



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 15, 2008, at the Dirigo Elementary School in Peru, Maine. The following members were present: Chair Ann Weisleder; James Carignan; Jean Gulliver; Mabel Desmond; Marilyn Temple Tardy; James Banks, Sr.; and Justin Chenette; Excused: Vice Chair Connie Goldman; Phil Dionne; and Honor Wilkinson.

Also present were: Commissioner Susan Gendron; Scott Brown, AIA, School Facilities; Harry Osgood, Higher Education Specialist; Jaci Holmes, Federal Liaison; and Mary Becker, Secretary Associate.

CALLED TO ORDER:

The meeting was called to order at 1:43 PM

APPROVAL OF MINUTES

MOVED by Jean Gulliver, seconded by Jim Carignan, and unanimously voted by those present to approve the September 10, 2008 minutes as written.

CONSENT AGENDA:

COMPOSITION OF THE REVIEW TEAM TO ASSESS THE APPLICATION FOR RENEWAL OF STATE PROGRAM APPROVAL FROM SOUTHERN NEW HAMPSHIRE UNIVERSITY TO OFFER ACADEMIC CREDIT PROGRAMS IN MAINE.

COMPOSITION OF THE REVIEW TEAM TO ASSESS THE APPLICATION FOR RENEWAL OF STATE PROGRAM APPROVAL FOR EMBRY-RIDDLE AERONAUTICAL UNIVERSITY TO OFFER ACADEMIC CREDIT PROGRAMS IN MAINE.

COMPOSITION OF THE REVIEW TEAM TO ASSESS THE APPLICATION FOR RENEWAL OF STATE PROGRAM APPROVAL FOR THE HUSSON COLLEGE EDUCATOR PREPARATION PROGRAMS.

MAJOR CAPITAL SCHOOL CONSTRUCTION PROGRAM; *SITE APPROVAL CONSIDERATION*; JEFFERSON SCHOOL DEPARTMENT – NEW PREK-8 ELEMENTARY SCHOOL CONSTRUCTION PROJECT IN JEFFERSON, MAINE.

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

REGULAR BUSINESS:

CONSIDERATION OF THE TEAM REPORT FOR THE MAINE COLLEGE OF ART (MECA) REVIEW OF THE PROPOSED POST-BACCALAUREATE PROGRAM IN ART EDUCATION K-12.

BACKGROUND: The Maine College of Art requested a focused campus visit to review its new Post-Baccalaureate Program in Art Education K-12. The program provides a one-year (10 month) intensive curriculum of study leading to a post-baccalaureate Certificate in Art Education K-12. The program was designed to include the necessary coursework and student teaching experiences required for certification as an art educator in Maine.

The Maine College of Art is fully accredited and authorized by the State of Maine to confer the Associate of Arts, the Bachelor of Fine Arts, and the Master of Fine Arts degrees. To conduct the focused visit the State Board approved team members conducted an on-site review in Portland on June 25, 2008. Following the visit the Team compiled its report of findings which was distributed to members Board during the September 10, 2008 meeting.

RECOMMENDATION: That the State Board of Education accept the Review Team's Report and grant State program approval to the Maine College of Art (MECA) for its Post-Baccalaureate Program in Art Education K-12. The period of approval would be from fall 2008 to fall 2013.

MOVED by Jim Carignan, seconded by Jean Gulliver, and unanimously voted by those present to approve the Maine College of Art (MECA) for its Post-Baccalaureate Program in Art Education K-12.

MOTION FOR THE DEPARTMENT TO PROPOSE REVISIONS TO STATUTE, 20-A, CHAPTER 409, §§10701 – 10714, "DEGREE GRANTING INSTITUTIONS".

