

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

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Legislative Document

No. 853

S.P. 263

February 23, 2007

An Act To Encourage Efficiency in School Administration

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 MILLS of Somerset.

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 emergency legislation to encourage efficiency in school
6 administration by requiring that on July 1, 2007, school administrative units join a state-
7 chartered educational cooperative, referred to as a "co-op," to contract for the regional
8 delivery of administrative services. Co-ops are described in depth by the Maine Heritage
9 Policy Center in "The Maine View" issue of January 25, 2007 and are functionally
10 similar to educational cooperatives, which are nonprofit entities described in "A Case for
11 Cooperation" published by the Maine Children's Alliance in August of 2006. The bill
12 would include, but would not be limited to, the following.

13 1. Emergency legislation is required as co-ops are created immediately so that each
14 co-op may hire a director and begin planning in the summer of 2007. This provides a
15 year's lead time before the commencement of the delivery of regional services on July 1,
16 2008.

17 2. Participation in a co-op is required for all school administrative units, including
18 those in the unorganized territories. The geographic bounds of the co-ops conform to the
19 existing 26 vocational service regions except that a co-op may include more than one
20 region in order to serve at least 3,000 students. A co-op must:

- 21 A. Continue to provide strong vocational education programming, the function for
22 which vocational service regions were first formed;
- 23 B. Adopt a common calendar for the region;
- 24 C. Adopt and administer a common student identification system;
- 25 D. Establish parallel accounting systems for each unit;
- 26 E. Serve as contract bargaining agent for each unit;
- 27 F. Provide coordinated transportation services in the co-op;
- 28 G. Oversee food services for each public school in the co-op;
- 29 H. Support information technology, including laptops for grades 7 through 12, for all
30 schools in the co-op;
- 31 I. Coordinate and expand opportunities for regional and inter-regional instruction
32 through distance learning, the Internet and other course-sharing initiatives;
- 33 J. Perform central payroll for all units in the coop;
- 34 K. Coordinate the efficient delivery of special education services in the co-op;
- 35 L. Assist schools with comprehensive professional development programs in the
36 co-op;

- 1 M. Provide curriculum and assessment services as needed or requested;
- 2 N. Function as agent for large-volume purchasing of goods and services;
- 3 O. Provide legal and medical support to each school;
- 4 P. Assist units with energy and facilities management;
- 5 Q. Maintain a pool of qualified substitute teachers;
- 6 R. Assist units in providing instruction for students who are homebound or in the
- 7 hospital;
- 8 S. Provide enrichment programs for gifted and talented students;
- 9 T. Establish a protocol for the exercise of school choice among schools; and
- 10 U. Provide high-quality programs to counteract school violence and substance abuse.

11 3. Member units continue to retain local control, including the authority to:

- 12 A. Hire, oversee, evaluate and discharge teachers and other personnel;
- 13 B. Define local curriculum, assessment and professional development practices;
- 14 C. Determine the location and levels of support for individual schools;
- 15 D. Manage local budgets, subject to assessments for regional services;
- 16 E. Substitute local services for those optionally offered by the co-op if the units can
- 17 provide them more effectively or at a lower cost; and
- 18 F. Provide governance to the co-op.

19 This bill permits units and schools to refocus on student achievement and relieves units
20 from the burden of business management so the units may manage the core function of
21 schools, the process of education and instruction.

22 4. Each co-op is governed by a board with proportional representation from each
23 member unit's school board. Units support services provided by the co-op through a
24 capitated fee, contract, money assessment or other method agreed to by the member units.
25 A unit aggrieved by a cost apportionment decision of the co-op has a right of appeal to
26 the State Board of Education, which may issue substantive rules governing such issues.

27 5. Because each co-op is managed by existing public entities, the member units, there
28 is no delay for elections, the assumption or allocation of public debt or the transfer of
29 buildings and other assets. Interim funding of co-ops through June 30, 2008 will be
30 supported by a capitated contribution from the state of \$100 per student. As soon as
31 formed, each co-op may supplement its state appropriation through assessing its member
32 units if the units vote to do so.

33 6. By July 1, 2008, every municipality must become part of a unit containing at least
34 1,200 students. Isolated small units, not contiguous to another, may retain their present
35 governance. School unions are abolished. All segments of the unorganized territories
36 will be assigned to a nearby or adjoining unit.

1 7. By August 1, 2007, the Commissioner of Education shall present to each co-op a
2 suggested unit merger plan for local approval. Approved merger plans must be presented
3 to the Legislature in January of 2008. For good cause shown, a merger may be delayed
4 beyond July 1, 2008, although the merger plan must by then be in place.

5 8. This bill lengthens the school year beginning in September 2008 from 180 to 190
6 days, of which 185 are for instruction.

7 9. This bill amends the unit budget format by aligning it into segments aligned with
8 co-op cost categories beginning July 1, 2008. This bill provides that, for units that must
9 merge, no new employment contracts extending beyond June 30, 2008 may be agreed to
10 until the restructuring provisions of this bill are in place.