



STATE BOARD OF EDUCATION
23 STATE HOUSE STATION
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November 1, 2021

Senator Joseph Rafferty, Senate Chair
Representative Michael Brennan, House Chair
Joint Standing Committee on Education and Cultural Affairs
100 State House Station
Augusta, ME 04330-0100

Dear Senator Rafferty and Representative Brennan:

In response to your letter of April 30, 2021, I am pleased to submit a program evaluation report for the State Board of Education.

Please let me know if I can be of further assistance regarding this report. I would be glad to discuss it with your committee at your convenience.

Sincerely,

A handwritten signature in blue ink that reads "Fern Desjardins".

Fern M.Y. Desjardins
Maine State Board of Education
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**STATE BOARD OF EDUCATION
GOVERNMENT EVALUATION ACT
PROGRAM EVALUATION REPORT**

November 1, 2021

Submitted to:

**JOINT STANDING COMMITTEE ON EDUCATION
AND CULTURAL AFFAIRS**



TABLE OF CONTENTS

Executive Summary	4
A. Enabling or Authorizing Law – State and Federal.....	6
B. Program Description	19
1. Career and Technical Education Committee	20
2. Certification and Higher Education Committee	25
3. School Construction Committee	29
4. Legislative Action Committee	32
5. Ad hoc Committees	32
6. Board’s Role as Advisor	33
7. Maine Charter School Commission	37
8. Committee Appointments/Board Representatives	37
9. 5-Year Strategic Plan	37
C. Organizational Structure	38
D. Repealed	
E. Financial Summary	43
F. Repealed	
G. Coordination with Other State and Federal Agencies.....	44
H. Constituencies	44
I. Alternative Delivery Systems	44
J. Emerging Issues	44
K. Other Information Requested.....	45
L. Comparison of Related Federal Laws and Regulations to State Laws	45
M. Policies for Collecting, Managing, and Using Personal Information ..	45
N. Reports and Applications Required to be Filed with the Agency.....	46
O. Reports Required by the Legislature.....	46
P. List of Organizational Units and Programs	47
Q. Provisions that Require Legislative Review for Alignment with Federal and State Laws or Court Decisions	47

Appendix A	48
20-A M.R.S.A. Chapter 5 §§401-406	49
Committee Appointments/Board Representatives	55
<i>Board or Commission Annual Report to the Maine Secretary of State</i>	57
Appendix B	58
Strategic Plan	59
Appendix C	71
Maine Approved Educator Preparation Programs	72
National Council for State Authorization Reciprocity Agreements (NC-SARA)	73
Appendix D	80
Flow Chart – Major Capital Improvement Program: School Construction Review and Approval Process.....	81
2010-2011 Rating Cycle, Major Capital School Construction, Approved Projects List	82
2017-2018 Rating Cycle, Major Capital School Construction Program, Final Priority List.....	83
2017-2018 Rating Cycle, Major Capital School Construction Program, Approved Projects List	86
2017-2018 Rating Cycle, Integrated, Consolidated 9-16 Educational Facility, Approved Projects List, February 10, 2021	87
Appendix E	88
Policies for Collecting, Managing, and Using Personal Information	88
1. Code of Ethical Conduct	89
2. Student Board Members	90
3. Procedure for Handling Requests for Review of Commissioner Decisions on Student Transfer Requests.....	91
4. Remote Participation	92

Executive Summary

Introduction:

The State Government Evaluation Act, Title 3, MRSA, Sections 951-963, provides for a system of periodic review of agencies and independent agencies of State Government in order to evaluate their efficacy and performance. The legislation requires that the agency prepare and submit a program report to the Legislature, through the standing committee of jurisdiction, that includes a review of agency management and organization, program delivery, agency goals and objectives, statutory mandate and fiscal accountability.

Enabling or Authorizing Law (State and Federal)

This section contains an inventory of state and federal statutes enabling all program units and activities of the State Board of Education. This inventory is contained in a matrix that indicates how these statutes and rulemaking are carried out by the State Board.

Description of Each Standing Committee and Board Responsibilities

These sections list the Standing Committees of the State Board with complete descriptions of their purpose, staff support, goals and objectives, performance reports, barriers to performance, coordination with other agencies, constituencies served by the committee, and statutory references, where applicable. These sections contain the majority of the items required in MRS Title 3, Chapter 35, §956, Program Evaluation Report (including **Section G** and **Section H**).

The majority of the Board's responsibilities are carried out through committee work. Ad hoc committees are sometimes created pursuant to requests for information or study received from the Legislature or by Executive Order. State Board members serve on a wide variety of committees and task forces outside the Board structure. The Board also acts as a whole in order to fulfill its legislated responsibilities.

The Board's 5-Year Strategic Plan includes committee goals and roadmaps to achieving the goals. Priorities are set with a focus on working toward the vision and mission of the Board. The 2016-2021 Strategic Plan is included in this section as well as the status of the goals. A new 5-Year plan is being developed to take effect January 1, 2022.

Organizational Structure

This section provides the organizational and general provisions of the State Board of Education. Flow charts of the Maine Department of Education and of the State Board indicate lines of responsibility.

Some states engage an Executive Director and/or other professional staff to help execute the responsibilities of an all-volunteer State Board of Education. The recent resignations of two

newly appointed Board members because of the time commitment to the Board add to concern of the membership in having only 4 of its 9 members (not counting the two student reps) having at least three years of service to the Board. This impacts current and future activities of the Board as we strive to improve the quality of public education for all students and to achieve our mission.

Ten-Year Financial Summary

This section provides a summary of funding levels and expenditures for the State Board.

Emerging Issues for the State Board

The State Board of Education plans to move forward on a number of issues that are being made a part of the 2022-2026 Strategic Plan. Those issues are presented in this section.

Policies for Collecting and Managing Personal Information

This section provides information on four policies that the State Board adopted that impact the use of personal information and adherence to the fair information practice principles of notice, choice, access, integrity, and enforcement.

A. Enabling or Authorizing Law - State and Federal

Functions	MRSA, 20-A and Federal Statutory Reference	Policy/Rulemaking Authority	Administrative Authority	Implementation Who/How
Department Organization	Chapter 3 §202, sub§1,1-A, 4, 5, 11, 16, 17		State Board of Education, Commissioner of Education, other entities authorized by the Legislature and other bureaus established by the Commissioner	State Board of Education Commissioner
Commissioner	Chapter 3 §251, sub§1, 2		Appointment Term of Office	Governor State Board of Education Education Committee of Legislature Legislature
Commissioner's Duties	Chapter 3 §253, sub §1, 2, 3, 4, 5, 6,		Outlines general duties, hiring, delegation, specific duties, and appointment of supervisors, agricultural consultant and school nurse coordinator.	All Department Organizational Units and State Board of Education Commissioner

State Board of Education

Functions	MRSA, 20-A and Federal Statutory Reference	Policy/Rulemaking Authority	Administrative Authority	Implementation Who/How
Certification of funding level for local school administrative units	Chapter 606-B §15689-C	Commissioner recommends funding levels to the Governor and the State Board of Education	State Board of Education Recommends funding levels to the Governor and the Legislature	Governor recommends funding levels to the Budget Office and the Legislature. Commissioner and State Board of Education presents funding levels before the Legislature
Restructuring Public Schools	Chapter 1 §8	Authority for the waiver of rules	Encourage schools to pursue an ongoing process of school restructuring. Waiver of rules for school restructuring and for educator preparation programs.	Commissioner State Board of Education
Administrative Procedures	Chapter 1 §3	General Rule Making Authority	Rules will be adjusted in accordance with the Maine Administrative Procedures Act, Title 5, Chapter 375.	Commissioner State Board of Education

Functions	MRSA, 20-A and Federal Statutory Reference	Policy/Rulemaking Authority	Administrative Authority	Implementation Who/How
Public Higher Education Systems Coordinating Committee	Chapter 1 §9		Promote efficiency, cooperative effort, and strategic planning between the Department of Education, The State Board of Education, the University of Maine System, the Maine Community College System and the Maine Maritime Academy. Chaired by Commissioner Annual Report to Governor and Legislature	Commissioner, Department of Education; Chair, State Board of Education; Chair, University of Maine System Trustees; Chancellor, University of Maine System; Chair, Maine Community College System Trustees; President, Maine Community College System; Chair, Maine Maritime Academy Trustees; President, Maine Maritime Academy

State Board of Education

Functions	MRSA, 20-A and Federal Statutory Reference	Policy/Rulemaking Authority	Administrative Authority	Implementation Who/How
State Board of Education	Chapter 5 §401, §§1, 1-A, 1-B, 1-C, 2, 3, 4, 5, 6 §401-A, §1		The State Board of Education consists of 9 members and 2 non-voting student members appointed by the Governor subject to review by the Joint Standing Committee having jurisdiction over education and confirmed by the Legislature. The term of office of each member shall be five years and is limited to no more than two five-year terms. Each student member serves for a term of 2 years. The department shall provide staff support to the State Board of Education	Governor Commissioner
Responsibilities of the State Board of Education Advising the Commissioner	Chapter 5 §401-A, §§1, 2, 3	Commissioner's General Rulemaking Authority	The State Board of Education has the responsibility of advising the Commissioner in the administration of all mandated responsibilities of that position	The Commissioner reports and the Board advises at State Board meetings and other forums
Powers and Duties of the State Board of Education Advisory Role	Chapter 5 §405, §§1 & 2 §406	State Board's General Rulemaking Authority	The State Board of Education shall have only the powers specifically stated in Title 20-A and shall advise the Commissioner concerning matters contained in this title.	The Commissioner reports and the Board advises at State Board meetings and other forums

State Board of Education

Functions	MRSA, 20-A and Federal Statutory Reference	Policy/Rulemaking Authority	Administrative Authority	Implementation Who/How
State Board of Education to Recommend Legislation	Chapter 5 §405, §§3-A and §§6	State Board of Education shall recommend to the Legislature any new legislation or amendments to legislation for the efficient conduct of the public schools, including laws necessary to establish student performance goals and standards	Propose and promote legislation	Commissioner State Board of Education
Formation of CSD's and SAD's	Chapter 5 §405, §§3-B, §1101, §1206-1258, §1301-1354, §1451-1512, §1601-1603, §1651-1654, §1701-1706	State Board of Education approves the formation of school administrative units	Provide technical assistance on the formation of school administrative units and financing of school administrative units.	Commissioner recommends State Board of Education approves

Functions	MRSA, 20-A and Federal Statutory Reference	Policy/Rulemaking Authority	Administrative Authority	Implementation Who/How
Withdrawal from/ Dissolution of/ Additions to/ Transfers among/ Closing of/ Schools, CSD's and SAD's	Chapter 5 §405, §§3-D §1401-1409 §1751-1752	State Board of Education reviews, when necessary, decisions made by the Commissioner	Provide technical assistance	Commissioner approves
School Approval and School Accreditation	Chapter 5 §405, §§3-E Chapter 117, §2901, §2902, §§1-10, §2903, §2904, §2905, §2906, §2907 Chapter 206 §4501, §4504 §4511-4516	Joint Rulemaking Authority with Commissioner and State Board of Education for Public Schools and Private Schools	Administer school approval and school accreditation process and provide technical assistance	Commissioner State Board of Education

State Board of Education

Functions	MRSA, 20-A and Federal Statutory Reference	Policy/Rulemaking Authority	Administrative Authority	Implementation Who/How
Certification of Teacher and Other Professional Personnel	Chapter 5 §405, §§F Chapter 501, §13003, 13004, 13006-A, 13007 Chapter 502, §13011-13026 Chapter 221 §6103	State Board Rulemaking Authority	Administer rules and certification procedures. Grant and revoke certificates, appeals, waivers, criminal history record check information, and targeted need certificates.	State Board of Education Commissioner
Teacher Qualifying Examination	Chapter 502-A §13031-13032	State Board of Education and Commissioner Joint Rulemaking Authority	Adopt Rules Administer the Teacher Qualifying Examination	State Board of Education Commissioner
Certification Records	Chapter 501 §13003-13004	State Board of Education Rulemaking Authority	Adopt Rules Manage Records	State Board of Education Commissioner
Maine-New Hampshire Interstate School Compact	Chapter 121 §3601-3671, Chapter 5, §405, sub§3-H		Act on articles of agreement between Maine and New Hampshire for creation of an interstate school district	State Board of Education

State Board of Education

Functions	MRSA, 20-A and Federal Statutory Reference	Policy/Rulemaking Authority	Administrative Authority	Implementation Who/How
Career and Technical Education and Regions and Centers	Chapter 5 §405, §§3-I Chapter 313 §8301-A-8468 Federal Carl D. Perkins Vocational Education Act	State Board of Education develops plan for the establishment of Centers and Regions. State Board Rulemaking Authority	Implement Plan, recommend and approve Center and Region Applied Technology Plans, program financing, align regional school calendars between sending schools and career and technical centers and regions, define changes in Boundaries, changes in status of Region or Center, Dissolve or Reorganize Region or Center	Commissioner recommends State Board of Education approves
Adult Education	Chapter 315 §8601-8613 Federal Workforce Investment Act, Federal Title II-Adult Education and Family Literacy Act	Commissioner's General Rulemaking Authority	Monitor local programs, administer state roles and responsibilities, and provide technical assistance	Commissioner State Board of Education
Administration of Federal Funds for construction of school facilities, including career and technical education facilities.	Chapter 5 §405, sub§3-Q Chapter 609 §15916 Federal Carl D. Perkins Act	State Board of Education Rulemaking Authority	State Board of Education Commissioner	State Board of Education Commissioner

Functions	MRSA, 20-A and Federal Statutory Reference	Policy/Rulemaking Authority	Administrative Authority	Implementation Who/How
Approve Projects for School Construction Aid	Chapter 5 §405, sub§3-J §405, sub§3-K Chapter 609 §15901-15918 Title 30-A, §6006-E, 6006-F	State Board of Education Rulemaking Authority Joint Rulemaking Authority with the Maine Municipal Bond Bank	Administer School Construction Projects Approval Process, coordinate with the Bureau of General Services and maintain a school facilities inventory, provide maintenance and capital improvement plan assistance, and participate with the Maine Municipal Bond Bank in the Maine School Facilities Finance Program and the Revolving Renovation Fund. Adopt and amend rules on standards for school construction. Provide Technical Assistance	State Board of Education Commissioner Maine Municipal Bond Bank

Functions	MRSA, 20-A and Federal Statutory Reference	Policy/Rulemaking Authority	Administrative Authority	Implementation Who/How
Long-range education goals and standards for school performance, student performance, improvement of learning results, establishment of a skills development program for teachers, and implementation of a funding plan for essential programs and services	Chapter 5 §405, sub§3-S Chapter 606-B, §15671	State Board of Education to develop plan for achieving goals and standards for performance, learning results, skills development, programs for teachers, definition/ funding of essential programs and services, and make recommendations to the Commissioner and the Legislature. Commissioner’s Rulemaking Authority for Essential Programs and Services	Department to administer	Commissioner State Board of Education
System of Learning Results Established	Chapter 222, §6209	Commissioner’s Specific and General Rulemaking Authority	Department to establish and implement, in consultation with the State Board of Education, a Comprehensive, Statewide System of Learning Results	Commissioner State Board of Education

State Board of Education

Functions	MRSA, 20-A and Federal Statutory Reference	Policy/Rulemaking Authority	Administrative Authority	Implementation Who/How
Degree Granting Institutions	Chapter 5 §405, sub§3-N Chapter 409 §10701-10714	State Board Rulemaking Authority	Participate as members of the review/visitation team Approve use of “junior college”, “college”, and “university” in a name. Approve out-of-state institutions offering courses. Recommend action to the legislature on full degree granting status. Provide technical assistance	State Board of Education Commissioner
Sanitary Facilities	Chapter 223 §6501	State Board of Education Rulemaking Authority	State Board may adopt or amend rules as necessary	State Board of Education
Renewable five-year K-12 plan for education that promotes services for pre-school children	Chapter 5 §405, sub§3-T	State Board of Education to incorporate services for pre-school children into the plan for performance, learning results, teacher skills development, and definition/funding essential programs and services	State Board of Education to present plan to the Education Committee and the Legislature	State Board of Education Task Force on Learning Results Commissioner

