



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 January 13, 2010, at the Cross State Office Building, ATM Room 103, Augusta, Maine. The following members were present: Chair Ann Weisleder; Vice Chair James Banks, Sr.; Marilyn Temple Tardy; Steven Pound; Lynda Doyle; Nancy Perkins; Jeffrey Vermette; Honor Wilkinson; and Andrea Levinsky.

Excused: James Carignan

Also present were: Deputy Commissioner Angela Faherty; Scott Brown, AIA, School Facilities; Harry Osgood, Higher Education Specialist; Jim Rier, Director of Finance and Operations; Sarah Forster, Assistant Attorney General; Wanda Monthey, Policy Director; Lora Downing, Director Career and Technical Education; Margaret Harvey, Federal Program Manager Career and Technical Education; Greg Scott, Legislative Coordinator; and Mary Becker, Secretary Associate.

CALLED TO ORDER:

Chair Ann Weisleder called the meeting to order at 9:05 AM.

APPROVAL OF MINUTES:

No minutes for approval

OFFICER'S REPORTS:

Chair, Ann Weisleder:

- That Board member Mabel Desmond resigned from the Board effective December 31, 2009. Mabel joined the Board to complete an unexpired term for two years.

Written Report:

- **November 20:** I attended the Associated Builders and Contractors Policy Makers Breakfast and the Craft Championships for the CTE programs that followed on the Civic Center floor. I enjoyed interesting conversations with a table of contractors about the hiring needs that they have and how schools might prepare students in their areas of need. Following the breakfast I spent time on the championship floor checking out the exhibits, talking with students and seeing their competitive work, and even had time to chat with more than one aspiring gubernatorial

candidate.

- **November 24:** Nancy Perkins and I met to share information and answer questions to help prepare her for assuming the Chair of the Certification and Higher Education Committee which she did in fine fashion on December 7.
- **November 29-December 2:** The Teacher Preparation Program Review for Colby College was conducted. I served as the Board observer, and supported Steve Pound as he joined the team to "learn the ropes."
- **December 2:** The Diploma Partners Group met. After gathering information about the Race to the Top, the key pieces of that application and further elaboration by the Commissioner, a significant part of the meeting was devoted to group work around the topics of diploma pathways, what the meaning of proficiency might be, and assessment. I opted to participate with the assessment group. Conversations were serious and at times challenging as we discussed how the assessment of proficiency might be described. Our group was small with varied understandings of assessment and its significance.
- **December 4:** I was invited to attend the "Juvenile Justice Summit: Maine Rising." This Summit was by invitation only and those who had participated in the Dropout Summit last summer were invited. Recommendations for improving and changing the juvenile justice system along with implementation strategies were presented and there were many connections to education and some directly to the State Board. Small regional groups responded to the recommendations along with Chief Justice Saufley, Michael Brennan and Superintendent Morse addressing the group in addition to speakers from across the nation. The speakers then conducted breakout sessions focused on their areas of expertise. Representative Haskell intends to introduce a bill to implement the recommendations of the report and challenges everyone to contact three legislators to ask for their support of the bill. She also mentioned Senator Alford's bill to increase the graduation rate on behalf of the Senator who was not able to attend. Material from this Summit is copied for your information.
- **December 7:** After the Certification meeting I met with Sarah Forster to work out the logistics for the Subsidy Hearing.
- **December 14:** Diploma Partners met again and continued the group discussions that began at the last meeting. Some informational articles were shared and considered to assist the assessment committee. Two prior participants left our group and a new person joined the group. At various points the groups reported out their progress and suggestions were made by other groups. Assessment is a meaty issue. I asked the partners to also consider Personal Learning Plans and that was put in the parking lot for the next meeting which is to be held January 5. Commissioner Gendron has distributed some essential readings which I believe will assist my group in expanding our understanding of what Maine's assessment needs are to bring our students into the kinds of assessments that are currently being used by nations whose students are far more successful than ours.
- **December 21:** Prior to the Special Board meeting, Jim Banks, Steve Pound, Mary and I met with Lora Downing and Meg Harvey of the DOE CTE group to begin

defining how we can best implement a flow of information from this DOE group to the Board. We heard a lot of information and identified questions, issues and concerns. These will be assembled for use by this same group when the conversation continues at our next meeting. Prior to this meeting I worked with Lora and Wanda Monthey, their team leader, to set up a regular schedule of Quarterly Perkins Updates to the SBE. The first of these will be at the January 13 meeting (it was originally scheduled for December).

