

Appendix A

**Maine Education and School Statutes, Title 20-A
Chapter 5 §§401-406**

Committee Appointments/Board Representatives

Board or Commission Annual Report to the Maine Secretary of State

Appendix A

20-A §401. STATE BOARD OF EDUCATION

§401. State Board of Education

The State Board of Education is established by Title 5, section 12004-C, subsection 1. The State Board of Education shall be an autonomous body and shall maintain an office in Augusta. The appointments, terms and expenses of the State Board of Education members shall be as follows. [PL 1989, c. 503, Pt. B, §72 (AMD).]

1. Appointment. The state board consists of 9 members and, beginning in the 2007-2008 school year, 2 nonvoting student members, one junior and one senior in high school. All members are appointed by the Governor. Four members must reside in the State's First Congressional District at the time of appointment, 4 members must reside in the State's Second Congressional District at the time of appointment and one member may reside in either the First Congressional District or the Second Congressional District at the time of appointment. One of the student members must attend school in the State's First Congressional District at the time of appointment and the other student member must attend school in the State's Second Congressional District at the time of appointment. Each appointment is subject to review by the joint standing committee of the Legislature having jurisdiction over education matters and to confirmation by the Senate. [PL 2013, c. 15, §1 (AMD).]

1-A. Nomination of student members. Each student member of the state board serves for a term of 2 years, except that the senior appointed in the 2007-2008 school year serves for one year. A junior in high school must be added each year to the state board to serve a term of 2 years.

A. The state board shall notify every public high school principal by March 15th of the year in which applications are being accepted for the student member's position. [PL 2007, c. 200, §2 (NEW).]

B. Applications for the student member's position must be submitted to the state board no later than April 15th of the year in which applications are being accepted. [PL 2007, c. 200, §2 (NEW).]

C. A screening committee of the state board shall select 6 semifinalists for the student member's position. [PL 2007, c. 200, §2 (NEW).]

D. The state board shall, by May 1st of the year in which applications are being accepted, select 3 finalists for the Governor's consideration and shall rank the finalists according to its preference. [PL 2007, c. 200, §2 (NEW).]

[PL 2007, c. 200, §2 (NEW).]

1-B. Term of student member. Notwithstanding subsection 4, the term of office of the student member of the state board is 2 years.

[PL 2007, c. 200, §3 (NEW).]

1-C. Qualifications for service as student member. At the time a student member of the state board's term commences, the student must:

A. Be enrolled in good standing in a public high school in the State; [PL 2007, c. 200, §4 (NEW).]

B. Have completed 10th grade prior to the commencement of the term; [PL 2007, c. 200, §4 (NEW).]

C. Provide at least 3 references from teachers in the school that the student attends; and [PL 2007, c. 200, §4 (NEW).]

D. Meet other criteria established by the state board in consultation with students in the State. [PL 2007, c. 200, §4 (NEW).]
[PL 2007, c. 200, §4 (NEW).]

2. Composition. The membership of the state board must be broadly representative of the geographic regions of the State and of municipalities of varying sizes. Members must have a strong interest in and knowledge of education.
[PL 2019, c. 421, §1 (AMD).]

3. Expenses. Members of the state board shall be compensated according to the provisions of Title 5, chapter 379; a member shall receive compensation whenever that member fulfills any board duties in accordance with board bylaws.
[PL 1987, c. 851, §3 (AMD).]

4. Term. The term of office of each member is 5 years and the term begins when the member is sworn into office. A person may not serve more than any 2 5-year terms. A vacancy must be filled for the remainder of the unexpired term. If a person appointed to fill a vacancy serves more than 2 1/2 years of an unexpired term, that service counts as one term for purposes of the limitation on terms imposed in this subsection. The state board shall promulgate rules in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, which establishes the procedure and criteria by which the state board may recommend to the Governor the removal of a member from office prior to completion of the term of appointment for failure to perform the duties of office.
[PL 2007, c. 528, §1 (AMD).]

5. Assistance. The department shall provide staff assistance to the state board in carrying out its functions.
[PL 1987, c. 851, §5 (NEW).]

6. Release time for state board meeting attendance. A teacher or administrator serving on the state board must be granted release time for attendance at state board meetings. The state board is responsible for the cost of any substitute teacher for a teacher granted release time under this subsection.
[PL 2019, c. 421, §2 (NEW).]

SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1983, c. 812, §§101,102 (AMD). PL 1987, c. 851, §§1-5 (AMD). PL 1989, c. 503, §B72 (AMD). PL 2005, c. 16, §1 (AMD). PL 2007, c. 179, §§1, 2 (AMD). PL 2007, c. 200, §§1-4 (AMD). PL 2007, c. 466, Pt. B, §14 (AMD). PL 2007, c. 466, Pt. B, §15 (AFF). PL 2007, c. 528, §1 (AMD). PL 2007, c. 695, Pt. A, §21 (AMD). PL 2013, c. 15, §1 (AMD). PL 2019, c. 421, §§1, 2 (AMD).

§401-A. Responsibilities of the State Board of Education

The State Board of Education is intended to act as a body with certain policy-making, administrative and advisory functions. In those capacities, the board has the primary responsibility for the following: [PL 1987, c. 395, Pt. A, §47 (NEW).]

1. Formulating policy. Formulating policy by which the commissioner shall administer certain regulatory tasks;
[PL 1987, c. 395, Pt. A, §47 (NEW).]

2. Advising commissioner. Advising the commissioner in the administration of all the mandated responsibilities of that position; and
[PL 1987, c. 395, Pt. A, §47 (NEW).]

3. Enforcing regulatory requirements. Enforcing regulatory requirements for school administrative units.
[PL 1987, c. 395, Pt. A, §47 (AMD).]

The state board may advise the commissioner and the Legislature on matters concerning state laws relating to public preschool to grade 12 and postsecondary education. [PL 2007, c. 572, Pt. A, §1 (NEW).]

SECTION HISTORY

PL 1987, c. 395, §A47 (NEW). PL 2007, c. 572, Pt. A, §1 (AMD).

§402. Organization; meetings

The state board shall organize and meet as follows. [PL 1981, c. 693, §§ 5, 8 (NEW).]

1. Organization. The state board shall organize annually by electing one of their members as chairman and one as vice-chairman. They may also elect other officers.

[PL 1981, c. 693, §§ 5, 8 (NEW).]

2. Meetings. Meetings of the state board shall be held at least quarterly on call of the chairman or the commissioner on 5 days' written notice to members. If both the chairman and commissioner are absent, or refuse to call a meeting, any 3 members of the state board may call a meeting by similar notices in writing.

[PL 1987, c. 395, Pt. A, §48 (AMD).]

3. Quorum. A majority of the state board members shall be a quorum.

[PL 1981, c. 693, §§ 5, 8 (NEW).]

4. Rules. The state board may adopt or amend rules for meeting procedures and administration of its duties.

[PL 1981, c. 693, §§ 5, 8 (NEW).]

SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1987, c. 395, §A48 (AMD).

