

MAINE STATE LEGISLATURE

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124th MAINE LEGISLATURE

FIRST REGULAR SESSION-2009

Legislative Document

No. 778

H.P. 529

House of Representatives, February 26, 2009

**An Act To Exempt Certain Isolated Rural Communities from the
Minimum Student Enrollment Requirements in the Laws Governing
the Reorganization of School Administrative Units**

(EMERGENCY)

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MacDONALD of Boothbay.
Cosponsored by Representatives: AYOTTE of Caswell, EDGECOMB of Caribou, HUNT of Buxton, McKANE of Newcastle, PRATT of Eddington, SCHATZ of Blue Hill, Senator: GOODALL of Sagadahoc.

1 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** the provisions of this Act must take effect immediately to allow school
4 administrative units to meet statutory timelines related to school administrative
5 reorganization efforts; and

6 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
7 the meaning of the Constitution of Maine and require the following legislation as
8 immediately necessary for the preservation of the public peace, health and safety; now,
9 therefore,

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

11 **Sec. 1.** PL 2007, c. 240, Pt. XXXX, §36, sub-§6, ¶A is amended to read:

12 A. The proposed regional school unit must serve not fewer than 2,500 students,
13 except where circumstances relating to the following factors justify an exception:

14 (1) Geography, including physical proximity and the size of the current school
15 administrative unit;

16 (2) Demographics, including student enrollment trends and the composition and
17 nature of communities in the regional school unit;

18 (3) Economics, including existing collaborations to be preserved or enhanced
19 and opportunities to deliver commodities and services to be maximized;

20 (4) Transportation;

21 (5) Population density, including the rural nature of our communities;

22 (6) Other unique circumstances including the need to preserve existing or
23 developing relationships, meet the needs of students, maximize educational
24 opportunities for students and ensure equitable access to rigorous programs for
25 all students; or

26 (7) If, after performing due diligence to develop a regional plan that meets the
27 2,500 students enrollment requirement, a school administrative unit is unable to
28 achieve the enrollment goal due to the decision of geographically proximate
29 school administrative units to participate in a different regional unit.

30 When circumstances justify an exception to the requirement of 2,500 students, the
31 unit must serve at least 1,200 students, except for offshore islands ~~and~~ schools
32 operated by tribal school committees and units located in isolated rural communities
33 that meet the criteria established in paragraph A-1 and that enter into collaborative
34 agreements for administrative, instructional and noninstructional functions with
35 another school administrative unit as set forth in Title 20-A, chapter 114 prior to July
36 1, 2009, which may serve fewer than 1,200 students.

37 **Emergency clause.** In view of the emergency cited in the preamble, this
38 legislation takes effect when approved.

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SUMMARY

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This bill amends the laws governing the reorganization of school administrative units to provide that school administrative units located in isolated rural communities may be eligible for an exception to the minimum student enrollment requirements by entering into a collaborative agreement for administrative, instructional and noninstructional functions with another school administrative unit prior to July 1, 2009.