



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 9, 2024, at Warsaw Middle School in Pittsfield, Maine and virtually via Zoom. The following members were present: Chair Fern Desjardins; Vice Chair Paulette Bonneau; Wendy Ault; James Ford; Thomas Keller; Victoria Kornfield; Ed Morin; Denham Ward; and Cedar Worster

Absent with Excuse: Phat Thai

Others Present: Dave Smith, Cognia; and Emily Cummins, Office Specialist II, State Board of Education

CALL TO ORDER:

Chair Fern Desjardins called the meeting to order at 1:03 PM.

Chair Desjardins took roll call and declared a quorum present.

VISION STATEMENT:

Read by student member, Cedar Worster: 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 Victoria Kornfield, seconded by Denham Ward and unanimously voted to accept the September 11, 2024, minutes as presented. The motion was adopted.

PUBLIC COMMENT: No Public Comment.

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 three 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 VM 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 1:15 PM.

The Board returned to the regular business meeting at 2:02 PM.

MOTION by Tom Keller, seconded by James Ford, and voted five in favor with three opposed (Paulette Bonneau, Victoria Kornfield, Denham Ward) that given the information the Board received, it was in VM's best interest to approve a transfer. The transfer was approved.

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 JH 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 2:05 PM.

The Board returned to the regular business meeting at 2:17 PM.

MOTION by Tom Keller, seconded by Victoria Kornfield, and voted six in favor with one opposed (James Ford) that given the information the Board received, it was in JH'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 EY 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 2:21 PM.

The Board returned to the regular business meeting at 2:36 PM.

Motion by Tom Keller, seconded by Denham Ward, and voted three in favor with four opposed (Paulette Bonneau, Fern Desjardins, James Ford, and Victoria Kornfield) that

given the information the Board received, it was in EY's best interest to disapprove a transfer. The negative has it and the motion is lost.

MOTION by Victoria Kornfield, seconded by Ed Morin, and voted five in favor with two opposed (Ed Morin and Denham Ward) that given the information the Board received, it was in EY's best interest to approve a transfer. The transfer was approved.

OFFICER'S REPORTS:

Chair, Fern Desjardins

➤ COMMITTEE APPOINTMENTS

- Fern appointed Paulette Bonneau to the School Construction Committee and thanked her for her interest in replacing Kristin Bishop who resigned from the Board due to her recent hire with the State of Maine.
- Student Voices Committee
 - James Ford (Chair)
 - Phat Thai
 - Cedar Worster
- September 25 – Fern was interviewed by Janet Fairman and Patricia Lech, Maine Education Policy Research Institute, for their project in reporting to the legislature Maine's policies and practices around funding for school building construction or renovation. They discussed the current policy and model in Maine and challenges facing the State related to school construction funding.
- September 30 and October 4 – Paulette and Fern attended the fourth and fifth (last) meetings of the working group of stakeholders to review the responsibilities, functions, and staffing of the State Board of education, per LD 1018, Chapter 125 *Resolve, Directing the Department of Education to Establish a Working Group to Review the State Board of Education's Membership, Responsibilities, Functions and Staffing*. The group discussed State Board duties dealing with school construction on September 30. On October 4, they reviewed the report drafted by Laura Cyr, Federal and State Legislative Specialist at the MDOE.
- September 30 – Fern and the other Maine educators who attended the *Regional Convenings to Support State Action to Advance the Education Professions* in Chicago on June 13-14, 2024 reconvened to discuss their Action Plan for Recruitment and Retention.
- October 2 – Meeting with Heather Dutton, Kassie Chapman, Alesia Francis and Susan Spencer, Department of Administration and Financial Services, on moving from DocuSign to MainePays for processing travel and expense account vouchers and the payment of other invoices.
- October 3 – Attended the MSSA Executive Committee meeting to provide an

update on the work taking place with the *Resolve, Directing the State Board of Education to Amend Chapter 115: The Credentialing of Education Personnel, a Major Substantive Rule of the State Board of Education*. Superintendents shared their thoughts on parts of Chapter 115 that don't work in today's classrooms. Fern was also on the MSSA agenda with Deputy Commissioner Dan Chuhta to discuss student transfer appeals. Challenges facing superintendents and the State Board were shared in the discussion.

