



**MAINE STATE BOARD OF EDUCATION**  
23 State House Station  
AUGUSTA, MAINE 04333

The State Board of Education held a regular monthly meeting on October 12, 2005, at Thornton Academy, Saco with the following members present: Chair James Carignan; Vice Chair Phil Dionne, Joyce McPhetres, Wes Bonney, Ann Weisleder, Jack Norris, Ellie Multer, Janet Tockman, and Jean Gulliver.

Also present were: Scott Brown, AIA, School Construction; Judith Malcolm, Team Leader, Support Systems Team; and Rhonda Casey, Clerk.

**CALLED TO ORDER:**

The meeting was called to order at 1:30 p.m.

**APPROVAL OF THE MINUTES:**

MOVED by Jean Gulliver, seconded by Janet Tockman, and unanimously voted to approve the August 10, 2005, minutes as written.

Hearing no objection Chair Carignan added to Regular Business the consideration of the Receipt of Select Panel Report.

**CONSENT AGENDA:**

APPROVAL OF THE VISITATION TEAM FOR THE UNIVERSITY OF MAINE

MOVED Joyce McPhetres, seconded by Wes Bonney, and unanimously voted to approve the consent agenda.

**REGULAR BUSINESS:**

CONSIDERATION OF THE RECEIPT OF THE DRAFT SELECT PANEL REPORT

MOVED by Ann Weisleder, seconded Joyce McPhetres, and unanimously voted to receive the draft Select Panel Report.

RECEIPT OF THE REVIEW TEAM REPORT FOR THE COLLEGE OF THE ATLANTIC

Background: The College of the Atlantic requested a campus visitation for the review of the following educator preparation programs:

Elementary Education (K-8)

Secondary Level (7-12)

- Life Sciences
- Social Studies

A site visit was conducted April 10, 2005 to April 13, 2005. Following the visit a review team report was developed utilizing the procedures established by the State Board of Education.

Recommendation: That the State Board of Education accepts the review team finding that the College of the Atlantic educator preparation program meets all standards except for one subset of Standard One. The elementary education program needs to be reconfigured around methodology courses to fully meet state certification requirements. It is believed that this can reasonably be accomplished by December 31, 2005, and to that end, it is recommended that the program be conditionally approved until an interim report is submitted to the Board addressing this reconfiguration. Upon satisfaction of this reconfiguration the Board can then act upon extending program approval.

MOVED by Jean Gulliver, seconded by Ann Weisleder, and unanimously voted to accept the review team finding that the College of the Atlantic educator preparation program meets all standards except for one subset of Standard One. The elementary education program needs to be reconfigured around methodology courses to fully meet state certification requirements. It is believed that this can reasonably be accomplished by December 31, 2005, and to that end, it is recommended that the program be conditionally approved until an interim report is submitted to the Board addressing this reconfiguration. Upon satisfaction of this reconfiguration the Board can then act upon extending program approval.

## CHAPTER 115, CERTIFICATION, AUTHORIZATION AND APPROVAL OF EDUCATIONAL PERSONNEL

Background: Chapter 115: Certification, Authorization, and Approval of Education Personnel, a Major Substantive Rule of the State Board of Education and Department of Education underwent Legislative review and approval during the first regular session of the 122<sup>nd</sup> Maine Legislature and was adopted by the State Board on June 15, 2005.

Over the past few months, the State Board committee for certification and higher education has revisited Chapter 115 to address requests that would effect changes and provide clarifications to the rule.

Proposed amendments to Chapter 115, Part II include the addition of a new certificate, the Interim Superintendent Certificate, which would allow a school superintendent whose

certificate had lapsed to be employed in a school district as an interim superintendent for a period of up to two years (this certificate is non-renewable); the removal of reference to the testing requirement for a targeted need certificate for prelingually deaf certification candidates; and, the addition of clarifying language that was inadvertently deleted in a prior rule revision in the following endorsements; middle level, foreign language, literacy specialist, and career and technical.

Chapter 115 proposed amendments have been finalized for State Board approval and for approval to proceed with rulemaking through the Maine Administrative Procedure Act (APA) process.

Recommendation: It is recommended that the State Board of Education approve the proposed amendments to Chapter 115, Parts I and II and approve proceeding with rulemaking regarding the proposed amendments to Chapter 115, Parts I and II, in accordance with the Maine Administrative Procedure Act (APA).

