



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 August 13, 2012, at the Cross State Office Building, Augusta, Maine. The following members were present: Chair Steven Pound; Vice Chair Nancy Perkins; James Banks, Sr.; Martha Harris; Jana Lapoint; Heidi Sampson; Chelsey Whynot; and Kristin Bishop.

Excused: Lynda Doyle and Dottie Martin

Also present were: James Rier, Deputy Commissioner; Harry Osgood, Higher Education Specialist; Mark Cyr, Certification Coordinator; and Mary Becker, Secretary Associate, State Board of Education

CALLED TO ORDER:

Chair Steven Pound called the meeting to order at 1:00 PM.

APPROVAL OF MINUTES:

MOVED by James Banks, Sr., seconded by Martha Harris, and unanimously voted by those present to approve the July 11, 2012 minutes as written.

OFFICER'S REPORTS:

Chair, Steven Pound:

- He met with Governor LePage on July 19 regarding the Harvard Study and appointments of new members to the State Board. He discussed the importance of criteria to match up new members with the work that is being done.
- He met with the Tri-County Workforce Investment Board at the University of Maine in Augusta (Bangor location). The programs they are running in this area are customized for businesses and they work along with the Tri-County Workforce Investment Board.
- He attended the Maine Heritage Foundation Luncheon on School Choice on July 24. They had a very informative guest speaker in attendance.
- On July 26 – 28 he attended the Council of State Governments Deeper Learning Conference in California. There will be one more meeting in November and then the groups report will come out. Steve will share the report with the Board. This is the oldest non-partisan group offering policy suggestions to the federal legislature regarding education.

- He met with Mary on August 1 to work on the Zero-Based Budget that is due on September 1.
- He attended the Maine Employer's Initiative meeting representing Cianbro. More education groups are now entering into this group. Thomas College is the latest one to offer tuition discounts for people going back to college. Laurie LaChance from the Maine Development Foundation is now President of Thomas College.
- He attended a Maine Community College event where they are raising money for scholarships.
- He attended the Many Flags presentation for businesses on August 7. Pete Vigue from Cianbro spoke at the event. The same questions were raised regarding the cost of this initiative.

Vice Chair, Nancy Perkins:

- **September Meeting:** The State Board meeting in September will be at Hampden Academy. She has already spoken to Superintendent Lyons and the final details will be worked out this week. The moving of the retreat to October is progressing well. Brad Hull from the National Association of State Boards of Education (NASBE) will be assisting the Board as they move forward on their Strategic Plan. All presenters have been able to accommodate the change in dates. She is currently looking at locations for the November meeting in southern Maine.
- **Certification Committee report.** The Certification and Higher Education Committee met on July 23. The focus of the meeting was reviewing current status of responsibilities of the committee. Chapter 13 will hold the APA public hearing on July 18. Chapter 114 will be presented to the Board for acceptance as it has completed the APA process. The legislative charge for Alternative Pathways is under way with a presentation date of September for at least one alternative pathway for consideration by the Board. The amending of certification requirements of all K-8 teachers in regards to adding the wording "must demonstrate proficiency in math and reading instruction, including evidence-based reading instruction was discussed and will be the focus of the next meeting".
- **Effective Educator Council:**
 Dates of Meeting: July 20, July 27, August 10
 Purpose of Meeting: Fulfilling legislative charge of PL 635 which will recommend standards for implementing a system of evaluation and support of teachers and principals.
 Status: The Council has tentatively adopted InTASC as the set of standards of professional practice for the teachers in the Performance Evaluation and Professional Growth system. Acceptable locally determined standards for teachers must be in alignment with the InTASC standards. InTASC standards are embedded in the standards of NBPTS, the Danielson Group, and Marzano's work. District that may have or wish to develop another model will have to present evidence to the Maine DOE that shows alignment to InTASC. The Council has also tentatively adopted ISSLC for principals.
- **Alternative Pathways Stakeholder Group:**
 Date of meeting: July 25
 Purpose of meeting: The State Board of Education has been charged under PL 635 to convene an Alternative Pathways stakeholder group to develop one or more alternative certification pathways that meet the standards set forth in Maine

Revised Statutes, Title 20-A, section 13011, subsection 6.