BACKGROUND: Chapter 409 is the statute by which Maine establishes the State's role in assuring the integrity of academic degrees as well as the oversight of and the parameters for degree-granting authorizations within its boundaries. Chapter 409 outlines the definitions, conditions, means and measures by which such authorizations are to be considered. Chapter 409 is supported by Rule 05-071, CMR 149, "Procedures for Obtaining Authorization for Institutions of Higher Education to Confer Academic Degrees or to Offer Degree Courses/Programs in the State of Maine" and by Rule 05-071, CMR 170 "Standards for Evaluating Requests for Degree Authorization and for Out-of-State Postsecondary Institutions Seeking to Make Academic Credit Course Offerings in Maine". During the 2nd Session of the 123rd Legislature, Chapter 409 was revised imbedding a number of Board approved

corrections to both language and content. These revisions were subsequently approved by the Legislature through the vehicle of a Department omnibus bill.

After passage of this bill it became apparent that two additional clarifications are needed. These clarifications are associated with §10708.1 "Exemptions" and §10712.4 "Merger; consolidation; reorganization". Adopting the proposed changes to §10708 would result in Maine's private institutions, who had been authorized at specific degree levels (e.g. BS, BA, MA, MS, etc.) prior to September 18, 1981, no longer having to seek additional degree-granting authority to offer a new degree at the same degree level as previously authorized. The proposed changes to Section 10712.4 would clarify that merger, consolidation and/or reorganization would not apply to "pre-existing degree program entities within educational institutions." In addition language is proposed to be added to reflect that "Non pre-existing degree program entities in a reorganization plan, not exempted under §10708. It would require authorization by the State Board of Education following the procedures as specified under §10707." Because the proposed changes are to statute, such changes will need to be approved by the Board so that the Department's Legislative Liaison, Greg Scott, may forward these to the Legislative Council by October 1st, 2008. To enable this to happen, the Board will need to act on this matter during its October 15, 2008 meeting.

RECOMMENDATION: That the State Board of Education support the Department's proposed revisions to statute 20-A, Chapter 409, §10708.1 "Exemptions" and §10712.4 "Merger; consolidation; reorganization", which have been reviewed with the Department's Assistant Attorney General.

MOVED by Jean Gulliver, seconded by Jim Carignan, and unanimously voted by those present to send the revisions of Chapter 409 forward for legislative action.

MAJOR CAPITAL SCHOOL CONSTRUCTION PROGRAM; *DESIGN AND FUNDING APPROVAL CONSIDERATION*; BREWER HIGH SCHOOL DISTRICT TRUSTEES, NEW PREK-8 SCHOOL CONSTRUCTION PROJECT IN BREWER, MAINE.

STATEMENT OF FACT: On August 12, 2008, the State Board of Education approved Design & Funding Approval for the new elementary school in Brewer. At the same meeting the State Board of Education approved the first phase of the project to prepare the site for the construction project.

Brewer is now ready to proceed with the second phase of the project which is the construction of the new school. Brewer is seeking approval to proceed under the financial limitations established on August 12, 2008, in Phase 1, Design and Funding Approval. The actual beginning date for construction will be determined as the Superintendent works through the project dates with Department of Education personnel.

The new elementary school will be constructed in Brewer, Maine, and house 1050 students, grades preK through 8. The project received Concept Approval on October 10, 2007. The subsequent referendum passed with a 90% vote in favor of the project.

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.

Brewer High School District Trustees is requesting Design and Funding Approval for a preK-8 elementary school qualifying under State statute and State Board of Education Rule, Chapter 61, Rules for Major Capital School Construction Projects, and

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

Project Information: Project: Brewer Elementary School

Superintendent: Dr. Daniel Lee

Principal: vacant

Architect: Steve Pederson, AIA, LEED^{AP}, WBRC Architects

School(s) to be closed: Capri Street Elementary, Pendleton Street Elementary, State Street Elementary, Washington Street Elementary, and Brewer Middle School.

Project Budget Information: Concept Approval Date: October 10, 2007

Total Project Cost: \$39,716,474

Local Only (no State participation): \$2,770,500

Approved for State/Local Debt Service Subsidy: \$36,717,383

Anticipated Maine High Performance Schools Energy Grant and other gifts/grants: \$228,591.