§403. Seal

The state board shall adopt a seal. The seal may be used by the commissioner to authenticate documents or copies of documents. [PL 1981, c. 693, §§ 5, 8 (NEW).]

SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW).

§404. Records

The state board shall be responsible for the following records. [PL 1987, c. 395, Pt. A, §49 (AMD).]

1. Records. The state board shall keep a complete record of the minutes of its meetings and other procedures.

[PL 1987, c. 851, §6 (AMD).]

2. Report.

[PL 1987, c. 395, Pt. A, §49 (RP).]

SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1987, c. 395, §A49 (AMD). PL 1987, c. 851, §6 (AMD).

§405. Powers and duties

The state board shall have the following powers and duties. [PL 1981, c. 693, §§5, 8 (NEW).]

1. General authority. The state board shall have only the powers specifically stated in this Title.

[PL 1981, c. 693, §§5, 8 (NEW).]

2. Advisory role. The state board shall advise the commissioner concerning matters contained in this Title.

[PL 1981, c. 693, §§5, 8 (NEW).]

3. Specific duties. The state board shall have the following specific powers and perform the following duties:

- A. Make recommendations to the Legislature for the efficient conduct of the public schools; [PL 1981, c. 693, §§5, 8 (NEW).]
- B. Approve the formation of school administrative districts; [PL 1981, c. 693, §§5, 8 (NEW).]
- C. [PL 1985, c. 497, §3 (RP).]
- D. Review, when necessary, decisions made by the commissioner on applications for additions to, dissolution of, transfers among, withdrawals from and closing of schools in school administrative districts and community school districts; [PL 1987, c. 395, Pt. A, §50 (AMD).]
- E. Adopt or amend rules on requirements for approval and accreditation of elementary and secondary schools; [PL 1981, c. 693, §§5, 8 (NEW).]
- F. Establish standards for the certification of teachers; [PL 1981, c. 693, §§5, 8 (NEW).]
- G. Adjust the subsidy to a school administrative unit when the expenditures for education in the unit show evidence of manipulation to gain an unfair advantage or are adjudged excessive; [PL 1981, c. 693, §§5, 8 (NEW).]
- H. Act on articles of agreement for creation of an interstate school district; [PL 1981, c. 693, §§5, 8 (NEW).]
- I. Develop and adopt a plan for the establishment of career and technical education centers and regions and act upon applications to alter the delivery of career and technical education within career and technical education regions and center areas; [RR 2003, c. 2, §32 (COR).]
- J. Adopt or amend rules on standards for school construction; [PL 1981, c. 693, §§5, 8 (NEW).]
- K. Approve projects for state construction aid; [PL 1981, c. 693, §§5, 8 (NEW).]
- L. Approve the formation of community school districts; [PL 1981, c. 693, §§5, 8 (NEW).]
- M. Approve isolated secondary schools; [PL 1981, c. 693, §§5, 8 (NEW).]
- N. Obtain information regarding applications for granting degrees and make a recommendation to the Legislature; [PL 1981, c. 693, §§5, 8 (NEW).]
- O. Recommend funds to the Bureau of the Budget for equalization of educational opportunity; [PL 1993, c. 290, §1 (AMD).]
- P. [PL 1989, c. 698, §12 (RP); PL 1989, c. 698, §76 (AFF).]
- Q. Serve as state agency for administering federal funds for construction of school facilities and for career and technical education; [RR 2003, c. 2, §33 (COR).]
- R. [PL 1985, c. 797, §11 (RP).]
- S. Develop long-range education goals and standards for school performance and student performance to improve learning results as established in section 6209 and recommend to the commissioner and to the Legislature a plan for achieving those goals and standards; [PL 2001, c. 454, §6 (AMD).]
- T. Establish and maintain a 5-year plan for education that includes goals and policies for the education of children who are 4 years of age in public preschool programs and children in kindergarten and grades one to 12 and that promotes services for public preschool children. The plan must incorporate and build upon the work of the Task Force on Learning Results established in Public Law 1993, chapter 290 and the federal GOALS 2000: Educate America Act; [PL 2013, c. 581, §1 (AMD).]

U. Review the organization of school administrative units statewide to identify current cooperative agreements between school administrative units. Cooperative agreements may include, but are not limited to: purchasing or contract agreements; administrative functions; shared staff and staff training; and technology initiatives. Based on the review, and in consultation with the department, the state board may recommend that school administrative units develop and carry out a plan for a cooperative agreement with one or more other school administrative units. "Cooperative agreement" may include agreements between school administrative units and career and technical education regions and career and technical education centers; [PL 2015, c. 72, §1 (AMD).]

V. Study school administrative unit configuration statewide; and [PL 2015, c. 72, §2 (AMD).]

W. Enter into an interstate reciprocity agreement regarding postsecondary distance education, administer the agreement and approve or disapprove an application to participate in the agreement from a postsecondary institution that has its principal campus in the State. [PL 2015, c. 72, §3 (NEW).]

[PL 2015, c. 72, §§1-3 (AMD).]

4. Review of department decisions.

[PL 1987, c. 395, Pt. A, §51 (RP).]

5. Overseeing school administrative districts.

[PL 1987, c. 395, Pt. A, §52 (RP).]

6. Recommendations to Legislature. The state board shall recommend to the Legislature any new legislation or amendments to existing legislation for the efficient conduct of the public schools and for achieving the education and performance goals and standards and the plan for the public schools developed in accordance with subsection 3, paragraph S.

[PL 1993, c. 290, §4 (AMD).]

7. Federal career and technical education aid. The state board shall administer any federal funds received for the benefit of career and technical education programs in the State. As the designated state agency authorized to administer federal funds, the board shall develop a state plan, approve the State's application for career and technical education funds and disburse federal money as authorized and required by applicable federal law.

[PL 1993, c. 349, §44 (AMD); PL 2003, c. 545, §4 (REV).]

8. Maine Merchant Marine Day.

[PL 2019, c. 398, §8 (RP).]

9. Contract for services. The state board may contract for any necessary consultative services or support staff.

[PL 1987, c. 851, §7 (NEW).]

10. Comprehensive school budget approval procedure. The state board shall develop a model comprehensive school budget approval procedure and, working in conjunction with the department, strongly encourage school administrative units to adopt and implement the model as local school board policy. The model procedure must be designed to provide early and continuous collaboration between school officials and municipal officials and to encourage frequent opportunity for public comment in the development of each unit's annual budget.

[PL 1999, c. 710, §1 (NEW).]

SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1983, c. 806, §7 (AMD). PL 1985, c. 497, §3 (AMD). PL 1985, c. 785, §B79 (AMD). PL 1985, c. 797, §§10-12 (AMD). PL 1987, c. 140, §2 (AMD). PL 1987, c. 395, §§A50-A52 (AMD). PL 1987, c. 851, §7 (AMD). PL 1989, c. 698, §§11,12 (AMD). PL 1993, c. 290, §§1-4 (AMD). PL 1993, c. 349, §44 (AMD). PL 1995, c. 395, §§J2-4 (AMD). PL 1999, c. 710, §1 (AMD). PL 2001, c. 454, §6 (AMD). RR 2003, c. 2, §§32,33 (COR). PL 2003, c. 545, §§4,5 (REV). PL 2005, c. 611, §§1,2 (AMD). PL 2013, c. 581, §1 (AMD). PL 2015, c. 72, §§1-3 (AMD). PL 2019, c. 398, §8 (AMD).