- **January 6:** As you know the Second Session of the Legislature began. In anticipation of that, the Board's Legislative Liaison Committee has begun its work. The work of this Committee is always in motion because of Legislative Committee scheduling of bills.

Vice Chair, James Banks, Sr.

- No Report

COMMITTEE REPORTS:

Certification Committee Report (Nancy Perkins)

Written Report:

- The Certification and Higher Education Committee met on December 7, 2009. All members were present either in person or through telephone conferencing. The committee is continuing on its work on the potential changes in certification. The proposed Chapter 13 Rule changes on Praxis II scores were reviewed. More will be forthcoming as the scores are determined. Mark Cyr announced that he is now the Coordinator of Certification which is a change of title. The approved minutes will be forthcoming.

BOARD MEMBER REPORTS:

Marilyn Temple Tardy:

- No Report

Jeffrey Vermette:

- No Report

Nancy Perkins:

- No Report

Steven Pound:

- No Report

Andrea Levinsky:

Written Report:

- That in the middle of November I participated in a conference call with other student members of State Boards of Education. We discussed how we are involved in our state, national policies, and ways NASBE can help us in the future. If you would like, I will gladly send you my notes from this call. I also filled out a survey regarding what services I would like to see provided to me in the future such as a webinar for student members. The survey also covered my opinions on national nutrition and fitness policy. There were questions such as “Do I think high schoolers should have gym class every day/for how long?” and “What should the standards for nutrition be for school lunches?” I shared my responses with the class presidents at Deering and they generally agreed with my answers. If you would like to see the questions and my responses, I am glad to send you those as well. I have not heard anything about the results of the survey or the conference call, but I emailed the facilitators to see if anything was going to come out of them. In other news, I am working on finding a speaker that would be inspiring to youth to speak at the Hugh O'Brian Youth Leadership Conference the first weekend of June. I attended this conference last year.

Lynda Doyle:

- No Report

Honor Wilkinson:

- No Report

COMMISSIONER’S REPORT: (Angela Faherty, Jim Rier, and Greg Scott reported on the following in the absence of the Commissioner)

Commissioner’s Recommended Funding Level FY 2011: (Jim Rier)

- The law requires that the Department of Education Commissioner present the Recommended Funding Level at the December State Board meeting each year. The December Board meeting was canceled due to inclement weather. Following the Commissioner’s presentation to the State Board, the process is for the Recommended Funding Level to become part of the Governor’s budget. Jim gave an explanation of the Commissioner’s Funding Level and the Board voted later in the morning on Exhibit #VI.G. (see below).

State Board Budget: (Greg Scott)

- Greg presented the Board with a packet of materials from the Department of Administrative and Financial Services (DAFS) that will give an explanation of the Board’s budget to date.

NOTE: Deputy Commissioner Angela Faherty left the meeting and 10:35 AM and Harry Osgood joined the meeting as a designee for the Commissioner.

AMENDMENT:

MOVED by Nancy Perkins, seconded by Jeffrey Vermette, and unanimously voted by those present to add an exhibit item to the consent agenda.

MOVED by Marilyn Tardy, seconded by Jeffrey Vermette, and unanimously voted by those present to amend the January 13, 2010 agenda and add the following item to the Consent Agenda: Exhibit # V.G - Title of exhibit – “Approval of the Proposed Team to Review the Educator Preparation Programs Offered by the University of Maine at Fort Kent”.

CONSENT AGENDA:

RECEIPT OF THE UNIVERSITY OF NEW ENGLAND PROGRAM REVIEW TEAM REPORT OF FINDINGS.

RECEIPT OF THE THOMAS COLLEGE TEAM REPORT OF FINDINGS.