- Fern completed the Maine State Government Annual Report for fiscal year 2023-24. The report covers the Board's purpose, organization, program and finances for the fiscal year.

Vice Chair, Paulette Bonneau

- During September 22-25, 2024 Paulette participated in the Thomas College EPP review as an observer. They started with a team dinner on September 22 and a day on-campus visit on the 23rd with an evening dinner to recap the day and review the plan for the coming days. Lane Clark chaired the review, was very organized, and established a very efficient and effective workgroup with feedback opportunities throughout the process and a practical timeline for completion. Laura Cyr and Michael Perry were also observers. In addition to Lane Clarke, the review team was made up of Sherry Pineau Brown from Colby College, Flynn Ross from USM, and Shannon Sleeper from UMaine at Presque Isle, who were very thoughtful and reflective and challenged themselves against the Chapter 114 standards as they went through the process.
- She attended the monthly CTE Committee meeting on September 26, 2024.
- Paulette attended the SBE Construction Committee meeting on September 27, 2024.
- Paulette attended the 4th LD 1018 study group meeting. Superintendent Moody and Scott Brown reviewed the role and responsibility in public school construction. Laura Cyr compared state staffing information she gained by reviewing state websites. Another meeting was scheduled for 9/30 to review the written report proposal.
- She attended the Agenda Review for this meeting. On the same day, Paulette participated with the group members that attended the Chicago conference on teacher recruitment and retention. For their next meeting, it was proposed that data results be shared to reflect on the TeachMaine initiative's impact on our state. They have been invited to attend a follow-up to the Regional Convenings to Support State Action to Advance the Education Professions over the summer hosted by the U.S. Department of Education, the Hunt Institute and TEACH.org. On October 28th, the U.S. Department of Education will host the national capstone event, which will allow participants to hear from and connect with exemplar states from across the country, including those beyond our

region who are leveraging strategic and innovative practices to increase educator compensation, expand access to high-quality and affordable pathways into the profession, and strengthen educator diversity.

COMMITTEE REPORTS:

School Construction Committee (Fern Desjardins):

The School Construction Committee met on September 27, 2024.

- Pursuant to State Board of Education Rule, Chapter 61, Rules for Major Capital School Construction Projects Section 6.2.F(1), the committee recommended the exhibit that will be taken up under New Business, which is to designate 2025 as the assigned calendar year for the three projects identified in the exhibit to obtain Concept Approval.
- Scott Brown, Director of School Construction, provided information on the School Building Inventory project, the revisions to the School Building Standards and Guidelines, and the status of the current Major Capital Application cycle.
- The next Committee meeting will be held on Friday, November 22 at 9:00 a.m. at the Cross Building in Room 500.

Certification and Higher Education (Thomas Keller):

The Certification and Higher Education Committee met on September 25, 2024.

Higher Education Update – as reported by Michael Perry

- A. A review visit is underway at Thomas College. Lane Clarke of UNE is chairing the committee. All is going well.
A review visit to Colby College is on the docket for March.
The MDOE will be undertaking a special review of specific programs at UMaine.
- B. Committee members drafted an Annual Program Updates for EPPs. There was some discussion on a very preliminary document. Our goal is to meet the requirements of the rule (Chapter 114) and make the report as useful and easy as possible. The drafted version was sent to Dr. Patrica Waters, who was representing TEAME at today's meeting, with a request to review this at their next meeting and provide feedback.

In an allied effort, Paulette Bonneau who is serving as the SBE Observer on the Thomas College visit noted their program requirement of 200 hours. She said "The students have to do 200 hours of preservice before they can do their student teaching. This can include coaching, substitute teaching, and

conferences, to name a few options.” Paulette asked if other Maine programs require this. The C&HE Committee does provide the opportunity for an EPP to describe program attributes that are exemplary and worthy of replication on the Annual Program Update. But due to lack of staff and resources, we do not catalog these. If we had an Executive Director or even an intern, we could compile these and distribute them to all EPP’s. The reports continue to surface interesting and relevant information.

Certification Update – Michael Perry

- A. In August, 3,277 applications for certification were processed. Michael provided a pie chart and table of recent activity.