State Board of Education

Functions	MRSA, 20-A and Federal Statutory Reference	Policy/Rulemaking Authority	Administrative Authority	Implementation Who/How
Review periodically, the organization of school administrative units to identify current cooperative agreements between units and recommend cooperative agreements to units where appropriate	Chapter 5 §405, sub§3-U		State Board of Education to complete review and recommend cooperative agreements in report to Education Committee	State Board of Education Commissioner
Review Consolidation Statewide	Chapter 5 §405, sub§3-V	State Board of Education to study school consolidation statewide and develop a state coordination plan	State Board of Education to present state plan to Education Committee and the Legislature	State Board of Education Commissioner

Functions	MRSA, 20-A and Federal Statutory Reference	Policy/Rulemaking Authority	Administrative Authority	Implementation Who/How
School Lunch and Milk Program	Chapter 223 §6601, §6601-A, §6602, §§5, §6602, §§8, §§8-A, §6603 CFDA –10.553 School Breakfast Program 10.555 National School Lunch Program 10.556 Special Milk Program 10.559 Summer Food Service Program 10.560 CN & Food SAE	Commissioner’s Rulemaking Authority with State Board of Education Approval	Administer School Lunch, Breakfast, Milk, After School Snack, Summer Food Service Program and CN and Food Distribution, SAE. Advise SFA’s & institutions of the requirements. Provide training & technical assistance. Conduct on-site reviews based on criteria set forth by regulations. Monitor NET Cash Resources of each SFA nonprofit Food Service, Ensure annual audits.	Commissioner State Board of Education
Maine-New Hampshire Interstate School Compact	Chapter 121 §3601-3671	Rulemaking Authority with the Maine State Board of Education and the New Hampshire State Board of Education	The interstate district administered and operated as needed, as prescribed by law	Commissioner of Maine Commissioner of New Hampshire State Board of Maine State Board of New Hampshire

Section B - Program Description

- 1. Career and Technical Education Committee**
- 2. Certification and Higher Education Committee**
- 3. School Construction Committee**
- 4. Legislative Action Committee**
- 5. Ad hoc Committees**
- 6. Board's Role as Adviser**
- 7. Maine Charter School Commission**
- 8. Committee Appointments/Board Representatives**
- 9. 5-Year Strategic Plan**

B-1

Career and Technical Education Committee

A. Governing Regulations – Maine Education and School Statutes, Title 20-A

- Chapter 5. State Board of Education
§405, sub-§3-E Approval and accreditation of schools
- §405, sub-§3-I Plan for career and technical education
- §405, sub-§3-Q Federal funds for career and technical education
- §405, sub-§7 Federal career and technical education aid (State Agency for Perkins)
- Chapter 209. School Days, Holidays, Special Observances
§4801. Regional school calendars (support only)
- Chapter 313. Career and Technical Education
§8306 Program approval and §8307-A, sub-§5 Reorganization procedures
- Will of George Millett Briggs

B. Staff Support

- Dwight Littlefield, Director of Career and Technical Education, MDOE
- Margaret Harvey, CTE Consultant, Middle School Programs
- Shawn Lagasse, CTE Consultant, Education Specialist III
- Doug Robertson, CTE Consultant, Education Specialist III
- Donna Tiner, CTE Consultant, Education Specialist III
- Danielle Despins, CTE Consultant, Education Specialist II
- Joseph Haney, CTE Consultant, Education Specialist III

C. Purpose

The State Board of Education’s Career and Technical Education Committee recommends to the State Board of Education any and all pertinent materials so that the State Board may perform its duties, including its fiduciary responsibilities, as the agency responsible for the administration and oversight of the state Career and Technical Education (CTE) program.

The committee must meet the Carl D. Perkins Vocational and Applied Education Act in a timely manner, oversee the implementation, and adhere to the Maine State Perkins Plan.

The committee oversees the George M. Briggs Award. It reviews proposals to make recommendations for the approval of programs to enhance career and technical education to the State Board of Education. With State Board approval, the Commissioner of Education may draw from a special account designated “George M. Briggs Fund” to support recommended proposals.

The George M. Briggs Trust Fund was established under Article 4 of the will of George Millett Briggs of Turner, which is located in Androscoggin County, Maine. Under the terms set forth in the will, the Commissioner of Education is to disburse the net income of the fund for “special purposes” in the field of career and technical education (applied technology). Such special purposes must “first meet the approval of the majority of the Maine State Board of Education.” The fund must be used “with a view of enabling the young people of Maine to be qualified to become self-supporting and useful citizens of the State.”

In the last 15 years, the funds have been granted to the Maine Association of Career and Technical Education (MACTE) – formerly MAVEA – to provide statewide professional development for career and technical education directors, teachers, and staff; CTE staff training; and CTE standards development.

D. Performance Reports

Perkins

The responsibilities of the Career and Technical Education Committee follow the protocols of the Carl D. Perkins Vocational and Applied Education Act of 2006 and starting with FY20, the Strengthening Career and Technical Education for the 21st Century Act. The CTE Committee reviews the Maine State Perkins Plan and approves annual updates through reviews and recommendations.

The Committee receives, reviews, and approves quarterly financial reports of the Carl D. Perkins grant.

- **FY21 - \$6,247,167**
- **FY20 - \$6,148,797**
- FY19 - \$5,804,502
- FY18 - \$5,496,906
- FY17 - \$5,496,906
- FY16 - \$5,496,906
- FY15 - \$5,496,906
- FY14 - \$5,494,750

Total Perkins funds received over last eight years: \$45,682,840.

After 5 years of Congressional continuing resolutions and flat funding for the majority of those years, a new Perkins Act (Perkins V) was passed by Congress, signed by the President in July 2018, and was initiated in July 2019 (FY20). With the new Perkins Act came additional focus on CTE at both the federal and state levels, which has increased financial support.

Over the past eight years, state level Perkins funding has provided professional development opportunities for all employees of the 27 secondary CTE schools on a wide range of topics that were based on the requests of the CTE schools and MDOE.

Over the past eight years, approximately 8,500 secondary CTE students were served annually with support from Perkins funding.

George M. Briggs

The Committee needs to annually review the George M. Briggs grant for approval. Over the past eight years, the grant has served Maine's career and technical education in partnership with the Maine Administrators of Career and Technical Education (MACTE) and Educate Maine.

- FY21 - Due to COVID-19, no funds awarded
- FY20 - \$30,000 to MACTE, \$50,000 to Educate Maine
- FY19 - \$30,000 to MACTE, \$49,080 for middle school CTE pilot grants
- FY18 - \$30,000 to MACTE
- FY17 - \$30,000 to MACTE, \$10,000 for the development of the MACTE website
- FY16 - \$30,000 to MACTE, \$10,000 for the development of the MACTE website
- FY15 - \$40,000 to MACTE, \$7,641 to Seeds of Peace Student Live Work
- FY14 - \$30,000 to MACTE

FY20 - Funds awarded to Educate Maine were used to develop best practices and pilot programs for 9th and 10th grade students to participate in CTE.

FY19 – Funds competitively awarded to 5 secondary CTE schools to pilot CTE middle school opportunities.

FY14-FY20 – Funds awarded to MACTE to provide professional development opportunities through conferences for CTE directors, teachers, and staff.

SOME KEY ACCOMPLISHMENTS:

- 123 New CTE programs and program realignments over the past 8 years
- CTE programing offerings have expanded beyond the traditional hard trades. Some examples are: (01.0303) Aquaculture; (12.0401) Cosmetology/Cosmetologist; (31.0301) Parks, Recreation and Leisure Facilities Management; (31.0601) Outdoor Education; (50.0102) Digital Arts; (50.0301) Dance; (50.0913) Music; (51.0801) Medical/Clinical Assistant; (51.1004) Clinical/Medical Laboratory Technician; (52.1701) Insurance; (99.6000) Maine CTE Exploratory; (03.0101) Natural Resources/Conservation, General; and (03.0207) Natural Resource Recreation and Tourism.
- With fellow Perkins stakeholders, a set of Perkins V Performance Indicators were developed to align to local school climates.

- A new process was developed for CTE New Program Approval, which dramatically reduced the approval time.
- Interdepartmental collaboration aligning data systems to adjust to the new EPS funding model
- Ongoing work to improve the review process for the CTE schools, the Comprehensive School Review, which lessens cost, time, and local school burden
- Developed and implemented an improved online grant system for the Perkins recipients
- More than doubling the offerings of CTE Exploratory programs throughout the state
- Developed and implemented a CTE technical skill standard review process
- Introduction of Middle School CTE programming with implementation of pilot programs
- Increased focus on 9th and 10th grade opportunities
- Increased collaborations with key stakeholders such as Educate Maine, MACTE, and Trade Associations
- Increased collaborations with the Maine Community College System with the development of an MOU with more of a focus on credits with a purpose, such as dual enrollment and concurrent enrollment opportunities
- Through the reauthorization of the federal Perkins funds, a new four-year Perkins V State plan for CTE was developed and implemented.
- More efficient technical assistance to the field through online resources, such as Zoom and TEAMS
- Revamped the Methods of Administration process with a more comprehensive alignment to the Office of Civil Rights
- More accurate student data reporting for both federal and state requirements
- The creation of CTE informational videos
- Provided various professional development opportunities for CTE directors and instructors

E. Barriers to Performance

- Transportation costs for sending schools
- Local graduation requirements
- Costs associated with quickly changing industries; the ability to stay up to date with current equipment
- Aging buildings that don't allow for easy expansion of new programs
- Challenge to fill CTE teaching positions
- Teacher certification requirements

F. Coordination with Other Agencies/Affiliates

- US Department of Education, Office of Career and Technical Education and Adult Education
- Maine Department of Education
- Maine Administrators of Career and Technical Education
- State Workforce Investment Board
- Educate Maine

G. Constituencies Served by the State Board of Education

- Secondary and post-secondary students
- CTE Program Administrators
- Teachers within Career and Technical Education
- Community Colleges

H. Emerging Issues

- Seek better workforce needs data to inform CTE programs and the financial resources needed to support such programs.

B-2

Certification and Higher Education Committee

- A. Governing Regulations – Maine Education and School Statutes, Title 20-A
- Chapter 5. State Board of Education - §405, sub-§3-F and sub-§3-N
 - Chapter 501. Credentialing of Teachers - §13003, §13004, §13006, and §13007
 - Chapter 502. Credentialing of Educational Personnel - §§13011-13026
 - Chapter 502-A. Qualifying Examinations for Initial Teachers - §§13031-13032
 - Chapter 221. School Records. Audits and Reports - §6103
 - Chapter 409. Degree-Granting Institutions - §§10701-10714

- B. Staff Support
- Ángel Loredó, Director, Office of Higher Education & Educator Support
 - Stephanie Fyfe, Team Coordinator, Office of Higher Education & Educator Support
 - Jason Libby, Postsecondary & Educator Preparation Coordinator

- C. Purpose
- The Certification and Higher Education Committee fulfills its Board responsibilities by overseeing the applications of the statutes created by the governing regulations in the Maine Education and School Statutes, Title 20-A. The following rules with the descriptive titles are the basis for the Board’s obligations under statute:

- Chapter 13 Qualifying Examinations For Teachers, Educational Specialists and Administrators
- Chapter 114 Purpose, Standards and Procedures for the Review and Approval of Educational Personnel Preparation Programs
- Chapter 115 The Credentialing of Education Personnel - Part I and Part II
 - Part I. Standards and Procedures for Credentialing
 - Part II. Requirements for Specific Certificates and Endorsements
- Chapter 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
- Chapter 170 Evaluating Requests for Degree Authorizations (Maine and Out-of-State Institutions)

These chapters provide guidance for the Certification and Higher Education Committee as the committee works with each entity governed by these rules and regulations to prepare materials for full Board action.

D. Performance Reports

The responsibilities of the Certification and Higher Education Committee revolve around multiple aspects of degree authorization of higher education institutions, reviews of teacher preparation programs, and the certification of education personnel. Each chapter listed under Section C, above, contains guidelines for maintaining the high quality of education that exists in Maine today. State Board action since the last Program Evaluation Report in 2013 is provided by the chapters that govern these actions:

- **Chapter 13 Qualifying Examinations for Teachers, Education Specialists, and Administrators**
The Board works closely with the certification office of the Department of Education to annually review and approve the changes that occur in the Praxis I, Praxis II, and the PLT (Principles of Learning and Teaching). These exams are administered by the Educational Testing Service (ETS). Each test is regenerated in five-year cycles.
- **Chapter 114 Purpose, Standards, and Procedures for the Review and Approval of Preparation Programs for Educational Personnel**
Chapter 114 was re-written and adopted by the Board in 2012, but it is again due for a review and update. The rule provides guidance for the teacher preparation programs as these institutions prepare for their reviews. Teacher preparation program reviews are done every five years unless a program is nationally accredited by the Council for the Accreditation of Educator Preparation (CAEP). In that instance, the review is done every seven years. Board members are observers to each review and the review is presented to the Board for accreditation approval.

See Appendix C for the October 25, 2021 report by Jason Libby, Postsecondary & Educator Preparation Coordinator, on Maine Approved Educator Preparation Programs.

- **Chapter 115 Part I and Part II**
Part I - Standards and Procedures for Credentialing
Part II - Requirements for Specific Certificates and Endorsements
Chapter 115 has been amended many times as the needs in the educational field have changed. The committee working with the Department of Education's Office of Higher Education and Educator Support reviews any recommended changes and the Board participates in the Administrative Procedures Act process. A proposed Rule Chapter 115 went to a public hearing on August 16, 2021 and followed with a comment period. The proposal has substantial changes made to positively benefit the educator workforce in Maine. The State Board of Education aims to have the final adoption of the proposed Rule Chapter 115 by the spring of 2022.

- **Chapter 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**

- **Chapter 170 Evaluating Requests for Degree Authorizations (Maine and Out-of-State Institutions)**

Chapters 149 and 170 provide the procedures and standards for the authorizing of degrees from higher education institutions from either in-state or out-of-state. These guidelines allow the state to ensure that the programs that are offered within our state meet our high standards. The Board works closely with the Postsecondary and Educator Preparation Coordinator on each application.

In 2015, the Maine State Legislature amended the State Board of Education's powers and duties to allow it to "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" (20-A M.R.S. §405, sub-§3-W). Subsequently, the state joined the National Council for State Authorization Reciprocity Agreements (NC-SARA) through the New England Board of Higher Education (NEBHE).

SARA is an agreement among its member states, districts and U.S. territories that establishes comparable national standards for interstate offerings of postsecondary distance-education courses and programs. It is intended to make it easier for students to take online courses offered by postsecondary institutions in a state other than the one where they reside. SARA is overseen by a national council and administered by four regional higher education compacts, with the New England Board of Higher Education being the regional entity for the State of Maine. A copy of the most recent NC-SARA agreement is included in Appendix C.

Over the past five years, hundreds of institutions have applied for and received authority to provide online education to citizens in the state under this agreement. This does not include institutions that have a physical presence in the state, which would result in the institution seeking degree-granting authority from the State Board through the process outlined in

Chapters 149 and 170. Participation in this agreement has also allowed Maine colleges and universities easier means to offering online education to citizens of other states throughout the country.

E. Barriers to Performance

The updating/revising of chapters requires extensive research and writing. The work of updating Chapter 115 began with a consensus-based rulemaking committee in May 2020, moved forward to the Professional Standards Board after seven months of updating the rule, received the support of the Professional Standards Board, and moved to the Certification and Higher Education Committee of the State Board for a comprehensive review. At the time of this report, the proposed rule is still under revision and will be going to a second hearing.

The State Board is comprised of appointed volunteers with no professional staff employed to facilitate the work. Limits in staffing have caused postponements of the major work needed to update certain chapters.