APPROVAL OF THE PROPOSED REVIEW TEAM MEMBERS TO ASSESS THE REQUEST FROM THE GREAT BAY COMMUNITY COLLEGE, LOCATED IN PORTSMOUTH, NEW HAMPSHIRE, FOR AUTHORIZATION TO OFFER ITS ASSOCIATE OF SCIENCE IN GENERAL STUDIES ON SITE IN MAINE AT THE PORTSMOUTH NAVAL SHIPYARD.

RECEIPT OF THE INTERIM REPORT FROM THE UNITY COLLEGE TEACHER EDUCATION PROGRAM.

RECEIPT OF THE UNIVERSITY OF MAINE IN MACHIAS PROGRAM REVIEW TEAM REPORT OF FINDINGS

RECEIPT OF THE COLBY COLLEGE PROGRAM REVIEW TEAM REPORT OF FINDINGS.

APPROVAL OF THE PROPOSED TEAM TO REVIEW THE EDUCATOR PREPARATION PROGRAMS OFFERED BY THE UNIVERSITY OF MAINE AT FORT KENT

MOVED by Marilyn Tardy, seconded by Jeffrey Vermette, and unanimously voted by those present to approve the consent agenda.

SPECIAL ORDERS (Important business previously designated for consideration)

CONSIDERATION OF THE REVIEW TEAM REPORT CONCERNING THE APPLICATION FROM TUFTS UNIVERSITY, IN COLLABORATION WITH THE MAINE MEDICAL CENTER, TO OFFER COURSES IN MAINE LEADING TO THE DEGREE OF DOCTOR OF MEDICINE

BACKGROUND: 20-A MRSA, Chapter 409 provides that the State Board of Education may approve an application from a postsecondary educational institution located outside the State of Maine to offer within the State courses or programs for academic credit. Tufts University, located in Medford/Somerville, Massachusetts, in collaboration with the Maine Medical Center, located in Portland, Maine, has submitted an application for approval to offer within an educational partnership within the State of Maine. Tufts University School of Medicine [TUSM] has partnered with Maine Medical Center [MMC], Maine’s largest tertiary care and teaching hospital, to provide a unique Medical School Program to enhance access to medical education for Maine students, to address Maine physician workforce needs, and to develop innovative curricula for future physicians. It is proposed that students will spend the majority of the first and second years of preparation

at TUSM, having specific experiences in Maine, and then, during the third and fourth years, they will be predominantly within the State of Maine.

Under the formal Agreement, signed by MMC and TUSM, on February 5, 2008, up to 36 students per-year will be admitted to the "Maine-Track." It is proposed that a Maine-based Admissions Subcommittee will actively participate in the selection of students for the "Maine-Track." A Maine-based Curriculum Subcommittee has been formed to develop the MMC-TUSM Medical School Program curriculum. TUSM and MMC are jointly developing a component of the Medical School Program that will prepare students for the unique challenges they will face when practicing in an underserved, rural location. This is a need that both MMC and TUSM feel strongly needs to be met.

RECOMMENDATION: That the State Board of Education accept the Review Team's Report concerning the application from Tufts University School of Medicine, in collaboration with Maine Medical Center, to offer academic courses in Maine leading to the degree of Doctor of Medicine. This approval would be in effect from fall 2009 through the fall 2014.

MOVED by Marilyn Tardy, seconded by James Banks, Sr., and unanimously voted by those present to accept the Review Team's Report concerning the application from Tufts University School of Medicine, in collaboration with Maine Medical Center, to offer academic courses in Maine leading to the degree of Doctor of Medicine. Approval is effective from the fall 2009 through the fall of 2014.

CONSIDERATION OF THE REVIEW TEAM REPORT CONCERNING THE APPLICATION FROM ANTIOCH UNIVERSITY NEW ENGLAND TO RENEW ITS PRIOR APPROVAL TO OFFER ACADEMIC CREDIT PROGRAMS IN MAINE

Background: 20-A MRSA, Chapter 409 provides that the State Board of Education may approve an application from a postsecondary educational institution located outside the State of Maine to offer within the state courses or programs for academic credit. Officials from Antioch University New England, (formerly known as Antioch New England Graduate School), located in Keene, New Hampshire, made application for renewal of prior approval to offer programs leading to completion of requirements for the degree of Master of Education in Foundations of Education (Professional Development and Critical Skills/Education by Design concentrations) and Critical Skills/Education by Design Institutes.