Status: The stakeholders' group has had multiple discussions regarding CTE certification. Deb Andrews and Nigel Norton had done a report on CTE certification in Maine which was extremely helpful to the group. Deb, Nigel, and myself met twice to prepare a rough draft. This rough draft combines the essence of the group discussions and will be presented to the group on Friday for further analysis.

- She attended a Professional Standards Board meeting on August 7.
- She participated in the Chapter 13 Public Hearing (APA) on July 18.

BOARD MEMBER REPORTS:

Martha Harris:

- She attended the Public Hearing for Chapter 13 on July 18.
- She attended part of a three day training session in her district on Standards Based Education. RSU #18 did the presentation and it was excellent. The training was voluntary and over 50 of the districts teachers were in attendance. Bea McGarvey is presenting to her school board on September 5.
- She participates on the Advisory panel for EPS and they have sent out over 30 RFP's. The staff is keeping them informed with any questions they have.

Chelsey Whynot:

- No Report

Kristin Bishop:

- She was a panelist at the Positive Youth Development Institute at Husson University.

Heidi Sampson:

- She attended the National Association of State Boards of Education (NASBE) New Board Member Institute on July 20 to July 22 in Washington, DC.
- She attended the Alternative Pathways Stakeholders Group meeting on July 25.
- She attended the Capstone Symposium at the University of New England on July 31. She listened and judged the presentations of the student's abstracts.
- She attended the Maine Heritage Policy Center Luncheon on School Choice on July 24.

Jana Lapoint:

- She attended the Public Hearing for Chapter 13 on July 18.
- She attended the Maine Heritage Policy Center Luncheon on School Choice on July 24.
- She continues to participate on the Charter Commission. The Commission has officially signed two contracts for Charter schools.

James Banks, Sr.:

- He attended a Construction Committee meeting on August 6.
- He continues to participate on the Charter Commission.

NEW BUSINESS:

**ADOPTION OF THE PROPOSED REVISIONS TO RULE, TITLE 20-A, 05-071,
CHAPTER 114, PURPOSE, STANDARDS AND PROCEDURES FOR THE REVIEW
AND APPROVAL OF PREPARATION PROGRAMS FOR EDUCATION
PERSONNEL**

BACKGROUND: During the November 10, 2010 meeting of the Maine State Board of Education the Board resolved to establish a Stakeholders Group to Conduct a Comprehensive review of Chapter 114, *Purpose, Standards and Procedures for the Review and Approval of Preparation Programs for Education Personnel*. Chapter 114 last underwent a comprehensive review in 2006 resulting in a number substantive changes and necessary upgrades. Since that time it had become apparent that a number of changes to this rule needed to be made. The Group's charge was to examine all elements of the current rule and to submit a report of its findings, along with recommended changes, to the State Board for consideration and appropriate action.

During the March 9, 2011 meeting the State Board approved the recommended list of members for the Chapter 114 Stakeholders Group and designated Dr. Kathy Yardley, Associate Provost and Dean of Education, University of Maine at Farmington and Dr. Thomas Edwards, Provost and Coordinator of the Education Department at Thomas College to serve as the Group's Co-Chairs. Further: The Board specified that the Stakeholders Group would be tasked with completing its work no later than March 30, 2012.

After more than a year of deliberations recommendations as to how the Board's procedures and program approval standards could best be improved were consensually arrived at for submission to the Board during the Stakeholder Group's final meeting on March 21, 2012. The Stakeholder Group's recommendations were compiled and submitted to the Maine State Board of Education for receipt during the Board's April 11, 2012 meeting. The document contained strikethroughs for recommended changes to or deletion of language (~~strikethroughs for changes to or deletion of language~~) and underscoring for recommended language that would be new (underscoring for language that would be new). Language to be retained had neither strikethroughs nor underscoring. Since receiving this report Board members were invited to become thoroughly familiar with its content. To that end, the entire day of April 24, 2012 was set aside to enable Board members who could participate to vet the document from start to finish. Following this comprehensive vetting process some clarifying changes were made in the proposed revisions.