F. Coordination with Other Agencies/Affiliates

- Department of Education
 - Commissioner
 - Certification Office
 - Higher Education Specialist
- University of Maine System
- Maine Community College System
- Maine Maritime Academy
- Educational Testing Service (ETS)
- Deans/Directors of Teacher Education Programs at all higher education institutions
- National Teacher Preparation Accreditation such as NCATE, TEAC
- Career and Technical Education
- Maine Education Association (MEA)
- Maine Principals' Association (MPA)
- Maine School Management Association (MSMA)

G. Constituencies Served by the State Board of Education

- Citizens and students of Maine
- PreK-12 Public Education
- University of Maine System
- Community Colleges
- Private Colleges
- School Administrative Units
- Maine Educators
- Joint Standing Committee on Education and Cultural Affairs
- Legislature

B-3

School Construction Committee

- A. Governing Regulations – Maine Education and School Statute, Title 20-A
- Chapter 5. School Closing – §405, sub-§3-D
 - Chapter 5. School Construction Aid – §405, sub-§3-K
 - Chapter 5. Federal Funds (QSCB and QZAB) – §405, sub-§3-Q
 - Chapter 5. Federal Aid, Career and Technical Education – §405, sub-§7
 - Chapter 609. School Construction
 - §15916 Federal Construction Aid
 - Rule Chapter 60 - New School Citing Approval
 - Rule Chapter 61 - Rules for Major Capital School Construction Projects

- B. Staff Support
- Scott Brown, MDOE Director of School Facilities
 - Ann Pinnette, Division Coordinator
 - Jim Harford, School Construction Coordinator
 - Valerie Chiang, School Construction Coordinator
 - Nathan McIvor, Office Administrator

- C. Purpose
- The State Board of Education’s School Construction Committee recommends to the State Board of Education school construction projects that will qualify for debt service school subsidy. In formulating their recommendations, they are guided by Chapter 60 (the rule on School Citing) and Chapter 61 (the rule on capital construction). The School Construction Committee also recommends the distribution of federal construction funds. The State Board of Education makes the final decisions on the Construction Committee’s recommendations.

The School Construction Committee provides guidance to the State Board in its role to adopt or amend rules on standards for school construction and it serves in an advocacy and advisory role for school construction that best meets the educational needs of the State of Maine.

In addition to Chapter 60 and Chapter 61, the State Board of Education is guided under M.R.S.A. Title 20-A, Chapter 5, State Board of Education and as detailed in Chapter 609, School Construction.

- D. Performance Reports
- The responsibilities of the Construction Committee follow the protocols outlined in Chapter 61, Rules for Major Capital School Construction Projects. The School Construction Committee reviews the priority list for construction consideration. The list is developed following an application prepared by local units, followed

by a detailed site visit and a rating score given to each applicant. The list is sent to the State Board following the Committee's review and recommendation.

The School Construction Committee reviews the site proposal for a construction project and develops a recommendation once all questions regarding the site have been satisfied.

The School Construction Committee reviews the proposal for Concept Approval prior to the Concept going to the State Board. The Concept includes enrollment projections, the project budget, floor plans, elevations, a site plan, a description of the materials to be used in the building, and a project schedule. The State Board's approval must be obtained in order for the local unit to conduct a legal referendum.

Once the building has been designed, the Committee reviews the detailed building design and considers any design or specification changes that have been incorporated after the Concept Design approval. Following this approval, the project goes out to bid.

The Committee has a special consideration process for high school proposals that are projected to enroll less than 300 pupils. There are a number of tests to insure that fiscal resources will be available for a quality education.

The Committee must also ensure that all rules are followed when an integrated, consolidated 9-16 educational facility is going through a construction project. The process is outlined in Chapter 61, Rules for Major Capital School Construction Projects.

Since November 1, 2013, the School Construction Committee and State Board of Education granted approval of the following:

- 14 Site Approvals
- 14 Concept Approvals
- 12 Design and Funding Approvals
- 11 Final Funding Approvals

There were 13 new school construction projects competed during that 8-year time period, and there are currently 9 school construction projects in progress.

Whereas the 2013 GEA report for the State Board reported out, "Over \$17 million in Federal Qualified Zone Academy Bond Program (QZAB) funds have been approved since 2006 and over \$75 million in Federal Qualified School Construction Bond Program (QSCB) funds have been approved since 2009," QZAB and QSCB funding has changed significantly since 2013. The Federal Qualified Zone Academy Bond (QZAB) program was eliminated and funding is no longer available. The last authorization for QZAB was for calendar year 2016.

The Federal Qualified School Construction Bond (QSCB) program only provided state allocations in 2008 and 2009.

Testimony on school construction bills, legislative work, and presentations have been made in the last eight years.

Appendix D contains the following documents:

- 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

E. Barriers to Performance:

No barriers are identified at this time other than limited funding for school construction projects and renovations to schools for improved health and safety to students and staff.

F. Coordination with Other Agencies/Affiliates

- Department of Education
 - Commissioner
 - Department of Environmental Protection
 - Department of Transportation
 - State Fire Marshal
 - Historic Preservation Commission
 - Department of Inland Fisheries and Wildlife
 - Department of Human Resources
 - Department of Conservation
 - Army Corps of Engineers
 - Bureau of General Services

G. Constituencies Served by the State Board of Education

- Citizens and Students of Maine
- PreK-12 Public Education
- School Administrative Units
- Joint Standing Committee on Education and Cultural Affairs
- Legislature

B-4

Legislative Action Committee

The Legislative Action Committee has oversight over the broad responsibilities of the Board to advise and make recommendations to the Legislature. The committee provides guidance to the Chair and the State Board on recommendations to the Legislature of 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.

The Committee regularly meets every Friday, January through the end of the Legislative Session, to evaluate LDs that are most closely connected to the Board's work. They establish a watch list of bills. In the Second Special Session of the 130th Maine Legislature, the Committee had a watch list of approximately 34 bills that were broken into areas of interest including: CTE, Charter Schools, School Construction, and Broadband. Chair Hess testified on the Board's behalf on 14 bills and student Board member Greyson Orne testified on LD 21 regarding a new dormitory at the Maine School of Science and Mathematics (MSSM).

When the Education and Cultural Affairs Committee is not in session or is not meeting, the Legislative Action Committee meets on an as needed basis.

B-5

Ad hoc Committees

Ad hoc committees are established by the Chair or action of the State Board of Education, as necessary. Ad hoc committee charges and appointments expire following the Annual Organizational Board meeting or after completion of the assigned task.

Examples of recent Ad hoc committees include:

2019-2020: Chapter 125 Review & Update - Fern Desjardins (Chair), Peter Geiger, and Jane Sexton working with Pamela Ford-Taylor, School and Student Support Specialist, MDOE

Spring 2021: ARP-ESSER Ad Hoc Committee – John Bird (Chair), Fern Desjardins, Tori Kornfield, and Casey Maddock. The Maine State Board of Education ARP-ESSER Ad Hoc Committee met for the purpose of establishing priorities, on behalf of the State Board, for the use of ARP-ESSER federal funds available to Maine. The Board was asked by Commissioner Pender Makin to provide feedback/share ideas for the application to the U.S. Department of Education.

B-6

Board's Role as Adviser

- A. Governing Regulations – Maine Education and School Statutes, Title 20-A
- Chapter 606-B. Essential Programs and Services
 - Commissioner's Recommendation for Funding Level – §15689-C
 - Chapter 1. General Provisions – Restructuring Public Schools - §8
 - Chapter 3. Department of Education
 - Subchapter 2. Commissioner, Appointment §251, sub-§1-A, 1-B, and 1-C
 - Chapter 5. State Board of Education
 - §405 Powers and duties, sub-§3 Specific duties
 - Approve the formation of school administrative districts, sub-§3-B
 - 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, sub-§3-D
 - Adopt or amend rules on requirements for approval and accreditation of elementary and secondary schools, sub-§3-E
 - Establish and maintain a 5-year plan for education that includes goals and policies, sub-§3-T
 - Review the organization of school administrative units, sub-§3-U
 - Study school administrative unit configuration statewide, sub-§3-V
 - Chapter 103. School Administrative Districts
 - Subchapter 3. §1255 Reapportionment
 - State Board Review of Commissioner's Decision - §1255, sub-§12
 - Rules - §1255, sub-§13
 - Chapter 103. Subchapter 4. Financing
 - §1301, sub-§1-B and sub-§F
 - Chapter 105. Community School District
 - Subchapter 2. State Board Return - §1651, sub-§3
 - Chapter 103. School Administrative Districts
 - Subchapter 3 – School Directors
 - Election - §1253
 - Duties of the Reapportionment Committee - §1255, sub-§7
 - State Board Review of Commissioner's Decision - §1255, sub-§12
 - Rules - §1255, sub-§13
 - Chapter 112. Public Charter Schools - §2405 – Authorizers – sub§8 – Maine Charter School Commission
 - Chapter 121. Maine-New Hampshire Interstate School Compact §3601 to 3604

- Chapter 207-A. Instruction - §§4701-4729
- Chapter 213. Student Eligibility §5205 Other exceptions to the general residency rules
- Chapter 222. Standards and Assessment of Student Performance §6208 Legislative intent and §6209 System of learning results established
- Chapter 223. Health, Nutrition and Safety
Subchapter 7 – School Lunch and Milk Program §6602, sub-5 Rules
- Chapter 317. Summer Schools §8801, sub-§1

B. Staff Support

- Mary Becker, State Board Secretary
- Department of Education (DOE) Staff

C. Purpose

The State Board's role as adviser spans many rules. For example, Section 15689-C of Chapter 606-B Essential Programs and Services requires that the Commissioner seek the approval of the Board before submitting the funding levels to the Governor and the Department of Administrative and Financial Services, Bureau of the Budget.

D. Performance Reports

The fulfilling of the designated responsibilities in the chapters listed above occurs in the monthly State Board meetings. The Board will be presented with reports/related materials to review, discuss, and then determine the position of support or denial in accordance with the rule/statute. Below is a sampling of Board actions since the last iteration of the Government Evaluation Act:

- Chapter 3. Department of Education
Subchapter 2. Commissioner, Appointment §251, sub-§1-A, 1-B, and 1-C
The commissioner's appointment by the Governor must include the chairman of the State Board in the selection process and must ensure that the state board has an opportunity to meet and interview the candidate(s). The state board must deliver a written appraisal of the candidate(s) to the Governor and the Governor must consider the appraisal prior to posting the nomination.

At the January 9, 2019 State Board meeting, Chair Wilson G. Hess introduced Acting Commissioner A. Pender Makin to State Board members. Acting Commissioner Makin made an introductory statement to the Board and was interviewed for approximately 90 minutes. Board members offered comments in the appraisal of the candidate, broadly supportive of Ms. Makin. The Board then took action to authorize Chair Hess, with consultation from Board members Wendy Ault, John Bird, and

Jane Sexton, to draft the appraisal of the candidate to the Governor as set forth in Title 20-A, Sec. 251.

- Commissioner’s Recommendation for Funding Level – §15689-C
Annually, the Commissioner with the approval of the State Board of Education certifies to the Governor and the Bureau of the Budget recommended funding levels for the total cost of funding public education from kindergarten to grade 12. In the last 4 years, the Board took action on 1/13/2021, 1/15/2020, 2/27/2019, and 1/10/2018
- Appoint members to the Maine Charter School Commission, Chapter 112. §2405, sub-§8
 - May 8, 2018 – Fern Desjardins; John Bird (re-appointment), James Rier (re-appointment), and Laurie Pendleton (re-appointment)
 - July 10, 2019 – Nichi Farnham
 - February 2, 2021 - Wilson G. Hess
 - July 14, 2021 - Cynthia Murray-Beliveau

- Transfer students, Chapter 213, §5205, sub-§6-F
The State Board receives many requests annually for the review of the denial of student transfers from one school administrative unit to another. In the last 8 years, the Board has received and acted on the following number of appeals annually:

2013 – 1
2014 – 11
2015 – 22
2016 – 53
2017 – 43
2018 – 14
2019 – 55
2020 – 25
2021 – 18 (January-October)

Total = 242 student transfer appeals

- Chapter 222. §6209 System of learning results established
In 2017, the Department began a round of revisions to the Maine Learning Results. The steering committees for the standards review of each content area included one State Board member.

2017-2018

- Science & Technology – Amy Arata

2018-2019

- Career and Education Development – Wendy Ault
- English Language Arts/Literacy – Martha Harris
- Mathematics – Fern Desjardins

2019-2021

- Health and Physical Education – Wendy Ault
- Visual and Performing Arts – Martha Harris
- World Languages – Fern Desjardins

The State Board was also represented in the move to the Next Generation Science Standards in 2015 – Peter Geiger and Heidi Sampson.

E. Barriers to Performance

The multiple responsibilities of the Board in this role as advisor are varied and would benefit from the guidance of an Executive Director. Communication is critical.

F. Coordination with Other Agencies/Affiliates

- Department of Education Staff
- Commissioner of Education
- Attorney General’s Office - Sarah Forster

G. Constituencies Served By State Board of Education

- Citizens and students of Maine
- PreK-12 Public Education
- University of Maine System
- Private Colleges
- School Administrative Units
- Administrators
- Joint Standing Committee on Education and Cultural Affairs
- Legislature

B-7

Maine Charter School Commission

The State Board of Education designates three of its members to serve on the Maine Charter School Commission.

B-8

Committee Appointments/Board Representatives

The State Board's current committee appointments are in Appendix A. There are currently two vacancies on the Board from the resignations of two members in September 2021.

B-9

5-Year Strategic Plan

The State Board's 5-Year Strategic Plan is initially developed by each committee as they identify their goals and milestones. It is then reviewed and revised by the entire Board before they take final action on the plan. See Appendix B for a copy of the strategic plan that ends December 31, 2021. The State Board started working on the 2022-2026 Strategic Plan at their retreat held August 10-11, 2021.

Section C.

State Board of Education Organizational Structure

- A. Governing Regulations – Maine Education and School Statutes, Title 20-A
- Chapter 1. General Provisions, §3 Administrative procedures
 - Chapter 1. General Provisions, §9 Public Higher Education Systems Coordinating Committee, sub-§3(G)
 - Chapter 3. Department of Education
 - Subchapter 1. Department Administration §202, sub-§1
 - Subchapter 2. Commissioner §251, sub-§1-A, 1-B, and 1-C
 - Chapter 5. State Board of Education §401 to §406
 - Chapter 103. School Administrative Districts.
 - Subchapter 3. School Directors §1253, sub-§1 §1255, sub-§7-C, 12, and 13.
 - Subchapter 4. Financing §1301, sub-§3-F
 - Chapter 103-A Regional School Units
 - Subchapter 2. Formation of Regional School Unit §1468
 - Subchapter 3. School Governance; Program §1475, sub-§12
 - Chapter 222. Standards and Assessment of Student Performance §6209
 - Chapter 206. Elementary and Secondary Schools
 - Subchapter 1. Basic School Approval §4502, sub-§5
 - Subchapter 2. Accreditation §4511, sub-§1
 - Chapter 213. Student Eligibility §5205, sub-§§6-F, and 6-G
 - Chapter 223. Health, Nutrition and Safety
 - Subchapter 5. Sanitary Facilities §6501, sub-§4
 - Subchapter 7. School Lunch and Milk Program §6602, sub-§5, 6, and 8-A
 - Chapter 313. Career and Technical Education
 - Subchapter 1. General Provisions §8306, sub-§1, 2, and 5
 - Subchapter 4. Career and Technical Education Regions §8452, sub-§7, and 8
 - Chapter 317. Summer Schools §8801, sub-§1
 - Chapter 409. Degree-Granting Institutions §10702 to §10714
 - Chapter 501. Credentialing of Teachers §13003, sub-§4 §13006-A, sub-§1 §13007, sub-§1 and §13008, sub-§3
 - Chapter 502. Credentialing of Educational Personnel §13011, 13013, 13019-G, 13019-H, 13019-I, 13020, 13022
 - Chapter 502-B. Professional Standards Board §13101 to 13104
 - Chapter 606-B. Essential Programs and Services §15689-C, sub-§1, and 2
 - Chapter 609. School Construction §15905 and §15908
- B. Staff Support
- Mary Becker, State Board Secretary Specialist, 1.0 FTE

Consultants, as needed:

- DOE Staff
- Assistant Attorney General, Sarah Forster
- Assistant Attorney General for Student Transfer Appeals, Emily Atkins

C. Purpose

Chapter 5 §§401-406 defines the membership, responsibilities, powers and duties of the Board. The statutory references establish the State Board of Education and set the general guidelines for the operation of the Board.

Chapter 3 Department of Education, §1 Department Administration lists the State Board under §202, Department organization. The department provides support staff to allow the Board to fulfill its responsibilities.