§406. Rules

The state board may adopt rules to carry out its responsibilities under this Title. [PL 1981, c. 693, §§ 5, 8 (NEW).]

SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW).

***Committee Appointments/Board Representatives
Maine State Board of Education
July 1, 2021-June 30, 2022***

SBE STANDING COMMITTEES

School Construction Committee

Peter Geiger (Chair)
Fern Desjardins
James Ford

Certification and Higher Education Committee (CHE)

Wendy Ault (Chair)
Wilson Hess
Tori Kornfield

Career and Technical Education Committee (CTE)

Wilson Hess (Chair)
Wendy Ault
Paulette Bonneau

Nomination and Election Committee

Wendy Ault (Chair)
Paulette Bonneau
TBD

Legislative Action Committee

Wilson Hess (Committee Chair; Chair, CTE Committee)
Wendy Ault (Chair, CHE Committee)
Fern Desjardins (Board Chair)
Peter Geiger (Board Vice Chair; Chair, School Construction Committee)
Tori Kornfield (At Large Member)

Student Voices Committee

Wendy Ault (Chair)
James Ford
Joshua Leinwand
Greyson Orne

Student Membership Committee

Paulette Bonneau (Chair)
James Ford
Greyson Orne

SBE REPRESENTATIVES

Charter School Commission Representatives

Fern Desjardins

Wilson Hess

Vacant Seat

World Languages Standards Review Steering Committee – Maine DOE

Fern Desjardins

Health and Physical Education Standards Review Steering Committee – Maine DOE

Wendy Ault

Every Student Succeeds Act (ESSA) Sub-committee – Maine DOE

Fern Desjardins

Tori Kornfield

Maine Education Policy Research Institute (MEPRI) Steering Committee

Fern Desjardins

New England Secondary School Consortium (NESSC)

Fern Desjardins

Peter Geiger

Professional Standards Board

Peter Geiger

Teacher of the Year Program

Peter Geiger

NASBE REPRESENTATIVES

NASBE – Secretary-Treasurer (Board of Directors, Executive Committee, & Chair of the Finance and Audit Committee)

Fern Desjardins

NASBE - Government Affairs Committee (GAC)

TBD

NASBE - Public Education Positions (PEP) Committee

Fern Desjardins, Chair

NASBE - Steering Planning Events Committee

TBD

NASBE – Awards Selection Committee

Fern Desjardins

10/22/21

Maine Secretary of State



Board or Commission Annual Report Covering calendar year 2020

STATE BOARD OF EDUCATION
MARY BECKER, Clerk of the Board
23 SHS
AUGUSTA, ME 04333

SOS Tracking #: 077
Title 5, Chapter 379: 5 MRSA § 12004-C, sub-§ 1

Name of Person Completing the Report: MARY BECKER
Estimate of the number of hours that the Clerk spent working for the board or commission:
2000.00

Date Report Filed: December 29, 2020

Is your board or commission active?: Yes
Did your board or commission meet in 2020?: Yes

Total number of meetings in 2020?: 12
Average number of members attending: 9.25
Average length of meeting: 4.08

Summary of the activities of the board or commission related to accomplishing its mission in 2020:

The State Board of Education is authorized to act in an advisory capacity to the Commissioner of Education in matters concerning State laws relating to education. The Board is delegated specific powers to make recommendations to the Legislature for the efficient conduct of public schools; approve the formation of school administrative districts and community school districts; grant permission for administrative units to enter into agreements for cooperative educational purposes; to act upon articles of agreement for creation of an interstate school district; to develop and adopt a plan for the establishment of Career and Technical Education Centers; to approve School Construction; and establish standards for the Certification of Teachers.

Page 1 of a 15-page annual report

Appendix B
Strategic Plan

Appendix B

Strategic Plan

Maine State Board of Education

Education 2016-2021: A Strategic Vision for Education in Maine

INTRODUCTION

The State Board of Education represents the public’s voice in Maine’s public education structure. It consists of nine adult members, appointed by the Governor and confirmed by the State Senate, serving staggered five-year terms. The State Board of Education also has two non-voting student members representing the two Congressional Districts. Each student member is nominated and confirmed in the same way as an adult member, and serves a two-year term. Maine law specifies that the State Board of Education be “broadly representative of the public” and each new member is limited to no more than two terms. There must be at least four members from each Congressional District. As an independent body, the State Board of Education has the parents and students of the State as its constituency and is committed to seeing that the resources provided by Maine taxpayers produce the highest quality, most cost-effective education for Maine’s students.

The responsibilities of the Maine State Board of Education, as specified in Maine’s laws and rules, have an impact on every public school in Maine. Among its many charges, the Board is responsible to participate in the development of educational policy in Maine. It has a responsibility to advise the Commissioner of Education by providing recommendations for PreK-12 public education that aid the Commissioner in carrying out his/her role. The State Board of Education may receive requests from the Governor’s Office and/or the Legislature’s Joint Standing Committee on Education and Cultural Affairs to undertake a study and/or make recommendations on pending legislation. Members of the State Board of Education frequently appear before committees of the Legislature to offer testimony on bills with implications for education and are appointed to serve on ad hoc and blue ribbon panels to provide a non-partisan, diverse perspective in the development of legislation and policy.

The Board has a number of functional areas as well. In major school construction funded by the State, the Board participates in the approval for the site of the construction and in various stages of the construction process. The Board carries major responsibilities in educator certification, the approval of teacher education programs in institutions of higher education, recommending degree-granting authority for higher education, and adopting and receiving federal funds for the State Plan for Career and Technical Education.

The Board is also responsible for appointment of three members to the Maine State Charter School Commission (“Commission”). It also interviews and approves the four members at large. As part of its on-going activities, the Board monitors the work of the Commission and reviews its annual monitoring reports of authorized charter schools.

Pursuant to its enabling statute, the Board is charged with maintaining a five-year strategic plan. When initially enacted, the statute directed the Board to match its strategic plan to the work of a long-disbanded Maine education task force and the federal Goals 2000: Educate America Act, which established national planning objectives, with specific milestones to be achieved by the year 2000. While these sources are no longer authoritative guiding principles in state or national education policy, the aspirations in their work are in many ways enduring and serve to guide the development of the Board’s direction as described in this strategic plan.

MISSION

The Mission of the State Board of Education is to provide policy leadership that promotes a Maine public school system whose graduates will meet current and future learning standards and to make recommendations to the Executive and Legislative Branches of Government that will further this mission.

VISION

The Vision of the State Board of Education is to ensure Maine public school students graduate with the skills, knowledge, and principles to be responsible American citizens; self-directed and dedicated to making contributions to society by pursuing further education and employment.

