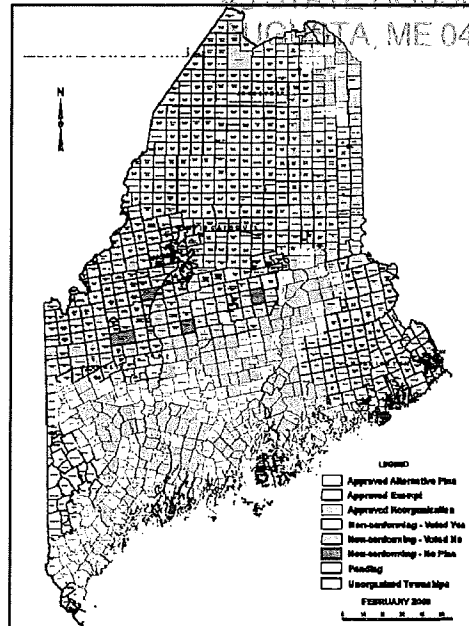


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# EDUCATION IN THE UNORGANIZED TERRITORY WORK GROUP

**Purpose:** To review the administrative practices and procedures currently used to oversee programming, verification, and payment of service for Unorganized Territory students residing in Maine.

Submitted to Department of Education  
Commissioner Angela Faherty  
Date: December 16, 2010

AUG 25 2011

## Purpose

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At the request of former Commissioner of Education Susan Gendron and prompted by an inquiry of the Education Committee during the 124<sup>th</sup> Legislative Session, a workgroup, comprised of various stakeholders/representation reviewed the administrative practices and procedures currently used to oversee programming, verification, and payment for service for unorganized territory (UT) students. The review included, but was not limited to transportation, tuition, special education, employment and practices, facilities management, etc.

This is the full report presented for Commissioner Angela Faherty's review on December 16, 2010, which represents the collective work of the following workgroup members.

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## **Background**

### **Mission**

The mission of Education in the Unorganized Territories (EUT) is to deliver a comprehensive range of educational services to all eligible pupils aged three to twenty who are legal residents of the Unorganized Territories (UT).

Title 20-A, Chapter 119 established the Commissioner's statutory authority to provide elementary and secondary schooling through the operation of schools in the unorganized territories or to provide resident pupils with transportation services and tuition in order to attend school in the nearest public school system.

### **Overview**

The Unorganized Territories is comprised of 421 townships with 76 townships who tuition students. There are unorganized territories within thirteen of the sixteen counties in the State of Maine. As of the close of the school year 2010 the EUT provided services for approximately 1014 students residing in the unorganized territories. Current reporting on Infinite Campus indicates that the Education in the Unorganized Territory will serve approximately 1039 in the 2010-2011 school year. It is not uncommon throughout the year that these figures increase and decrease as students move in and out of the unorganized territories in the State of Maine. There are four EUT elementary schools in operation. They are Connor Consolidated School located in Connor, Edmunds Consolidated School located in Edmunds, Kingman Elementary School located in Kingman, and Patrick Therriault Elementary School located in Sinclair. The Benedicta Elementary School closed in June of 2008, the Rockwood Elementary School closed in June of 2009, and the Patrick Therriault School is slated to close in June of 2011; all closures are due to declining enrollment.

The vast area of the unorganized territories (approximately 10.5 million acres) is generally characterized as rural, and frequently includes such characteristics as geographic isolation, remoteness, and high measures of poverty. These conditions often require unique solutions to unusual situations and locations. Pupils that reside in some of these more remote locations are provided an appropriate educational service through a variety of alternative methods such as room and board in lieu of transportation, tutors, and home schooling programs.

For the school year 2009-2010 the UT was responsible for 175 special education students with 150 of them being placed in programs outside of the district. The EUT works with 62 districts around the State of Maine and one school located in Connecticut. Of the 62 districts, 36 have special education placements. The EUT owns and maintains 25 busses that travel over 334,000 miles of both paved and unpaved roads. In addition to EUT buses, various contractors provide transportation, bus and personal vehicle, with 30 school districts and bus agencies.

The cost of education in the unorganized territory is completely funded by taxpayers in the unorganized territory (UT).