Other legal references cited in section A, above, outline the process for the Board to adopt rules, ensure that the Chair is involved in the selection of the Commissioner of Education, requires that the State Board approve the Commissioner's recommendation for funding levels to the Governor and the Department of Administrative and Financial Services, Bureau of the Budget, and provide a reference of the various tasks assigned to the State Board by the Legislature.

D. Performance Reports

All specific performance reports are included in Section B with the committees. Appendix A contains Chapter 5 §§401-406, which establishes the State Board.

E. Barriers to Performance

The Board is staffed with only 1.0 FTE employee – the secretary specialist who carries out the typical responsibilities associated with the position. The State Board depends heavily on its membership to assume research and policy operations, keep up to date with legislative bills and provide testimony, develop and implement its strategic plan, collect data for evidence-based decision making, or working with stakeholders in the policy process. This means that Board members must dedicate a good amount of time to Board duties. All Board members need to be active on at least 2-3 committees. Two of the recently appointed Board members resigned because of the time commitment needed to carry out duties and responsibilities of membership.

F. Coordination with Other Agencies/Affiliates

- Department of Education
 - Specialists
 - Director and Team Coordinator, Office of Higher Education & Educator Support (Certification)
 - Postsecondary & Educator Preparation Coordinator
 - Director of School Construction Programs
 - State Director for Career and Technical Education (CTE)
- National Council for Accreditation of Teacher Education (NCATE)

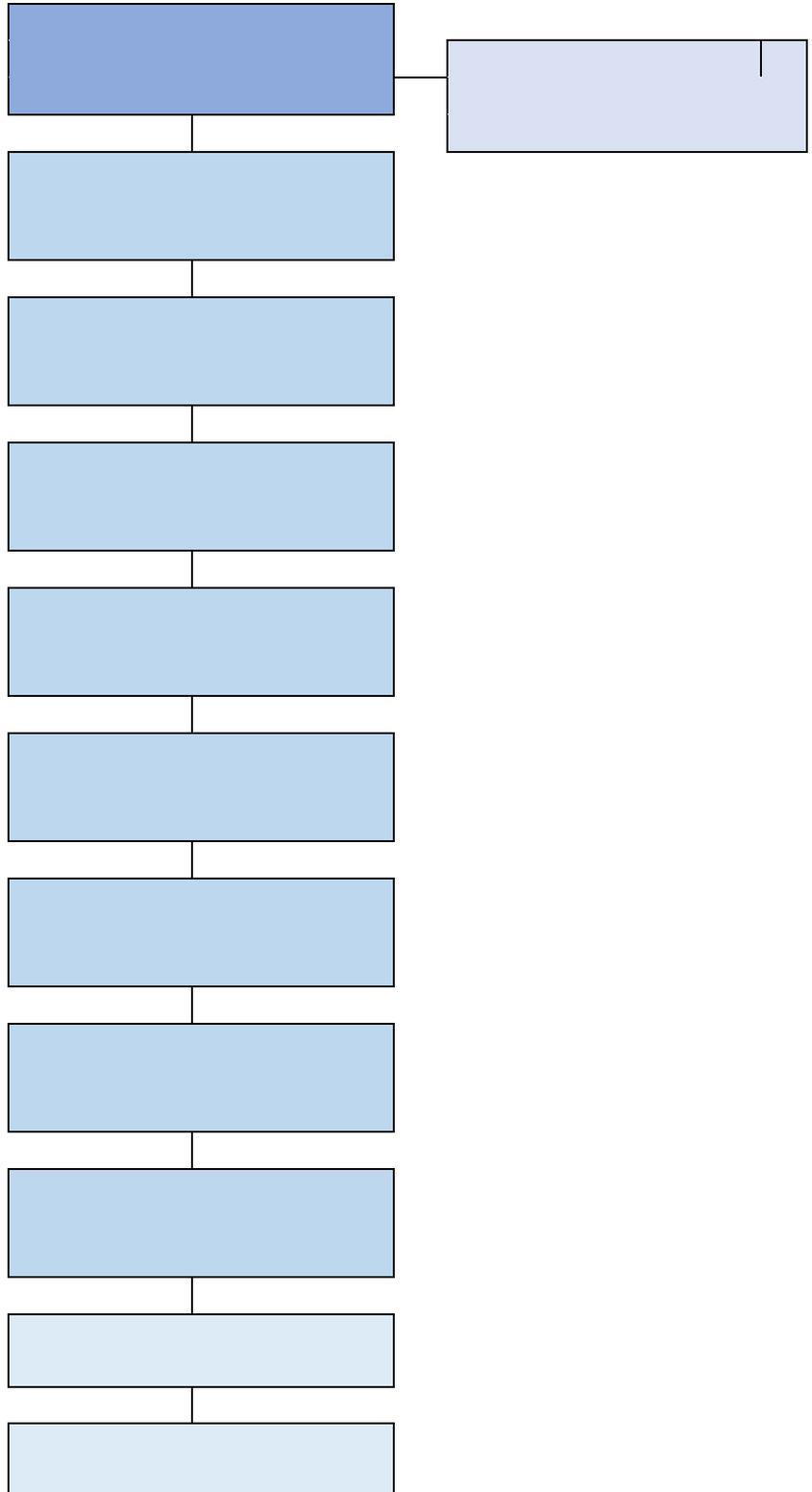
State Board of Education

- Teacher Education Accreditation Council (TEAC)
- Maine Education Association (MEA)
- Maine School Management Association (MSMA)
- Maine Administrators of Services for Children with Disabilities (MADSEC)
- Maine Principal's Association (MPA)
- Maine Administrators of Career & Technical Education (MACTE)
- State Parent Teacher Association (PTA)
- Education Action Forum of Maine
- Higher Education Council
- Maine Maritime Academy
- University of Maine System
- Deans/Directors of Teacher Education Programs at all Colleges
- Maine Community College System
- Educate Maine
- National Association of State Boards of Education (NASBE)
- New England Secondary School Consortium (NESSC)
- Maine STEM Council

G. Constituencies Served by State Board of Education

- Citizens and students of Maine
- PreK-12 Public Education
- University of Maine System
- Maine Community College System
- Private Colleges
- School Administrative Units
- Maine Educators
- Joint Standing Committee on Education and Cultural Affairs
- Maine Legislature

The Organizational Flow Chart for the Maine Department of Education on the following page includes the State Board of Education to the right of the Deputy Commissioner. On the page after it is the State Board's Flow Chart.



E. Ten-Year Financial Summary

<u>Fiscal Year</u>	<u>Allotted</u>	<u>Expended</u>
2012	98,846	98,740
2013	94,628	93,527
2014	158,930	158,927
2015	157,294	146,220
2016	163,864	145,714
2017	162,832	152,011
2018	163,138	156,813
2019	164,081	147,544
2020	187,841	163,240
2021	164,950	140,496
2022	159,666	43,553
2023	160,342	

Allotment			
Budget Line			
Am	Column Labels		
Row Labels	1	2	Grand Total
2012	23,705	75,141	98,846
2013	19,916	74,712	94,628
2014	84,932	73,998	158,930
2015	83,600	73,694	157,294
2016	90,170	73,694	163,864
2017	89,138	73,694	162,832
2018	89,444	73,694	163,138
2019	90,387	73,694	164,081
2020	109,197	78,644	187,841
2021	114,633	50,317	164,950
2022	77,822	81,844	159,666
Grand Total	964,206	1,142,454	2,106,660

Column 1 is the allocation for per diems and the wages of the secretary specialist.
 Column 2 is for all other expenses.

G. Coordination with Other State and Federal Agencies

The State Board works closely with the Maine Department of Education in all its committee work, as evidenced in Section B of this report. The Board would not be able to carry out its 5-year strategic plan or work successfully toward its mission without its collaboration with the Maine DOE. While the State Board does not have a cooperative agreement with the Maine DOE, there are relationships with the DOE and the State Board defined by statute. The State Board has a direct partnership with the Office of Career and Technical Education; Office of Facilities, Safety, and Transportation; and the Office of Higher Education and Educator Support (including certification).

The many other organizations/agencies listed in Section B (e.g., MSMA, Educate Maine, MPA, etc.) are also critical to the successful efforts of the Board. Other agencies that support the Board are the Department of Administration and Financial Services (DAFS).

At the Federal level, Perkins plays a significant supportive role in the work of the Board's CTE priorities by providing funds for programs and services to the 27 secondary CTE schools. The Board receives recommendations from the CTE Committee on the deployment of Perkins funds to determine how to better achieve the strategic priorities in the 5-year Strategic Plan.

H. Constituencies

See Section B. There are no projected changes at this time.

I. Alternative Delivery Systems

No alternative delivery systems, including privatization, are used by the State Board in meeting its goals and objectives. The Financial Summary in Section D is evidence of the lean budget under which the State Board operates in light of the on-going accomplishments of the Board, as outlined in Section B.

J. Emerging Issues

In working toward its vision to ensure that 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, the State Board of Education plans to move forward on the following issues:

- Complete the required steps for the proposed Rule Chapter 115, including another hearing and comment period, and all reviews necessary before final adoption can be made by the State Board. The substantial changes in the rule are to positively benefit the educator workforce in Maine and to address educator shortages.
- Update Chapter 114 on the review and approval of preparation programs for education personnel.

- Update Chapter 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.
- Update Chapter 170 on standards for evaluating requests for degree-granting authorizations and for out-of-state postsecondary institutions seeking to offer academic credit courses/programs in Maine.
- Increase the focus on evidence-based decision making; using high-quality data to inform decisions.
- Seek better workforce needs data to inform CTE programs and the financial resources needed to support such programs.
- Increase communications with different stakeholders to enhance educational opportunities and experiences.
- Work toward a statewide inventory and assessment of PK-12 public school facilities to plan and act for school construction and renovation projects.
- Amend Board rules to require standards for improved air quality and ventilation in Maine’s public schools by July 1, 2026 (Chapter 125, Chapter 60, and Chapter 61).
- Establish a new rating cycle for the Major Capital School Construction Program by the spring of 2026.
- Establish a new rating cycle for the Integrated, Consolidated 9-16 Educational Facility by the spring of 2026.

K. Other Information Requested

No other information has been specifically requested by the Joint Standing Committee on Education and Cultural Affairs.

L. Comparison of Related Federal Laws and Regulations to State Laws

See Section A - Enabling or Authorizing Law - State and Federal.

M. Policies for Collecting, Managing, and Using Personal Information

The secretary specialist for the State Board receives all correspondences, electronically and nonelectronically. She directs correspondences to the Chair, when needed, or directly to assigned committees to conduct their work (as in the selection of student membership to the Board). She maintains control of all correspondences and does not release information to outside or secondary users of information. It stays within the State Board to complete the consumer’s transaction only. The secretary assumes an ‘opt-out’ choice for all consumers, meaning that they are declining permission of the use of their information to outside users.

The secretary specialist does not provide access to confidential documents, such as applications, to anyone other than the decision-making committees or the Board.

The integrity of the data collected by the secretary is maintained by limiting access to only the necessary Board members to protect against internal threats.

The enforcement measure used in following the Fair Information Practice principles is self-regulation by the secretary specialist and at times, it is passed on to Board members to carry out the business at hand.

The State Board of Education has four policies that include references to its use of personal information (see Appendix E).

1. *Code of Ethical Conduct.*

Item 6 of this policy sets a strict confidentiality standard for information provided to Board members, including executive session matters.

2. *Student Board Members*

The secretary specialist for the State Board receives all applications for the student member position and releases the applications only to the Student Membership Committee during committee meetings. Application materials are collected after each meeting and filed by the secretary.

During the COVID-19 pandemic, application materials were mailed to the Student Membership Committee for selection purposes. Committee members were directed to shred all applications after three finalists were selected for the Governor’s consideration.

3. *Procedure for Handling Requests for Review of Commissioner Decisions on Student Transfer Requests*

The Board reviews student transfer requests in executive session because they review and discuss documents that are confidential under the Family Educational Rights and Privacy Act. Student records are considered confidential. The secretary specialist for the Board mails to Board members the documents provided from the time a parent applies for a student transfer with the resident superintendent to the time that the Commissioner of Education denies the request and the parent appeals to the State Board. When meeting in person, the secretary or designee collects all packets after the Board meeting. When meeting remotely during the COVID-19 pandemic, Board members are directed to shred all documents.

4. *Remote Participation*

The remote participation policy states clearly that confidential documents protected by state and federal laws will not be posted with other Board materials on their website.

N. Reports and Applications Required to be Filed with the Agency

The State Board has no reports or applications required to be filed by the public.

O. Reports Required by the Legislature

The State Board submits the *Board or Commission Annual Report* to the Maine Secretary of State by December 31 of each calendar year. A copy of the first page of the 15-page report for the 2020 calendar year is in Appendix A.

Though not required as “reports”, the Maine Education and School Statutes, Title 20-A, Chapter 5 §405 gives the State Board the following duties:

- §§3-A Make recommendations to the Legislature for the efficient conduct of the public schools.
- §§3-N Obtain information regarding applications for granting degrees and make a recommendation to the Legislature.
- §§3-S Develop long-range education goals and standards for school performance and student performance to improve learning results ... and recommend to the commissioner and to the Legislature a plan for achieving those goals and standards.

P. List of Organizational Units and Programs

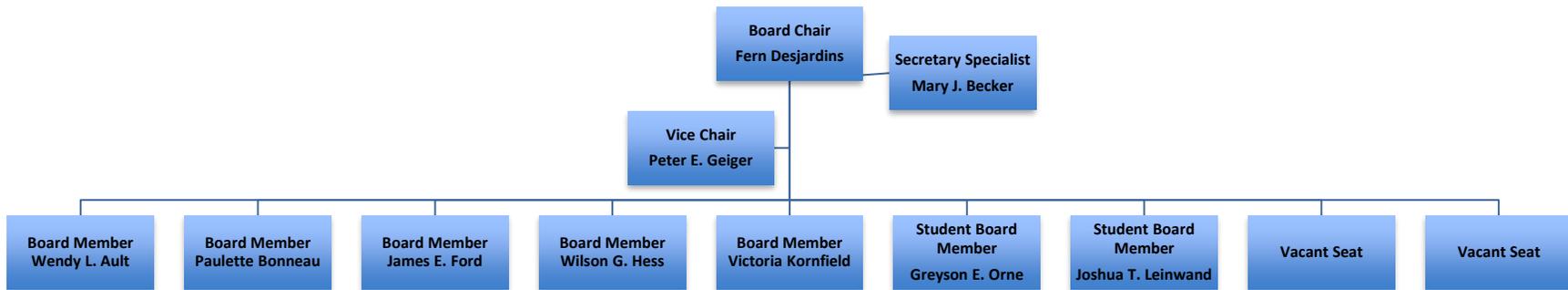
The State Board has no organizational units and programs within its agency