GUIDING PRINCIPLES

The Maine State Board of Education shall conduct its work in alignment with its mission and vision by:

- Ensuring the voices of the public are heard in the educational policy development and debates.
- Effectively communicating with educational stakeholders across the State of Maine to understand their agendas and perspectives.
- Conducting its public meetings and hearings across the state of Maine.
- Effectively organizing its efforts to discharge its assigned responsibilities.

GOALS AND IMPLEMENTATION PLAN

The Maine State Board of Education through open communication and collaboration with the Governor's office, the Commissioner of the Department of Education, the Legislature's Joint Standing Committee on Education and Cultural Affairs, and educational stakeholder groups will promote the following four goals to provide the best education possible for all Maine public school students.

GOAL #1: STRENGTHEN CAREER AND TECHNICAL EDUCATION

The Board sets as its goal to strengthen and enhance the delivery of Career and Technical Education programs in the State of Maine.

Rationale: The State Board of Education believes that Maine students should be afforded robust, high quality, and comprehensive educational offerings that lead to careers which may be enhanced by, but do not require, traditional 2 or 4-year advanced degree programs. In high school programs, college readiness receives a lot of attention; career-centered pathways deserve the same.

Strategic Priorities:

1. Direct a greater portion of CTE funds towards instruction & instructionally related services.
2. Increase experiences in grades 9-12 CTE program areas by 2023, with special emphasis on grade 9-10 concentrators
3. Support the continued development of middle school CTE programming
4. Better align secondary and post-secondary CTE offerings and programs Milestones:

The Maine Board of Education shall pursue this goal through the following milestones:

1. By August 2017, with the Maine Department of Education and other stakeholders to develop a position and recommendations, if any, regarding changes to the state funding of career and technical education programs, including
 - examination of past work on an “EPS for CTE” model,
 - better targeting of Board administered endowment funds,
 - and redevelopment of the State’s Perkins grant program.
 - By the end of 2017, submit any legislation and policy recommendations to the Department of Education and Maine Legislature for consideration during the legislative session.
2. By September 2017 the Board will receive from its CTE committee its vision for the Strategic Plan, its Strategic Priorities for its implementation, and its recommendations for action on CTE Funding
3. By January 2018 the Board will receive recommendations from a review by its CTE committee regarding the better targeting of Board-administered endowment funds (a.k.a Briggs Endowment) on:

- How a competitive, open-award process in future years can best achieve the donor's intent and the Board's CTE strategic priorities.
- How these funds can be leveraged, consistent with the Board's CTE strategic priorities and consistent with the donor's intent.
- How the award process can demonstrate the Board's advocacy role for CTE.
- What a reasonable award schedule might look like over a five-year period to achieve an appropriate balance between funds disbursed & funds retained.

This review should be completed by the end of the February 2018 with recommendations before the Board no later than the March 2018 meeting.

4. By January 2018 the Board will receive recommendations from a review by its CTE committee on the redeployment of Perkins funds FY 2019 extension to determine how to better achieve the Strategic Priorities and,
5. By March 2018 the Board will receive recommendations from a review by its CTE committee to determine if under the FY 2019 extension of the Perkins grant program the distribution of Perkins funds between secondary and post-secondary (currently 50:50) is consistent with national trends, can be leveraged to achieve better alignment between secondary and post-secondary CTE programs, or can better achieve any of the strategic priorities.
6. By April 2018 the Board will receive the FY 2019 Perkins Grant application.
7. In 2018, monitor implementation of any reforms, legislation, and emerging issues affecting the effectiveness of Maine's career and technical education programs, including (but not being limited to):
 - doubling enrollment in CTE secondary programs by 2020
 - introducing CTE instruction into Maine's middle schools
8. In 2019, monitor implementation of ongoing reforms and emerging issues affecting the effectiveness of Maine's career and technical education programs.
 - a) Continue Emphasis on CTE Strategic Priorities
 - b) Develop Transition Plan for Strengthening Career & Technical Education for the 21st Century Act (Perkins V)
 - c) Study Workforce Needs Data
9. In 2019, with a new administration in the Blaine House convene a career and technical education summit(s), with a diverse group of stakeholders to include higher education to evaluate improvements to the delivery of programs in light of the emerging economic an educational environment of 2020.
 - a) Develop a Statewide CTE Plan
10. In 2020, File Transition Plan for Strengthening Career & Technical Education for the 21st Century Act (Perkins V) including SBE priorities.
11. In 2020, work with the Maine Department of Education and other

stakeholders to develop further policy and legislative recommendations to enhance the delivery of career and technical education programs in Maine.

12. By the Dec. 2020, submit legislative and policy recommendations to the Department of Education and Maine Legislature for consideration during the 130th Legislature's 1st legislative session. [Monitored only]
13. During 130th Legislature support increased bond funding for CTE equipment.
14. By Dec. 2021 Acquire and study workforce needs data.

GOAL #2: STREAMLINE AND ENHANCE TEACHER CERTIFICATION AND PREPARATION IN MAINE

The State Board of Education sets as its goal to streamline and enhance teacher certification and post-secondary educator preparation programs.

Rationale: Our students need the very best teachers in their classrooms. Right now, Maine is facing a severe shortage of high quality teacher candidates at a time when the number of teacher retirements is ramping up steeply. Certification processes that facilitate the smooth & timely credentialing of qualified candidates is crucial to filling those vacancies. Further the very best quality teacher preparation programs possible at the post-secondary level are equally critical to filling the pipeline with highly effective teachers.

Goal 2.1 Higher Education - Purpose, Standards and Procedures for the Review and Approval of Preparation Programs for Educational Personnel. Chapter 114

Hold higher education programs to high standards in program reviews Rationale: "Our students need the very best teachers in their classrooms"

- a) Update the "observation" role of State Board members (Winter 2018)
- b) Make well informed decisions in program reviews
- c) Update handbook by creating an appendix with rubrics for each subsection under each standard (Spring 2018)
- d) Create training for State Board members in their "observer" role (Spring 2018)
- e) Start initial training for teams (Spring 2018)
- f) Pilot revised handbook with rubrics in appendix on reviews (July 2018)

Goal #2.2 -- Certification, Authorization and Approval of Education Personnel. Chapter 115

Review the certification process.

Rationale: “Certification processes facilitate the smooth and timely credentialing of qualified candidates”

- a) Monitor and learn more about recent changes to Chapter 115: LD 404 – Resolve Regarding Legislative Review of Portions of Chapter 115 Certification and Approval of Education Personnel (Winter 2018)
- b) Monitor statutory revisions related to Chapter 115 rule updates as (LD 1569 – An Act to Revise Certification Statutes for Educational Personnel) moves through the process this session (Spring 2018)
 - 1. Revise Rule 115, Pt. II (Fall 2018)
 - i. Maintain Alternative Certification Pathways
- c) Monitor the on-line teacher certification/re-certification process (Summer 2018)
 - 1) Monitor Online Teacher Certification Implementation
- d) Review other certificates (Fall 2018)
 - 1) Review Teacher Certification Qualifications (2019)
 - 2. Review Individual Certification Areas for Teachers (2019) [2020]
 - 3. By 2021 conduct a comprehensive reauthorization for Chapter 115 Rule using inclusive processes.