- Property taxes in the UT Tax District are assessed by the State Tax Assessor.
- The State Tax Assessor (via Maine Revenue Services - MRS) sends out annual tax bills.
- MRS collects taxes from the UT taxpayers and the funds are deposited into the UT Education and Services "Fund".
- The legislature directs this office to submit annual legislation called the Municipal Cost Component that authorizes approved monies in the "Fund" to be expended on behalf of the residents in the UT. The Joint Standing Committee on Taxation is the approving authority. The Education in the Unorganized Territory agency reports to the Taxation Committee regarding its budget.
- UT schools do not receive state school subsidies nor do they receive any General Fund monies.

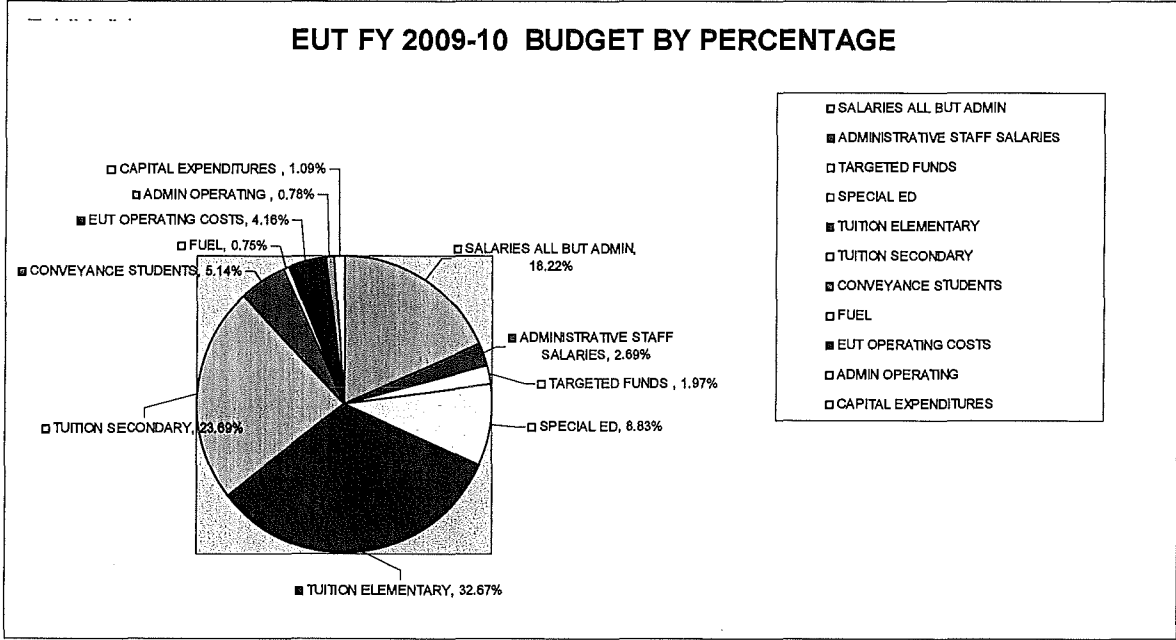
While the Education in the Unorganized Territory is a state agency, it is responsible for all of its own payroll and personnel records as well as processing all expenditures involved in education within the Unorganized Territories System. This is done with a staff of four; three full-time and one part-time, seasonal.

### **Administrative Staff Data**

The administrative office consists of four individuals and represents approximately 3% (see chart on next page) of the overall Education in the Unorganized Territory budget. The positions are as follows:

1. Director-State Schools
2. Business Manager I
3. Accounting Associate I (PT seasonal)
4. Secretary Associate

Total salaries for the above staff for 2009-10 is \$216,300.55.