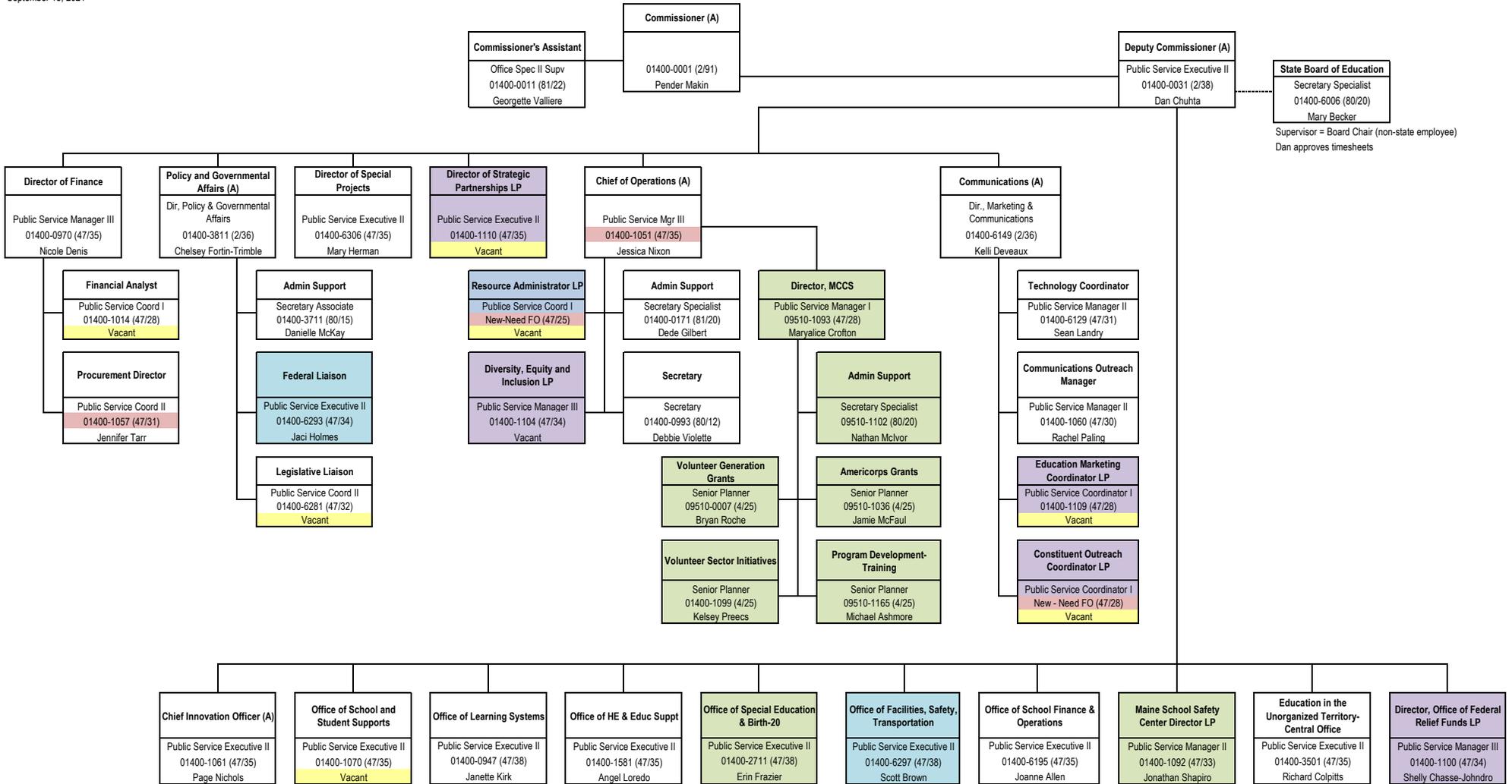
Q. Provisions that Require Legislative Review for Alignment with Federal and State Laws or Court Decisions

The following require Legislative review:

- 20-A M.R.S.A. §401 (1) Appointments to the board are subject to review by the Joint Standing Committee on Education and Cultural Affairs;
- 20-A §401-A, sub-§3 Enforcing regulatory requirements for school administrative units. The State Board may advise the commissioner and the Legislature on matters concerning state laws relating to public preschool to grade 12 and post-secondary education;
- 20-A §405(3)(A) Specific duties – make recommendations to the Legislature for the efficient conduct of the public schools; and
- 20-A §405(3)(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 these goals and standards.

State Board of Education
Organizational Chart
October 27, 2021





A = Appointed
AC = Acting Capacity
ARPF = Approved reclass, pending funding
LP = Limited-Period
No color = General Fund
Green = Federal Fund
Blue = Other Special Revenue Funds
Gray = Block Grant
Purple = Federal Emergency Relief Funds =
Orange - Contract
Yellow = Vacant
Pink = being reorganized

**STATE BOARD OF EDUCATION
GOVERNMENT EVALUATION ACT
PROGRAM EVALUATION REPORT**

November 1, 2021

Submitted to:

**JOINT STANDING COMMITTEE ON EDUCATION
AND CULTURAL AFFAIRS**



TABLE OF CONTENTS

Executive Summary	4
A. Enabling or Authorizing Law – State and Federal.....	6
B. Program Description	19
1. Career and Technical Education Committee	20
2. Certification and Higher Education Committee	25
3. School Construction Committee	29
4. Legislative Action Committee	32
5. Ad hoc Committees	32
6. Board’s Role as Advisor	33
7. Maine Charter School Commission	37
8. Committee Appointments/Board Representatives	37
9. 5-Year Strategic Plan	37
C. Organizational Structure	38
D. Repealed	
E. Financial Summary	43
F. Repealed	
G. Coordination with Other State and Federal Agencies.....	44
H. Constituencies	44
I. Alternative Delivery Systems	44
J. Emerging Issues	44
K. Other Information Requested.....	45
L. Comparison of Related Federal Laws and Regulations to State Laws.....	45
M. Policies for Collecting, Managing, and Using Personal Information ..	45
N. Reports and Applications Required to be Filed with the Agency.....	46
O. Reports Required by the Legislature.....	46
P. List of Organizational Units and Programs	47
Q. Provisions that Require Legislative Review for Alignment with Federal and State Laws or Court Decisions	47

Appendix A	48
20-A M.R.S.A. Chapter 5 §§401-406	49
Committee Appointments/Board Representatives	55
<i>Board or Commission Annual Report to the Maine Secretary of State</i>	57
Appendix B	58
Strategic Plan	59
Appendix C	71
Maine Approved Educator Preparation Programs	72
National Council for State Authorization Reciprocity Agreements (NC-SARA)	73
Appendix D	80
Flow Chart – Major Capital Improvement Program: School Construction Review and Approval Process.....	81
2010-2011 Rating Cycle, Major Capital School Construction, Approved Projects List	82
2017-2018 Rating Cycle, Major Capital School Construction Program, Final Priority List.....	83
2017-2018 Rating Cycle, Major Capital School Construction Program, Approved Projects List	86
2017-2018 Rating Cycle, Integrated, Consolidated 9-16 Educational Facility, Approved Projects List, February 10, 2021	87
Appendix E	88
Policies for Collecting, Managing, and Using Personal Information	88
1. Code of Ethical Conduct	89
2. Student Board Members	90
3. Procedure for Handling Requests for Review of Commissioner Decisions on Student Transfer Requests.....	91
4. Remote Participation	92

Executive Summary

Introduction:

The State Government Evaluation Act, Title 3, MRSA, Sections 951-963, provides for a system of periodic review of agencies and independent agencies of State Government in order to evaluate their efficacy and performance. The legislation requires that the agency prepare and submit a program report to the Legislature, through the standing committee of jurisdiction, that includes a review of agency management and organization, program delivery, agency goals and objectives, statutory mandate and fiscal accountability.

Enabling or Authorizing Law (State and Federal)

This section contains an inventory of state and federal statutes enabling all program units and activities of the State Board of Education. This inventory is contained in a matrix that indicates how these statutes and rulemaking are carried out by the State Board.

Description of Each Standing Committee and Board Responsibilities

These sections list the Standing Committees of the State Board with complete descriptions of their purpose, staff support, goals and objectives, performance reports, barriers to performance, coordination with other agencies, constituencies served by the committee, and statutory references, where applicable. These sections contain the majority of the items required in MRS Title 3, Chapter 35, §956, Program Evaluation Report (including **Section G** and **Section H**).

The majority of the Board's responsibilities are carried out through committee work. Ad hoc committees are sometimes created pursuant to requests for information or study received from the Legislature or by Executive Order. State Board members serve on a wide variety of committees and task forces outside the Board structure. The Board also acts as a whole in order to fulfill its legislated responsibilities.

The Board's 5-Year Strategic Plan includes committee goals and roadmaps to achieving the goals. Priorities are set with a focus on working toward the vision and mission of the Board. The 2016-2021 Strategic Plan is included in this section as well as the status of the goals. A new 5-Year plan is being developed to take effect January 1, 2022.

Organizational Structure

This section provides the organizational and general provisions of the State Board of Education. Flow charts of the Maine Department of Education and of the State Board indicate lines of responsibility.

Some states engage an Executive Director and/or other professional staff to help execute the responsibilities of an all-volunteer State Board of Education. The recent resignations of two

newly appointed Board members because of the time commitment to the Board add to concern of the membership in having only 4 of its 9 members (not counting the two student reps) having at least three years of service to the Board. This impacts current and future activities of the Board as we strive to improve the quality of public education for all students and to achieve our mission.

Ten-Year Financial Summary

This section provides a summary of funding levels and expenditures for the State Board.

Emerging Issues for the State Board

The State Board of Education plans to move forward on a number of issues that are being made a part of the 2022-2026 Strategic Plan. Those issues are presented in this section.

Policies for Collecting and Managing Personal Information

This section provides information on four policies that the State Board adopted that impact the use of personal information and adherence to the fair information practice principles of notice, choice, access, integrity, and enforcement.

A. Enabling or Authorizing Law - State and Federal

Functions	MRSA, 20-A and Federal Statutory Reference	Policy/Rulemaking Authority	Administrative Authority	Implementation Who/How
Department Organization	Chapter 3 §202, sub§1,1-A, 4, 5, 11, 16, 17		State Board of Education, Commissioner of Education, other entities authorized by the Legislature and other bureaus established by the Commissioner	State Board of Education Commissioner
Commissioner	Chapter 3 §251, sub§1, 2		Appointment Term of Office	Governor State Board of Education Education Committee of Legislature Legislature
Commissioner's Duties	Chapter 3 §253, sub §1, 2, 3, 4, 5, 6,		Outlines general duties, hiring, delegation, specific duties, and appointment of supervisors, agricultural consultant and school nurse coordinator.	All Department Organizational Units and State Board of Education Commissioner

State Board of Education

Functions	MRSA, 20-A and Federal Statutory Reference	Policy/Rulemaking Authority	Administrative Authority	Implementation Who/How
Certification of funding level for local school administrative units	Chapter 606-B §15689-C	Commissioner recommends funding levels to the Governor and the State Board of Education	State Board of Education Recommends funding levels to the Governor and the Legislature	Governor recommends funding levels to the Budget Office and the Legislature. Commissioner and State Board of Education presents funding levels before the Legislature
Restructuring Public Schools	Chapter 1 §8	Authority for the waiver of rules	Encourage schools to pursue an ongoing process of school restructuring. Waiver of rules for school restructuring and for educator preparation programs.	Commissioner State Board of Education
Administrative Procedures	Chapter 1 §3	General Rule Making Authority	Rules will be adjusted in accordance with the Maine Administrative Procedures Act, Title 5, Chapter 375.	Commissioner State Board of Education

Functions	MRSA, 20-A and Federal Statutory Reference	Policy/Rulemaking Authority	Administrative Authority	Implementation Who/How
Public Higher Education Systems Coordinating Committee	Chapter 1 §9		Promote efficiency, cooperative effort, and strategic planning between the Department of Education, The State Board of Education, the University of Maine System, the Maine Community College System and the Maine Maritime Academy. Chaired by Commissioner Annual Report to Governor and Legislature	Commissioner, Department of Education; Chair, State Board of Education; Chair, University of Maine System Trustees; Chancellor, University of Maine System; Chair, Maine Community College System Trustees; President, Maine Community College System; Chair, Maine Maritime Academy Trustees; President, Maine Maritime Academy

State Board of Education

Functions	MRSA, 20-A and Federal Statutory Reference	Policy/Rulemaking Authority	Administrative Authority	Implementation Who/How
State Board of Education	Chapter 5 §401, §§1, 1-A, 1-B, 1-C, 2, 3, 4, 5, 6 §401-A, §1		The State Board of Education consists of 9 members and 2 non-voting student members appointed by the Governor subject to review by the Joint Standing Committee having jurisdiction over education and confirmed by the Legislature. The term of office of each member shall be five years and is limited to no more than two five-year terms. Each student member serves for a term of 2 years. The department shall provide staff support to the State Board of Education	Governor Commissioner
Responsibilities of the State Board of Education Advising the Commissioner	Chapter 5 §401-A, §§1, 2, 3	Commissioner's General Rulemaking Authority	The State Board of Education has the responsibility of advising the Commissioner in the administration of all mandated responsibilities of that position	The Commissioner reports and the Board advises at State Board meetings and other forums
Powers and Duties of the State Board of Education Advisory Role	Chapter 5 §405, §§1 & 2 §406	State Board's General Rulemaking Authority	The State Board of Education shall have only the powers specifically stated in Title 20-A and shall advise the Commissioner concerning matters contained in this title.	The Commissioner reports and the Board advises at State Board meetings and other forums

State Board of Education

Functions	MRSA, 20-A and Federal Statutory Reference	Policy/Rulemaking Authority	Administrative Authority	Implementation Who/How
State Board of Education to Recommend Legislation	Chapter 5 §405, §§3-A and §§6	State Board of Education shall recommend to the Legislature any new legislation or amendments to legislation for the efficient conduct of the public schools, including laws necessary to establish student performance goals and standards	Propose and promote legislation	Commissioner State Board of Education
Formation of CSD's and SAD's	Chapter 5 §405, §§3-B, §1101, §1206-1258, §1301-1354, §1451-1512, §1601-1603, §1651-1654, §1701-1706	State Board of Education approves the formation of school administrative units	Provide technical assistance on the formation of school administrative units and financing of school administrative units.	Commissioner recommends State Board of Education approves

Functions	MRSA, 20-A and Federal Statutory Reference	Policy/Rulemaking Authority	Administrative Authority	Implementation Who/How
Withdrawal from/ Dissolution of/ Additions to/ Transfers among/ Closing of/ Schools, CSD's and SAD's	Chapter 5 §405, §§3-D §1401-1409 §1751-1752	State Board of Education reviews, when necessary, decisions made by the Commissioner	Provide technical assistance	Commissioner approves
School Approval and School Accreditation	Chapter 5 §405, §§3-E Chapter 117, §2901, §2902, §§1-10, §2903, §2904, §2905, §2906, §2907 Chapter 206 §4501, §4504 §4511-4516	Joint Rulemaking Authority with Commissioner and State Board of Education for Public Schools and Private Schools	Administer school approval and school accreditation process and provide technical assistance	Commissioner State Board of Education

State Board of Education

Functions	MRSA, 20-A and Federal Statutory Reference	Policy/Rulemaking Authority	Administrative Authority	Implementation Who/How
Certification of Teacher and Other Professional Personnel	Chapter 5 §405, §§F Chapter 501, §13003, 13004, 13006-A, 13007 Chapter 502, §13011-13026 Chapter 221 §6103	State Board Rulemaking Authority	Administer rules and certification procedures. Grant and revoke certificates, appeals, waivers, criminal history record check information, and targeted need certificates.	State Board of Education Commissioner
Teacher Qualifying Examination	Chapter 502-A §13031-13032	State Board of Education and Commissioner Joint Rulemaking Authority	Adopt Rules Administer the Teacher Qualifying Examination	State Board of Education Commissioner
Certification Records	Chapter 501 §13003-13004	State Board of Education Rulemaking Authority	Adopt Rules Manage Records	State Board of Education Commissioner
Maine-New Hampshire Interstate School Compact	Chapter 121 §3601-3671, Chapter 5, §405, sub§3-H		Act on articles of agreement between Maine and New Hampshire for creation of an interstate school district	State Board of Education

State Board of Education

Functions	MRSA, 20-A and Federal Statutory Reference	Policy/Rulemaking Authority	Administrative Authority	Implementation Who/How
Career and Technical Education and Regions and Centers	Chapter 5 §405, §§3-I Chapter 313 §8301-A-8468 Federal Carl D. Perkins Vocational Education Act	State Board of Education develops plan for the establishment of Centers and Regions. State Board Rulemaking Authority	Implement Plan, recommend and approve Center and Region Applied Technology Plans, program financing, align regional school calendars between sending schools and career and technical centers and regions, define changes in Boundaries, changes in status of Region or Center, Dissolve or Reorganize Region or Center	Commissioner recommends State Board of Education approves
Adult Education	Chapter 315 §8601-8613 Federal Workforce Investment Act, Federal Title II- Adult Education and Family Literacy Act	Commissioner's General Rulemaking Authority	Monitor local programs, administer state roles and responsibilities, and provide technical assistance	Commissioner State Board of Education
Administration of Federal Funds for construction of school facilities, including career and technical education facilities.	Chapter 5 §405, sub§3-Q Chapter 609 §15916 Federal Carl D. Perkins Act	State Board of Education Rulemaking Authority	State Board of Education Commissioner	State Board of Education Commissioner