With the Certification software going out for RFP, we should identify capabilities we would want such as breaking out which initial applications were Pathway 1 versus Pathway 2. Should this be an agenda item or a special meeting with interested parties?

- B. Michael noted a slight uptick in appeals of reported CHRC violations. There are a handful this month, but they take a great deal of staff time.

Relative to the CHRC violations report, certification violations are reported once a year in the fall, CHRC violations are more year-round. Tom asked for the certification violations list as soon as it is available, by school or SAU, which should be in October.

Educator Preparation Programs/Teacher Educator Association of ME Update – Dr. Patricia Waters, St. Joseph’s College of Maine

The first TEAME meeting of this academic year is scheduled for November 15 at UNE.

Patty described the NSF Noyce Fellows grant that St. Joseph’s received. It is very exciting and focused on preparing STEM teachers. She noted that with the current free community college degrees and the fellowship paying for the second two years, a person could become a teacher without any tuition needed.

LD 2221/Resolve to amend Chapter 115 – Tom Keller

Several people made comments and provided feedback on Chapter 115 including Patty Waters, Rose Angell, Jon Doty, Jon Moody, and Tonya Arnold. All were asked to submit their comments in writing to Laura and Tom.

While some discussion ensued, it was generally using the given comments to provide clarity on the issues being identified. Important concepts noted included:

- Multiple (and more) pathways
- Use of performance assessments
- Use of portfolios and who evaluates them
- Moving back to K-8, especially for rural and isolated communities
- The recognized need for both guardrails and trust
- The value of high-quality educator driven professional development in districts and how to account for this in initial and additional teacher certification
- The idea to focus more on outputs (e.g., performance, testing) versus inputs (e.g., college credit).

Many participants submitted written comments, which are invaluable.

Career and Technical Education (Edmond Morin):

The Career and Technical Education Committee met on September 26, 2024.

- It was reported that the Briggs Trust, which is administered by the State Board, was still receiving deposits. DOE CTE Director Dwight Littlefield has subsequently reported that there is currently just over \$250,000 in the Briggs Trust account. This is the most that's been in the account since Ed has been associated with the Board and is due, in part, because organizations that have often called upon the Briggs Trust to fund their activities have found other funding sources. In his will George Briggs left money for "Vocational Education, which is now referred to as CTE, "with the view of enabling the young people of Maine to be qualified to become self-supporting and useful citizens of the State." So, the committee has funds to distribute and is looking for proposals.
- Last month the State Board approved distributing Perkins reserve funds under their purview equally among the 27 Maine CTE Centers and Regions. Directors are being notified and preparations made to get the funds out.
- In his state CTE Director's report Dwight Littlefield indicated that there are some remaining Maine Jobs and Recovery Programs funds available, about \$2.7 Million dollars which will be distributed to all CTE's using a state funding formula in the next couple of months. The formula is based on CTE Enrollment as well as the cost of individual programs. So, hard trade programs such as welding, carpentry and electrical would be weighted higher than those with less heavy equipment needs. These funds must be obligated by December 31st.
- There are a couple of infrastructure projects which are wrapping up. One is in Biddeford. And in Region 9, which is based in Mexico, they've finished the roof on their welding program facility and just poured the slab for their culinary building. In addition, Region 9 purchased some property about 20 minutes from the school for their outdoor leadership program.