*\*NOTE: 2010-2011 expenditures will not be available until the close of the fiscal year June 30, 2011.*

The administrative office staff has daily contact with a number of agencies and individuals at the local and state level. Some of their duties and contacts are listed below. These include but are not limited to:

1. Agency contacts – Workers Compensation
2. Human Resources
3. Taxation
4. Motor vehicle
5. Finance
6. Purchases
7. Vendors
8. Schools
9. Districts (SAUs/ RSU/ AOS)
10. Conveyance contractors- Independent and Private
11. Contract and oversee EUT school facilities (construction, repairs and renovations)
12. Assist Maine towns with information related to De-organization

## **Education in the Unorganized Territory Work Group**

### **Summary of Results**

On September 16, 2010, the Education in the Unorganized Territory Workgroup met in Bangor to discuss the purpose of the workgroup and to delineate areas needing attending. The following are areas that the group agreed needed clarification and or further discussion:

1. Enrollment Projections
2. Clarify Agents Role and Compensation
3. Clarify Role and Responsibilities of Unorganized Territory Special Education Director
4. Electronic Data Collection/Special Education Program Access for Unorganized Territory Staff
5. Homeschooling of Unorganized Territory Students
  - a. Require Testing and Proof of Testing of the Student.
  - b. What Authority Does the Unorganized Territory have?
6. How Is the Tuition Rate Calculated and What Does It Pay For?
7. Unorganized Territory Office Costs

## Enrollment Projections

All public school districts are noticing a decline in student enrollment and population. As reported by members of the Education in the Unorganized Territory Work Group, there appears to be no part of the State of Maine that is not being affected by the steady decline in school age children. Work Group members were interested in whether the unorganized territory is also experiencing a drop in school age children.

### *Findings and Recommendations*

The chart below represents a four-year trend; note the chart reflects a small amount of growth in student enrollment from the 2006-07 to the 2010-11 school year, and it seems to indicate that the overall UT student enrollment remains stable even though various districts are reporting significant declines in their local student enrollment.

### Enrollment Unorganized Territory Five Year Trend

YEAR	Pre K	K	GR 1	GR 2	GR 3	GR 4	GR 5	TOTAL
2010-11	34	71	66	71	88	76	62	468
2009-10	45	33	72	67	63	52	49	381
2008-09	23	61	59	63	55	49	63	373
2007-08	15	56	56	47	49	57	60	340
2006-07	10	59	49	47	55	60	61	341

Figures taken from Infinite Campus

YEAR	GR 6	GR 7	GR 8	GR 9	GR 10	GR 11	GR 12	Total
2010-11	71	75	76	75	85	92	100	573
2009-10	70	73	74	98	109	113	108	645
2008-09	68	73	88	107	107	103	114	660
2007-08	61	83	89	100	96	115	122	666
2006-07	63	85	103	100	100	109	92	652

Figures taken from Infinite Campus

### Total Grades PreK – Grade 12

YEAR	Total
2010-11	1041
2009-10	1026
2008-09	1033
2007-08	1006
2006-07	993



## **Agent Role and Compensation**

Over a number of years the practice of hiring “agents” to assist the superintendent of the Unorganized Territory with administrative functions, questions, and concerns from parents residing in the unorganized territories has occurred. These individuals were compensated for their services. Some were compensated more than others and this disparity between the lowest paid and the highest paid agent appeared to have no rational. The practice of hiring an agent or agents needed to be reviewed, clarify why there is a pay disparity, who has the authority to hire an agent, clarify the agent’s role, and to determine whether unorganized territory agents are necessary.

### ***Findings and Recommendation***

Title 20-A Section 1, subsection 1-A defines an “Agent” as an individual appointed to serve in the capacity of a superintendent. The Commissioner of Education has the authority to hire an agent. There is no statute or law requiring the Education in the Unorganized to compensate individuals in the role to serve as an Unorganized Territory Agent. This administrative service is already charged to the unorganized territory (UT) through regular education tuition and special education fees. Therefore, beginning in the school year 2011-2012 the EUT will no longer compensate individuals as agents. Current UT administrative staff will assist the UT director with transportation, programming or other student related education questions as needed. The Director of the UT will continue to collaborate with the districts in which the UT students are tuitioned. Joint decisions on various UT student education related concerns will continue between the Director and the Superintendent of the district.

## **Electronic Data Collection/Special Education Access for Unorganized Territory Staff**

Presently, the Unorganized Territory does not have a separate system for electronically collecting data for its special education students. The program that is used is the State's program, Infinite Campus, and since the Unorganized Territory is a state agency, the agency uses the programs available that the State deems necessary. Many Maine local public school systems also use Infinite Campus to report their students and file various reporting forms required by the State. There are a few local public school systems that use other reporting programs that can upload the data to Infinite Campus. One such data management program that is used specifically for special education is KC. This program can be used by other districts if access is allowed by the district that is using the program. Principal Marty Livingston is familiar with program and has been allowed access through another district, but found that she had very little luck in accessing the program.