Goal #2.3 – – Qualifying Examinations for Teachers, Educational Specialists and Administrators. Chapter 13

- Review the use of PRAXIS I and PRAXIS II and the cut scores Rationale: “Our students need the very best teachers in their classrooms”
 - a) Look at/edit the draft administrative letter (Fall 2017)
 - b) Approve the final form – administrative letter (Fall 2017)
 - c) Board workshop on the use of PRAXIS in all higher education programs in Maine (Summer 2018)
 - d) Research the data on teacher effectiveness/test scores (Fall 2018)
 - e) Review Praxis Scores & Standards (2019)
 - f) Study the Relationship between Praxis II Scores & Teacher Effectiveness (2019)

GOAL #3: OVERSIGHT OF CONSTRUCTION PROJECTS

The Board sets as its goal to continue to promote responsive and responsible state school construction policies and processes that address varied academic needs of Maine students including student safety and health.

Rationale: All state-supported major school construction projects require approval by the State Board of Education at several stages. A continuing need for improved school facilities lies ahead. One of the on-going challenges for the State Board is to foster the wise use of state resources during a time of shifting and declining student populations and resources.

Milestones: The Maine Board of Education shall pursue this goal through the following milestones:

1. By early 2017, develop rule changes and new project rating systems necessary and appropriate to initiate a new candidate list for future year state-supported construction.
2. By the end of 2017, initiate the process for a new round of state supported new school construction projects.
3. In 2019, announce a new, prioritized slate of state-supported new school construction projects.
4. During 2017 reevaluate Chapters 60 & Chapter 61 rules pertaining to school construction projects. Explore school size, travel times and investigate ways to create incentives between districts. **[Not done]**
5. Introduce a new rating system process with work starting in 2017 and new list completed by 2019. Work would be done in conjunction with the DOE and Commissioner of Education.
6. Once a new list has been established (2019) announce “priority projects”.
7. Advocate for Revolving School Construction Funds. (2019)
8. Advocate for additional Funding for Innovative and Consolidated Construction Program (2019)
9. Advocate for and administer any federal constructions funds as they become available (ongoing)

GOAL #4 UPDATE CHARTER SCHOOL STATUTES

The Board sets as its goal to strengthen and enhance the equity of treatment of charter schools and their students in Maine.

Through its involvement in appointing all members of the Maine Charter School Commission

and regularly attending to its work, the Board has determined that Maine’s experience in the establishment of operation of such schools has yielded opportunities to enhance regulation of such schools and provide greater equity in treatment of charter schools and their students. Effective and robust charter schools are in the best interest of the state and the education of its students, demanding the attention of the Board in its role as a policy advocate.

Milestones: The Maine State Board of Education shall pursue this goal through the following milestones:

1. By the summer of 2018, work with the Maine Charter School Commission and other stakeholders to develop a slate of potential reforms or improvements of the charter school statute to enhance the effectiveness of such schools and provide for equity in their treatment. Such improvements for consideration shall include:
 - a. Access to public school construction funding;
 - b. Increasing student opportunity for extra-curricular activities, especially sports, potentially by such means as treating charter school students in the same fashion as home- school students;
 - c. Removing barriers to district-chartered schools;
 - d. Encouraging the development of charter schools in rural districts characterized by lower socio-economic conditions;
1. By the fall of 2018, draft legislation to implement reforms approved by the Board and develop sponsors, including potentially the Department, for introduction of the legislation in the 129th Legislature.
2. By the end of the 1st regular session of the 129th Legislature, press for enactment of proposed reforms.
3. In 2019 and 2020, monitor implementation of reforms and report status semi-annually to the Board.
4. In the 130th Legislature advocate to strengthen and enhance the equity of treatment of charter schools and their students in Maine.

Approved
Vote: 6-0-0
Date: 3/13/2013

Approved
Vote: 6-0-0
Date: 2/10/2016

Approved
Vote: 7-0-1
Date: 11/15/2017

Approved
Vote: 7-0-0
Date: 12/12/2018

APPENDIX A

2020 Action Agenda Categories

- I. Focus on funding for school facility construction and renovation to address dire need
- II. Support for Career and Technical Education
- III. Teacher training & certification to meet teacher shortage and maintain quality
- IV. Continue to enhance SBE's advisory role with the Legislature
- V. Internal SBE goals

APPENDIX B

State Board of Education Action Agenda Details (2020)

Focus on funding for school facility construction and renovation to address dire need

- Increase bond limit for school Construction* (Legislative Action)
- Increase funding for Revolving Renovation Fund (Legislative Action)
- Encourage consolidated construction projects (School Construction)
- Advocate for infrastructure funding at federal and state level

Support for Career and Technical Education

- Review and Revise State Plan for Perkins V to include SBE priorities (CTE)*
- Increase bond funding for CTE equipment (Legislative Action)*
- Focus on workforce needs (CTE)

Teacher training & certification to meet teacher shortage and maintain quality

- Conduct a comprehensive reauthorization for Chapter 115 Rule using inclusive processes*
- Encourage reciprocity reform (CHE)
- Review or remove Praxis scores as a credentialing standard (CHE)
- Encourage higher education preparation programs to include best practices relating to the impact of poverty on brain development and social/emotional development (CHE)

Continue to enhance SBE's advisory role with the Legislature

- Work more closely with Education and Cultural Affairs Committee (Legislative Action)*
- Be an active voice in advising on General Purpose Aid Funding

SBE internal goals

- Explore more active roles and outreach opportunities for student members on the Board
- Develop a process for transfer appeal

*Indicates high prioritization from Board retreat

APPENDIX C

Commissioner's Priority Agenda for FY 2019

- A. Address Teacher Shortage
- B. Advance Career and Technical Education
- C. Enhance School Safety
- D. Promote Regionalization
- E. Clarify Diploma Law [LD 1666] Implementation
- F. Establish Education [Ethics] Review Board

Appendix C

Maine Approved Educator Preparation Programs

National Council for State Authorization Reciprocity Agreements (NC-SARA)

Maine Approved Educator Preparation Programs

The following fifteen^ Maine institutions offer approved educator preparation programs in the state. Chapter 114 outlines the peer-review process utilized to examine the conceptual framework of each program as well as how they meet the standards related to candidacy, program assessment, field experiences, diversity, faculty qualifications, and financial resources and governance. Successful completers of these programs automatically qualify for certification in the state.

Bates College
Bowdoin College
Colby College
College of the Atlantic
Husson University
Maine College of Art
St Joseph's College
Thomas College
University of Maine
University of Maine at Augusta
University of Maine at Farmington
University of Maine at Machias
University of Maine at Presque Isle
University of New England
University of Southern Maine

Since the last GEA report, two institutions, Unity College and the University of Maine at Fort Kent, have declined to continue to participate in the educator preparation review process.

