



## **MAINE STATE BOARD OF EDUCATION**

23 State House Station  
AUGUSTA, MAINE 04333

### STATE OF MAINE

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The State Board of Education held a regular monthly meeting on August 16, 2023, at the University of Southern Maine in Portland and virtually via Zoom. The following members were present: Chair Fern Desjardins; Vice Chair Paulette Bonneau; Wendy Ault; Kristin Bishop; James Ford; Thomas Keller; Victoria Kornfield; Edmond Morin; and Phat Thai.

Absent with Excuse: Denham Ward and Ryan Hafener

Others Present: Michael Perry, Acting Director of the Office of Higher Education and Educator Support Services; Dr. Lynne Coy-Ogan, Husson University; Tracy Lentz, National Institute of Funeral Services; George Connick, National Institute of Funeral Services; Representative Vicki Doudera; Alana Margeson, University of Maine at Presque Isle; and Sandra Bourget, State Board of Education Office Specialist.

### **CALLED TO ORDER:**

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

Roll call was taken by Sandra Bourget. Chair Desjardins declared a quorum present.

### **VISION STATEMENT:**

Read by student member, Phat Thai: The vision of the Maine State Board of Education is that all students will receive a high-quality education leading to graduation with the skills, knowledge, and principles to be prepared for future learning, careers, and life.

### **ADJUSTMENTS TO THE AGENDA:**

No Adjustments to the Agenda.

**APPROVAL OF MINUTES:**

MOTION by Wendy Ault, seconded by James Ford, and unanimously voted by those present to accept the July 12, 2023 minutes as presented. The motion was adopted.

**PUBLIC COMMENT:**

President Tracy Lentz, National Institute of Funeral Services, addressed the Board by providing her professional background. She stated that with the review, her self-study, and responses to the team report, it demonstrates not only her professional background and knowledge of funeral service education, but also her commitment to Maine and her dedication to the profession. She hopes to work together and move forward to the legislature for approval to open the school.

Dr. George Connick spoke on behalf of National Institute of Funeral Services. He provided his professional background spanning over 65 years. He addressed three issues. First is the relationship between the State Regulations found in Chapter 149 and the Accreditation Standards of the American Board. Second concerns the role of the Review Committee. Last is the emphasis that Funeral Service is a trade, not a field in Liberal Arts.

Representative Vicki Doudera addressed the Board. She gave her full support to President Lentz for this degree-granting institution and all of the hard work she's done. She stated she was at fault on how this went through the system, and she regrets it wasn't handled appropriately.

The Board received a letter from Justin Richardson in support of having a mortuary school in Maine.

**NEW BUSINESS:**

**FINAL ACTION ON THE NATIONAL INSTITUTE OF FUNERAL SERVICES' REQUEST FOR ASSOCIATE DEGREE-GRANTING AUTHORITY**

BACKGROUND: The National Institute of Funeral Services (NIFS) Review Committee was chaired by Dr. Lynne Coy-Ogan of Husson University. Four additional members represented institutions of Higher Education in Maine; one additional member works in the funeral services industry in Maine; and two

non-voting participants represented the State Board of Education and Maine Department of Education, respectively. The committee conducted a preliminary virtual campus visit on January 20, 2023, and a full virtual campus visit on May 2, 2023.

On May 19, the review committee finished its draft report and, pursuant to State Board of Education Rule Chapter 149, Section 2.A.(6), an initial draft copy – with committee recommendation omitted – was submitted to President Tracy Lentz of NIFS for factual review. On May 22, President Lentz sent a response to that draft, which was taken into consideration in the preparation of the committee’s final report.

On May 24, per Ch. 149, Section 2.A.(7), the committee’s *Review Committee Report of Findings Concerning the Application from the National Institute of Funeral Services* was forwarded to the Commissioner (within the required four weeks following the Committee’s visit). That final report was transmitted to President Lentz and, per Ch. 149 Section 2.A.(8), to the State Board of Education via its chair, Dr. Fern Desjardins.

On June 14, 2023, per Ch. 149, Section 2.A.(8), the State Board of Education voted to receive the report, “with final action to be taken at the next regular meeting”. At the request of NIFS and the agreement of the review committee chair and State Board of Education chair, the final action was delayed from the Board’s regular July meeting to its regular August meeting.

