

MAINE STATE LEGISLATURE

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PROGRESS



WITH THE SINCLAIR LAW

MAINE SCHOOL DISTRICT COMMISSION
REPORT TO THE 99TH LEGISLATURE

“ . . . It is hereby declared to be the policy of the State to encourage the development of school administrative units of sufficient size to provide a more **equalized opportunity for pupils**, to establish satisfactory school programs, and achieve a greater uniformity of school tax rates among the school administrative districts and a more effective use of the public funds expended for the support of public schools.”

—*from the Sinclair Law*

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WITH THE

SINCLAIR LAW

THE MAINE SCHOOL DISTRICT COMMISSION
REPORTS TO THE 99TH LEGISLATURE

INTRODUCTION

Maine's present school subsidy law is the result of the State Legislature's effort to help communities solve public education problems made urgent and complicated by inflation, the space-age and the State's rapid population changes.

The Legislative Research Committee of the 97th Legislature studied the general problem on a statewide basis, and reported to the 98th Session in 1957. As part of its study, the Committee retained J. L. Jacobs and Company, prominent consultants in public administration, to work with it. As a result of this study a proposal was submitted to that 98th Session. This proposal became what is now known as the "Sinclair Bill," which was enacted into law and now governs all State subsidy for general purpose aid for public education.

The "Sinclair Law" is not just another new subsidy law; it is an entirely new approach to new and modern problems in public education—a forward looking step towards their solution.

PROGRESS is the theme of this report, along with our recommendations for some improvements in the law that will bring further progress. And we think you'll agree that progress to date under this new subsidy system has been excellent.

On the opposite page is the keynote phraseology of the Sinclair Law itself. Briefly, the law seeks to make it advantageous for communities too small to operate efficient schools to consolidate into school systems large enough to be efficient, to give better education for the money available.

To carry out the provisions of the Law, it created a five-man School District Commission, and specified that this Commission should report to you, the members of the 99th Legislature, on progress and recommendations. This is that report.

PROGRESS

The Sinclair Bill became law in the Spring of 1957. The Maine School District Commission was appointed soon after, to begin the work of carrying out the Law immediately. There was also, at the same time, evidence of a surprising amount of grass-roots activity on the local level by school officials and citizens alike, all looking forward to improvements in their schools.

There were some technical and legal difficulties with the Law as enacted, and these had to be corrected in special sessions during that first year, before there could be tangible progress. This delay made July, 1958, the earliest date a School Administrative District could be operative.

The progress since then—as a glance at the opposite page will show—has been nothing short of phenomenal. Based on groundwork done before July, of course, by the end of 1958 six consolidated districts, involving 30 towns, had been validated and are now in business.

Just how eager citizens have been to take advantage of this new Law looking towards better schools is evidenced by the combined vote in these thirty towns; 3,459 in favor of consolidation and 874 against.

Besides the solid progress listed on the opposite page, here are some other items that reflect the activity the Sinclair Law has stimulated:

In the Districts already in business, positive steps have been taken to provide better schools. Plans are underway for replacement of ten small, inefficient high schools, with three new ones to be large enough to offer up-to-date, varied programs. (At present some 85 percent of the State's high schools have less than the minimum number of pupils (300) it takes to make a full program feasible.)

Elementary schools programs have been strengthened in the Districts. Progress has been made towards insuring a teacher per grade in most schools; and the removing of town lines for school purposes has already shortened transportation for many younger children, who can now go to the **nearest** school, rather than the nearest one in their town.

Ten of the State's 21 cities will also benefit from the law, since two have joined Districts and eight others have enough high school pupils (over 700) so that under the Law they are eligible for building aid.

Citizen activity on the grass-roots level has been astounding. There have been over 300 citizens' committees in as many towns and cities working on some phase of Sinclair Law planning during the past two years. This is indeed an astonishing record of the remarkable interest people are showing in their schools.

The School District Commission itself has held some 40 meetings since 1957; its members and consultants have attended over 400 meetings of citizens around the State as part of the job of helping communities adjust to the new Law. The Commission, besides acting on petitions for District organizations, has published several pamphlets, including copies of the Law, and has made some 35 detailed studies of school problems in proposed Districts.

