



## 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 March 11, 2009, at the Cross State Office Building, ATM Room 103, Augusta, Maine. The following members were present: Chair Ann Weisleder; Vice Chair James Banks, Sr.; James Carignan; Philip Dionne; Jean Gulliver; Marilyn Temple Tardy; Justin Chenette; and Honor Wilkinson. Mabel Desmond attended via Teleconferencing.

Also present were: Deputy Commissioner Angela Faherty; Harry Osgood, Higher Education Specialist; Jim Rier, Director of Finance and Operations; and Mary Becker, Secretary Associate.

### **CALLED TO ORDER:**

The meeting was called to order at 1:04 PM.

### **APPROVAL OF MINUTES:**

MOVED by Jean Gulliver, seconded by Jim Carignan, and unanimously voted by those present to approve the January 14, 2009 and February 14, 2009 minutes as written.

### **OFFICER'S REPORTS:**

#### **Chair, Ann Weisleder:**

- That she received a letter from Judith Jones, Executive Director of Maine Association of Charter Schools. Ann responded that the Board is responsible for our own opinions and positions on legislation and we would review the bill according to our process. A handout of the 2004 report was distributed for member information and as a foundation to some of the Board's decision making.
- That she has been at USM for the past few days attending a review program and the report will be out in the near future.
- That she has been attending various Hearings and Work Sessions at the Ed Committee.

#### **Vice Chair, James Banks**

- That he appreciated the opportunity to be at USM the past few days to observe the work of some dedicated people that come together as a team to review the

programs within the educational system. His goal was to listen and learn and that he wants to thank Harry Osgood for all his hard work. He enjoyed it and looks forward to participating again in the future.

### **BOARD MEMBER REPORTS:**

#### **Jean Gulliver:**

- No Report

#### **Marilyn Temple Tardy:**

- That she attended an art show in Bangor at the mall of all the area schools K – 3. The art work was beautiful and she was very impressed with what the first grade students presented.

#### **Justin Chenette:**

- That Thornton Academy has a private public/partnership with the city of Saco and in light of the current budget and the economic crisis they are building dorms on campus to facilitate students from other countries. It is about \$30,000 to live there year round.
- That he was talking with a friend in Northern Maine about the difference in opportunities for students in the northern part of the state as compared to southern Maine schools. In the northern part of the state they have a French class, but no other language classes. There is also a lack of extra curricular activities. There is a big disparity in the schools throughout the State of Maine.

#### **Phil Dionne:**

- That he attended a Jump Start Our Youth (JOY) Program that Senator Weston spoke at.
- That he was in Dc last weekend for WIA recovery money.

#### **Jim Carignan:**

- No Report

#### **Mabel Desmond:**

- That she is monitoring the MEA's.

### **Student Voices Committee Update:**

**CONSENT AGENDA:**

MAJOR CAPITAL SCHOOL CONSTRUCTION PROGRAM; AMENDED SITE APPROVAL; JEFFERSON SCHOOL DEPARTMENT, NEW PREK-8 ELEMENTARY SCHOOL CONSTRUCTION PROJECT.

COMPOSITION OF COMMITTEE TO REVIEW THE APPLICATION FOR ADDITIONAL DEGREE-GRANTING AUTHORITY AS SUBMITTED BY THE LANDING SCHOOL TO AWARD THE ASSOCIATE OF APPLIED SCIENCE IN MARINE INDUSTRY TECHNOLOGY DEGREE.

MOVED by Jean Gulliver, seconded by Jim Banks, and unanimously voted by those present to approve the consent agenda.

**SPECIAL ORDERS (Important business previously designated for consideration)**

MAJOR CAPITAL SCHOOL CONSTRUCTION PROGRAM; *DESIGN AND FUNDING APPROVAL CONSIDERATION*; PORTLAND SCHOOL DEPARTMENT, NEW K-5 ELEMENTARY SCHOOL CONSTRUCTION PROJECT.

STATEMENT OF FACT: The new K-5 elementary school will be constructed on the Baxter School site in Portland, Maine. The school is designed to house 440 students. The entire Nathan Clifford School population and an additional 170 students from other schools will attend at the new facility.

The Design and Funding Approval is being requested pursuant to MRSA Title 20-A, Section 15905(1).

The basic design and project budget have remained very similar to the Concept design and budget which were approved on March 12, 2008. The architect will briefly comment on the minor changes that have occurred since Concept Approval.

The Portland School Department is requesting Design and Funding Approval for a new K-5 elementary school qualifying under State statute and State Board of Education Rule, Chapter 61, Rules for Major Capital School Construction Projects, and

- The Portland School Department 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 Portland School Department;
- The Portland School Department estimated capital outlay expenditures are reasonable; and
- The Portland School Department proposed project is in compliance with MRSA Title 20-A, Chapter 301, as it relates to special education facilities.

**Project Information:** Project: New K-5 Elementary School

Superintendent: Jean Whynot-Vickers

Principal: vacant

Architect: WBRC Architects and Engineers

School(s) to be closed: Nathan Clifford School. The Percival P. Baxter School will be demolished to make room for the new school.

**Project Budget Information:** Concept Approval Date: March 12, 2008

Total Project Cost: \$20,164,591

Local Only (no State participation): \$60,000

Approved for State/Local Debt Service Subsidy: \$19,630,417

Anticipated Funding from Grants: \$474,174

**CONSTRUCTION COMMITTEE RECOMMENDATION:** At its meeting on March 4, 2009, the Construction Committee voted unanimously to recommend that the State Board of Education grant Design and Funding Approval to the Portland School Department for new K-5 school construction project located in Portland, Maine.