CONSTRUCTION COMMITTEE RECOMMENDATION: At its meeting on October 6, 2008, the Construction Committee voted unanimously to recommend that the State Board of Education grant Design and Funding Approval to the Brewer High School District Trustees for a new preK-8 school construction project located in Brewer, Maine.

DEPARTMENT RECOMMENDATION: The Commissioner recommends that the State Board of Education grant Design and Funding Approval to the Brewer High School District Trustees for a preK-8 elementary school in Brewer, 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 Temple Tardy, and unanimously voted by those present to grant Design and Funding Approval to the Brewer High School District Trustees for a new preK-8 school construction project located in Brewer, Maine.

MAJOR CAPITAL SCHOOL CONSTRUCTION PROGRAM; REQUEST FOR A WAIVER OF CHAPTER 61, RULES FOR MAJOR CAPITAL SCHOOL CONSTRUCTION PROJECTS, SECTION 6, ¶2, SUB¶F, TIME LIMITATIONS.

STATEMENT OF FACT: Chapter 61, Rules for Major Capital School Construction Projects, establishes maximum allowable dates between major issues in the school construction projects. The appropriate reference is Section 6, ¶2, sub¶F, Time Limitations. The Department has, as a result of a major budget shortfall, moved bonding dates on twelve school projects. Those affected are:

Portland School Department	Brunswick School Department	SAD #22 – Hampden
Brewer High School District Trustees	Jefferson School Department	SAD #9 – Farmington (HS & Voc Ctr)
Gorham School Department	Chelsea School Department	Falmouth School Department
Durham School Department	RSU #1 – Woolwich	SAD #9 – Farmington (elementary)

Due to the changing of bond dates for the above projects, many will not be able to meet the present time lines of Chapter 61, Section 6, ¶2, sub¶F, Time Limitations, (1) and (3):

- (1) 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 school administrative unit’s assigned year. To be considered for a waiver, the school administrative unit must present to the State

Board a proposed timetable and plan for obtaining Concept Approval. Approval by the State Board of the proposed timetable shall constitute a waiver.

- (3) Within nine months of a favorable local referendum vote, a project shall be presented to the State Board for Design and Funding Approval.”

RECOMMENDATION: The Commissioner of Education recommends that the State Board of Education waive the above two sub-paragraphs of Section 6, ¶¶F, Time Limitations, (1) and (3), for the above-listed projects allowing Department personnel to work with the superintendents and architects on individual projects to determine project schedules compatible with the reestablished bond dates.

MOVED by Jean Gulliver, seconded by Marilyn Temple Tardy, and unanimously voted by those present to waive two sub-paragraphs of Section 6, ¶¶F, Time Limitations, (1) and (3), for the above-listed projects allowing Department personnel to work with the superintendents and architects on individual projects to determine project schedules compatible with the reestablished bond dates.

RESOLVE TO UTILIZE THE ISLLC* 2008 INITIAL ADMINISTRATOR CANDIDATE STANDARDS IN PLACE OF THE ISLLC 1996 INITIAL ADMINISTRATOR CANDIDATE STANDARDS WHEN REVIEWING, FOR STATE PROGRAM APPROVAL, EDUCATOR PREPARATION PROGRAMS WHEN INITIAL ADMINISTRATOR CERTIFICATION PROGRAMS ARE BEING CONSIDERED UNTIL SUCH TIME AS THESE STANDARDS ARE ADOPTED IN REGULATION. [*INTERSTATE SCHOOL LEADERS LICENSURE CONSORTIUM]

BACKGROUND: 05-071, Chapter 114, *Purpose, Standards and Procedures for the Review and Approval of preparation programs for education personnel* underwent a comprehensive review in 2006 that resulted in a number substantive changes and upgrades. One of these areas was the adoption and addition of the ISLLC 1996 Initial Administrator Candidate Standards which were folded into Chapter 114, and presently appear as the “Initial Administrator Candidate Performance Standards – Unit Standard One 2.1.11- 2.1.16”.

