

**TESTIMONY
OF
STEVEN POUND, PH.D., CHAIR
STATE BOARD OF EDUCATION**

Before the Joint Standing Committee on Appropriations and Financial Affairs
And the Joint Standing Committee on Education and Cultural Affairs

Hearing Date: March 18, 2013

LR 1046 “An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2014 and June 30, 2015.”

Senators Hill and Millett, Representatives Rotundo and MacDonald, and Members of the Joint Standing Committees on Appropriations and Financial Affairs and Education and Cultural Affairs, I am Dr. Steven Pound Chair of the State Board of Education. I am here today to present testimony for those items presented in LR 1046.

STATE BOARD OF EDUCATION

The Maine State Board of Education is authorized to act in an advisory capacity to the Commissioner of Education in matters concerning State Laws relating to education. In addition, the Board is delegated specific powers to make recommendations to the Legislature for the efficient conduct of the public schools; to approve the formation of School Administrative Districts; to establish requirements for approval and accreditation of elementary and secondary schools; to grant permission for administrative units to enter into agreements for cooperative educational purposes; to act upon articles of agreement for creation of an Interstate School District; to develop and adopt a plan for the establishment of applied technical centers; to approve standards for school construction; to approve school construction projects for State aid; to approve the formation of community school districts; to obtain information regarding applications for granting degrees and make recommendations to the Legislature.

The Board also serves as the State agency for administering Carl Perkins Federal funds; to serve as an appeals Board for unclassified personnel; and to establish the certification standards for teachers and other educational personnel.

In addition to fulfilling its statutory obligations, the Board continues to lead Maine's efforts to establish initial teacher certification program; plays a

leadership role in policy development and implementation of technology; and supports the recognition of exemplary teaching and learning opportunities through the Maine Teacher of the Year Program. The Board is engaged in a major school construction reform initiative that will result in new and improved processes for approving school construction and renovation. These are examples of the powers and duties of the Board listed in Title 20-A, Chapter 5, § 405.

The baseline budget may be found on page **EDU-57** of the **Committee Document**. The General Fund request is \$95,992 for each year of the biennium. The Board has **one initiative (Ref. #1080)** and it may also be found on page **EDU-57** of the **Committee Document**. This initiative transfers a Secretary Associate from the Department of Education to the State Board of Education. It increases funding by 64,850 in FY14 and by \$66,738 in FY15. The Secretary Associate performs all duties and tasks solely for the State Board of Education. This initiative reflects the position in the appropriate program. Overhead costs for the position are currently charged to the Board.

Part C, section 15 may be found on page **EDU-105** of the **Committee Document**. The Board has not had an opportunity to review part C, section 15, so I cannot offer testimony at this time.

Part HHH may be found on page **EDU-114** of the **Committee Document**.

The State Board of Education received an appropriation of \$90,000 for fiscal year 1988-89 in Public Law 1987, chapter 851. This appropriation provided funds to pay rent, contracting for legal services and other state Board expenses. The Department of Education's budget was reduced by \$90,000 because the funds were originally appropriated to the department.

At the same time section 3 of Title 20-A §401 was amended to include expenses for Board members and stated that compensation would be received whenever a member fulfills any Board duties in accordance with Board bylaws. It is believed that Title 5 §12204-C, sub-§1 should have been amended at that time to include expenses.

It was discovered that Title 5 §12204-C, sub-§1 did not include expenses in the rate of compensation to members of the Board during the zero-base budget analysis. This Part does not have a fiscal impact as the Board is currently reimbursed for expenses. It amends Title 5 §12204-C, sub-§1 to be consistent with Title 20-A §401.

This concludes my testimony for the State Board of Education. I would be pleased to answer any questions you may have at this time.

Title 20-A: EDUCATION

Part 1: GENERAL PROVISIONS
Chapter 5: STATE BOARD OF EDUCATION

§405. Powers and duties

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

1. General authority. The state board shall have only the powers specifically stated in this Title. [1981, c. 693, §§5, 8 (NEW) .]
2. Advisory role. The state board shall advise the commissioner concerning matters contained in this Title. [1981, c. 693, §§5, 8 (NEW) .]
3. Specific duties. The state board shall have the following specific powers and perform the following duties:
 - A. Make recommendations to the Legislature for the efficient conduct of the public schools; [1981, c. 693, §§5, 8 (NEW).]
 - B. Approve the formation of school administrative districts; [1981, c. 693, §§5, 8 (NEW).]
 - C. [1985, c. 497, §3 (RP).]
 - D. Review, when necessary, decisions made by the commissioner on applications for additions to, dissolution of, transfers among, withdrawals from and closing of schools in school administrative districts and community school districts; [1987, c. 395, Pt. A, §50 (AMD).]
 - E. Adopt or amend rules on requirements for approval and accreditation of elementary and secondary schools; [1981, c. 693, §§5, 8 (NEW).]
 - F. Establish standards for the certification of teachers; [1981, c. 693, §§5, 8 (NEW).]
 - G. Adjust the subsidy to a school administrative unit when the expenditures for education in the unit show evidence of manipulation to gain an unfair advantage or are adjudged excessive; [1981, c. 693, §§5, 8 (NEW).]
 - H. Act on articles of agreement for creation of an interstate school district; [1981, c. 693, §§5, 8 (NEW).]
 - I. Develop and adopt a plan for the establishment of career and technical education centers and regions and act upon applications to alter the delivery of career and technical education within career and technical education regions and center areas; [RR 2003, c. 2, §32 (COR).]
 - J. Adopt or amend rules on standards for school construction; [1981, c. 693, §§5, 8 (NEW).]
 - K. Approve projects for state construction aid; [1981, c. 693, §§5, 8 (NEW).]
 - L. Approve the formation of community school districts; [1981, c. 693, §§5, 8 (NEW).]
 - M. Approve isolated secondary schools; [1981, c. 693, §§5, 8 (NEW).]
 - N. Obtain information regarding applications for granting degrees and make a recommendation to the Legislature; [1981, c. 693, §§5, 8 (NEW).]
 - O. Recommend funds to the Bureau of the Budget for equalization of educational opportunity; [1993, c. 290, §1 (AMD).]
 - P. [1989, c. 698, §12 (RP); 1989, c. 698, §76 (AFF).]
 - Q. Serve as state agency for administering federal funds for construction of school facilities and for career and technical education; [RR 2003, c. 2, §33 (COR).]
 - R. [1985, c. 797, §11 (RP).]
 - S. Develop long-range education goals and standards for school performance and student performance to improve learning results as established in section 6209 and recommend to the commissioner and to the Legislature a plan for achieving those goals and standards; [2001, c. 454, §6 (AMD).]
 - T. Establish and maintain a 5-year plan for education that includes goals and policies for the education of children in kindergarten and grades one to 12 and that promotes services for preschool children. The plan must incorporate and build upon the work of the Task Force on Learning Results, established in Public Law 1993, chapter 290 and the federal GOALS 2000: Educate America Act; [1995, c. 395, Pt. J, §4 (NEW).]
 - U. Review the organization of school administrative units statewide to identify current cooperative agreements between school administrative units. Cooperative agreements may include, but are not limited to: purchasing or contract agreements; administrative functions; shared staff and staff training; and technology initiatives. Based on the review, and in consultation with the department, the state board may recommend that school administrative units develop and carry out a plan for a cooperative agreement with one or more other school administrative units. "Cooperative agreement" may include agreements between school administrative units and career and technical education regions and career and technical education