Functions	MRSA, 20-A and Federal Statutory Reference	Policy/Rulemaking Authority	Administrative Authority	Implementation Who/How
Approve Projects for School Construction Aid	Chapter 5 §405, sub§3-J §405, sub§3-K Chapter 609 §15901-15918 Title 30-A, §6006-E, 6006-F	State Board of Education Rulemaking Authority Joint Rulemaking Authority with the Maine Municipal Bond Bank	Administer School Construction Projects Approval Process, coordinate with the Bureau of General Services and maintain a school facilities inventory, provide maintenance and capital improvement plan assistance, and participate with the Maine Municipal Bond Bank in the Maine School Facilities Finance Program and the Revolving Renovation Fund. Adopt and amend rules on standards for school construction. Provide Technical Assistance	State Board of Education Commissioner Maine Municipal Bond Bank

Functions	MRSA, 20-A and Federal Statutory Reference	Policy/Rulemaking Authority	Administrative Authority	Implementation Who/How
Long-range education goals and standards for school performance, student performance, improvement of learning results, establishment of a skills development program for teachers, and implementation of a funding plan for essential programs and services	Chapter 5 §405, sub§3-S Chapter 606-B, §15671	State Board of Education to develop plan for achieving goals and standards for performance, learning results, skills development, programs for teachers, definition/ funding of essential programs and services, and make recommendations to the Commissioner and the Legislature. Commissioner’s Rulemaking Authority for Essential Programs and Services	Department to administer	Commissioner State Board of Education
System of Learning Results Established	Chapter 222, §6209	Commissioner’s Specific and General Rulemaking Authority	Department to establish and implement, in consultation with the State Board of Education, a Comprehensive, Statewide System of Learning Results	Commissioner State Board of Education

State Board of Education

Functions	MRSA, 20-A and Federal Statutory Reference	Policy/Rulemaking Authority	Administrative Authority	Implementation Who/How
Degree Granting Institutions	Chapter 5 §405, sub§3-N Chapter 409 §10701-10714	State Board Rulemaking Authority	Participate as members of the review/visitation team Approve use of “junior college”, “college”, and “university” in a name. Approve out-of-state institutions offering courses. Recommend action to the legislature on full degree granting status. Provide technical assistance	State Board of Education Commissioner
Sanitary Facilities	Chapter 223 §6501	State Board of Education Rulemaking Authority	State Board may adopt or amend rules as necessary	State Board of Education
Renewable five-year K-12 plan for education that promotes services for pre-school children	Chapter 5 §405, sub§3-T	State Board of Education to incorporate services for pre-school children into the plan for performance, learning results, teacher skills development, and definition/funding essential programs and services	State Board of Education to present plan to the Education Committee and the Legislature	State Board of Education Task Force on Learning Results Commissioner

State Board of Education

Functions	MRSA, 20-A and Federal Statutory Reference	Policy/Rulemaking Authority	Administrative Authority	Implementation Who/How
Review periodically, the organization of school administrative units to identify current cooperative agreements between units and recommend cooperative agreements to units where appropriate	Chapter 5 §405, sub§3-U		State Board of Education to complete review and recommend cooperative agreements in report to Education Committee	State Board of Education Commissioner
Review Consolidation Statewide	Chapter 5 §405, sub§3-V	State Board of Education to study school consolidation statewide and develop a state coordination plan	State Board of Education to present state plan to Education Committee and the Legislature	State Board of Education Commissioner

Functions	MRSA, 20-A and Federal Statutory Reference	Policy/Rulemaking Authority	Administrative Authority	Implementation Who/How
School Lunch and Milk Program	Chapter 223 §6601, §6601-A, §6602, §§5, §6602, §§8, §§8-A, §6603 CFDA –10.553 School Breakfast Program 10.555 National School Lunch Program 10.556 Special Milk Program 10.559 Summer Food Service Program 10.560 CN & Food SAE	Commissioner’s Rulemaking Authority with State Board of Education Approval	Administer School Lunch, Breakfast, Milk, After School Snack, Summer Food Service Program and CN and Food Distribution, SAE. Advise SFA’s & institutions of the requirements. Provide training & technical assistance. Conduct on-site reviews based on criteria set forth by regulations. Monitor NET Cash Resources of each SFA nonprofit Food Service, Ensure annual audits.	Commissioner State Board of Education
Maine-New Hampshire Interstate School Compact	Chapter 121 §3601-3671	Rulemaking Authority with the Maine State Board of Education and the New Hampshire State Board of Education	The interstate district administered and operated as needed, as prescribed by law	Commissioner of Maine Commissioner of New Hampshire State Board of Maine State Board of New Hampshire

Section B - Program Description

- 1. Career and Technical Education Committee**
- 2. Certification and Higher Education Committee**
- 3. School Construction Committee**
- 4. Legislative Action Committee**
- 5. Ad hoc Committees**
- 6. Board's Role as Adviser**
- 7. Maine Charter School Commission**
- 8. Committee Appointments/Board Representatives**
- 9. 5-Year Strategic Plan**

B-1

Career and Technical Education Committee

A. Governing Regulations – Maine Education and School Statutes, Title 20-A

- Chapter 5. State Board of Education
 - §405, sub-§3-E Approval and accreditation of schools
- §405, sub-§3-I Plan for career and technical education
- §405, sub-§3-Q Federal funds for career and technical education
- §405, sub-§7 Federal career and technical education aid (State Agency for Perkins)
- Chapter 209. School Days, Holidays, Special Observances
 - §4801. Regional school calendars (support only)
- Chapter 313. Career and Technical Education
 - §8306 Program approval and §8307-A, sub-§5 Reorganization procedures
- Will of George Millett Briggs

B. Staff Support

- Dwight Littlefield, Director of Career and Technical Education, MDOE
- Margaret Harvey, CTE Consultant, Middle School Programs
- Shawn Lagasse, CTE Consultant, Education Specialist III
- Doug Robertson, CTE Consultant, Education Specialist III
- Donna Tiner, CTE Consultant, Education Specialist III
- Danielle Despins, CTE Consultant, Education Specialist II
- Joseph Haney, CTE Consultant, Education Specialist III

C. Purpose

The State Board of Education’s Career and Technical Education Committee recommends to the State Board of Education any and all pertinent materials so that the State Board may perform its duties, including its fiduciary responsibilities, as the agency responsible for the administration and oversight of the state Career and Technical Education (CTE) program.

The committee must meet the Carl D. Perkins Vocational and Applied Education Act in a timely manner, oversee the implementation, and adhere to the Maine State Perkins Plan.

The committee oversees the George M. Briggs Award. It reviews proposals to make recommendations for the approval of programs to enhance career and technical education to the State Board of Education. With State Board approval, the Commissioner of Education may draw from a special account designated “George M. Briggs Fund” to support recommended proposals.

The George M. Briggs Trust Fund was established under Article 4 of the will of George Millett Briggs of Turner, which is located in Androscoggin County, Maine. Under the terms set forth in the will, the Commissioner of Education is to disburse the net income of the fund for “special purposes” in the field of career and technical education (applied technology). Such special purposes must “first meet the approval of the majority of the Maine State Board of Education.” The fund must be used “with a view of enabling the young people of Maine to be qualified to become self-supporting and useful citizens of the State.”

In the last 15 years, the funds have been granted to the Maine Association of Career and Technical Education (MACTE) – formerly MAVEA – to provide statewide professional development for career and technical education directors, teachers, and staff; CTE staff training; and CTE standards development.

D. Performance Reports

Perkins

The responsibilities of the Career and Technical Education Committee follow the protocols of the Carl D. Perkins Vocational and Applied Education Act of 2006 and starting with FY20, the Strengthening Career and Technical Education for the 21st Century Act. The CTE Committee reviews the Maine State Perkins Plan and approves annual updates through reviews and recommendations.

The Committee receives, reviews, and approves quarterly financial reports of the Carl D. Perkins grant.

- **FY21 - \$6,247,167**
- **FY20 - \$6,148,797**
- FY19 - \$5,804,502
- FY18 - \$5,496,906
- FY17 - \$5,496,906
- FY16 - \$5,496,906
- FY15 - \$5,496,906
- FY14 - \$5,494,750

Total Perkins funds received over last eight years: \$45,682,840.

After 5 years of Congressional continuing resolutions and flat funding for the majority of those years, a new Perkins Act (Perkins V) was passed by Congress, signed by the President in July 2018, and was initiated in July 2019 (FY20). With the new Perkins Act came additional focus on CTE at both the federal and state levels, which has increased financial support.

Over the past eight years, state level Perkins funding has provided professional development opportunities for all employees of the 27 secondary CTE schools on a wide range of topics that were based on the requests of the CTE schools and MDOE.

Over the past eight years, approximately 8,500 secondary CTE students were served annually with support from Perkins funding.

George M. Briggs

The Committee needs to annually review the George M. Briggs grant for approval. Over the past eight years, the grant has served Maine's career and technical education in partnership with the Maine Administrators of Career and Technical Education (MACTE) and Educate Maine.

- FY21 - Due to COVID-19, no funds awarded
- FY20 - \$30,000 to MACTE, \$50,000 to Educate Maine
- FY19 - \$30,000 to MACTE, \$49,080 for middle school CTE pilot grants
- FY18 - \$30,000 to MACTE
- FY17 - \$30,000 to MACTE, \$10,000 for the development of the MACTE website
- FY16 - \$30,000 to MACTE, \$10,000 for the development of the MACTE website
- FY15 - \$40,000 to MACTE, \$7,641 to Seeds of Peace Student Live Work
- FY14 - \$30,000 to MACTE

FY20 - Funds awarded to Educate Maine were used to develop best practices and pilot programs for 9th and 10th grade students to participate in CTE.

FY19 – Funds competitively awarded to 5 secondary CTE schools to pilot CTE middle school opportunities.

FY14-FY20 – Funds awarded to MACTE to provide professional development opportunities through conferences for CTE directors, teachers, and staff.

SOME KEY ACCOMPLISHMENTS:

- 123 New CTE programs and program realignments over the past 8 years
- CTE program offerings have expanded beyond the traditional hard trades. Some examples are: (01.0303) Aquaculture; (12.0401) Cosmetology/Cosmetologist; (31.0301) Parks, Recreation and Leisure Facilities Management; (31.0601) Outdoor Education; (50.0102) Digital Arts; (50.0301) Dance; (50.0913) Music; (51.0801) Medical/Clinical Assistant; (51.1004) Clinical/Medical Laboratory Technician; (52.1701) Insurance; (99.6000) Maine CTE Exploratory; (03.0101) Natural Resources/Conservation, General; and (03.0207) Natural Resource Recreation and Tourism.
- With fellow Perkins stakeholders, a set of Perkins V Performance Indicators were developed to align to local school climates.

- A new process was developed for CTE New Program Approval, which dramatically reduced the approval time.
- Interdepartmental collaboration aligning data systems to adjust to the new EPS funding model
- Ongoing work to improve the review process for the CTE schools, the Comprehensive School Review, which lessens cost, time, and local school burden
- Developed and implemented an improved online grant system for the Perkins recipients
- More than doubling the offerings of CTE Exploratory programs throughout the state
- Developed and implemented a CTE technical skill standard review process
- Introduction of Middle School CTE programming with implementation of pilot programs
- Increased focus on 9th and 10th grade opportunities
- Increased collaborations with key stakeholders such as Educate Maine, MACTE, and Trade Associations
- Increased collaborations with the Maine Community College System with the development of an MOU with more of a focus on credits with a purpose, such as dual enrollment and concurrent enrollment opportunities
- Through the reauthorization of the federal Perkins funds, a new four-year Perkins V State plan for CTE was developed and implemented.
- More efficient technical assistance to the field through online resources, such as Zoom and TEAMS
- Revamped the Methods of Administration process with a more comprehensive alignment to the Office of Civil Rights
- More accurate student data reporting for both federal and state requirements
- The creation of CTE informational videos
- Provided various professional development opportunities for CTE directors and instructors

E. Barriers to Performance

- Transportation costs for sending schools
- Local graduation requirements
- Costs associated with quickly changing industries; the ability to stay up to date with current equipment
- Aging buildings that don't allow for easy expansion of new programs
- Challenge to fill CTE teaching positions
- Teacher certification requirements

F. Coordination with Other Agencies/Affiliates

- US Department of Education, Office of Career and Technical Education and Adult Education
- Maine Department of Education
- Maine Administrators of Career and Technical Education
- State Workforce Investment Board
- Educate Maine

G. Constituencies Served by the State Board of Education

- Secondary and post-secondary students
- CTE Program Administrators
- Teachers within Career and Technical Education
- Community Colleges

H. Emerging Issues

- Seek better workforce needs data to inform CTE programs and the financial resources needed to support such programs.

B-2

Certification and Higher Education Committee

- A. Governing Regulations – Maine Education and School Statutes, Title 20-A
- Chapter 5. State Board of Education - §405, sub-§3-F and sub-§3-N
 - Chapter 501. Credentialing of Teachers - §13003, §13004, §13006, and §13007
 - Chapter 502. Credentialing of Educational Personnel - §§13011-13026
 - Chapter 502-A. Qualifying Examinations for Initial Teachers - §§13031-13032
 - Chapter 221. School Records. Audits and Reports - §6103
 - Chapter 409. Degree-Granting Institutions - §§10701-10714

- B. Staff Support
- Ángel Loredó, Director, Office of Higher Education & Educator Support
 - Stephanie Fyfe, Team Coordinator, Office of Higher Education & Educator Support
 - Jason Libby, Postsecondary & Educator Preparation Coordinator

- C. Purpose
- The Certification and Higher Education Committee fulfills its Board responsibilities by overseeing the applications of the statutes created by the governing regulations in the Maine Education and School Statutes, Title 20-A. The following rules with the descriptive titles are the basis for the Board’s obligations under statute:

- Chapter 13 Qualifying Examinations For Teachers, Educational Specialists and Administrators
- Chapter 114 Purpose, Standards and Procedures for the Review and Approval of Educational Personnel Preparation Programs
- Chapter 115 The Credentialing of Education Personnel - Part I and Part II
 - Part I. Standards and Procedures for Credentialing
 - Part II. Requirements for Specific Certificates and Endorsements
- Chapter 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
- Chapter 170 Evaluating Requests for Degree Authorizations (Maine and Out-of-State Institutions)

These chapters provide guidance for the Certification and Higher Education Committee as the committee works with each entity governed by these rules and regulations to prepare materials for full Board action.

D. Performance Reports

The responsibilities of the Certification and Higher Education Committee revolve around multiple aspects of degree authorization of higher education institutions, reviews of teacher preparation programs, and the certification of education personnel. Each chapter listed under Section C, above, contains guidelines for maintaining the high quality of education that exists in Maine today. State Board action since the last Program Evaluation Report in 2013 is provided by the chapters that govern these actions:

- **Chapter 13 Qualifying Examinations for Teachers, Education Specialists, and Administrators**
The Board works closely with the certification office of the Department of Education to annually review and approve the changes that occur in the Praxis I, Praxis II, and the PLT (Principles of Learning and Teaching). These exams are administered by the Educational Testing Service (ETS). Each test is regenerated in five-year cycles.
- **Chapter 114 Purpose, Standards, and Procedures for the Review and Approval of Preparation Programs for Educational Personnel**
Chapter 114 was re-written and adopted by the Board in 2012, but it is again due for a review and update. The rule provides guidance for the teacher preparation programs as these institutions prepare for their reviews. Teacher preparation program reviews are done every five years unless a program is nationally accredited by the Council for the Accreditation of Educator Preparation (CAEP). In that instance, the review is done every seven years. Board members are observers to each review and the review is presented to the Board for accreditation approval.

See Appendix C for the October 25, 2021 report by Jason Libby, Postsecondary & Educator Preparation Coordinator, on Maine Approved Educator Preparation Programs.

- **Chapter 115 Part I and Part II**
Part I - Standards and Procedures for Credentialing
Part II - Requirements for Specific Certificates and Endorsements
Chapter 115 has been amended many times as the needs in the educational field have changed. The committee working with the Department of Education's Office of Higher Education and Educator Support reviews any recommended changes and the Board participates in the Administrative Procedures Act process. A proposed Rule Chapter 115 went to a public hearing on August 16, 2021 and followed with a comment period. The proposal has substantial changes made to positively benefit the educator workforce in Maine. The State Board of Education aims to have the final adoption of the proposed Rule Chapter 115 by the spring of 2022.