### ***Findings and Recommendations***

The Unorganized Territory is without a full-time special education director and is actively seeking qualified candidates to fill the position as an Educational Specialist III. When this individual joins the EUT team, one of the responsibilities will be to review various special education data management programs that coordinate with current programs used in districts to which the UT tuitions its students.

## **Role & Responsibility of Unorganized Territory Special Education Director**

School systems that accept unorganized territory students are paid a tuition fee for these children. Children who require special education services are served in the district or school in which they are attending. These services are provided per an individual education plan (IEP). The EUT is responsible for payment of these services as approved. The unorganized territory special education director will work in conjunction and collaborate with the staff at the receiving school as necessary. The EUT currently has a part-time, seasonal, education specialist III position. This position was full-time, however after considering need versus service the decision was made to make this position part-time seasonal. This position supports the 150 special education children, their programming and transportation needs, and the appropriate supportive services at the school in which the child is attending. The ultimate goal for the Special Education Director is to ensure that the child is receiving what is appropriate for services in order to be able to learn to the child's full potential.

### ***Findings and Recommendations***

Any Unorganized Territory employee is an employee of the State of Maine. All teachers, custodians, bus drivers, clerical staff, cooks, and the special education director are employees of the state. The special education director is classified as an Education Specialist III and the position's responsibilities are outlined in the state's job description as an Education Specialist III. All state employees' job descriptions and responsibilities are determined through the state classification system. In addition to full oversight of the EUT elementary schools, this position has its own value for securing state and federal funds, problem solving, coordinating services, and consulting with all receiving districts. Due to the significant value for the EUT, this position is not one that should be eliminated. The special education director for the unorganized territory has the same responsibilities as the special education director in a public school. Below is the job description as defined by the State of Maine. The qualifications, knowledge and skills required are comparable to the qualifications, knowledge and skills of an individual working in a public school as a special education director.

The salary of the Education Specialist III (special education director) position is funded through federal grants. This amount was \$64,831.89 in 2009-10. The Education in the Unorganized Territory makes every effort to apply for federal funds in order to reduce its budget each year.

### **Job Description from Bureau of Human Resources**

Description: This is professional services work in planning, developing, coordinating, administering, and evaluating educational programs in a specific specialty/subject area. Responsibilities include working with local, state, and federal officials in developing, implementing, and coordinating statewide educational programs, including implementation of evaluative techniques to ascertain the effectiveness of programs and program expenditures. Work includes advising the State Board of Education in assessing educational progress. Supervision is exercised over a staff of professionals. This classification is distinguished from

lower level Education Specialist classifications in that this is a supervisory position over other professionals.

Representative Tasks:

- Plans and develops comprehensive educational programs in a specific specialty/subject area in order to ensure compliance with federal and state legislative intent or identified educational need.
- Plans, organizes, assigns, and directs the work activities of subordinate professional staff in order to facilitate the attainment of the unit's work goals and to ensure the consistent application of program and technical policies, procedures, and guidelines.
- Confers with and counsels subordinate staff in order to exchange information, identify problems, and formulate possible solutions.
- Reviews and evaluates federal and state grant applications in order to approve grants or recommend changes.
- Consults with school superintendents and school committees in order to determine most effective use of available funds.
- Coordinates programs of vocational and technical education at secondary and post-secondary school and adult levels in order to ensure programs are made available.
- Coordinates and consults with teacher education institutions in order to ensure pre and in-service training is available.
- Advises Commissioner in order to provide information regarding specialty/subject area.
- Organizes and instructs workshops for local school administrators and teachers in order to provide specialty/subject area information.
- Identifies goals and objectives in specialty/subject area in order to assess program.
- Consults with school administrators and teachers on specialty/subject area matters in order to provide guidance and technical assistance.

