



STATE OF MAINE  
DEPARTMENT OF EDUCATION  
23 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0023

PAUL R. LEPAGE  
GOVERNOR

Stephen L. Bowen  
COMMISSIONER

**EXHIBIT: #VI.A.**

**TO:** Members of the State Board of Education

**FROM:** Stephen L. Bowen, Commissioner\*

**DATE:** August 13, 2012

**SUBJECT:** Adoption of the Proposed Revisions to Rule, Title 20-A, 05-071,  
Chapter 114, *Purpose, Standards and Procedures for the Review and  
Approval of Preparation Programs for Education Personnel*

**BACKGROUND:** During the November 10, 2010 meeting of the Maine State Board of Education the Board resolved to establish a Stakeholders Group to Conduct a Comprehensive review of Chapter 114, *Purpose, Standards and Procedures for the Review and Approval of Preparation Programs for Education Personnel*. Chapter 114 last underwent a comprehensive review in 2006 resulting in a number substantive changes and necessary upgrades. Since that time it had become apparent that a number of changes to this rule needed to be made. The Group's charge was to examine all elements of the current rule and to submit a report of its findings, along with recommended changes, to the State Board for consideration and appropriate action.

During the March 9, 2011 meeting the State Board approved the recommended list of members for the Chapter 114 Stakeholders Group and designated Dr. Kathy Yardley, Associate Provost and Dean of Education, University of Maine at Farmington and Dr. Thomas Edwards, Provost and Coordinator of the Education Department at Thomas College to serve as the Group's Co-Chairs. Further: The Board specified that the Stakeholders Group would be tasked with completing its work no later than March 30, 2012.

After more than a year of deliberations recommendations as to how the Board's procedures and program approval standards could best be improved were consensually arrived at for submission to the Board during the Stakeholder Group's final meeting on March 21, 2012. The Stakeholder Group's recommendations were compiled and submitted to the Maine State Board of Education for receipt during the Board's April 11, 2012 meeting. The document contained strikethroughs for recommended changes to or deletion of language (~~strikethroughs for changes to or deletion of language~~) and underscoring for recommended language that would be new (underscoring for language that would be new). Language to be retained had neither strikethroughs nor underscoring. Since receiving this report Board members were invited to become thoroughly familiar with its content. To that end, the entire day of April 24, 2012 was set aside to enable Board members who could participate to vet the document from start to

finish. Following this comprehensive vetting process some clarifying changes were made in the proposed revisions.

During the May 9, 2012 meeting unanimously voted to initiate the Administrative Procedures Act (APA) thereby opening the proposed revisions to the APA process and the time sensitive provisions contained therein. The timeline for the APA process highlighting the key steps to follow and the dates by which each were accomplished has been as follows:

### **TIMELINE FOR CHAPTER 114 APA PROCESS**

#### **Proposed Changes to Rule – Title 20-A, 05-071, Chapter 114, *Purpose, Standards and Procedures for the Review and Approval of Preparation Programs for Education Personnel* – (Routine and Technical)**

_√_ Wed. Process	May 9, 2012	State Board of Education Voted to Initiate APA
_√_ Thurs.	May 17, 2012	Proposed rule changes submitted to Sarah Forster, Assistant Attorney General for review and approval as to form and legality
_√_ Tues.	May 22, 2012	Approval of proposed rule changes as to form and legality received from Sarah Forster
_√_ Fri.	June 1, 2012	Chapter 114 submitted to Office of Secretary of State
_√_ Tues.	June 5, 2012	Chapter 114 filed with Secretary of State
_√_ Wed.	June 13, 2012	Public notice in State newspapers, Informational Letter to superintendents and deans/directors of teacher education programs
_√_ Wed.	June 13, 2012	Acknowledgment that an electronic notice of rule filing received from the Office of the Executive Director, Maine State Legislature regarding Chapter 114 rule dated 6/13/2012 – 9:23:22 AM
_√_ Fri.	July 6, 2012	Public hearing (9:00am – 11:00 am, Burton M. Cross State Office Building, Room 103 (A&B)
_√_ Mon.	July 23, 2012	Comment period closes at 5:00 p.m.
_√_ Fri.	July 27, 2012	DOE staff review comments received and prepares responses
_√_ Wed.	Aug. 1, 2012	Submit rule along with comments and responses to Sarah Forster for final review and sign off

\_\_\_ Mon. Aug. 13, 2012 State Board of Education to be asked to formally  
adopt the revised Chapter 114

The public hearing for the proposed revisions to Chapter 114 was held Friday, July 6, 2012 from 9:00am -11:00am, Room 103 (A&B) in the Burton M. Cross State Office Building. State Board members present were: Steven Pound, Board Chair, Lynda Doyle and Jana Lapoint. Also present were: Mary Becker, State Board Secretary; Dr. Kathy Yardley, Associate Provost and Dean of Education, University of Maine at Farmington, and Co-Chair of the Chapter 114 Stakeholders Group; and Harry Osgood, Higher Education Specialist, Maine Department of Education. No member of the public attended the hearing; the only written comment received was submitted by Mr. Dan Conley, formerly a consultant with the Department of Education. The comments presented by Mr. Conley (see attached letter) are deemed to be both reasonable and appropriate. Therefore, changes have been made, as highlighted, in the enclosed document copy.

The changes highlighted in orange represent recommended deletions and those highlighted in blue represent new language. The recommended changes involve deletions of references to the PRAXIS I (basic skills) exam and/or the PRAXIS II (content) assessment. In their place, reference is made to either the basic skills assessment or the content assessment as determined by the Maine State Board of Education. These changes can be found on pages 4, 11, 70, 71, 72 and 74 in the enclosed document copy. The changed language is preferred as it will not necessitate the reopening of Chapter 114 should the Board decide to use a different basic skills or content assessment in place of the PRAXIS exams. All other language in the enclosed document remains the same as disseminated prior to the July 6, 2012 public hearing.

**RECOMMENDATION:** That the State Board of Education adopt the recommended revisions to Chapter 114, *Purpose, Standards and Procedures for the Review and Approval of Preparation Programs for Education Personnel*.

In consideration of the fact that these revisions will necessitate significant adjustments by each of our State approved educator preparation programs, it is further recommended that a transition period be established making June 30, 2013 the effective date after which these revisions are to be in place for all program reviews. In the meantime, educator preparation programs due for on-site reviews between the Board's action this date and the effective date of June 30, 2013 may: 1) make application for renewal responding to the 2006 Chapter 114 performance standards; or 2) make application for renewal responding to an appropriate combination of the 2006 and 2012 Chapter 114 performance standards; or 3) make application for renewal responding to the 2012 performance standards.

\*Prepared by Harry Osgood,  
Higher Education Specialist