Much of the Commission's work has been legal and technical, and it wishes to express its appreciation now to the Attorney General for the expert services of an assistant during this time.

WHAT HAS HAPPENED?

1 Six School Administrative Districts are operating today.

District One—Presque Isle, Westfield.

District Two—Castle Hill, Chapman, Mapleton, Perham, Wade, Washburn.

District Three—Freedom, Knox, Liberty, Monroe, Montville, Thorndike, Troy, Unity, Waldo.

District Four—Abbot, Cambridge, Guilford, Parkman, Sangerville, Wellington.

District Five—Owl's Head, Rockland, South Thomaston.

District Six—Buxton, Hollis, Limington, Standish.

2 Eight Towns have applied to join two existing Districts.

District Three—Brooks, Jackson, Albion.

District Five—Cushing, Rockport, St. George, Thomaston, Warren.

3 Twenty Towns are about to vote on three new Districts.

Group One—Chelsea, Farmingdale, Gardiner, Pittston, Randolph, West Gardiner.

Group Two—Corinna, Dexter, Exeter, Garland, Ripley, Stetson.

Group Three—Chesterville, Farmington, Industry, Mt. Vernon, New Sharon, New Vineyard, Temple, Vienna.

4 Twenty-nine Towns will apply in January for Commission approval.

Group One—Belfast, Belmont, Morrill, Northport, Searsmont, Searsport, Stockton Springs, Swanville.

Group Two—Crystal, Dyer Brook, Hersey, Island Falls, Merrill, Moro Plt., Mt. Chase Plt., Oakfield, Patten, Sherman, Smyrna, Stacyville.

Group Three—Casco, Gray, New Gloucester, Windham.

Group Four—Dixmont, Hampden, Frankfort, Newburg, Winterport.

5 Thirty-one Towns seek approval under section III-D, p. VI

Group One—Bradford, Charleston, Corinth, Hudson, Kenduskeag.

Group Two—Greenville, Monson, Shirley, Willimantic.

Group Three—Bingham, Brighton Plt., Caratunk Plt., Moscow, Pleasant Ridge Plt., The Forks Plt., West Forks Plt.

Group Four—Brownville, Milo.

Group Five—Deer Isle, Stonington.

Group Six—North Haven.

Group Seven—Vinalhaven.

Group Eight—Allagash Plt.

Group Nine—Avon, Kingfield, Madrid, New Portland, Phillips, Strong.

Group Ten—Jackman, Moose River.

6 Eighteen Towns expect to seek approval under section III-D, p. VI.

Group One—Codyville Plt., Danforth, No. 21 Plt., Princeton, Talmadge, Vanceboro, Waite, Weston.

Group Two—Eastport, Dennysville, Pembroke, Perry, Robbinston.

Group Three—Ashland, Garfield Plt., Masardis, Nashville Plt., Portage Lake.

136 Units, or 28% of the State, have progressed this far. Many others are in various stages of study.

RECOMMENDATIONS

At the outset the Commission wishes to say emphatically that its first experience shows that progress is being made under the Sinclair Law towards the solution of our more pressing public education problems. The Law has established major improvements in school finances, and in school programs in School Administrative Districts. So the recommendations that follow will not change the system—they will strengthen it, and bring it up to date in ways the Legislature contemplated would be necessary when it enacted the Law in 1957.

Since the J. L. Jacobs Company had originally surveyed the State's public school problems for the Legislature in 1956, the Commission again retained this firm in 1958 to help carry out that part of the Law requiring the Commission to make this report and its recommendations. The Jacobs firm has taken the Commission's experiences, analyzed them carefully, and made specific recommendations. The Commission now offers its recommendations to you, on the basis of its experience and the Jacobs report.

1 The Law recognizes that a school finance system, in these days of rapid changes in costs, must be kept up-to-date. So the Law says, "It is the intent of the Legislature that Table I of this section (sec. 237-D) should be revised each biennium to the end that amendments may be enacted consistent with the changes in the educational expenditures of the towns."