Knowledge, Skills, and Abilities Required:

- Knowledge of education administration and teaching methods and materials.
- Knowledge of subject matter, issues, and problems of assigned specialty/subject area.
- Knowledge of laws, rules, and regulations applicable to and enforced by the Department.
- Ability to interpret and explain statutory provisions to local school authorities and the public.
- Ability to formulate and administer rules and regulations.
- Ability to plan and organize educational programs.
- Ability to supervise subordinate professional personnel.
- Ability to communicate effectively orally and in writing.
- Ability to establish and maintain effective working relationships.
- Ability to prepare comprehensive reports.

Minimum Qualifications: A Bachelors Degree in Education or required specialty/substance area and four (4) years professional level experience in required

specialty/subject area. A Masters Degree in Education or required specialty/subject area may be substituted for experience on a year-for-year basis.

Licensing/Registration/Certification Requirements: Individual positions may require a professional teaching or educational administration certificate as issued by the State Department of Education.

## **Home Schooling**

Homeschooling is an issue for the UT as some homeschoolers do not file the Intent to Home School form with the Department of Education and some do. The homeschooling form is actually a Department of Education form and not specific to the Education in the Unorganized Territory. The Education in the Unorganized Territory office makes every effort to supply these individuals with the necessary forms and the website for downloading the necessary forms. The discrepancy is in the definition of home schooling and alternative instruction for those students who are truly remote. The UT does pay for the curriculum of a select few (one or two) individuals who are home schooling their children. These parents file the Intent to Home School forms, faithfully. As a requirement for payment of the curriculum, the UT requires the children to take an assessment at the end of the school year as evidence of proof that they have advanced or have made sufficient progress to move to the next level/grade. This proof is filed with the administrative office. These parents live in very remote areas, there is no bus service and often transportation is via snowmobile or an off road vehicle depending on the trail and weather conditions. When these situations occur there is no other means available to educate these children, but for parents to choose home schooling and the EUT makes every effort to provide these children with an appropriate education, whether it be providing a laptop through laptop program and/or reimbursement for curriculum. Reimbursement for curriculum material is minimal compared to the cost of providing transportation, tutors, etc, for children in these remote areas in the State of Maine.

There have been occasions that an unorganized territory family has filed the home schooling form and the child will reenter the public school system and not ready for the grade he/she should be in. These are the unfortunate incidences when the curriculum is not reimbursed by the UT and there are no requirements of that family to provide proof of an assessment.

### ***Findings and Recommendations***

The terms were clarified between home schooling and alternative instruction for students in the Unorganized Territory as defined in Title 20-A, Section 3061, sub-section 2(B). In addition to bringing clarity to these terms, the UT has added a line of accountability for those students who will be participating in alternative instruction as their primary source of a public education. This was done by developing an Alternative Instruction Form (See Page 13), which requires parents to fill out and file with the EUT Office. Reimbursement for alternative instruction material will be contingent upon participation in the required annual State of Maine Assessments (NECAP, PSAT, SAT or others as determined by EUT Director). This new process creates a paper trail and allows the EUT to track student academic progress. Parents who do not want State involvement in their child's education will continue to have the option of doing so by filing the State of Maine Home Schooling Form. A letter will be distributed to parents in May of 2011, explaining this new procedure.

**EDUCATION IN THE UNORGANIZED TERRITORY  
ALTERNATIVE INSTRUCTION PROGRAM 2011-2012**

**This notice is for EUT resident pupils who residence in remote unorganized territory locations. It has been determined that in order to provide a free and appropriate education an alternative instruction program is necessary.**

Parent/Guardian (Name) \_\_\_\_\_

Physical Address: \_\_\_\_\_

Mailing Address:  
\_\_\_\_\_

Telephone Number and Email address: \_\_\_\_\_

I intend to provide an alternative instruction program(s) for my child(ren), name(s), age(s), grade(s).