- DOE has put out a middle school survey to get a sense of how budget dollars are being utilized.
- In addition, Dwight reports that they've nailed down the Hall of Flags for a couple of dates in February, which is CTE month, for CTE Regions and Centers to set up presentations about CTE. The dates are February 5th and 12th.
- Mercedes Pour with the Maine Community College System says faculty members are excited about attending the State CTE Conference this Friday at the Lewiston Regional Technical Center. Several Community Colleges will be exhibiting, as well. In addition, MCCS is launching its concurrent enrollment portal at several of the state's CTE's. This is kind of a test run. This will allow students to see all of the classes that they take and how they're connected to a career pathway either into a certificate or move into an associate's degree or wherever else it may take them.
- Dave Keaton, who heads up MACTE, the state CTE administrators' organization, says they are expecting 450 or more folks to attend the state CTE conference which, for the first time, will have exhibitors. Most will be Maine companies or entities. MACTE is already preparing for this spring's CTE student of the year celebration at which time there actually will be 27 CTE students of the year honored. MACTE is having discussions about holding meetings and other activities this coming year at BIW and Pratt and Whitney.
- In her reports from the field report, MACTE president and UTC in Bangor Director Amanda Peterson reports that they are working on \$1.9 Million dollars in equipment bonding which is going out to referendum in 32 towns. This is part of \$20 Million dollars in bonding being made by Maine DOE.
- Their new Education program is working with the University of Maine in Orono Education Simulation Lab and are hoping to get some funding to create a sort of hypothetical classroom in Bangor which will allow students to work in a virtual classroom before they are sent out to work with real students.
- Amanda also reports that their Electric Vehicle Lab is going strong. She says students are tearing apart Power Wheels vehicles which are essentially EV and making them strong enough to support a secondary student.
- Bobby Deetjen, Director of the Midcoast School of Technology in Rockland, says for the second time they, with the help of their student services coordinator, recently put on a statewide CTE Student Leadership Conference which attracted seventy students who came from Caribou to Lewiston. They had several presenters from across the state. Bobby thanked MELMAC for its support and the Army National Guard for hosting the event in its facility in Bangor.

The committee finished by discussing holding a special meeting to update the CTE Strategic Plan. They are in the process of trying to find a time they can all get together.

Legislative Action (Paulette Bonneau): The committee did not meet.

Student Voices (James Ford, Cedar Worster and Phat Thai):

The Student Voices Committee did not meet this month.

Charter Commission Representatives (Victoria Kornfield, Thomas Keller, and James Ford):

- The Charter Commission approved five-year renewals for MEVA and ELC.
- Discussed the 2023-2024 end of year enrollment data.
- Community Regional Charter School is considering and looking into building a new school in Oakland.

Professional Standards Board (Denham Ward): The Board did not meet.

NASBE:

Executive Committee/Board of Directors (Fern Desjardins):

- NASBE's Board of Directors met on September 23. They received the FY2025 Budget Draft, Committee and Affiliate Chairs reports, updates on the recruitment of new state members, and discussed plans for the Annual Conference taking October 23-25, 2024 in Louisville, KY.
- The Finance and Audit Committee met on September 24. The committee reviewed the draft of the FY2025 budget, status of dues paid for FY2025, discussed a dues increase for FY2026, and reviewed grants and sponsorships received. Plans were made to have New Member Institute take place in person again in 2025.
- NASBE staff and Northeastern Area Director Erin Benham from Connecticut held a virtual Northeastern Region Check In on September 26. Northeastern states shared their board priorities, hurdles faced in moving their priorities forward and had the opportunity to ask questions of neighboring states.
- October 7 – Office Hours focused on state strategies for addressing teacher shortages, including teacher licensure pathways and interstate teacher mobility. The Deputy Executive Director and Chair of the Tennessee State Board of Education shared their teacher licensure reform efforts, and the Executive Director of National Association of State Directors of Teacher Education and Certification spoke of their Model Code of Ethics for Educators, including the Educator ID Clearinghouse, and their Interstate Teacher Mobility Compact. Fern thanked Tom and Denham for attending the session.

Government Affairs Committee (Thomas Keller):

National Association of State Boards of Education's Government Affairs Committee met on October 1, 2024.

- Lots of discussion about the presidential election and implications for educational policy. Reg Leichty, consultant from Foresight Law + Policy, described several scenarios. His best guess was the Senate will flip and Senator Bill Cassidy from LA will become the chair of the education committee. He is an M.D. as well. His agenda is on literacy, AI in education and health care, and assessment and accountability.
- He did say it is nearly impossible to eliminate the US Department of Education – it would take 60 votes and neither party will have that.
- If Harris wins, she will likely replace the Secretary, focus more on K-12 and less on higher ed, and focus on learning recovery. If Trump wins, he will likely push school choice and charter schools and re-write Title IX, which currently prohibits sex-based discrimination in any school or program that receives federal funding.
- The US ED has issued a new set of Non-Regulatory Guidance suggestions for the School Improvement Act with many more examples.