Additionally, the State Board of Education entered into an agreement with the Council for the Accreditation of Educator Preparation in 2015 (renewed in 2020) to conduct simultaneous reviews and accreditations of those institution choosing national accreditation. At this time, the University of Maine, University of Maine at Farmington and the University of Southern Maine are the institutions who have chosen to undergo this dual accreditation process.

^ Eastern Maine Community College has gone through an approval process which offers coursework and pathways to Educational Technicians but not certified teaching positions which are reported under US DOE Title II federal requirements. Nonetheless it is important to note their participation in the educator preparation community in Maine.

Note: E-mail correspondence from Jason Libby, Postsecondary & Educator Preparation Coordinator, MDOE,
10-25-2021



State: Maine
 Regional Compact NEBHE
 Initial Application 7/2015
 Renewal Application 9/2021

Application and Approval Form for State Membership in SARA

A state that would like to apply for or renew membership in the State Authorization Reciprocity Agreements (SARA) must submit this form and required documentation to its **regional** education compact's SARA office.

A state may wish to include a cover letter and/or additional documentation to supplement the application and to strengthen the case for becoming a member or renewing membership in SARA.

To be accepted or renewed into SARA, a state must agree that it can and will operate under the principles set forth in the Unified Agreement, SARA's foundational document, and the criteria for state membership as established in the Unified Agreement and further outlined in the *SARA Policy Manual*. For purposes of SARA, the term "state" includes the District of Columbia and the organized U.S. Territories. The requirements for state membership are set forth below.

	Requirements for State Membership in SARA	State affirms meeting the requirements (Initial here)	Regional Compact affirms state meets the requirement
	Core Requirements		
1.	The state is a member of one of the four interstate higher education regional compacts that administers SARA, or has concluded an affiliation agreement with a regional compact covering SARA activity.	AML	Yes or No <input type="checkbox"/> <input type="checkbox"/>
2.	The state entity responsible for joining SARA has the legal authority under state law to enter into an interstate agreement on behalf of the state and has provided a copy of the statutory or other legal authority documenting this authority.	AML	Yes or No <input type="checkbox"/> <input type="checkbox"/>
3.	The state considers applications from degree-granting institutions of all sectors (public, private not-for-profit, private for-profit) on the same basis and approves institutions that meet SARA standards and agree to SARA policies without differentiating by sector.	AML	Yes or No <input type="checkbox"/> <input type="checkbox"/>
4.	The state agrees to require each SARA applicant institution to apply for state approval using the standard SARA institutional application and agrees to operate under the <i>Interregional Guidelines for the Evaluation of Distance Education</i> developed by the Council of Regional Accrediting Commissions (C-RAC), as summarized in the <i>SARA Policy Manual</i> .	AML	Yes or No <input type="checkbox"/> <input type="checkbox"/>

Appendix D

Flow Chart – Major Capital Improvement Program: School Construction Review and Approval Process

2010-2011 Rating Cycle, Major Capital School Construction, Approved Projects List

2017-2018 Rating Cycle, Major Capital School Construction Program, Final Priority List

2017-2018 Rating Cycle, Major Capital School Construction Program, Approved Projects List

2017-2018 Rating Cycle, Integrated, Consolidated 9-16 Educational Facility, Approved Projects List, February 10, 2021

**Flow Chart – Major Capital Improvement Program: School
Construction Review and Approval Process**

SEE SEPARATE ATTACHMENT FOR FLOW CHART



2010 - 2011 Rating Cycle
Major Capital School Construction
Approved Projects List
September 14, 2016

The Maine Commissioner of Education recommended and the State Board of Education designated the following projects from the Final Priority List that it intends to fund for the 2010-11 rating cycle.

Priority	School District	School Name	Date
1	RSU 64 - Corinth	Morrison Memorial School	1/11/12
2	Sanford School Department	Sanford High School & Regional Technical Center	1/11/12
3	RSU 19 - Newport	Newport Elementary School	1/11/12
4	Sanford School Department	Emerson School	1/11/12
5	RSU 72 - Fryeburg	Charles A. Snow School	1/11/12
6	RSU 19 - Newport	Nokomis Regional High School	1/11/12
7	RSU 75 - Topsham	Mt. Ararat High School	4/9/14
8	Lewiston School Department	Martel School	4/9/14
9	RSU 02 - Monmouth	Monmouth Middle School	4/9/14
10	RSU 39 - Caribou	Teague Park School	4/9/14
11	RSU 01 - Bath	Morse High School	4/9/14
12	Portland Public Schools	Fred P. Hall School	4/9/14
13	Sanford School Department	Lafayette School	8/8/16
14	South Portland School Department	Daniel F. Mahoney Middle School	8/8/16
15	RSU 24 - Sullivan	Sumner Memorial High School	9/14/16
16	Auburn School Department	Edward Little High School	9/14/16

The Department of Education recommends the following list of School Facilities Priorities to the State Board of Education. This list is based on a rating of the overall needs of evaluated school facilities as defined in State Board of Education Chapter 61, Rules for Major Capital School Construction Projects.

<u>Priority</u>	<u>School District</u>	<u>School Name</u>	<u>Total Points</u>
1	RSU 49/MSAD 49	Fairfield Primary School	137.69
2	RSU 54/MSAD 54	North Elementary School	124.60
3	RSU 10	Rumford Elementary School	115.19
4	Saco Public Schools	Young School	114.65
5	RSU 14	Windham Middle School	111.27
6	RSU 17/MSAD 17	Agnes Gray School	110.33
7	RSU 17/MSAD 17	Oxford Hills Middle School	109.73
8	RSU 53/MSAD 53	Manson Park School	108.73
9	Augusta Public Schools	Lillian Parks Hussey School	108.01
10	RSU 03/MSAD 03	Walker Memorial School	107.89
11	RSU 53/MSAD 53	Vickery School	107.79
12	RSU 23	Loranger Memorial School	106.71
13	Hancock Public Schools	Hancock Grammar School	106.08
14	RSU 29/MSAD 29	Houlton Elementary School	105.43
15	Portland Public Schools	Portland High School	105.24
16	RSU 03/MSAD 03	Morse Memorial School	105.05
17	RSU 12	Palermo Consolidated School	102.98
18	Ellsworth Public Schools	Hancock County Technical Center	102.85
19	Dayton Public Schools	Dayton Consolidated School	101.90
20	RSU 22	Earl C McGraw School	101.13
21	RSU 79/MSAD 1	Presque Isle High School	98.97
22	RSU 01 - LKRSU	Fisher Mitchell School	98.73
23	RSU 54/MSAD 54	Bloomfield Elementary School	97.03
24	RSU 54/MSAD 54	Canaan Elementary School	96.64
25	Portland Public Schools	Portland Arts & Technology High School	96.31
26	RSU 57/MSAD 57	Massabesic High School	96.08
27	RSU 10	Mountain Valley Middle School	95.85
28	RSU 41/MSAD 41	Penquis Valley Middle/High School	95.76
29	Cherryfield Public Schools	Cherryfield Elementary School	95.60