The Antioch University New England application has been reviewed in accordance with the rules established by the Board and evaluated through the use of standards adopted by the Board. The report of the Review Team Report is being distributed to Board members during this meeting.

Recommendation: That the State Board of Education accept the report of the Review Team for the Antioch University New England request for renewal to offer in Maine programs leading to the completion of requirements for the degree of Master of Education in Foundations of Education (Professional Development and Critical Skills/Education By Design concentrations) and Critical Skills/Education By Design Institutes. The period of approval would be from fall 2009 to fall 2013.

MOVED by Nancy Perkins, seconded by Lynda Doyle, and unanimously voted by those present to grant the request renewal to offer in Maine programs leading to the completion of requirements for the degree of Master of Education in Foundations of Education (Professional Development and Critical Skills/Education by Design concentrations) and Critical Skills/Education by Design Institutes. The period of approval is from the fall of 2009 to the fall of 2013.

CONSIDERATION OF THE INTERIM REPORT FROM THE SAINT JOSEPH'S COLLEGE TEACHER EDUCATION PROGRAM

Background: During its July 13, 2007 meeting the Board granted renewal of State program approval through December 31, 2009 and required the unit to develop and submit an interim report addressing the 2007 Team Report's recommendations prior to December 31, 2009. The interim report was to be limited to the unit's responses to the team's recommendations associated with Standard Two – *Assessment System and Unit Evaluation* and Standard Three – *Field Experience and Clinical Practice*. The required Interim Report was received from the College and was reviewed by the 2007 Team Chair, Dr. Kathy Yardley, Associate Provost and Dean of Education at the University at Farmington. A copy of the interim report along with a copy of Dr. Yardley's assessment was distributed to the Board members during the Board's November 18, 2009 meeting.

Recommendation: That the State Board of Education accept the Saint Joseph's College Interim Report, along with the assessment of the 2007 Team Chair, Dr. Kathy Yardley, and extend the period of State program approval to the winter of 2012.

MOVED by Jeffrey Vermette, seconded by Marilyn Tardy, and unanimously voted by those present to accept the Saint Joseph's College Interim Report, along with the assessment of the 2007 Team Chair, Dr. Kathy Yardley, and extend the period of State program approval to the winter of 2012.

CONSIDERATION OF THE INTERIM REPORT FROM THE BOWDOIN COLLEGE TEACHER EDUCATION PROGRAM

Background: During its July 13, 2007 meeting the Board granted renewal of State program approval through December 31, 2009 and required the unit to develop and submit an interim report addressing the 2007 Team Report's recommendations prior to December 31, 2009. The required Interim Report was received from the College and was reviewed by the 2007 Team Chair, Dr. Susan Hillman, Associate Professor of Education at the University of New England. A copy of the interim report, in two volumes, is available for review in the State Board's Office.

A copy of the Interim Report was distributed to Board members during the Board's November 18, 2009 meeting along with Dr. Hillman's assessment of the report.

Recommendation: That the State Board of Education accept the Bowdoin College Interim Report and extend the period of State program approval to the spring of 2011.

MOVED by Steven Pound, seconded by Jeffrey Vermette and unanimously voted by those present to accept the Bowdoin College Interim Report and extend the period of State program approval to the spring of 2011.

MAJOR CAPITAL SCHOOL CONSTRUCTION PROGRAM; *DESIGN AND FUNDING APPROVAL CONSIDERATION*; RSU #22, NEW HAMPDEN ACADEMY CONSTRUCTION PROJECT.

STATEMENT OF FACT: The RSU #22 will construct a high school in Hampden, Maine, to house 800 students grades 9 through 12. The project received Concept Approval on July 23, 2008. The subsequent referendum passed with a 71% vote in favor of the project.

The Hampden Academy project was divided into two bid packages. The site received Design and Funding Approval on July 15, 2009, was bid, and is presently under construction. The school unit is now seeking Design and Funding Approval for the building. The design has gone through an extensive review process. Both the design and the funding is very complex and the designers and school officials met with Department of Education and Bureau of General Services personnel on a number of occasions prior to achieving a favorable recommendation. The Design and Funding Approval is being requested pursuant to MRSA Title 20-A, Section 15905(1).