MOVED by Janet Tockman, seconded by Ellie Multer, and unanimously voted to approve the proposed amendments to Chapter 115, Parts I and II and approve proceeding with rulemaking regarding the proposed amendments to Chapter 115, Parts I and II in accordance with the Maine Administrative Procedure Act (APA).

#### MAJOR CAPITAL IMPROVEMENT PROGRAM, CONCEPT APPROVAL CONSIDERATION, MSAD #31, ADDITION TO AND RENOVATION OF PENOBSCOT VALLEY HIGH SCHOOL

Statement of Fact: The proposal is to do a major addition to and renovation of the existing Penobscot Valley High School and a minor revision to the Enfield Station Elementary School. The proposed project would house the district's 7-12 students at the Penobscot Valley High School and allow for all the district's 6<sup>th</sup> grade students to be housed at the Enfield Station School. This Concept Approval is being requested pursuant to M.R.S.A. Title 20-A, Section 15905(1).

#### Project Information:

Project: M.S.A.D. #31 Major addition and renovation at the Penobscot Valley High School

Interim Superintendent: Ann Bridge

Principal: Carol Marcinius

Architect: Steve Rich of WBRC Architects-Engineers, Inc.

Interim Superintendent Bridge has provided the following project description statement:

Citizens with hard past experience and futuristic views see promise and potential in their outdated 1952 Bailey building for the students of M.S.A.D. #31 and for the surrounding communities. The long process of seeking an updated functional framework in which to educate students has moved from the dream of an impossibly expensive, totally new

facility through a failed and conflict-laden effort at consolidation to a reasonable and satisfactory hard-earned middle ground.... a local school heavy on renovation and light on new construction; an updated facility that is based on a comprehensive well-articulated set of educational specifications.

The existing proposal has been honed to promote a lean and highly flexible consolidated 7 – 12 building with a south, center, and north wing. Minimal change in the north wing will provide much needed storage while all instruction will be in rooms with natural light. Because there is a newly renovated gymnasium for increased use, the existing multipurpose room will be converted to a health classroom and an adjacent fitness center as a welcome extension of special programming, a resource to physically challenged students, a strength builder for other students and adults and a promoter of life-long healthy activity. The current 6-12 library will be converted to art and life skills based on their particular educational specifications. The building foyer and middle entrance will be renovated to create a consolidated student services center and to present a unified focal entry point for the entire building as we move to melding HMS and PVHS into a consolidated 7-12 system. New construction will provide an industrial technology complex that is safe and that will foster a wider-range of hands-on I.T.classes for those heading to the vocational center and to those who need the basics of drafting and computer-based design as they enter college level engineering programs. The original building, part of which is currently shut down, will be razed and rebuilt on a higher base to provide ample classroom space for the core disciplines as well as to ensure a drier structure with much needed drainage on a wet site. The library will have outside access to allow for year-round use. The new food services area has been added to permit faster delivery to more children in less time. The cafeteria area will serve double and triple duty as an academic honor center and a fine arts backstage site. Music will be brought in from an entirely separate, isolated building. Special needs children will return to the center hub of the school from portable trailers. Minor renovations will be made at the Enfield Station School to reintegrate the sixth graders. The superintendent's office will be located in several of the portables that the district already owns to complete a comprehensive K – 12 internal consolidation that will serve students and the communities well in the 21<sup>st</sup> century.

This concept presented for approval is rooted in thoroughly functional low maintenance materials updated to be energy efficient over a long life. The '52 relic will be rebuilt to a serviceable, clean, safe structure as part of an internal consolidation housed in two (2) major buildings that will allow us to focus our assets, our energies, and - most importantly- our children on the demanding tasks at hand.

Project Budget Information:

Estimated Total Project Cost: \$8,913,187  
State/Local Cost: \$8,897,707  
Local Only Cost: \$15,480

Commissioner Recommendation: The Commissioner recommends that the State Board grant Concept Approval to M.S.A.D. #31 for renovations and an addition as outlined and approve the attached budget as presented.