30	RSU 64/MSAD 64	Central High School	95.32
31	RSU 54/MSAD 54	Skowhegan Area High School and Somerset Tech Ctr	95.19
32	Saco Public Schools	C K Burns School	95.08
33	RSU 18	China Middle School	94.32
34	Scarborough Public Schools	Eight Corners Elementary School	92.31
35	Lamoine Public Schools	Lamoine Consolidated School	92.10

<u>Priority</u>	<u>School District</u>	<u>School Name</u>	<u>Total Points</u>
36	Scarborough Public Schools	Pleasant Hill School	91.68
37	RSU 16	Minot Consolidated School	91.34
38	RSU 10	Meroby Elementary School	91.10
39	RSU 49/MSAD 49	Clinton Elementary School	90.75
40	Baileyville Public Schools	Woodland Jr-Sr High School	87.22
41	Biddeford Public Schools	Biddeford Regional Center of Technology	86.73
42	RSU 11/MSAD 11	Pittston Consolidated School	86.57
43	RSU 79/MSAD 1	Eva Hoyt Zippel School	86.49
44	Brunswick Public Schools	Brunswick Jr High School	86.38
45	RSU 54/MSAD 54	Margaret Chase Smith School	86.01
46	RSU 79/MSAD 1	Pine Street Elementary School	85.68
47	Lisbon Public Schools	Lisbon High School	85.22
48	Baileyville Public Schools	Woodland Elementary School	85.15
49	Scarborough Public Schools	Blue Point School	83.81
50	RSU 01 - LKRSU	Dike Newell School	80.42
51	RSU 75/MSAD 75	Harpswell Community School	80.06
52	RSU 41/MSAD 41	Milo Elementary School	79.94
53	RSU 40/MSAD 40	Medomak Valley High School	79.39
54	RSU 53/MSAD 53	Warsaw Middle School	79.11
55	RSU 18	Ralph M Atwood Primary School	78.26
56	RSU 12	Whitefield Elementary School	77.30
57	RSU 23	Jameson Elementary School	72.99
58	RSU 49/MSAD 49	Albion Elementary School	72.87
59	Scarborough Public Schools	Scarborough Middle School	72.37
60	Brunswick - Region 10	Maine Region Ten Technical High School	72.28
61	RSU 63/MSAD 63	Holbrook School	72.21
62	RSU 22	George B Weatherbee School	70.79
63	RSU 18	Belgrade Central School	68.76
64	RSU 63/MSAD 63	Eddington School	66.79
65	Biddeford Public Schools	John F Kennedy Memorial School	66.18
66	RSU 63/MSAD 63	Holden School	65.56
67	RSU 10	Mountain Valley High School	65.03
68	Saco Public Schools	Saco Middle School	61.75
69	RSU 18	Williams Elementary School	59.90

70	RSU 18	James H Bean School	58.49
71	RSU 23	Old Orchard Beach High School	57.95
72	Saco Public Schools	Governor John Fairfield School	52.69
73	Medway Public Schools	Medway Middle School	44.91
74	RSU 64/MSAD 64	Central Middle School	43.35



2017 - 2018 Rating Cycle
Major Capital School Construction Program
Approved Projects List
11.4.2020

The Maine Commissioner of Education recommended and the State Board of Education designated the following projects from the Final Priority List that it intends to fund for the 2017-18 rating cycle.

<u>Priority</u>	<u>School District</u>	<u>School Name</u>	<u>Date</u>
1	RSU 49/MSAD 49	Fairfield Primary School	10.9.19
2	RSU 54/MSAD 54	North Elementary School	10.9.19
3	RSU 10	Rumford Elementary School	10.9.19
4	Saco Public Schools	Young School	11.4.20
5	RSU 14	Windham Middle School	11.4.20



2017 - 2018 Rating Cycle
Integrated, Consolidated 9-16 Educational Facility
Approved Projects List
 February 10, 2021

Priority	School District	School Name	Date
1	Valley Unified Education Service Center	Valley Unified Education Service Center	9/12/2018 Revised 2/10/21
2	RSU 29/MSAD 29, RSU 50, RSU 70/MSAD 70, Region Two School of Applied Technology	RSU 29/MSAD 29, RSU 50, RSU 70/MSAD 70, Region Two School of Applied Technology	8/13/19 Revised 12/11/19 Revised 8/11/20
3	MSAD 46/AOS 94, RSU 80/MSAD 4, RSU 41/MSAD 41, RSU 82/MSAD 12, Greenville Public Schools, Tri-County Technical Center	MSAD 46/AOS 94, RSU 80/MSAD 4, RSU 41/MSAD 41, RSU 82/MSAD 12, Greenville Public Schools, Tri-County Technical Center	8/11/20

Appendix E

Policies for Collecting, Managing, and Using Personal Information

- 1. Code of Ethical Conduct**
- 2. Student Board Members**
- 3. Procedure for Handling Requests for Review of Commissioner Decisions on Student Transfer Requests**
- 4. Remote Participation**

STATE BOARD OF EDUCATION CODE OF ETHICAL CONDUCT

The Maine State Board of Education recognizes its responsibility to lead the effort to provide an excellent and equitable education for every child in Maine. The task demands the highest standards of professional and ethical conduct to inspire confidence that this Board will meet the goal. As a member of this Board, I shall do my best to meet these standards:

1. To devote the time, thought and study needed to perform in an exemplary manner my responsibilities as an educational leader, state policy maker and steward of public funds for Maine's life long learners.
2. To work with colleagues on the Board in a spirit of harmony and cooperation in spite of differences of opinion that may arise during vigorous debate.
3. To base my personal decision upon all available facts and upon the best thinking that emerges from Board debate; to vote my honest conviction in every case, unswayed by partisan, regional, or other bias; and once the decision has been made, to abide by and uphold the final majority of the Board.
4. To remember that I have no legal authority as an individual outside the meetings of the Board; to conduct my relationships with State Board staff, the public and the media in a manner which is consistent with this fact; and to avoid speaking or giving the appearance of speaking for the Board except when either representing an adopted position of the Board or when designated as its spokesperson.
5. To avoid circumstances that present conflicts of interest or even the appearance of impropriety with respect to my position as a member of the State Board of Education.
6. To maintain strict confidentiality regarding State Board of Education and Department of Education information and executive session matters until privileged information becomes public knowledge.
7. To bear in mind that the primary function of the Board is to develop policy and make recommendations to the Legislature and the Commissioner. Implementation of such policy is the responsibility of the Commissioner and the staff of the Department of Education.
8. To welcome and encourage active participation by citizens in the development of educational policy and to do my utmost to respect and represent perspectives from all parts of the diverse communities we serve across the state.
9. To strive for positive and productive Board relationships with the Commissioner and the Department of Education staff, and all individuals and groups with whom we work as members of the Maine State Board of Education.