Ch. 149, Section 2.A.(8) further allows that “If officials of the applicant institution wish to make any comments, reaction, or rebuttal relative to the contents of the final report of the Review Committee, this shall be in writing to the Board...” and subsequently, “this material shall be made available to the chair of the Review Committee and if the Committee wishes to respond to is *[sic.]* content, this shall be done in writing and submitted to the State Board of Education at least ten days prior to the date of its meeting at which time final action is scheduled.” Per this subsection of rule, President Lentz supplied a written rebuttal on behalf of NIFS on June 5, 2023. Dr. Coy-Ogan supplied a written response to that rebuttal on behalf of the review committee on July 27, 2023.

Per Ch. 149, Section 2.A.(9), the State Board of Education must now “make a recommendation on the request and transmit this to the Joint Legislative

Committee on Education [and Cultural Affairs], and officials of the applicant institution will be notified of this action”.

Whereas the *Review Committee Report of Findings Concerning the Application from the National Institute of Funeral Services* found that in National Institute of Funeral Services’ application for degree-granting authority “one standard [for degree-granting authority] was met, three standards are partially met, and the remaining [seven] standards are not met,” and whereas the review committee did not see fit to amend these findings after the written rebuttal from the National Institute of Funeral Services, it is the recommendation that the State Board of Education deny the National Institute of Funeral Services’ request for degree-granting authority to offer Associate degrees in the State of Maine.

RECOMMENDATION: That the State Board of Education deny the National Institute of Funeral Services’ request for Associate degree-granting authority in the State of Maine and that the denial of this request be transmitted to the Joint Legislative Committee on Education and Cultural Affairs.

MOTION by Thomas Keller, seconded by Wendy Ault, and unanimously voted by those present that the State Board of Education deny the National Institute of Funeral Services’ request for Associate degree-granting authority in the State of Maine and that the denial of this request be transmitted to the Joint Legislative Committee on Education and Cultural Affairs.

**ADDENDUM TO MARCH 9, 2022, STATE BOARD OF EDUCATION VOTE REGARDING THE UNIVERSITY OF MAINE AT PRESQUE ISLE EDUCATOR PREPARATION PROGRAM REVIEW TEAM REPORT IN ACCORDANCE WITH CHAPTER 114**

BACKGROUND: Per State Board of Education Rule Chapters 114 and 115, educational preparation programs (EPPs) are able to recommend graduates for “Pathway One” certification in endorsement areas approved by the State Board of Education. Pathway One offers a more direct approval of an educator’s certification application, benefiting both the educator and Department of Education’s certification staff by streamlining the application process. Chapter 114 approval also conveys the strength of Maine’s EPP programs and assures aspiring educators that they will receive quality training for the field.

The University of Maine at Presque Isle (UMPI) EPP was last reviewed on November 15-19, 2021, by a program review team chaired by Dr. Linda Fuller of the College of the Atlantic. The review was observed by State Board of

Education members Tori Kornfield and Fern Desjardins and Maine Department of Education representative Jason Libby. Following Rule Chapter 114, UMPI submitted a self-study to the State Board, dated October 1, 2021, outlining the various certification areas for which they train the students in their education department. The program review team’s final report concluded that, “based upon a review of the self-study developed by the University of Maine at Presque Isle... and from data collected and reviewed during a virtual visit that occurred from November 15-19, 2021... [the program review team recommends] the institution’s educator preparation program be granted five-year program approval by the Maine State Board of Education” (see *TEAM REPORT OF FINDINGS FOR THE MAINE STATE BOARD OF EDUCATION, University of Maine Presque Isle Program Approval Visit for Educator Preparation Program November 15-19, 2021*).