NOTE: The Board heard statements from the following individuals in addition to the Superintendent Bridge and the architect :

- Catherine Menard, Curriculum Director for SAD 31, summarized the work that the district has completed regarding the proposal for consolidating Howland's schools into two schools, a K-6 and a 7-12 school, as well as aligning the district's curriculum to meet Maine's Learning Results.
- Jack Neel, SAD School Board Chair, said that the 7-12 concept was unanimously approved as well as positively received by the members of the school board. In addition, the school board is dedicated in accomplishing the best possible education for its students.

Commissioner Gendron stated that in 2006 the Department would encourage districts to incorporate students from the 6<sup>th</sup> grade into the 7-12 educational planning. The Department of Education received a grant to revisit and rewrite the second edition of Promising Futures. As part of the rewrite, the Department is looking to create an integrated curriculum by incorporating middle school level students with 7-12 students in the comprehensive planning structure, which would create a stronger curriculum connection.

Ellie Multer briefly reviewed the three documents below, which were distributed at the beginning of the business meeting.

- Report of the Construction Committee to the State Board of Education
- A Brief History of the SAD #31 Project
- Spreadsheet, Estimate Only – SAD #31 Five-Year Projection

In addition, she provided the following statement:

The State Board has a fiduciary responsibility and in making its decision the Construction Committee considered the factors laid out in the above handouts as well as the school administrative unit's ability to sustain an adequate education program. In addition, whatever action the State Board of Education takes, it is asserting a view and an opinion. In other words, there is nothing in law or rule that permits the State Board to step aside and let the district simply vote. The Board does not have this option. The Board can either grant concept approval, which would indicate that the Board finds that the project is feasible, fiscally responsible, and worthy of going forward or the Board turns the project down because it feels it doesn't meet those requirements. The Board also looked at the district's enrollment figures. Currently, the resident enrollment is 604 and enrollment projections for the district were not expected to drop this low for another three years. The Construction Committee recognizes that the district's financial difficulties and the deficit are due to the obligations taken on to develop this concept approval, but

the concern is not solely the immediate financial position, but rather the financial position this district will be in as it moves forward.

MOVED by Ellie Multer and seconded by Jean Gulliver not to recommend concept approval for the MSAD #31 school construction project.

At this point, Chair Carignan opened the discussion up to receive public comments and the following individuals provided the statements, which are summarized below:

Superintendent Ann Bridge asked the Board for a one-month extension.

Senator Schneider commented that she is not convinced that alternatives would be any more fiscally responsible than what has already been presented. She is concerned and urges the Board to go by the current plan or provide an option to revise the plan based on the projections provided by the Department of Education. She also believes that it would be a huge mistake for the Board to make a decision about the community and that it is important that the community be given all the financial information available. It is also important to note that passions run high on both sides and each side can equally justify that their side is reasonable. Given the different opinions regarding projections, she believes that the community should be allowed to make its own decision and it is ultimately up to the voters to decide how much they want to spend on education. In addition, the State Board should be very cautious to base its decision on projections. Again, she reiterated that the community be allowed to make its own decision and that democracy should be allowed to take place, i.e., community vote.

Laurie Babineau, resident of the district and a staff member of the school district, commented that the school has great kids. At a recent event, the room was so packed that not one more individual could have attended. There is strong support for the children in the community and the community supports its children. Mr. Norris mentioned a particular student that the district denied the opportunity to take a certain class. Whatever the issue was at the time the community supports the entire student population as a whole and not just one individual. The students have come to live with how things are at the district and the students should not have to “live with” how things are.

Beth Turner was asked to represent the petitioners of Enfield and Burlington and deliver the petitions to the Board. The petitions are asking the State Board too seriously look at this issue and to stop the project. It is not about withdrawal at this point. In addition, the packet also contained a letter from the Mr. Kingman, First Selectman, and a letter from a transfer student.

Nancy Burgoyne, resident of SAD 31, a present staff member of the district, and a parent of two Penobscot Valley High School graduates. Both children took very different routes when attending college, both graduated from college, and are very successful individuals. This is because of the quality of the high school education her children received and the support from community that served them. She would like the Board to allow the citizens the opportunity to use their intelligence and use the information, and then make

for themselves what would be the best educational decision for their students. That the Board allows the district the same kind of opportunity that this country was founded on that was afforded to any citizen in any part of this country.

