

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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**Legislative Document**

**No. 464**

S.P. 151

February 1, 2007

### **An Act To Reform Public Education by Encouraging Regional Approaches**

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Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator MITCHELL of Kennebec.  
Cosponsored by Representative CROCKETT of Augusta and  
Senators: DOW of Lincoln, President EDMONDS of Cumberland, MILLS of Somerset,  
ROSEN of Hancock, STRIMLING of Cumberland, Representatives: Speaker CUMMINGS of  
Portland, NORTON of Bangor, STRANG BURGESS of Cumberland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **CONCEPT DRAFT**  
3 **SUMMARY**

4 This bill is a concept draft pursuant to Joint Rule 208.

5 This bill proposes to reform public education by implementing recommendations  
6 included in the report entitled, "A Case for Cooperation: Making Connections to  
7 Improve Education for All Maine Students," published by the Maine Children's Alliance  
8 in 2006. The bill would amend the education laws in order to encourage new and  
9 expanded regional approaches to school organization and to facilitate voluntary  
10 cooperation in the delivery of educational programs and services. Legislation developed  
11 to reform public education would include, but would not be limited to, the following:

12 1. The establishment of school planning alliances in 26 regions of the State based  
13 upon the existing centers and regions in the career and technical education system  
14 established in the Maine Revised Statutes, Title 20-A, chapter 313. A school planning  
15 alliance would be authorized to create a plan to increase educational opportunities,  
16 streamline administration and gain efficiencies for the school administrative units within  
17 the region. A school planning alliance would:

18 A. Be established upon the election in November 2007 of a regional planning board  
19 composed of 11 members from the school administrative units and municipalities in  
20 the region. The board would have 9 voting members, 3 school board members, 3  
21 elected municipal officers and 3 members of the public. The board would have 2  
22 nonvoting ex officio members, one superintendent and one municipal manager who  
23 are selected by a caucus within the region of superintendents and municipal  
24 managers;

25 B. Be provided with state funding from the Fund for the Efficient Delivery of  
26 Educational Services established in Title 20-A, section 15754 for technical assistance  
27 and facilitation services;

28 C. Be required, within one year, to develop and adopt a plan to meet the  
29 requirements of the system of learning results established in Title 20-A, chapter 222,  
30 including the appropriate curriculum, programs and instructional methods to ensure  
31 that student performance will meet the proficiency standards of the statewide  
32 assessment program within 3 years;

33 D. Be required, within one year, to develop and adopt a plan to ensure that the cost  
34 components that are not directly related to classroom instruction adhere to the  
35 adequate funding levels determined in accordance with the Essential Programs and  
36 Services Funding Act as described in Title 20-A, chapter 606-B within 3 years;

37 E. Be required, following review and approval of the plan by the Department of  
38 Education, to submit the plan to the voters in the region for ratification within 6  
39 months of the adoption of the plan by the regional planning board; and

40 F. Be dissolved within 18 months after it was established

- 1           2. The establishment of a new type of school administrative unit, the regional school  
2 district, as an option for school administrative units within a school planning alliance as  
3 described in section 1 to cooperate in creating a more effective and cost-efficient school  
4 system. The regional school district would:
- 5           A. Be governed by a school board composed of members representing the  
6 municipalities within the region in accordance with the principles of one person, one  
7 vote. School board members would be elected to represent subdistricts established  
8 within the district or be elected at large by all of the voters in the district;
- 9           B. Be financed by a districtwide budget to be prepared by the school board and  
10 approved by the voters of the district. A municipality's total cost of education would  
11 be the district's total cost of education multiplied by the percentage that the  
12 municipality's pupil count is to the district's pupil count in accordance with Title 20-  
13 A, section 15688;
- 14           C. Be administered by a single superintendent to be selected and hired by the school  
15 board;
- 16           D. Be authorized to establish a program of public school choice for all elementary  
17 and secondary schools in the district; and
- 18           E. Be an option for the conversion of existing school administrative districts or  
19 community school districts;
- 20           3. The amendment of state laws and rules for financing the construction and  
21 renovation of school facilities to establish a regional school construction finance program  
22 that complements current state finance programs for the construction of new school  
23 facilities as established by Title 20-A, chapter 609 and for the renovation of existing  
24 school facilities as established by Title 30-A, section 6006-F. The regional school  
25 construction finance program would:
- 26           A. Be funded by authorizing state funding from the Fund for the Efficient Delivery  
27 of Educational Services established in Title 20-A, section 15754 and by recapitalizing  
28 the school revolving renovation fund with General Fund appropriations or the  
29 proceeds of bonds issued by the State;
- 30           B. Be established with flexible approval provisions that would permit applications  
31 from joint or multiple school administrative units and from regional school districts  
32 for public education for any combination of kindergarten to grade 12; and
- 33           C. Be required to meet State Board of Education rules for minimum levels for pupil  
34 enrollment, adequate curriculum to meet the requirements of the system of learning  
35 results, significant cost efficiency as compared to existing schools in the region,  
36 appropriate school siting, appropriate use of new technology and energy efficiency;
- 37           4. The authorization for regional cooperative organizations to be eligible for state  
38 funding from the Fund for the Efficient Delivery of Educational Services established in  
39 Title 20-A, section 15754 for the provision of support services, classroom instruction  
40 when needed to provide an adequate curricular program and enrichment programs. A  
41 regional cooperative organization would be eligible for state funding if the regional  
42 cooperative organization:

- 1 A. Employs an executive director and is a private, nonprofit corporation with a  
2 public purpose under the United States Internal Revenue Code, Section 501(c)(3);
- 3 B. Serves one or more school administrative units that enroll at least 3,000 pupils or  
4 at least 5,000 pupils in the 8 most populous counties in the State; and
- 5 C. Provides direct services to the member school administrative units in one or more  
6 of the following support service or instructional areas: transportation, food service,  
7 special education, maintenance and plant management, collective bargaining,  
8 accounting and payroll, legal services, communications, advanced placement courses  
9 and foreign language courses;
- 10 5. The creation of a model statewide school calendar that would be adopted at the  
11 local level and coordinated at the regional level;
- 12 6. The requirement that all school administrative districts and regional school  
13 districts be named. Existing numbers for school administrative districts should be  
14 replaced with names identifying the districts;
- 15 7. The authorization for the Department of Education to adopt or amend rules to  
16 establish educational standards for the approval of a school administrative unit that  
17 petitions to become a member of, or to withdraw from, a school district; and
- 18 8. The restoration of full funding for the Fund for the Efficient Delivery of  
19 Educational Services at an amount equivalent to 2% of the total amount appropriated for  
20 the General Purpose Aid for Local Schools program during the 2008-2009 biennium.  
21 These funds would be available to:
- 22 A. Provide technical assistance and facilitation to regional planning alliances;
- 23 B. Provide support for eligible regional cooperative organizations;
- 24 C. Capitalize the regional school construction finance program; and
- 25 D. Award grants for innovative programs through a competitive request-for-proposal  
26 process to enhance the curriculum and expand career and technical education  
27 programs, to secure the technology to offer specialized courses throughout the State  
28 and to provide regional continuing education programs for teachers and  
29 administrators.