During the May 9, 2012 meeting unanimously voted to initiate the Administrative Procedures Act (APA) thereby opening the proposed revisions to the APA process and the time sensitive provisions contained therein. The timeline for the APA process highlighting the key steps to follow and the dates by which each were accomplished has been as follows:

TIMELINE FOR CHAPTER 114 APA PROCESS

Proposed Changes to Rule – Title 20-A, 05-071, Chapter 114, *Purpose, Standards and Procedures for the Review and Approval of Preparation Programs for Education Personnel* – (Routine and Technical)

√ Wed. Process	May 9, 2012	State Board of Education Voted to Initiate APA
√ Thurs.	May 17, 2012	Proposed rule changes submitted to Sarah Forster, Assistant Attorney General for review and approval as to form and legality
√ Tues.	May 22, 2012	Approval of proposed rule changes as to form and legality received from Sarah Forster
√ Fri.	June 1, 2012	Chapter 114 submitted to Office of Secretary of State
√ Tues.	June 5, 2012	Chapter 114 filed with Secretary of State
√ Wed.	June 13, 2012	Public notice in State newspapers, Informational Letter to superintendents and deans/directors of teacher education programs
√ Wed.	June 13, 2012	Acknowledgment that an electronic notice of rule filing received from the Office of the Executive Director, Maine State Legislature regarding Chapter 114 rule dated 6/13/2012 – 9:23:22 AM
√ Fri.	July 6, 2012	Public hearing (9:00am – 11:00 am, Burton M. Cross State Office Building, Room 103 (A&B))
√ Mon.	July 23, 2012	Comment period closes at 5:00 p.m.
√ Fri.	July 27, 2012	DOE staff review comments received and prepares responses
√ Wed.	Aug. 1, 2012	Submit rule along with comments and responses to Sarah Forster for final review and sign off
___ Mon.	Aug. 13, 2012	State Board of Education to be asked to formally adopt the revised Chapter 114

The public hearing for the proposed revisions to Chapter 114 was held Friday, July 6, 2012 from 9:00am -11:00am, Room 103 (A&B) in the Burton M. Cross State Office Building. State Board members present were: Steven Pound, Board Chair, Lynda Doyle and Jana Lapoint. Also present were: Mary Becker, State Board Secretary; Dr. Kathy Yardley, Associate Provost and Dean of Education, University of Maine at Farmington,

and Co-Chair of the Chapter 114 Stakeholders Group; and Harry Osgood, Higher Education Specialist, Maine Department of Education. No member of the public attended the hearing; the only written comment received was submitted by Mr. Dan Conley, formerly a consultant with the Department of Education. The comments presented by Mr. Conley (see attached letter) are deemed to be both reasonable and appropriate. Therefore, changes have been made, as highlighted, in the enclosed document copy.

The changes highlighted in orange represent recommended deletions and those highlighted in blue represent new language. The recommended changes involve deletions of references to the PRAXIS I (basic skills) exam and/or the PRAXIS II (content) assessment. In their place, reference is made to either the basic skills assessment or the content assessment as determined by the Maine State Board of Education. These changes can be found on pages 4, 11, 70, 71, 72 and 74 in the enclosed document copy. The changed language is preferred as it will not necessitate the reopening of Chapter 114 should the Board decide to use a different basic skills or content assessment in place of the PRAXIS exams. All other language in the enclosed document remains the same as disseminated prior to the July 6, 2012 public hearing.

RECOMMENDATION: That the State Board of Education adopt the recommended revisions to Chapter 114, *Purpose, Standards and Procedures for the Review and Approval of Preparation Programs for Education Personnel*.

In consideration of the fact that these revisions will necessitate significant adjustments by each of our State approved educator preparation programs, it is further recommended that a transition period be established making June 30, 2013 the effective date after which these revisions are to be in place for all program reviews. In the meantime, educator preparation programs due for on-site reviews between the Board's action this date and the effective date of June 30, 2013 may: 1) make application for renewal responding to the 2006 Chapter 114 performance standards; or 2) make application for renewal responding to an appropriate combination of the 2006 and 2012 Chapter 114 performance standards; or 3) make application for renewal responding to the 2012 performance standards.