- **Chapter 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**

- **Chapter 170 Evaluating Requests for Degree Authorizations (Maine and Out-of-State Institutions)**

Chapters 149 and 170 provide the procedures and standards for the authorizing of degrees from higher education institutions from either in-state or out-of-state. These guidelines allow the state to ensure that the programs that are offered within our state meet our high standards. The Board works closely with the Postsecondary and Educator Preparation Coordinator on each application.

In 2015, the Maine State Legislature amended the State Board of Education's powers and duties to allow it to "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" (20-A M.R.S. §405, sub-§3-W). Subsequently, the state joined the National Council for State Authorization Reciprocity Agreements (NC-SARA) through the New England Board of Higher Education (NEBHE).

SARA is an agreement among its member states, districts and U.S. territories that establishes comparable national standards for interstate offerings of postsecondary distance-education courses and programs. It is intended to make it easier for students to take online courses offered by postsecondary institutions in a state other than the one where they reside. SARA is overseen by a national council and administered by four regional higher education compacts, with the New England Board of Higher Education being the regional entity for the State of Maine. A copy of the most recent NC-SARA agreement is included in Appendix C.

Over the past five years, hundreds of institutions have applied for and received authority to provide online education to citizens in the state under this agreement. This does not include institutions that have a physical presence in the state, which would result in the institution seeking degree-granting authority from the State Board through the process outlined in

Chapters 149 and 170. Participation in this agreement has also allowed Maine colleges and universities easier means to offering online education to citizens of other states throughout the country.

E. Barriers to Performance

The updating/revising of chapters requires extensive research and writing. The work of updating Chapter 115 began with a consensus-based rulemaking committee in May 2020, moved forward to the Professional Standards Board after seven months of updating the rule, received the support of the Professional Standards Board, and moved to the Certification and Higher Education Committee of the State Board for a comprehensive review. At the time of this report, the proposed rule is still under revision and will be going to a second hearing.

The State Board is comprised of appointed volunteers with no professional staff employed to facilitate the work. Limits in staffing have caused postponements of the major work needed to update certain chapters.

F. Coordination with Other Agencies/Affiliates

- Department of Education
 - Commissioner
 - Certification Office
 - Higher Education Specialist
- University of Maine System
- Maine Community College System
- Maine Maritime Academy
- Educational Testing Service (ETS)
- Deans/Directors of Teacher Education Programs at all higher education institutions
- National Teacher Preparation Accreditation such as NCATE, TEAC
- Career and Technical Education
- Maine Education Association (MEA)
- Maine Principals' Association (MPA)
- Maine School Management Association (MSMA)

G. Constituencies Served by the State Board of Education

- Citizens and students of Maine
- PreK-12 Public Education
- University of Maine System
- Community Colleges
- Private Colleges
- School Administrative Units
- Maine Educators
- Joint Standing Committee on Education and Cultural Affairs
- Legislature

B-3

School Construction Committee

- A. Governing Regulations – Maine Education and School Statute, Title 20-A
- Chapter 5. School Closing – §405, sub-§3-D
 - Chapter 5. School Construction Aid – §405, sub-§3-K
 - Chapter 5. Federal Funds (QSCB and QZAB) – §405, sub-§3-Q
 - Chapter 5. Federal Aid, Career and Technical Education – §405, sub-§7
 - Chapter 609. School Construction
 - §15916 Federal Construction Aid
 - Rule Chapter 60 - New School Citing Approval
 - Rule Chapter 61 - Rules for Major Capital School Construction Projects

- B. Staff Support
- Scott Brown, MDOE Director of School Facilities
 - Ann Pinnette, Division Coordinator
 - Jim Harford, School Construction Coordinator
 - Valerie Chiang, School Construction Coordinator
 - Nathan McIvor, Office Administrator

- C. Purpose
- The State Board of Education’s School Construction Committee recommends to the State Board of Education school construction projects that will qualify for debt service school subsidy. In formulating their recommendations, they are guided by Chapter 60 (the rule on School Citing) and Chapter 61 (the rule on capital construction). The School Construction Committee also recommends the distribution of federal construction funds. The State Board of Education makes the final decisions on the Construction Committee’s recommendations.

The School Construction Committee provides guidance to the State Board in its role to adopt or amend rules on standards for school construction and it serves in an advocacy and advisory role for school construction that best meets the educational needs of the State of Maine.

In addition to Chapter 60 and Chapter 61, the State Board of Education is guided under M.R.S.A. Title 20-A, Chapter 5, State Board of Education and as detailed in Chapter 609, School Construction.

- D. Performance Reports
- The responsibilities of the Construction Committee follow the protocols outlined in Chapter 61, Rules for Major Capital School Construction Projects. The School Construction Committee reviews the priority list for construction consideration. The list is developed following an application prepared by local units, followed

by a detailed site visit and a rating score given to each applicant. The list is sent to the State Board following the Committee's review and recommendation.

The School Construction Committee reviews the site proposal for a construction project and develops a recommendation once all questions regarding the site have been satisfied.

The School Construction Committee reviews the proposal for Concept Approval prior to the Concept going to the State Board. The Concept includes enrollment projections, the project budget, floor plans, elevations, a site plan, a description of the materials to be used in the building, and a project schedule. The State Board's approval must be obtained in order for the local unit to conduct a legal referendum.

Once the building has been designed, the Committee reviews the detailed building design and considers any design or specification changes that have been incorporated after the Concept Design approval. Following this approval, the project goes out to bid.

The Committee has a special consideration process for high school proposals that are projected to enroll less than 300 pupils. There are a number of tests to insure that fiscal resources will be available for a quality education.

The Committee must also ensure that all rules are followed when an integrated, consolidated 9-16 educational facility is going through a construction project. The process is outlined in Chapter 61, Rules for Major Capital School Construction Projects.

Since November 1, 2013, the School Construction Committee and State Board of Education granted approval of the following:

- 14 Site Approvals
- 14 Concept Approvals
- 12 Design and Funding Approvals
- 11 Final Funding Approvals

There were 13 new school construction projects competed during that 8-year time period, and there are currently 9 school construction projects in progress.

Whereas the 2013 GEA report for the State Board reported out, "Over \$17 million in Federal Qualified Zone Academy Bond Program (QZAB) funds have been approved since 2006 and over \$75 million in Federal Qualified School Construction Bond Program (QSCB) funds have been approved since 2009," QZAB and QSCB funding has changed significantly since 2013. The Federal Qualified Zone Academy Bond (QZAB) program was eliminated and funding is no longer available. The last authorization for QZAB was for calendar year 2016.

The Federal Qualified School Construction Bond (QSCB) program only provided state allocations in 2008 and 2009.

Testimony on school construction bills, legislative work, and presentations have been made in the last eight years.

Appendix D contains the following documents:

- 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

E. Barriers to Performance:

No barriers are identified at this time other than limited funding for school construction projects and renovations to schools for improved health and safety to students and staff.

F. Coordination with Other Agencies/Affiliates

- Department of Education
 - Commissioner
 - Department of Environmental Protection
 - Department of Transportation
 - State Fire Marshal
 - Historic Preservation Commission
 - Department of Inland Fisheries and Wildlife
 - Department of Human Resources
 - Department of Conservation
 - Army Corps of Engineers
 - Bureau of General Services

G. Constituencies Served by the State Board of Education

- Citizens and Students of Maine
- PreK-12 Public Education
- School Administrative Units
- Joint Standing Committee on Education and Cultural Affairs
- Legislature

B-4

Legislative Action Committee

The Legislative Action Committee has oversight over the broad responsibilities of the Board to advise and make recommendations to the Legislature. The committee provides guidance to the Chair and the State Board on recommendations to the Legislature of 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.

The Committee regularly meets every Friday, January through the end of the Legislative Session, to evaluate LDs that are most closely connected to the Board's work. They establish a watch list of bills. In the Second Special Session of the 130th Maine Legislature, the Committee had a watch list of approximately 34 bills that were broken into areas of interest including: CTE, Charter Schools, School Construction, and Broadband. Chair Hess testified on the Board's behalf on 14 bills and student Board member Greyson Orne testified on LD 21 regarding a new dormitory at the Maine School of Science and Mathematics (MSSM).

When the Education and Cultural Affairs Committee is not in session or is not meeting, the Legislative Action Committee meets on an as needed basis.

B-5

Ad hoc Committees

Ad hoc committees are established by the Chair or action of the State Board of Education, as necessary. Ad hoc committee charges and appointments expire following the Annual Organizational Board meeting or after completion of the assigned task.

Examples of recent Ad hoc committees include:

2019-2020: Chapter 125 Review & Update - Fern Desjardins (Chair), Peter Geiger, and Jane Sexton working with Pamela Ford-Taylor, School and Student Support Specialist, MDOE

Spring 2021: ARP-ESSER Ad Hoc Committee – John Bird (Chair), Fern Desjardins, Tori Kornfield, and Casey Maddock. The Maine State Board of Education ARP-ESSER Ad Hoc Committee met for the purpose of establishing priorities, on behalf of the State Board, for the use of ARP-ESSER federal funds available to Maine. The Board was asked by Commissioner Pender Makin to provide feedback/share ideas for the application to the U.S. Department of Education.

B-6

Board's Role as Adviser

- A. Governing Regulations – Maine Education and School Statutes, Title 20-A
- Chapter 606-B. Essential Programs and Services
 - Commissioner's Recommendation for Funding Level – §15689-C
 - Chapter 1. General Provisions – Restructuring Public Schools - §8
 - Chapter 3. Department of Education
 - Subchapter 2. Commissioner, Appointment §251, sub-§1-A, 1-B, and 1-C
 - Chapter 5. State Board of Education
 - §405 Powers and duties, sub-§3 Specific duties
 - Approve the formation of school administrative districts, sub-§3-B
 - 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, sub-§3-D
 - Adopt or amend rules on requirements for approval and accreditation of elementary and secondary schools, sub-§3-E
 - Establish and maintain a 5-year plan for education that includes goals and policies, sub-§3-T
 - Review the organization of school administrative units, sub-§3-U
 - Study school administrative unit configuration statewide, sub-§3-V
 - Chapter 103. School Administrative Districts
 - Subchapter 3. §1255 Reapportionment
 - State Board Review of Commissioner's Decision - §1255, sub-§12
 - Rules - §1255, sub-§13
 - Chapter 103. Subchapter 4. Financing
 - §1301, sub-§1-B and sub-§F
 - Chapter 105. Community School District
 - Subchapter 2. State Board Return - §1651, sub-§3
 - Chapter 103. School Administrative Districts
 - Subchapter 3 – School Directors
 - Election - §1253
 - Duties of the Reapportionment Committee - §1255, sub-§7
 - State Board Review of Commissioner's Decision - §1255, sub-§12
 - Rules - §1255, sub-§13
 - Chapter 112. Public Charter Schools - §2405 – Authorizers – sub§8 – Maine Charter School Commission
 - Chapter 121. Maine-New Hampshire Interstate School Compact §3601 to 3604

- Chapter 207-A. Instruction - §§4701-4729
- Chapter 213. Student Eligibility §5205 Other exceptions to the general residency rules
- Chapter 222. Standards and Assessment of Student Performance §6208 Legislative intent and §6209 System of learning results established
- Chapter 223. Health, Nutrition and Safety
Subchapter 7 – School Lunch and Milk Program §6602, sub-5 Rules
- Chapter 317. Summer Schools §8801, sub-§1

B. Staff Support

- Mary Becker, State Board Secretary
- Department of Education (DOE) Staff

C. Purpose

The State Board's role as adviser spans many rules. For example, Section 15689-C of Chapter 606-B Essential Programs and Services requires that the Commissioner seek the approval of the Board before submitting the funding levels to the Governor and the Department of Administrative and Financial Services, Bureau of the Budget.

D. Performance Reports

The fulfilling of the designated responsibilities in the chapters listed above occurs in the monthly State Board meetings. The Board will be presented with reports/related materials to review, discuss, and then determine the position of support or denial in accordance with the rule/statute. Below is a sampling of Board actions since the last iteration of the Government Evaluation Act:

- Chapter 3. Department of Education
Subchapter 2. Commissioner, Appointment §251, sub-§1-A, 1-B, and 1-C
The commissioner's appointment by the Governor must include the chairman of the State Board in the selection process and must ensure that the state board has an opportunity to meet and interview the candidate(s). The state board must deliver a written appraisal of the candidate(s) to the Governor and the Governor must consider the appraisal prior to posting the nomination.

At the January 9, 2019 State Board meeting, Chair Wilson G. Hess introduced Acting Commissioner A. Pender Makin to State Board members. Acting Commissioner Makin made an introductory statement to the Board and was interviewed for approximately 90 minutes. Board members offered comments in the appraisal of the candidate, broadly supportive of Ms. Makin. The Board then took action to authorize Chair Hess, with consultation from Board members Wendy Ault, John Bird, and

Jane Sexton, to draft the appraisal of the candidate to the Governor as set forth in Title 20-A, Sec. 251.

- Commissioner’s Recommendation for Funding Level – §15689-C
Annually, the Commissioner with the approval of the State Board of Education certifies to the Governor and the Bureau of the Budget recommended funding levels for the total cost of funding public education from kindergarten to grade 12. In the last 4 years, the Board took action on 1/13/2021, 1/15/2020, 2/27/2019, and 1/10/2018
- Appoint members to the Maine Charter School Commission, Chapter 112. §2405, sub-§8
 - May 8, 2018 – Fern Desjardins; John Bird (re-appointment), James Rier (re-appointment), and Laurie Pendleton (re-appointment)
 - July 10, 2019 – Nichi Farnham
 - February 2, 2021 - Wilson G. Hess
 - July 14, 2021 - Cynthia Murray-Beliveau

- Transfer students, Chapter 213, §5205, sub-§6-F
The State Board receives many requests annually for the review of the denial of student transfers from one school administrative unit to another. In the last 8 years, the Board has received and acted on the following number of appeals annually:

2013 – 1
2014 – 11
2015 – 22
2016 – 53
2017 – 43
2018 – 14
2019 – 55
2020 – 25
2021 – 18 (January-October)

Total = 242 student transfer appeals

- Chapter 222. §6209 System of learning results established
In 2017, the Department began a round of revisions to the Maine Learning Results. The steering committees for the standards review of each content area included one State Board member.

2017-2018

- Science & Technology – Amy Arata

2018-2019

- Career and Education Development – Wendy Ault
- English Language Arts/Literacy – Martha Harris
- Mathematics – Fern Desjardins

2019-2021

- Health and Physical Education – Wendy Ault
- Visual and Performing Arts – Martha Harris
- World Languages – Fern Desjardins

The State Board was also represented in the move to the Next Generation Science Standards in 2015 – Peter Geiger and Heidi Sampson.

E. Barriers to Performance

The multiple responsibilities of the Board in this role as advisor are varied and would benefit from the guidance of an Executive Director. Communication is critical.

F. Coordination with Other Agencies/Affiliates

- Department of Education Staff
- Commissioner of Education
- Attorney General’s Office - Sarah Forster

G. Constituencies Served By State Board of Education

- Citizens and students of Maine
- PreK-12 Public Education
- University of Maine System
- Private Colleges
- School Administrative Units
- Administrators
- Joint Standing Committee on Education and Cultural Affairs
- Legislature

B-7

Maine Charter School Commission

The State Board of Education designates three of its members to serve on the Maine Charter School Commission.

B-8

Committee Appointments/Board Representatives

The State Board's current committee appointments are in Appendix A. There are currently two vacancies on the Board from the resignations of two members in September 2021.

B-9

5-Year Strategic Plan

The State Board's 5-Year Strategic Plan is initially developed by each committee as they identify their goals and milestones. It is then reviewed and revised by the entire Board before they take final action on the plan. See Appendix B for a copy of the strategic plan that ends December 31, 2021. The State Board started working on the 2022-2026 Strategic Plan at their retreat held August 10-11, 2021.

Section C.