On March 9, 2022, the State Board of Education voted unanimously to approve UMPI’s EPP based on the program review team’s findings (see “CONSIDERATION OF THE UNIVERSITY OF MAINE AT PRESQUE ISLE EDUCATOR PREPARATION PROGRAM REVIEW TEAM REPORT IN ACCORDANCE WITH CHAPTER 114” in *Maine State Board of Education Minutes, March 9, 2022*, pg. 9-10). The vote taken by the State Board of Education listed the following certification areas for approval:

- Elementary Education (K-8)
- Physical Education (K-12)
- Middle (5-8): English, Mathematics, Science, and Social Studies
- Secondary Education (7-12): English, Life Science, Mathematics, Physical Science, and Social Studies

In recommending program graduates at the end of the 22-23 school year, staff at UMPI became aware that credentials which were in the EPP’s 2021 self-study were not available for recommendation in the Department of Education’s Maine Educator Information System (MEIS) certification software. While working with UMPI to rectify the issue, the DOE certification team noted that three certification areas from UMPI’s self-study were not included in the approved programs list voted upon by the State Board in March 2022: 029 Early Childhood, 081 Early Elementary, and 282 Teacher of Students with Disabilities (see *University of Maine at Presque Isle Educator Preparation Programs Self-Study Report, October 1, 2021*, pg. 11).

At present, 2023 UMPI graduates are not able to apply for certification in those endorsement areas under Pathway One, which could adversely affect their

ability to enter the job market with full professional certification. In discussing this matter on August 2, 2023, the State Board of Education's Certification and Higher Education committee voted unanimously to recommend that the State Board of Education conduct a vote to add the 029, 081, and 282 certifications to UMPI's approved program list.

RECOMMENDATION: That the State Board of Education amend the list of certification areas approved for the University of Maine at Presque Isle Educator Preparation Program by adding 029 Early Childhood, 081 Early Elementary, and 282 Teacher of Students with Disabilities certifications to the UMPI EPP approved program list for the period of Fall 2021 to Fall 2026.

MOTION by Victoria Kornfield, seconded by Thomas Keller, and unanimously voted by those present that the State Board of Education amend the list of certification areas approved for the University of Maine at Presque Isle Educator Preparation Program by adding 029 Early Childhood, 081 Early Elementary, and 282 Teacher of Students with Disabilities certifications to the UMPI EPP approved program list for the period of Fall 2021 to Fall 2026.

**STUDENT TRANSFER APPEALS:**

PROCEDURE FOR HANDLING REQUESTS FOR REVIEW OF 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 Superintendents' decisions on student transfer requests.

The Board will be considering requests for Board review of the Superintendents' decisions 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 requests 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 ten 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 request in public session.

The Board's role in these proceedings is to review the Superintendents' decisions based on the record that was before them at the time they 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 Superintendents' 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 Paulette Bonneau, 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 CS to review the Superintendents' decisions to approve or disapprove a request for a student transfer, pursuant to Title 20-A, section 5205, subsection 6, paragraph F at 1:51 PM.

The Board returned to the regular business meeting at 2:13 PM.

MOTION by Wendy Ault, seconded by James Ford, and voted unanimously to return the appeal documents to the superintendents and parents for a review of the information provided.

MOTION by Paulette Bonneau, seconded by Thomas Keller, 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 IS to review the Superintendents' decisions to

approve or disapprove a request for a student transfer, pursuant to Title 20-A, section 5205, subsection 6, paragraph F at 2:15 PM.

The Board returned to the regular business meeting at 2:42 PM.

MOTION by Edmond Morin, seconded by Victoria Kornfield, and voted five in favor with three opposed (Wendy Ault, Paulette Bonneau, and James Ford) that given the information the Board received, it was in IS's best interest to disapprove a transfer. The transfer was disapproved.

MOTION by Paulette Bonneau, 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 CM to review the Superintendents' decisions to approve or disapprove a request for a student transfer, pursuant to Title 20-A, section 5205, subsection 6, paragraph F at 2:46 PM.

The Board returned to the regular business meeting at 3:04 PM.

MOTION by Paulette Bonneau, seconded by Kristin Bishop, and voted unanimously that given the information the Board received, it was in CM's best interest to approve a transfer. The transfer was approved.

MOTION by Paulette Bonneau, seconded by James Ford, 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 BH to review the Superintendents' decisions to approve or disapprove a request for a student transfer, pursuant to Title 20-A, section 5205, subsection 6, paragraph F at 3:07 PM.