On December 12, 2007, the then newly revised ISLLC 2008 Initial Administrator Candidate Standards were adopted by the National Policy Board for Educational Administration with an effective date of August, 2008. Some Maine educator preparation programs, with initial administrator certification components, are nearing the end of their current State program approval cycles and will need to be scheduled for their next program approval visit. While it makes good sense to conduct these reviews utilizing the ISLLC 2008 standards it is not practical to re-open Chapter 114, at this time, to make this adjustment. Therefore, the Board is advised to resolve that the ISLLC 1996 standards be replaced with the ISLLC 2008 standards until such time as these standards are revised in regulation. For consideration by Board members, a side-by-side comparison of the ISLLC 1996 and the ISLLC 2008 standards have been provided.

RECOMMENDATION: That the State Board of Education formally replace the ISLLC 1996 standards with the ISLLC 2008 standards until such time as these standards are revised in regulation. The following draft resolution may serve as the vehicle for doing so.

MOVED by Jim Carignan, seconded by Jim Banks, and unanimously voted by those present to replace the ISLLC 1996 standards with the ISLLC 2008 standards.

REPORTS

COMMISSIONER'S REPORT:

Commissioner Susan Gendron presented the following report:

- That the Teacher of The Year Banquet is at Colby College on November 6, 2008.
- That she opened the session for the Maine Schools Facilities Summit on October 10, 2008.
- That on October 14, 2008 she presented the 2008 Milken Family Foundation National Educator Award to Michelle Gagne who teaches first grade at Sherwood Heights Elementary School in Auburn.

BOARD MEMBER REPORTS:

Jim Carignan:

- That the Educare Group approved a location of Waterville to build a new facility.
- That he and Jim Banks attended the Maine Schools Facilities Summit on Friday, October 10, 2008.
- That he attended the Stakeholder Group for High School Diploma meeting. Jim presented an update to the Board during the morning workshop session of the meeting.

Mabel Desmond:

- That she attended the Certification and Higher Education Meeting on Monday, September 22, 2008.

Jim Banks:

- That he attended the Maine Schools Facilities Summit on Friday, October 10, 2008.

Marilyn Temple Tardy:

- No Report

Justin Chenette:

- That he attended the Maine Green Expo on September 13 and 14. Saco was honored as the greenest city in the State of Maine. The Governor also attended.
- That he will be attending the MSMA Conference on October 23 and is looking forward to assisting with the clinic.

Jean Gulliver:

- That she will be presenting with Scott Brown at the MSMA Conference on October 23, 2008.
- That she was part of the student Board member cycle last year and is interested in being part of the program this year as well.

Connie Goldman:

- No Report

Phil Dionne:

- No Report

Honor Wilkinson:

- No Report

CHAIR'S REPORT:

Chair Ann Weisleder presented the following report:

- That she has asked Marilyn to participate as an Observer for the Teacher Preparation Program Review Team at Husson College.
- That she is reminding Board members to sign up for the APA Conference at the Holiday Inn by the Bay in Portland on October 31. Please contact Mary and she will register you.
- That Jim Banks and Jean are joining her for the Hearing on October 20, 2008 for Chapters 149 and 170.
- That she and Connie are meeting with the Governor on October 20, 2008.
- That the MSMA Conference is on October 23 and 24. The Board's clinic is on the 23rd. Jim Carignan is stepping in for Honor Wilkinson. Please get handouts to Mary for copying by Monday, October 20.
- That there will be a Teacher of the Year meeting on October 30 in Augusta.
- That the Teacher of the Year Banquet is scheduled for Thursday, November 6, 2008 at Colby College.
- That the Student Voices Committee will be having a teleconference call with Glenn Nerbak in the near future.
- That Sarah Wintle will be presenting the Evaluation Report - Expanding Student Leadership Opportunities at the November Board Meeting.
- That Pocket Calendars need to be ordered so please let Mary know if you want the same size calendar as you have had previous years.
- That the next State Board meeting is on November 12 in Lewiston.

PUBLIC COMMENTS:

- No Public Comments

ADJOURNMENT:

Moved by Jean Gulliver, seconded by Jim Banks, and unanimously voted by those present to adjourn the October 15, 2008, State Board of Education meeting at 3:18 PM.