\_\_\_\_\_  
\_\_\_\_\_

Nearest public school(s) and contact information of principal and/or guidance counselor:  
\_\_\_\_\_  
\_\_\_\_\_

**Alternative Instruction Program will include instruction in the following subject areas: English language arts, math, science, social studies, physical education, health education, library skills, fine arts, Maine studies, and computer skills/technology.**

The alternative instruction program shall commence on \_\_\_\_\_ and shall remain in effect until a minimum of 175 days has been completed. It shall provide for an annual assessment of the student's progress which will be NECAP for elementary children, and PSATs or SATs for high school children. Participation in equivalent instructional program requires pupil(s) to be assessed at the nearest public school on specific dates and specific times. In rare situation additional or alternative assessments may be required by the EUT Director. ***It is your responsibility to contact the nearest public school to determine these dates. After the assessment has been completed and results reported, a copy of these results MUST be mailed to the Superintendent of the EUT at 23 State House Station, Augusta, ME 04333-0023.***

**NOTE:** Funding for alternative instruction programs is directly connected to annual pupil participation in public school, State of Maine assessments. Reimbursement for alternative instruction materials will be granted upon receiving assessment results.

Sincerely,

Parent/Guardian Signature \_\_\_\_\_ Date \_\_\_\_\_

**Return to:** Shelley B. Lane, Director  
Department of Education  
#23 State House Station  
Augusta, ME 04333-0023

***Send one copy to the local Superintendent of Schools***

## **Tuition Rates**

How are tuition rates calculated and what does tuition pay for? Tuition is a large portion of the unorganized territory budget, more than 50% (see chart for graphic representation on unorganized territory tuition expenditures for 2009-10). The Education in the Unorganized Territory does not set a tuition rate and follows Department of Education Statutes set in Title 20-A.

### ***Findings and Recommendations***

Tuition rates are calculated according to Title 20A. School Finance and Operations provides the tuition rates for all approved schools and are available in December of each calendar year. These tuition rates are established through information gathered in the Financial Module of MEDMS via individual school's accounting system. This data includes:

- regular instruction
- other instruction
- student and staff support
- system administration
- school administration
- facilities and maintenance

The UT is billed separately for special education and transportation. Once this information is submitted via MEDMS the School Finance and Operations Team calculates the tuition rate and posts the information on the Department of Education (DOE) web site.



## **EUT Administrative Costs, Employees and Job Responsibilities**

The cost of the Unorganized Territory administrative staff is approximately 3% of the total EUT budget. The Administrative Office consists of four Augusta Office positions and each individual has their assigned duties. The staff is currently being cross trained to fill in for absent staff members when the need arises. Positions are as follows:

- ◆ Superintendent
- ◆ Business Manager
- ◆ Accounting Associate (PT)
- ◆ Secretary Associate

Superintendent – is classified as a director of Education in the Unorganized Territory (EUT) and is responsible for all functions of the unorganized territory education related services. The EUT director is responsible for directing and overseeing the four elementary schools, and providing other pupils with transportation and tuition to the nearest public school system. The director is charged with supervision over a staff of professional, technical, and clerical employees. The EUT director is a State of Maine employee and therefore reports to the Legislature (Taxation Committee) and Commissioner of Education as requested. The EUT does not have a school board.

Business Manager – The business manager is responsible for all and any human resource functions for the Augusta Office and the four schools. In addition to payroll, budget and financial planning, the business manager works in conjunction with the director overseeing the office functions as needed.

Accounting Associate – The accounting associate is responsible for entering all unorganized territory employee's and intermittent employee's time worked into the TAMS Payroll system, filing, coding, and posting invoices for the schools and office on the state accounting system, Advantage. This position is a seasonal, 32 hour a week position. This person also assists the business manager with budgetary functions as needed.

Secretary Associate – The secretary associate is responsible for all accounting phases in order to meet the time constraints for payment of tuition invoices from districts who receive UT students. The duties include coding, verifying the child has been entered onto the Infinite Campus program, verifying the tuition rates, accuracy of the invoices, etc. In addition, this person also codes, processes other invoices for the office and schools, schedules alcohol and drug tests for all bus drivers; drafts and processes all contracts for the schools for transportation services, special education services, lawn care, snow plowing/removal, trash removal, maintenance, etc. Contracts are done according to state agency policies and procedures. Additional functions are as follows: Types legislative testimony, letters, and reports for director and business manager, orders office supplies for administrative office and schools, approves monthly lunch claims, maintains files, and assists the business manager with budgetary functions. This position is a secretarial position with accounting functions.

### *Findings and Recommendation*

The EUT Business Manager has prepared a chart (See Chart Below) reflecting the EUT FY 2009 Budget by Percentage. As noted the Administrative Office represents 2.69% of the overall EUT budget.