MOVED by Nancy Perkins, seconded by Jana Lapoint, and unanimously voted by those present to adopt the recommended revisions to Chapter 114, *Purpose, Standards and Procedures for the Review and Approval of Preparation Programs for Education Personnel*. In consideration of the fact that these revisions will necessitate significant adjustments by each of our State approved educator preparation programs, it is further recommended that a transition period be established making June 30, 2013 the effective date after which these revisions are to be in place for all program reviews. In the meantime, educator preparation programs due for on-site reviews between the Board's action this date and the effective date of June 30, 2013 may: 1) make application for renewal responding to the 2006 Chapter 114 performance standards; or 2) make application for renewal responding to an appropriate combination of the 2006 and 2012 Chapter 114 performance standards; or 3) make application for renewal responding to the 2012 performance standards.

APPROVAL TO ADOPT PROPOSED CHANGES TO CHAPTER 13, “QUALIFYING EXAMINATIONS FOR TEACHERS, EDUCATION SPECIALISTS, AND ADMINISTRATORS”

BACKGROUND: On June 6, 2012, the Board voted to proceed with rulemaking on Chapter 13. On June 19, 2012, a proposal to make amendments to Chapter 13 was filed with the Secretary of State’s Office. The amendments reflect changes made to examination test codes and qualifying scores as a result of a regular revision process made by the Educational Testing Service (ETS). The proposed changes were previously reviewed and approved by both the Certification and Higher Education Sub-Committee and the full State Board of Education. The newspaper advertisements appeared on June 27, 2012, indicating that there would be a public hearing on July 18, 2012, and that the comment period would run until July 30, 2012, at 5:00 PM. Given that only one public comment was received which led to a minor wording change to clarify a retake policy, I am seeking the approval of the Maine State Board of Education to proceed with the final adoption of the proposed amendments.

RECOMMENDATION: The Certification and Higher Education Sub-Committee recommends approval of the amended Chapter 13.

MOVED by Nancy Perkins, seconded by James Banks, Sr., and unanimously voted by those present to approve final adoption of the proposed amendments to Chapter 13 “Qualifying Examinations for Teachers, Education Specialists, and Administrators”.

ENDORSEMENT OF THE DEPARTMENT OF EDUCATION’S PROPOSED STATUTORY REVISIONS TO 20-A MRSA – CHAPTER 609 SCHOOL CONSTRUCTION.

STATEMENT OF FACTS: It has been recently discovered that there are certain inconsistencies in Title 20-A, Chapter 609 concerning School Construction. With the support of the Attorney General’s Office, the Department recommends changes to the following sections:

- 15901. Definitions 1.D.;
- 15904. Local Vote and;
- 15905. State Board 3. Certificate of approval

RECOMMENDATIONS: The State Board of Education endorses the Department of Education’s efforts to clarify the language of the three sections identified above.

MOVED by Martha Harris, seconded by James Banks, Sr., and unanimously voted by those present to endorse the Department of Education’s efforts to clarify the language of the following three sections of Chapter 20-A, MRSA, Chapter 609 School Construction: 15901. Definitions 1.D.; 15904. Local Vote and; 15905. State Board 3. Certificate of approval.

ELECT VOTING DELEGATE FOR THE NASBE ANNUAL MEETING:

MOTION by James Banks, Sr., seconded by Heidi Sampson, and unanimously voted by those present to appoint Steven Pound as the voting delegate for the National Association of State Boards of Education (NASBE) annual business meeting in October 2012.

ELECT ALTERNATE VOTING DELEGATE FOR THE NASBE ANNUAL MEETING:

MOTION by James Banks, Sr., seconded by Jana Lapoint, and unanimously voted by those present for Nancy Perkins to serve as the alternate voting delegate at the National Association of State Boards of Education annual business meeting in October 2012.

STATE BOARD RETREAT UPDATE:

- The State Board Retreat is scheduled for October 29 and 30.
- There will be a new member orientation for all newly appointed members on October 16. All current Board members are welcome to attend.

ANNOUNCEMENTS:

Submit travel and expense account vouchers to Mary at the end of the meeting.

PUBLIC COMMENTS:

ADJOURNMENT:

MOVED by James Banks, Sr., seconded by Jana Lapoint, and unanimously voted by those present to adjourn the August 13, 2012, State Board of Education meeting at 1:49 PM.