Committee considered this exhibit and recommended approval at its April 2, 2012 meeting.

DEPARTMENT RECOMMENDATION: The Department of Education recommends that the State Board of Education approve the QZAB applications for projects in Auburn, AOS 92/Waterville and Westbrook and authorize issuance of QZABs for up to the amounts shown on the accompanying list "2012 QZAB Recommended Approvals." The total QZAB authorization amount for 2012 is \$5,307,323.

MOVED by Marilyn Temple Tardy, seconded by Nancy Perkins, and unanimously voted by those present to approve the QZAB applications for projects in Auburn, AOS 92/Waterville and Westbrook and authorize issuance of QZABs for up to the amounts shown on the accompanying list "2012 QZAB Recommended Approvals." The total QZAB authorization amount for 2012 is \$5,307,323.

APPOINTMENT OF A NOMINATION AND ELECTION COMMITTEE FOR CHAIR AND VICE CHAIR OF THE BOARD

The Nominating Committee will be convened and Marilyn Temple Tardy has agreed to serve as chair of the committee with Martha Harris and Jana Lapoint serving as members. The committee report will be presented at the May 9, 2012 Board meeting.

ANNOUNCEMENTS:

PUBLIC COMMENTS:

No Public Comment

ADJOURNMENT:

MOVED by Steven Pound, seconded by Marilyn Temple Tardy, and unanimously voted by those present to adjourn the April 11, 2012, State Board of Education meeting at 2:04 PM.