The basic design of the project and budget have not changed since Concept Approval, and it has met the needed criteria to move forward which will allow it to be bonded and constructed on schedule.

The RSU #22 is requesting Design and Funding Approval for a new high school qualifying under State statute and State Board of Education Rule, Chapter 61, Rules for Major Capital School Construction Projects, and

- The RSU #22 Hampden Academy proposed school construction project is eligible for school construction under MRSA Title 20-A, Chapter 609;
- The proposed project and authorized method of financing are in the best interest of the State of Maine and the RSU #22
- The RSU #22 Hampden Academy estimated capital outlay expenditures are reasonable; and
- The RSU #22 Hampden Academy proposed project is in compliance with MRSA Title 20-A, Chapter 301, as it relates to special education facilities.

Project Information:

Project: RSU #22 Hampden Academy

Superintendent: Richard Lyons

Principal: Ruey Yehle

Architect: WBRC Architects

School(s) to be closed: The current Hampden Academy

Project Budget Information:

Concept Approval Date: August 12, 2008

Total Project Cost: \$53,787,741

Local Only (no State participation): \$6,175,000

Approved for State/Local Debt Service Subsidy: \$45,382,741
Anticipated PUC Energy Grant and Commissioning Stipend: \$230,000
Local Fund Raising Allowance for Enhancements: \$2,000,000
A LEED Score Sheet and a Project Schedule are attached for INFORMATION ONLY.

CONSTRUCTION COMMITTEE RECOMMENDATION: At its meeting on January 4, 2010, the Construction Committee voted unanimously to recommend that the State Board of Education grant Design and Funding Approval to RSU #22 for a new Hampden Academy construction project located in Hampden, Maine.

DEPARTMENT RECOMMENDATION: The Commissioner recommends that the State Board of Education grant Design and Funding Approval to RSU #22 for a new high school in Hampden, Maine, as a Major Capital School Construction Project and approve the design and funding budget as presented.**

**This approval constitutes Design & Funding Approval. Final Funding Approval may be subject to adjustment under Section 10, Subsection 1, of the State Board of Education Rules for School Construction Projects, which states:

“Final Funding Approval by the Commissioner establishes the Project Budget and takes place after construction bids have been received. At that time, the Commissioner may reduce the budget to finance the project, thus providing additional funds for other projects.”

MOVED by James Banks, Sr., seconded by Jeffrey Vermette, and unanimously voted by those present to grant Design and Funding Approval to RSU #22 for a new high school in Hampden, Maine, as a Major Capital School Construction Project and approve the design and funding budget as presented.

REQUEST APPROVAL OF THE QUARTERLY REPORT OF THE MAINE CARL D. PERKINS GRANT AS AUTHORIZED UNDER THE *CARL D. PERKINS CAREER AND TECHNICAL EDUCATION ACT OF 2006 (P.L. 109-270)*

As a condition for the receipt of Federal funds to support vocational and technical education, §122 of the recently reauthorized Carl D. Perkins Career and Technical Education Act of 2006 (P.L. 109-270) requires a designated “eligible agency” in each State—in Maine’s case, the State Board of Education—to submit a State Plan for Career and Technical Education. This plan was approved by the State Board on March 12, 2008. Further requirements are as follows:

“SEC. 121. STATE ADMINISTRATION.

“(a) ELIGIBLE AGENCY RESPONSIBILITIES.—The responsibilities of an eligible agency under this title shall include:

“(3) convening and meeting as an eligible agency (consistent with State law and procedure for the conduct of such meetings) at such time as the eligible agency determines necessary to carry out the eligible agency’s responsibilities under this title, but not less than 4 times annually;

The State Board Chair requested, in accordance with Title 20-A, Section 405, 7, that the Board receives a quarterly financial report from the Career and Technical Education

(CTE) team and the Department of Financial and Administrative Services (DAFS). We would like to submit this report as the first report for FY 2010.

RECOMMENDATION: The State Board approve the Quarterly report for the period of July 1, 2009 through September 30, 2009 of the *State of Maine Five-Year Plan for Career and Technical Education Under the Carl D. Perkins Career and Technical Education Act of 2006 (P.L. 109-270)*.