In accordance with the intent expressed by the Legislature, the foundation program allowances should be increased about 14 percent, and established as follows for the next biennium:

TABLE I

Size of School Administrative Unit – ADM	Foundation Program Allowance	
	Elementary Schools	Secondary Schools
1 – 25	\$3,000 + \$80 per pupil (1)	\$6,500 + \$100 per pupil (2)
26 – 50	\$ 195 per pupil (1)	\$ 350 per pupil (2)
51 – 100	\$ 190 per pupil (1)	\$ 340 per pupil (2)
101 – 200	\$ 175 per pupil (1)	\$ 320 per pupil (2)
201 – 300	\$ 170 per pupil	\$ 300 per pupil (2)
301 – 500	\$ 170 per pupil	\$ 290 per pupil
501 – 800	\$ 165 per pupil	\$ 285 per pupil
801 and over	\$ 165 per pupil	\$ 280 per pupil

Compute at \$152 per pupil in average daily membership if within 10 miles of a school operated in a neighboring administrative unit by the nearest suitable highway.

If within 15 miles of a school operated in a neighboring administrative unit by the nearest suitable highway, compute as follows:

- (a) At \$241 per pupil if 100 or fewer average daily membership.
- (b) At \$262 per pupil if 101 to 200 average daily membership.
- (c) At \$278 per pupil if 201 to 300 average daily membership.

2 Annual Computation of Subsidy Payments. As soon as it is feasible, computation of subsidy payments should be made annually, rather than biennially. In making such annual computations, the main change from present procedure would be that the State Department of Education would use the actual information on enrollments and other factors for the prior year. Other standards such as the foundation program allowances, subsidy payment percentages and state valuations would continue to be set and used for the biennium. This change will have the benefit of reducing the impact of "time-lag" in subsidy payments and of keeping the State and local shares of school costs in more consistent proportion.

3 Equalizing the foundations program allowances for high school pupils in towns not having high schools. Experience with the law so far has shown that inequities sometimes result between two towns where one sends the other tuition students. To correct this, the foundation program allowance for the sending town should be the same allowance as is provided for secondary schools with an average daily membership of 301 to 500 pupils, according to the law. This would limit the foundation program allowance to towns sending tuition pupils, rather than giving them a higher allowance than the receiving town.

This change would apply in cases when the tuition payments, by contract or otherwise, are made to private academies or to other towns which operate public high schools, except when a private academy serves a consolidated school administrative district on a contract basis. In the latter case, the actual cost of tuition payment should be allowed in the foundation program of the district, in recognition of the fact that prospective state aid for school construction is not available for use by the academy.

4 Exemption of Districts from certain penalties. The Law now provides penalties for single towns which operate small, inefficient school systems. These penalties also apply to School Administrative Districts, when they cannot reach foundation program standards during their first few years of operation. Experience has shown that some Districts will have up to three years of adjustments before they can reach foundation program minimums. They should not be penalized during this time, in view of the fact they have organized as effectively as possible, according to the other provisions of the law.

Specifically, School Administrative Districts should be exempted from the penalties in paragraph 4, section 237E of the law for the first three years, and those in footnotes 1 and 2 to Table I.

5 Increase in Supplemental State Aid For School Administrative Districts. We should recognize that new School Administrative Districts will have added costs in the first few years of operation. It is recommended that the 10 percent supplemental state aid now provided in the law be increased beginning the December following organization, to the amount of 15 percent for each of the first three years, and then revert to ten percent for each year after.

6 Procedure for Providing School Construction Aid. The procedure for providing state aid in school construction should be amended as follows:

(a) Such state aid should be authorized and paid only after completion of the construction and filing of required reports with the State Department of Education.

(b) When an eligible administrative unit finances a project in whole or in part on a cash basis, the unit should arrange for the State's share of the cash payment to be paid over a period of five years.

(c) The Legislature should authorize the State to float bond issues for school construction purposes, as funds are needed.

(d) Provision should be made in the law to encourage and permit Districts to establish capital reserve funds for construction purposes.

7 Removing Bonus for Inefficient Units. At present there is a contradiction in the law. An administrative unit may be penalized under one provision because of its inefficient organization; then rewarded under another section because of its excessive expenditures. This should be corrected by making administrative units penalized under the one provision, ineligible for the bonus under the other (Section 237E, Para. 6).