The Board returned to the regular business meeting at 3:30 PM.

MOTION by Kristin Bishop, seconded by James Ford, and voted three in favor with five opposed (Wendy Ault, Paulette Bonneau, Thomas Keller,

Victoria Kornfield, and Edmond Morin) that given the information the Board received, it was in BH's best interest to approve a transfer. The motion failed.

MOTION by Thomas Keller, seconded by Victoria Kornfield, and voted five in favor with three opposed (Kristin Bishop, Fern Desjardins, and James Ford) that given the information the Board received, it was in BH's best interest to disapprove a transfer. The transfer was disapproved.

MOTION by Paulette Bonneau, seconded by James Ford, 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 CW, MW, and JW to review the Superintendents' decisions to approve or disapprove a request for a student transfer, pursuant to Title 20-A, section 5205, subsection 6, paragraph F at 3:35 PM.

The Board returned to the regular business meeting at 3:39 PM to provide parent participation later in the meeting.

MOTION by Paulette Bonneau, seconded by Kristin Bishop, 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 MW to review the Superintendents' decisions to approve or disapprove a request for a student transfer, pursuant to Title 20-A, section 5205, subsection 6, paragraph F at 3:41 PM.

The Board returned to the regular business meeting at 4:14 PM.

MOTION by Fern Desjardins, seconded by Wendy Ault, and voted seven in favor with one opposed (Thomas Keller) that given the information the Board received, it was in MW's best interest to approve a transfer. The transfer was approved.

MOTION by Paulette Bonneau, seconded by Kristin Bishop, 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 RG and BG to review the Superintendents' decisions to approve or disapprove a request for a student transfer, pursuant to Title 20-A, section 5205, subsection 6, paragraph F at 4:17 PM.

The Board returned to the regular business meeting at 4:33 PM.

MOTION by Thomas Keller, seconded by Victoria Kornfield, and voted three in favor with five opposed (Paulette Bonneau, Fern Desjardins, Kristin Bishop, James Ford, and Edmond Morin) that given the information the Board received, it was in RG's best interest to disapprove a transfer. The motion failed.

MOTION by Fern Desjardins, seconded by James Ford, and voted five in favor with three opposed (Wendy Ault, Thomas Keller, and Victoria Kornfield) that given the information the Board received, it was in RG's best interest to approve a transfer. The transfer was approved.

MOTION by Thomas Keller, seconded by Paulette Bonneau, and voted six in favor with two opposed (Thomas Keller and Victoria Kornfield) that given the information the Board received, it was in BG's best interest to approve a transfer. The transfer was approved.

MOTION by Paulette Bonneau, seconded by James Ford, 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 CW, MW, and JW to review the Superintendents' decisions to approve or disapprove a request for a student transfer, pursuant to Title 20-A, section 5205, subsection 6, paragraph F at 4:38 PM.

The Board returned to the regular business meeting at 4:52 PM.

MOTION by James Ford, seconded by Edmond Morin, none voted in favor and eight opposed (Fern Desjardins, Paulette Bonneau, Wendy Ault, Kristin Bishop, James Ford, Thomas Keller, Victoria Kornfield, and Edmond Morin) that given the information the Board received, it was in CW's best interest to approve a transfer. The motion failed.

MOTION by James Ford, seconded by Paulette Bonneau, and voted unanimously that given the information the Board received, it was in CW's best interest to disapprove a transfer. The transfer was disapproved.

MOTION by James Ford, seconded by Kristin Bishop, and voted unanimously that given the information the Board received, it was in MW's best interest to disapprove a transfer. The transfer was disapproved.

MOTION by James Ford, seconded by Kristin Bishop, and voted unanimously that given the information the Board received, it was in JW's best interest to disapprove a transfer. The transfer was disapproved.

**ANNOUNCEMENTS:**

- Submit expense account vouchers to Sandra Bourget by the 15<sup>th</sup> day following the month of the expenses incurred.
- The next Board meeting will take place on September 13.

**ADJOURNMENT:**

The meeting adjourned at 4:58 PM.

Respectfully Submitted by  
Sandra Bourget, Office Specialist  
State Board of Education

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