Adopted: Approved

Vote: 8-0-0

Date: 11/9/94

Amended: Approved

Vote: 7-0-0

Date: 4/11/07

Amended: Approved

Vote: 5-0-0

Date: 5/13/09

Amended: Approved

Vote: 6-0-1

Date: 9-11-19

STUDENT BOARD MEMBERS

The State Board of Education has two non-voting student members, one junior and one senior in high school.

A. Nomination of Student Members:

Each student member of the State Board serves for a term of 2 years. A junior in high school is added each year to the State Board to serve a term of 2 years.

1. The State Board shall notify every public high school principal by March 15 of the year in which applications are being accepted for the student member position.
2. Applications for the student member position must be submitted to the State Board no later than April 15 of the year in which applications are being accepted.
3. The Nominations and Elections Committee of the State Board shall select 6 semifinalists for the student member position.
4. The State Board shall, by May 1 of the year in which applications are being accepted, select 3 finalists for the Governor's consideration and shall rank the finalists according to the State Board's preference.
5. The Governor shall select one appointee and the appointment is subject to review by the joint standing committee of the Legislature having jurisdiction over education matters and to confirmation by the Senate.

B. Mentors:

The Chair of the State Board of Education will appoint a mentor for each new student member.

Adopted: Approved	Amended: Approved	Amended: Approved	Amended: Approved
Vote: 8-0-0	Vote: 7-0-0	Vote: 5-0-0	Vote: 6-0-1
Date: 11/9/94	Date: 4/11/07	Date: 5/13/09	Date: 9-11-19

PROCEDURE FOR HANDLING REQUESTS FOR REVIEW OF COMMISSIONER DECISIONS ON STUDENT TRANSFER REQUESTS

Title 20-A, section 5205(F) specifies that the state board “shall review the superintendents’ determinations and communicate with the commissioner, the superintendents and the parent of the student.” The letter that the State Board staff typically sends to all of those individuals is one form of communication, but it is a one-way communication that notifies them the request for review has been filed, tells them what is contained in the Commissioner’s file on the matter, and informs them when the board will be meeting to consider the request. In order to allow an opportunity for two-way communication, it is recommended that the letter also offer the opportunity for the parents (or their advocates) and the superintendents to submit written comments to the board in advance of the meeting, if they wish. The invitation should make clear that the board cannot accept new information that was not previously presented to the superintendents or the Commissioner, but that doesn’t preclude the board hearing argument or commentary from the parties before taking action on the request.

The legal basis for holding an executive session to consider the transfer request is that the board has to review and discuss documents that are made confidential by FERPA, the Family Educational Rights and Privacy Act. Although student records are not “public,” they may be viewed by parents of that student, any attorney or advocate for that student, and the superintendents of the districts that received and acted on the request. Accordingly, there is no legal basis for excluding the parents or the superintendents from the board’s executive session, and they should be allowed to attend.

The statute requires the board to provide “a written decision describing the basis of the state board’s determination.” In the past, the board’s decisions have simply stated the board’s conclusion and summarized the information that the board reviewed prior to reaching the conclusion. To “describe[e] the basis...of the determination” requires setting forth the basic reasons underlying the decision. The board member assigned to lead the discussion of a particular student transfer request could be charged with capturing the board’s consensus during deliberations in executive session that would include at least a summary statement of the reason(s) for approval or disapproval of the transfer request. This reasoning should then be included in the letter that is sent out after the meeting, conveying the board’s decision to the parties. The vote taken in public session should be on a motion to approve or disapprove the transfer request, consistent with the board’s practice to date in these matters.

Adopted: Approved	Amended: Approved	Amended: Approved	Amended: Approved
Vote: 8-0-0	Vote: 7-0-0	Vote: 5-0-0	Vote: 6-0-1
Date: 11/9/94	Date: 4/11/07	Date: 5/13/09	Date: 9-11-19

Remote Participation

The Maine State Board of Education allows participation in its public meetings by remote methods in accordance with 1 MRS §403-B(1).

"Remote methods" means telephonic or video technology allowing simultaneous reception of information and may include other means when such means are necessary to provide reasonable accommodation to a person with a disability.

Members of the Board are expected to be physically present for public meetings except when being physically present is not practicable, as outlined in 1 MRS §403-B(2)(B)(1-4). The Board defines "not practicable" as follows:

(1) The existence of an emergency or urgent issue that requires the Board to meet by remote methods. This includes, but is not limited to, inclement weather conditions that make it impracticable for a member or members to be physically present;

(2) Illness, other physical condition or temporary absence from the jurisdiction of the Board that causes a member of the Board to face significant difficulties traveling to and attending in person at the location in the notice under Section 406 of the Freedom of Access Act;

3) As the Board is a public body with statewide membership, if a member must travel a significant distance to be physically present at the location in the notice under Section 406. For purposes of this policy, "significant distance" is defined as a one-way distance of over 100 miles; or

(4) The area of the Board's jurisdiction includes geographic characteristics that impede or slow travel, including, but not limited to, islands not connected by bridges.

The Chairperson of the Board will make the final determination of the existence of an emergency or urgent issue, and/or when it is not practicable for a member to be physically present at a meeting.

Members of the Board's committees, including ad-hoc committees, are expected to be physically present for public meetings except when being physically present is not practicable, as outlined in 1 MRS §403-B(2)(B)(1-4). The Chairperson of each committee will make the final determination of the existence of an emergency or urgent issue, and/or when it is not practicable for a member to be physically present at a meeting.

Members of the public will be provided a meaningful opportunity to attend by remote methods when members of the body participate by remote methods, and reasonable accommodations may be provided when necessary to provide access to individuals with disabilities. Nothing in the law or in this policy prevents the Board from providing for remote participation by the public even when no Board member will be participating remotely.

The Board provides an opportunity for public input during a meeting. An effective means of communication between the members of the body and the public will be provided.

Notice of the meeting will be provided as required in Section 406 of the Freedom of Access Act. When the public may attend by remote methods, the meeting notice will include the means by which members of the public may access the meeting using remote methods. For individuals with disabilities seeking a reasonable accommodation, the notice will identify the specific individual to contact about arranging for the accommodation. The notice will also identify a location for members of the public to attend in person. The Board will not determine that public attendance at a proceeding will be limited solely to remote methods except when an emergency or urgent issue exists that requires the Board to meet by remote methods, as stated above.

A member of the Board who participates in a public meeting by remote methods is present for purposes of a quorum and voting.

All votes taken during a public meeting using remote methods must be taken by roll call vote that can be seen and heard if using video technology, and heard if using only audio technology, by the other members of the Board and the public.

The Board will make all documents and other materials considered by the Board available, electronically or otherwise, to the public who attend by remote methods to the same extent customarily available to members of the public who attend the proceedings of the public body in person, as long as the Board incurs no additional costs. Documents and other materials for meetings are posted on the Board's website. Confidential documents protected by applicable state and federal laws are excluded.

Adopted: 8-11-21

Amended: 9-15-21

Vote: 8-0-0

Vote: 7-1-0

Date: 8-11-21

Date: 9-15-21