Judy Thompson, resident of SAD 31, commented on a remark that Jack Norris made earlier. The district has a Board member present today and the president of PVOS here today, which as you know as a group has not always worked for the same goals. In the past year these two groups have been working together and in a report completed by Edwin Kastuck of the Department of Education it was noted that in the past year the communication has greatly improved.

Vanessa Bruce, current board member, stated that she was a board member two years ago when the chaos began. The Board was fighting amongst each other, the staff was up in arms, the community was up-in-arms, and since then, two years later, we work very well together. We work with the staff, the staff has a say in everything that goes on, the community PVOS, and the community, as a whole, has a say in what goes on. No longer exists the bickering and the fighting at Board meetings. When she heard the comment that the district's children are disadvantaged, her heart sunk because she believes that the district's children are far from being disadvantaged. They have an opportunity to flourish and participant in anything and they are right there.

MOVED by Phil Dionne, seconded by Janet Tockman, and voted four in favor, four members opposed, and one member abstaining in of tabling the consideration of MSAD #31 school construction project until the November meeting of the Board in order to allow more time for the State Board of Education, the district, and others to review the new data distributed. The motion fails.

Janet asked Ellie to clarify what the Board is allowed to do, i.e., what does the law say.

Ellie stated that the law calls for the Board to either approve or deny concept approval. The Board can table and delay a decision, but ultimately the Board has to make a decision up or down. The project cannot go to referendum unless the Board approves the project. The Board is not in a position to step aside as the law does not allow this.

Jack Norris is concerned that the district has spent money and if the district can be reimbursed for this expenditure.

Ellie stated that this is not within the Board purview, although the Construction Committee did discuss this and individual members felt that they could support this as individuals and that it would be a matter for the state to consider, the Department, and/or the Legislature.

Commissioner Gendron stated that in prior conversations that she made a commitment to the community that should the Board take action not to move forward the project, she would build into the debt service allocation the expenses incurred by MSAD #31 as the

district was placed on the priority list and given the green light to go ahead to incur those costs.

Chair Carignan called the vote on the standing motion, which was not to move forward with concept approval for the MSAD #31 school construction project. Vote: Seven in favor, two opposed (Jack Norris and Phil Dionne), and one member abstaining (Ellie Multer). The motion passes.

**CONSIDERATION OF THE PROGRAM REVIEW TEAM REPORT CONCERNING THE APPLICATION FOR DEGREE-GRANTING AUTHORIZATION AS SUBMITTED BY GRACE EVANGELICAL CENTER FOR UNDERGRADUATE STUDIES AND SEMINARY TO AWARD THE BACHELOR OF ARTS IN BIBLICAL STUDIES AND THE MASTER OF ARTS IN THEOLOGY DEGREES**

Background: 20-A MRSA, § 10704 provides that any educational institution may confer certain degrees if it has been granted initial authority by an Act of the Legislature. Under Chapter 149 CMR, the Maine State Board of Education is required to make a recommendation for action on any initial degree authorization request to the Joint Standing Committee on Education and Cultural Affairs.

Officials of the Grace Evangelical Center for Undergraduate Studies and Seminary, located in Bangor, Maine, submitted an application seeking authority to confer the initial degrees of Bachelor of Arts in Biblical Studies and Master of Theology. The 122<sup>nd</sup> Legislature enacted legislation that exempts certain religious, nonpublic, postsecondary institutions from State requirements for degree-granting authority. This act was signed by the Governor on May 10, 2005, and becomes effective September 17, 2005; a copy is attached. The applicant was advised that the Grace Evangelical Center could qualify as an exempt entity under this law but the applicant chose to proceed with a degree-granting program review, as the intent is to ultimately seek regional accreditation through NEASC. An on-site program review visit to the Center was conducted May 4, 2005.

Recommendation: That the State Board of Education accept the review team's report and advance the Grace Evangelical Center's request for degree-granting authority to award the Bachelor of Arts in Biblical Studies to the Joint Standing Committee on Education and Cultural Affairs for Committee consideration and subsequent action.

MOVED by Jean Gulliver, seconded by Ellie Multer, and voted eight in favor with one member opposing, not to accept the review team's report due to the need for greater fiscal sustainability.

**ADJOURNMENT:**

State Board of Education unanimously agreed to adjourn the October 12, 2005, meeting at 5:00 pm.