State Board of Education Organizational Structure

- A. Governing Regulations – Maine Education and School Statutes, Title 20-A
- Chapter 1. General Provisions, §3 Administrative procedures
 - Chapter 1. General Provisions, §9 Public Higher Education Systems Coordinating Committee, sub-§3(G)
 - Chapter 3. Department of Education
 - Subchapter 1. Department Administration §202, sub-§1
 - Subchapter 2. Commissioner §251, sub-§1-A, 1-B, and 1-C
 - Chapter 5. State Board of Education §401 to §406
 - Chapter 103. School Administrative Districts.
 - Subchapter 3. School Directors §1253, sub-§1 §1255, sub-§7-C, 12, and 13.
 - Subchapter 4. Financing §1301, sub-§3-F
 - Chapter 103-A Regional School Units
 - Subchapter 2. Formation of Regional School Unit §1468
 - Subchapter 3. School Governance; Program §1475, sub-§12
 - Chapter 222. Standards and Assessment of Student Performance §6209
 - Chapter 206. Elementary and Secondary Schools
 - Subchapter 1. Basic School Approval §4502, sub-§5
 - Subchapter 2. Accreditation §4511, sub-§1
 - Chapter 213. Student Eligibility §5205, sub-§§6-F, and 6-G
 - Chapter 223. Health, Nutrition and Safety
 - Subchapter 5. Sanitary Facilities §6501, sub-§4
 - Subchapter 7. School Lunch and Milk Program §6602, sub-§5, 6, and 8-A
 - Chapter 313. Career and Technical Education
 - Subchapter 1. General Provisions §8306, sub-§1, 2, and 5
 - Subchapter 4. Career and Technical Education Regions §8452, sub-§7, and 8
 - Chapter 317. Summer Schools §8801, sub-§1
 - Chapter 409. Degree-Granting Institutions §10702 to §10714
 - Chapter 501. Credentialing of Teachers §13003, sub-§4 §13006-A, sub-§1 §13007, sub-§1 and §13008, sub-§3
 - Chapter 502. Credentialing of Educational Personnel §13011, 13013, 13019-G, 13019-H, 13019-I, 13020, 13022
 - Chapter 502-B. Professional Standards Board §13101 to 13104
 - Chapter 606-B. Essential Programs and Services §15689-C, sub-§1, and 2
 - Chapter 609. School Construction §15905 and §15908
- B. Staff Support
- Mary Becker, State Board Secretary Specialist, 1.0 FTE

Consultants, as needed:

- DOE Staff
- Assistant Attorney General, Sarah Forster
- Assistant Attorney General for Student Transfer Appeals, Emily Atkins

C. Purpose

Chapter 5 §§401-406 defines the membership, responsibilities, powers and duties of the Board. The statutory references establish the State Board of Education and set the general guidelines for the operation of the Board.

Chapter 3 Department of Education, §1 Department Administration lists the State Board under §202, Department organization. The department provides support staff to allow the Board to fulfill its responsibilities.

Other legal references cited in section A, above, outline the process for the Board to adopt rules, ensure that the Chair is involved in the selection of the Commissioner of Education, requires that the State Board approve the Commissioner's recommendation for funding levels to the Governor and the Department of Administrative and Financial Services, Bureau of the Budget, and provide a reference of the various tasks assigned to the State Board by the Legislature.

D. Performance Reports

All specific performance reports are included in Section B with the committees. Appendix A contains Chapter 5 §§401-406, which establishes the State Board.

E. Barriers to Performance

The Board is staffed with only 1.0 FTE employee – the secretary specialist who carries out the typical responsibilities associated with the position. The State Board depends heavily on its membership to assume research and policy operations, keep up to date with legislative bills and provide testimony, develop and implement its strategic plan, collect data for evidence-based decision making, or working with stakeholders in the policy process. This means that Board members must dedicate a good amount of time to Board duties. All Board members need to be active on at least 2-3 committees. Two of the recently appointed Board members resigned because of the time commitment needed to carry out duties and responsibilities of membership.

F. Coordination with Other Agencies/Affiliates

- Department of Education
 - Specialists
 - Director and Team Coordinator, Office of Higher Education & Educator Support (Certification)
 - Postsecondary & Educator Preparation Coordinator
 - Director of School Construction Programs
 - State Director for Career and Technical Education (CTE)
- National Council for Accreditation of Teacher Education (NCATE)

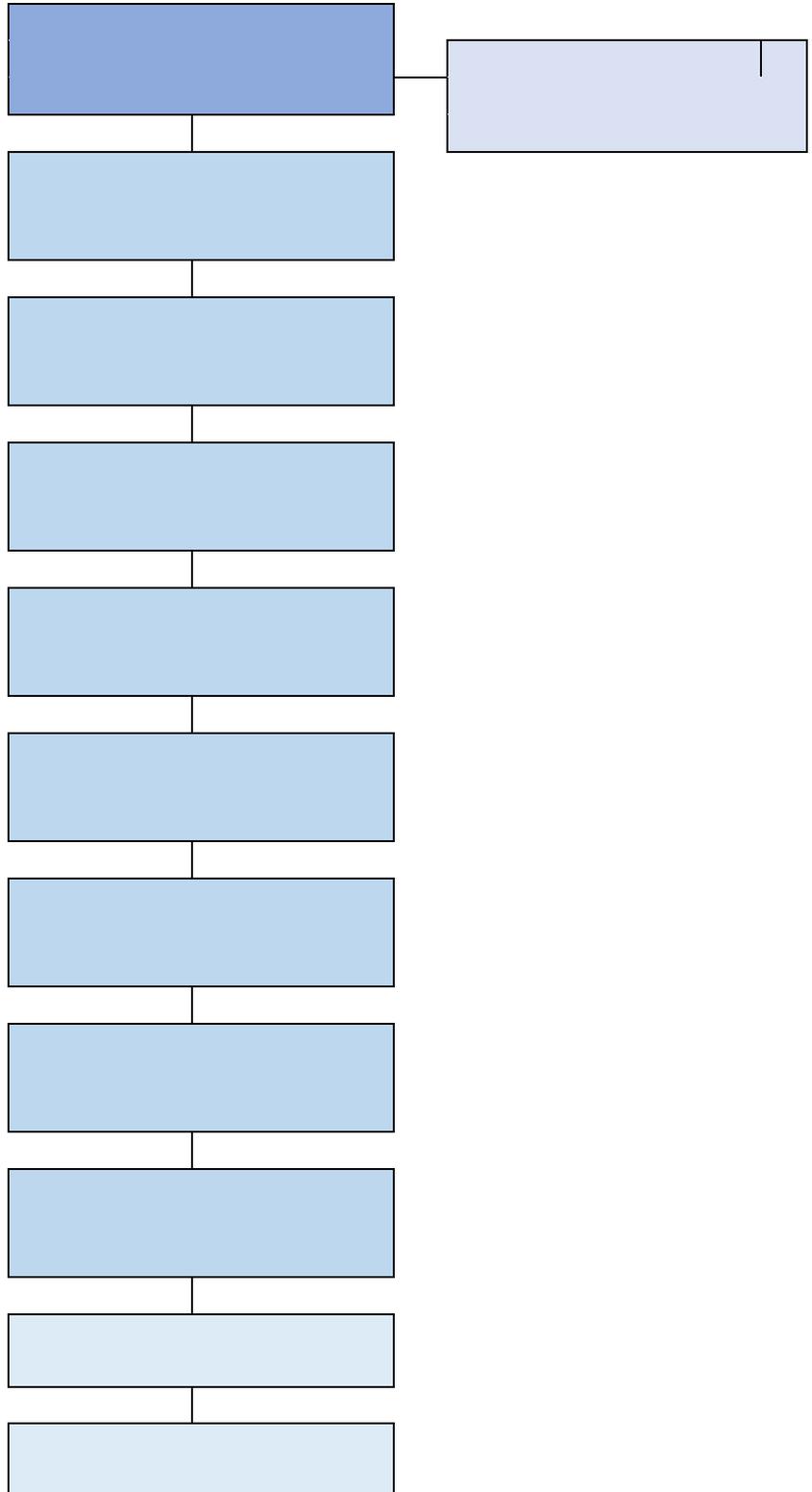
State Board of Education

- Teacher Education Accreditation Council (TEAC)
- Maine Education Association (MEA)
- Maine School Management Association (MSMA)
- Maine Administrators of Services for Children with Disabilities (MADSEC)
- Maine Principal's Association (MPA)
- Maine Administrators of Career & Technical Education (MACTE)
- State Parent Teacher Association (PTA)
- Education Action Forum of Maine
- Higher Education Council
- Maine Maritime Academy
- University of Maine System
- Deans/Directors of Teacher Education Programs at all Colleges
- Maine Community College System
- Educate Maine
- National Association of State Boards of Education (NASBE)
- New England Secondary School Consortium (NESSC)
- Maine STEM Council

G. Constituencies Served by State Board of Education

- Citizens and students of Maine
- PreK-12 Public Education
- University of Maine System
- Maine Community College System
- Private Colleges
- School Administrative Units
- Maine Educators
- Joint Standing Committee on Education and Cultural Affairs
- Maine Legislature

The Organizational Flow Chart for the Maine Department of Education on the following page includes the State Board of Education to the right of the Deputy Commissioner. On the page after it is the State Board's Flow Chart.



E. Ten-Year Financial Summary

<u>Fiscal Year</u>	<u>Allotted</u>	<u>Expended</u>
2012	98,846	98,740
2013	94,628	93,527
2014	158,930	158,927
2015	157,294	146,220
2016	163,864	145,714
2017	162,832	152,011
2018	163,138	156,813
2019	164,081	147,544
2020	187,841	163,240
2021	164,950	140,496
2022	159,666	43,553
2023	160,342	

Allotment			
Budget Line			
Am	Column Labels		
Row Labels	1	2	Grand Total
2012	23,705	75,141	98,846
2013	19,916	74,712	94,628
2014	84,932	73,998	158,930
2015	83,600	73,694	157,294
2016	90,170	73,694	163,864
2017	89,138	73,694	162,832
2018	89,444	73,694	163,138
2019	90,387	73,694	164,081
2020	109,197	78,644	187,841
2021	114,633	50,317	164,950
2022	77,822	81,844	159,666
Grand Total	964,206	1,142,454	2,106,660

Column 1 is the allocation for per diems and the wages of the secretary specialist.
 Column 2 is for all other expenses.

G. Coordination with Other State and Federal Agencies

The State Board works closely with the Maine Department of Education in all its committee work, as evidenced in Section B of this report. The Board would not be able to carry out its 5-year strategic plan or work successfully toward its mission without its collaboration with the Maine DOE. While the State Board does not have a cooperative agreement with the Maine DOE, there are relationships with the DOE and the State Board defined by statute. The State Board has a direct partnership with the Office of Career and Technical Education; Office of Facilities, Safety, and Transportation; and the Office of Higher Education and Educator Support (including certification).

The many other organizations/agencies listed in Section B (e.g., MSMA, Educate Maine, MPA, etc.) are also critical to the successful efforts of the Board. Other agencies that support the Board are the Department of Administration and Financial Services (DAFS).

At the Federal level, Perkins plays a significant supportive role in the work of the Board's CTE priorities by providing funds for programs and services to the 27 secondary CTE schools. The Board receives recommendations from the CTE Committee on the deployment of Perkins funds to determine how to better achieve the strategic priorities in the 5-year Strategic Plan.

H. Constituencies

See Section B. There are no projected changes at this time.

I. Alternative Delivery Systems

No alternative delivery systems, including privatization, are used by the State Board in meeting its goals and objectives. The Financial Summary in Section D is evidence of the lean budget under which the State Board operates in light of the on-going accomplishments of the Board, as outlined in Section B.

J. Emerging Issues

In working toward its vision to ensure that 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, the State Board of Education plans to move forward on the following issues:

- Complete the required steps for the proposed Rule Chapter 115, including another hearing and comment period, and all reviews necessary before final adoption can be made by the State Board. The substantial changes in the rule are to positively benefit the educator workforce in Maine and to address educator shortages.
- Update Chapter 114 on the review and approval of preparation programs for education personnel.

- Update Chapter 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.
- Update Chapter 170 on standards for evaluating requests for degree-granting authorizations and for out-of-state postsecondary institutions seeking to offer academic credit courses/programs in Maine.
- Increase the focus on evidence-based decision making; using high-quality data to inform decisions.
- Seek better workforce needs data to inform CTE programs and the financial resources needed to support such programs.
- Increase communications with different stakeholders to enhance educational opportunities and experiences.
- Work toward a statewide inventory and assessment of PK-12 public school facilities to plan and act for school construction and renovation projects.
- Amend Board rules to require standards for improved air quality and ventilation in Maine’s public schools by July 1, 2026 (Chapter 125, Chapter 60, and Chapter 61).
- Establish a new rating cycle for the Major Capital School Construction Program by the spring of 2026.
- Establish a new rating cycle for the Integrated, Consolidated 9-16 Educational Facility by the spring of 2026.

K. Other Information Requested

No other information has been specifically requested by the Joint Standing Committee on Education and Cultural Affairs.

L. Comparison of Related Federal Laws and Regulations to State Laws

See Section A - Enabling or Authorizing Law - State and Federal.

M. Policies for Collecting, Managing, and Using Personal Information

The secretary specialist for the State Board receives all correspondences, electronically and nonelectronically. She directs correspondences to the Chair, when needed, or directly to assigned committees to conduct their work (as in the selection of student membership to the Board). She maintains control of all correspondences and does not release information to outside or secondary users of information. It stays within the State Board to complete the consumer’s transaction only. The secretary assumes an ‘opt-out’ choice for all consumers, meaning that they are declining permission of the use of their information to outside users.

The secretary specialist does not provide access to confidential documents, such as applications, to anyone other than the decision-making committees or the Board.

The integrity of the data collected by the secretary is maintained by limiting access to only the necessary Board members to protect against internal threats.

The enforcement measure used in following the Fair Information Practice principles is self-regulation by the secretary specialist and at times, it is passed on to Board members to carry out the business at hand.

The State Board of Education has four policies that include references to its use of personal information (see Appendix E).

1. *Code of Ethical Conduct.*

Item 6 of this policy sets a strict confidentiality standard for information provided to Board members, including executive session matters.

2. *Student Board Members*

The secretary specialist for the State Board receives all applications for the student member position and releases the applications only to the Student Membership Committee during committee meetings. Application materials are collected after each meeting and filed by the secretary.

During the COVID-19 pandemic, application materials were mailed to the Student Membership Committee for selection purposes. Committee members were directed to shred all applications after three finalists were selected for the Governor’s consideration.

3. *Procedure for Handling Requests for Review of Commissioner Decisions on Student Transfer Requests*

The Board reviews student transfer requests in executive session because they review and discuss documents that are confidential under the Family Educational Rights and Privacy Act. Student records are considered confidential. The secretary specialist for the Board mails to Board members the documents provided from the time a parent applies for a student transfer with the resident superintendent to the time that the Commissioner of Education denies the request and the parent appeals to the State Board. When meeting in person, the secretary or designee collects all packets after the Board meeting. When meeting remotely during the COVID-19 pandemic, Board members are directed to shred all documents.

4. *Remote Participation*

The remote participation policy states clearly that confidential documents protected by state and federal laws will not be posted with other Board materials on their website.

N. Reports and Applications Required to be Filed with the Agency

The State Board has no reports or applications required to be filed by the public.

O. Reports Required by the Legislature

The State Board submits the *Board or Commission Annual Report* to the Maine Secretary of State by December 31 of each calendar year. A copy of the first page of the 15-page report for the 2020 calendar year is in Appendix A.

Though not required as “reports”, the Maine Education and School Statutes, Title 20-A, Chapter 5 §405 gives the State Board the following duties:

- §§3-A Make recommendations to the Legislature for the efficient conduct of the public schools.
- §§3-N Obtain information regarding applications for granting degrees and make a recommendation to the Legislature.
- §§3-S Develop long-range education goals and standards for school performance and student performance to improve learning results ... and recommend to the commissioner and to the Legislature a plan for achieving those goals and standards.

P. List of Organizational Units and Programs

The State Board has no organizational units and programs within its agency

Q. Provisions that Require Legislative Review for Alignment with Federal and State Laws or Court Decisions

The following require Legislative review:

- 20-A M.R.S.A. §401 (1) Appointments to the board are subject to review by the Joint Standing Committee on Education and Cultural Affairs;
- 20-A §401-A, sub-§3 Enforcing regulatory requirements for school administrative units. The State Board may advise the commissioner and the Legislature on matters concerning state laws relating to public preschool to grade 12 and post-secondary education;
- 20-A §405(3)(A) Specific duties – make recommendations to the Legislature for the efficient conduct of the public schools; and
- 20-A §405(3)(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 these goals and standards.