** Prepared by: Lora Downing; Maine State Director of CTE, Margaret Harvey; CTE Grant Manager and Federal Programs Coordinator and Jane Horton; Accountant DAFS*

MOVED by Marilyn Tardy, seconded by James Banks, Sr., and unanimously voted by those present to approve the Quarterly report for the period of July 1, 2009 through September 30, 2009 of the State of Maine Five-Year Plan for Career and Technical Education under the Carl D. Perkins Career and Technical Education Act of 2006.

COMMISSIONER'S RECOMMENDED FUNDING LEVEL FOR FY 2011

Pursuant to the provisions of 20-A M.R.S.A., Section 15689-C, the Commissioner, with the approval of the State Board of Education, shall certify to the Governor and the Bureau of the Budget recommended funding levels for the total cost of funding public education from kindergarten to grade twelve. The funding levels recommended herein were developed in accordance with the current statute as amended by Legislative Document 1.

RECOMMENDATION: I recommend that the State Board of Education approve the following motion:

MOTION: To approve the certified funding level for FY 2011, based on current statute, for the total cost of funding public education from kindergarten to grade twelve (including total operating allocation, total debt service allocation, and total adjustments and miscellaneous costs) at \$1,907,890,202, a local contribution amount of \$996,876,600 and a state contribution amount of \$911,013,602 to be distributed as General Purpose Aid for Local Schools including funds provided under Title XIV, the State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009. These amounts shall be distributed according to the parameters of the Essential Programs & Services Funding Act, 20-A M.R.S.A. Chapter 606-B, as amend.

MOVED by James Banks, Sr., seconded by Lynda Doyle, and voted six in favor with one member opposed (Jeffrey Vermette) approve the Commissioner's Recommended Funding Level for FY 2011.

Motion by Nancy Perkins, seconded by Steven Pound and unanimously voted by those present to amend the original motion and add that the Board recognizes the level of funding may not be sufficient for meeting the educational needs of students in Maine. The Department of Education should work towards meeting the intent of LD 1 to reach the proposed 55 % level as stated in Legislation.

NOTE: Steve Pound left the meeting at 12:24 and returned at lunch time.

REQUEST FOR SUPPORT TO SEEK SCHOOL MODERNIZATION FUNDS

STATEMENT OF FACT: School Modernization Funds are currently included in the Federal Budget before Congress. Construction Committee Chair James Banks proposed to the Construction Committee that all members of Maine's Congressional Delegation be contacted at their Maine offices to advocate support for inclusion of these funds for possible construction projects for all Maine schools.

Committee Banks also proposed that the State Board of Education contact the Maine School Board Association to seek their support in this effort.

Finally, Chairman Banks also proposed that the State Board of Education contact the U.S. Department of Education's Deputy Assistant Secretary Glenn Cummings to seek any additional K-12 school construction funds, especially those funds that can be used within the current Revolving Renovation Fund process. The information gained from Mr. Cummings would also be shared with Maine's Congressional Delegation and the Maine School Board Association for additional support.

CONSTRUCTION COMMITTEE RECOMMENDATION: At its meeting on January 4, 2010, the Construction Committee voted unanimously to recommend that the State Board of Education authorize the proposal outlined in the Statement of Fact regarding contacts about Federal funds for school construction.

MOVED by James Banks, Sr., seconded by Nancy Perkins and unanimously voted by those present to authorize the proposal outlined in the Statement of Fact regarding contacts about Federal Funds for school construction.

MSAD # 24 Appeal Hearing

Appeal of Denial of Isolated Small School Adjustment

MOVED by Steven Pound, seconded by Jeffrey Vermette, and voted four in favor with three members opposed (Ann Weisleder, James Banks, Sr., and Nancy Perkins) to grant the State subsidy denied to MSAD #24 for this current year and grant State subsidy for one additional year.

ANNOUNCEMENTS:

- No Announcements

PUBLIC COMMENTS:

- No Public Comment

ADJOURNMENT:

Moved by Lynda Doyle, seconded by Marilyn Tardy, and unanimously voted by those present to adjourn the January 13, 2010, State Board of Education meeting at 4:06 PM.