School Improvement Guidance: School Improvement Guidance –
<https://www.ed.gov/media/document/school-improvement-guidance-public-comment>

Letter regarding Perkins proposed changes to data collection & state plans:
https://s3.amazonaws.com/PCRN/docs/Improving_CTE_Performance_Measurement_Data_Collection_09-11-2024.pdf

Public Education Positions Committee (Paulette Bonneau): The committee did not meet.

UNFINISHED (OLD) BUSINESS: No Unfinished Business.

NEW BUSINESS:

Major Capital School Construction Program – Approved Projects Time Limitation Requirements

STATEMENT OF FACT: The State Board of Education’s Chapter 61, Rules for Major Capital School Construction Projects Section 6.2.F(1) states that “Every project placed on the Approved Projects List will be assigned a calendar year within which Concept Approval shall be obtained. Failure to obtain Concept Approval within the designated year shall result in removal from the Approved Projects List unless a waiver is obtained from the State Board at least 30 days prior to the expiration of the SAU’s assigned year.”

Currently two projects from the 2017-18 Major Capital School Construction Approved Projects List and one project from the 2017-18 Integrated, Consolidated 9-16 Educational Facility Approved Projects List are without an assigned calendar year to obtain Concept Approval. The approved exhibits used in moving those projects forward on their respective Approved Projects List included language or waiver provisions that allowed those projects to move forward without an assigned date. This was intended to allow some additional time in initiating those projects and required the Department to provide timelines to the State Board in the future. Those projects are:

Integrated, Consolidated 9-16 Educational Facility, 2017-2018 Approved Projects List

Project #3, Approved by the State Board of Education on August 11, 2020

MSAD 46/AOS 94, RSU 80, RSU 70/MSAD 4, RSU 41/MSAD 41, RSU 82/MSAD 12, Greenville Public Schools, Tri-County Technical Center

Major Capital School Construction, 2017-2018 Approved Projects List

Projects #6 & #7, Approved by the State Board of Education on September 14, 2022

RSU 17/MSAD 17 Agnes Gray School (6) and Oxford Hills Middle School (7)

The Department reports that the school administrative units have worked to outline possible options for the three projects. These projects need to be developed for Concept Approval and referendums.

COMMISSIONER'S RECOMMENDATION: The Commissioner recommends that in accordance with State Board of Education Rule, Chapter 61, Rules for Major Capital School Construction Projects Section 6.2.F(1) that the State Board of Education approve 2025 as the assigned calendar year for the three projects identified in this exhibit to obtain Concept Approval. Failure to obtain Concept Approval in 2025 shall result in removal from the Approved Projects List unless a waiver is obtained from the State Board at least 30 days prior to December 31, 2025.

SCHOOL CONSTRUCTION COMMITTEE'S RECOMMENDATION: On September 27, 2024 the School Construction Committee recommended that this exhibit be placed on the October 9, 2024 meeting agenda and that the State Board of Education designate 2025 as the assigned calendar year for the three projects identified in this exhibit to obtain Concept Approval. Failure to obtain Concept Approval in 2025 shall result in removal from the Approved Projects List unless a waiver is obtained from the State Board at least 30 days prior to December 31, 2025.

MOTION by Paulette Bonneau, seconded by Ed Morin, and unanimously voted by those present that in accordance with State Board of Education Rule, Chapter 61, Rules for Major Capital School Construction Projects, Section 6.2.F(1), the State Board

of Education approve 2025 as the assigned calendar year for the three projects identified in this exhibit to obtain Concept Approval. Failure to obtain Concept Approval in 2025 shall result in removal from the Approved Projects List unless a waiver is obtained from the State Board at least 30 days prior to December 31, 2025. The motion was adopted.

ANNOUNCEMENTS:

- Please submit expense account vouchers to Emily Cummins by the 15th day following the month of the expenses incurred.
- The next regular State Board meeting will be held on Wednesday, November 13, 2024, at 1:00 PM at South Portland Middle School and virtually via Zoom.

ADJOURNMENT: The meeting adjourned at 3:54 PM.

Emily Cummins, Office Specialist II
Maine State Board of Education