8 Addition of Towns to Existing Districts. At present Legislative approval is required for a municipality to join an already existing School Administrative District. The School District Commission should be authorized to approve the addition of municipalities without legislative action, since the addition will inevitably improve the District, and since the Commission must approve the addition in any event. Also the wishes of voters of the new municipality would be protected, since they must vote before their community can be admitted.

9 Unorganized Territories and Reservations. The law should be amended to allow unorganized territory school systems to be included in School Administrative Districts. Consideration should also be given to the possibility of allowing State Indian Reservations to be included in Districts.

10 Simplifying Legal Procedures. The Law now makes it necessary for towns considering formation of a School Administrative District to hold several town meetings to vote on different parts of the process. The whole procedure could be much simplified if some of these were combined. Specifically, the Commission recommends that the Law be amended to allow voters of a municipality to vote on three items at one time: (1) whether to join the District; (2) the election of their first school director or directors; and (3) in appropriate cases whether to contract with an existing secondary school to furnish education for its high school students. In regard to the last of these, in this way the voters can approve or disapprove the formation of a new District on the basis of their wishes for the kind of high school education they prefer.

11 Providing for Isolated Students. School Administrative Districts should be allowed to contract with other administrative units for the education of a certain few students who live in the District but are geographically isolated from the District's schools. If there are not enough pupils in such a case to warrant a separate school within the District, and transportation to the nearest District school is not feasible, the above provision would allow such pupils to be sent to the nearest school in any unit. The provision should make such arrangements subject to the approval of the State Board of Education.

12 Places With Less Than Ten Resident Pupils. The Law should be changed so that School Committees and Directors of Districts must accept the tuition pupils, in all grades, from any nearby town, plantation or unorganized township with less than ten resident pupils, if such is recommended by the State Board of Education.

13 Another Way To Form Districts. The Sinclair Law provides two ways for school administrative districts to form and provide for education from sub-primary through grade twelve: (1) where the citizens in a group of municipalities join together and create their own single, secondary school facility; and (2) where a group of towns form a district and contract with an existing Academy for secondary education. In the latter type of case the Law allows this only when an existing Academy—a private institution—is available. There exists in the State several areas where the public high schools of larger municipalities are also serving as consolidated secondary schools for groups of small communities nearby, on a tuition basis. The Commission suggests that the Legislature might wish to authorize a third method of organizing school administrative districts; by allowing the Commission to approve small Districts of two or more municipalities, in economically disproportionate areas, if each of these Districts agrees to contract with another municipality having 300 or more resident pupils in grades 9, 10, 11 and 12. The law should also provide that in such cases the administrative unit contracting to receive such secondary students from a District must agree to a ten year term contract for such secondary education, with option for a ten year renewal. In such cases the contracting unit should be eligible for 18 percent school construction aid.

14 Uniform Tax Effort. The Sinclair Law looks forward to the time when school systems throughout the State will be of more or less equally efficient size, in relation to the tax ability of each group of communities. The Law directs the School District Commission to “evaluate the impact of consolidation on valuation per pupil in the larger District as compared to the individual towns comprising the District and make definite recommendations with respect to an eventual uniform minimum tax rate . . .” Your Commission has directed the Jacobs firm to study this problem to date, and has found that we are indeed moving towards the time when a uniform tax rate will be feasible. The Commission feels that since it has had the experience of only a few Districts to direct its conclusions so far, further study is needed, when more Districts are in operation. In the meantime, the latest reports of the Jacobs firm explores the possibilities of a uniform tax rate, as far as present data allows.

WHAT THESE RECOMMENDATIONS WILL COST

The following summarizes the estimates of additional costs to the State Government over present Law obligations, which should be anticipated for the next biennium in carrying out the recommendations set forth in this report.

We wish to stress that these are estimates, since the detail is now being worked out by the State Department of Education for the individual towns and districts.

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| (1) Higher foundation program values, for Table I in basic allowances | \$ 200,000 per year |
| (2) Provision of 15% bonus to consolidated school districts for their first three years of operation, and 10% thereafter | \$ 50,000 1st year
75,000 2nd year |
| (3) Elimination of bonus to small schools for exceeding foundation program | \$ 23,500 annual saving |

Maine School District Commission

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