**DEPARTMENT RECOMMENDATION:** The Commissioner recommends that the State Board of Education grant Design and Funding Approval to Portland School Department for a new K-5 elementary school in Portland, 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 Jean Gulliver, seconded by Marilyn Tardy, and unanimously voted by those present to grant Design and Funding Approval to Portland School Department for a new K-5 elementary school in Portland, Maine, as a Major Capital School Construction Project and approve the design and funding budget as presented.

CONSIDERATION OF THE REVIEW TEAM REPORT CONCERNING THE APPLICATION FOR RENEWAL OF STATE PROGRAM APPROVAL FROM SOUTHERN NEW HAMPSHIRE UNIVERSITY TO OFFER UNDERGRADUATE AND GRADUATE 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 Southern New Hampshire University, located in Manchester, New Hampshire, have made application for renewal of authorization to offer courses or

programs leading to completion of requirements for the degrees of: Associate of Arts, Associate of Science, Bachelor of Arts, Bachelor of Science, Master of Business Administration, Master of Business Education, and Master of Science in Organizational Leadership as well as initial authorization to offer the Master of Community Mental Health and a field-based Master of Education. Associate degree programs are in the areas of: accounting, business administration, information technologies, and the liberal arts. Baccalaureate degree programs are in the areas of: accounting, business administration, technical management, English language and literature, humanities, psychology, and social science.

Southern New Hampshire University is authorized to confer the above degrees by the State of New Hampshire and is accredited by the New England Association of Schools and Colleges (NEASC). Southern New Hampshire University (formerly New Hampshire College) began offering classes at the Brunswick Naval Air Station (BNAS) in 1968 and has been in continuous operation ever since. In order to meet the needs of additional Navy personnel courses were also offered for several years at Naval Security Group Activity in Winter Harbor. In the past 35 years over 8,500 students have attended classes at what is now called the Brunswick Center. As long as the institution conducted its operations on federal property it was exempt from Maine degree-granting authorization procedures. Heightened BNAS security measures resulted in the Center being relocated off-base in 2003. With this move the University sought, and was granted, authorization by the Maine State Board of Education to continue to operate in the State of Maine.

The Southern New Hampshire University application was reviewed during a site visit on Friday, December 19, 2008 in accordance with the rules established by the Board and evaluated through the use of standards adopted by the Board. The Team Report was developed thereafter and was distributed to Board members during the February 11, 2009 meeting.

**Recommendation:** That the State Board of Education accept the Review Team report of findings concerning the Southern New Hampshire University application for renewal of authorization to offer the aforementioned undergraduate and graduate degree programs in the State of Maine. The period of approval will be from fall 2008 to fall 2012.

MOVED by Marilyn Tardy, seconded by Jim Carignan, and unanimously voted by those present to accept the review team report of findings about Southern New Hampshire University's application for renewal of authorization to offer the aforementioned undergraduate and graduate programs in the State of Maine. The approval period will be from fall of 2008 to the fall of 2012.

**NEW BUSINESS:**

MOVED by Jim Banks, seconded by Jim Carignan and unanimously voted by those present to add an item to the agenda under new business for consideration of dealing with energy efficiency of school buildings.

The following was distributed to members for review and discussion:

*The State Board of Education has a strong commitment to investment in the energy efficiency of our school buildings. The energy Usage Report and Analysis provides a valuable source of information on energy use, the cost of upgrades and potential savings of energy use in Maine's schools.*

*The State Board of Education supports the following recommendations:*

- 1) That the Department of Education develop a program for comprehensive, standardized energy audits of Maine's school buildings.*
- 2) That funds be identified and allocated to support energy improvements based on the results of the energy audits.*

Motion to amend the resolve to read as;

*The State Board of Education has a strong commitment to investment in the energy efficiency of our school buildings. The energy Usage Report and Analysis attached provides a valuable source of information on energy use, the cost of upgrades and potential savings of energy use in Maine's schools.*

*The State Board of Education supports the following recommendations:*

- 1) That the Department of Education develop a ~~program~~ template for a comprehensive, standardized energy audits of Maine's school buildings.*
- 2) That funds be identified and allocated to support energy improvements based on the results of the energy audits.*

MOVED by Jean Gulliver, seconded by Jim Banks and unanimously voted by those present to approve the amendments to the resolve.

Motion to amend Paragraph 1 of the resolve to read as;

*That the Department of Education in collaboration with the Bureau of General Services (BGS) and other related agencies develop a template for a comprehensive, standardized energy audit of Maine's school buildings.*

MOVED by Jean Gulliver, seconded by Jim Banks and unanimously voted by those present to approve the amendments to Paragraph 1 of the resolve.

MOVED by Jean Gulliver, seconded by Jim Banks and unanimously voted by those present to adopt the resolution as amended and forward it to designated parties demonstrating the Board's commitment to energy efficiency in schools.

### **ANNOUNCEMENTS:**

- Ann reminded members that the Teacher of the Year Nominees ceremony will be at the Hall of Flags on Friday, March 13<sup>th</sup> if anyone is interested in attending. It begins at 9:00 AM with individual displays and the ceremony of recognition is at 11:00 AM. Ann will be presenting opening remarks at the ceremony.

Note: Ann Weisleder left the business meeting at 3:08 PM to present testimony to the Ed Committee.

**PUBLIC COMMENTS:**

- No Public Comment

**ADJOURNMENT:**

Moved by Jim Banks, seconded by Phil Dionne, and unanimously voted by those present to adjourn the March 11, 2009, State Board of Education meeting at 3:30 PM.