



MAINE STATE BOARD OF EDUCATION

23 State House Station
AUGUSTA, MAINE 04333

STATE OF MAINE

The State Board of Education held a special meeting on August 26, 2024, virtually via Zoom. The following members were present: Chair Fern Desjardins; Wendy Ault; James Ford; Thomas Keller; Victoria Kornfield; Edmond Morin; Denham Ward.

CALL TO ORDER:

Chair Fern Desjardins called the meeting to order at 10:02 AM.

The roll call was taken by Chair Desjardins who declared a quorum present.

VISION STATEMENT:

Read by board member, Edmond Morin: 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.

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 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 seven 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 Victoria Kornfield, seconded by Tom 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 KL 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 10:11 AM.

The Board returned to the regular business meeting at 10:26 AM.

MOTION by Ed Morin, seconded by Tom Keller, and voted unanimously that given the information the Board received; it was in KL's best interest to disapprove the transfer. The transfer was disapproved.

MOTION by Victoria Kornfield, seconded by Tom 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 JM 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 10:30 AM.

The Board returned to the regular business meeting at 10:46 AM.

MOTION by Ed Morin, seconded by Denham Ward, and voted unanimously that given the information the Board received; it was in JM's best interest to approve the transfer. The transfer was approved.

MOTION by Victoria Kornfield, seconded by Tom 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 JL 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 10:49 AM.

The Board returned to the regular business meeting at 11:18 AM.

MOTION by Victoria Kornfield, seconded by James Ford, and voted five in favor with one opposed (Victoria Kornfield) that given the information the Board received, it was in JL's best interest to disapprove the transfer. The transfer was disapproved.

MOTION by Victoria Kornfield, seconded by Ed Morin, 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 ML 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 11:22 AM.

The Board returned to the regular business meeting at 11:38 AM.

MOTION by Ed Morin, seconded by James Ford, and voted six in favor with one abstained (Wendy Ault) that given the information the Board received, it was in ML's best interest to approve a transfer. The transfer was approved.

MOTION by Victoria Kornfield, seconded by Wendy Ault, 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 AP 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 11:42 AM.

The Board returned to the regular business meeting at 12:03 PM.

MOTION by Wendy Ault, seconded by Ed Morin, and voted unanimously that given the information the Board received, it was in AP's best interest to approve a transfer. The transfer was approved.

ANNOUNCEMENTS:

- Expense account vouchers to Emily at the earliest convenience.
- The next State Board special meeting will be held on Thursday August 29, 2024, 4:00 PM at the Burton Cross State Office Building and virtually via Zoom.

ADJOURNMENT:

The meeting adjourned at 12:26 PM.

Fern Desjardins, Chair
Maine State Board of Education