

Revised

Farrington

EDU Cmte Amd #1 to LD 499, Part MM  
Based on 3/13/07 Report

Amend the bill by striking out all of Part MM and replacing it with the following:

Part MM

Sec. MM-1. 20-A MRSA Chapter 103-A is enacted to read:

Chapter 103-A

Regional School Districts and Regional Collaborations

§1451. Purpose and goal. It is the intent of the legislature to change the manner that educational services for Pre-K through grade 12 are delivered in this State in order to decrease administrative and non-instructional costs while maintaining and fostering excellence in the classroom. Regional planning alliances are established in accordance with section 1453 to facilitate communication among school administrative units, the consolidation of school administrative units, and the development of collaborative agreements.

The goal of consolidation and regional collaboration is to achieve a reduction of 10 percent in state and local expenditures for administrative and non-instructional costs for kindergarten through grade 12 public school education by fiscal year 2010.

§1452. Definitions

As used in this chapter, unless the context indicates otherwise, the following terms have the following meanings.

1. Administrative and non-instructional costs. "Administrative and non-instructional costs" means those costs associated with system administration, school administration, transportation and buses, and school facilities maintenance. "Administrative and non-instructional costs" include costs associated with financial services, food services, information technology and health services.

2. Collaborative agreement. "Collaborative agreement" means an agreement between 2 or more school administrative units to share the responsibility and cost of an administrative function or educational function. Collaborative agreement includes, but is not limited to, a shared purchasing or contract agreement, an agreement for shared staff or staff training, an agreement to share technology or technology support, and an agreement to provide special education programs and support services.

3. Regional planning alliance. "A regional planning alliance" or "alliance" means a group established in accordance with section 1453.

4. Regional school district. "Regional school district" means a state-approved unit of school administration, composed of one or more municipalities which must provide public education to all public school students in the district.

5. Regional school collaboration. "Regional school collaboration" means one or more municipalities that have entered into a cooperative agreement.

#### §1453 Regional planning alliances.

1. Initial 26 regional planning alliances. Twenty six regional planning alliances are established based on geographic boundaries of the career and technical education regions under section 8451. The commissioner shall notify the governing body of each school administrative unit of its assignment to one of the 26 regional planning alliances.

2. Requests for modification to initial regional planning alliances. Within 45 days of receiving notification from the commissioner in accordance with subsection 1, the governing body of a school administrative unit or school union may apply to the commissioner to be assigned to a regional planning alliance other than the alliance to which that unit or union was initially assigned. The commissioner shall approve an application upon determining that the reassignment does not impair the ability of a planning alliance to meet its responsibilities under section 1454.

3. Formation of a regional planning alliance based on existing cooperative agreements. Within 45 days of receiving notification from the commissioner in accordance with subsection 1, the governing bodies of 2 or more school administrative units may apply to the commissioner to be designated as a regional planning alliance. The commissioner shall approve an application upon determining that the proposed alliance has the ability to meet its responsibilities under section 1454 and that at the time of application the school administrative units have:

- A. A valid shared services agreement under section 2501;
- B. A cooperative agreement approved under section 7253; or
- C. Been identified by the state board under section 405, subsection 3, paragraph U as participating in a cooperative agreement.

4. Denial of requests. The commissioner may deny a request under subsection 2 or 3 if the commissioner finds that the proposed realignment is inconsistent with or detrimental to the goal of achieving greater efficiencies in the delivery of educational services.

5. Revised number and boundaries for regional planning alliances. Between 45 and 90 days after notifying school administrative units of the initial 26 regional planning alliances, the commissioner shall act on all requests for modifications to those alliances and publish a list

identifying by number or name each alliance with the towns, plantations and townships encompassed in each.

6. Composition of regional planning alliances. Each planning alliance consists of the following:

- A. One representative of each school union in the planning region appointed by the union committee:
- B. One representative of each school administrative unit in the planning region that is not a member of a school union appointed by the school board.
- C. One representative of the municipalities of each school administrative unit or school union in the planning region appointed by the governing body of the municipality:
- D. Four members of the general public who are residents of the region selected by the members appointed under paragraphs A through C at a preliminary meeting held for that purpose.

The appointing authority shall notify the commissioner upon making an appointment.

7. Convening of alliances; information provided. The commissioner shall send written notice to the members of a planning alliance advising the members of the time, date and place for an initial meeting for that alliance. The commissioner or the commissioner's designee shall attend the initial meeting and serve as chair until a chair can be elected from among the members of the alliance. The commissioner shall assist each alliance in the collection and presentation of information and shall provide information maintained by the department and pertinent to the alliance's duties prior to the initial meeting.

8. Continuing assistance. The commissioner shall provide technical assistance and facilitation services to each regional planning alliance.

#### §1454 Responsibilities of regional planning alliances.

Each alliances shall develop a plan for reorganizing the delivery of administrative and non-instructional services and initiating collaborative agreements. The planning alliances shall make recommendations for the consolidation of Maine school administrative units and school unions in accordance with this section

1. Baseline information. Each alliance shall for the geographic region it represents:

Identify for each school administrative unit the relationship between that school system's actual budget for system administration compared to the allocation for system

administration for that school administrative unit by the essential programs and services school funding model:

- A. Calculate the total expenditures for educational administrative and non-instructional services and identify the degree to which that expenditure would have to be reduced in order to comply with the goal established in this chapter:
- B. Identify all the types of public school administrative units including school administrative districts, community school districts, municipal school units and any school unions that currently provide for shared superintendent services:
- C. Identify the degree to which administrative and non-instructional services are currently being shared between and among school administrative units within the planning alliance area:
- D. Identify the region's current aggregate educational administrative personnel profile, measured in full-time equivalents, including, but not limited to, the following positions: superintendent, principal, special education director, transportation director, technology director, business agent or financial officer, human resources director and all reasonably equivalent positions:
- E. Identify all municipal administrative services by type and position that are being similarly provided on the municipal level and might reasonably be subject to shared services arrangements, including positions in the fields of technology, financial administration and human resources management and all reasonably equivalent positions:
- F. Identify all major types of materials and supplies purchased by the school administrative units along with all similar materials and supplies purchased by the municipalities in the region:
- G. Identify schedules that pertain to the school administrative units, including without limitation school calendars, school board meetings, budget development and budget approval meetings:
- H. Map out the school transportation system that is used to transport students to and from school and other activities; and
- I. Identify other baseline information regarding the provision of educational administrative services within the region that the planning alliance finds pertinent to its responsibilities.

2. Development of recommendations. Each planning alliance shall prepare a plan for the provision of educational administrative and non-instructional services within the planning alliance area that is appropriate to the needs of the region and is designed to meet the goals of section 1451. The plan must, at a minimum:

- A. Recommend a redesign of the types and configurations of school administrative units within the region;
- B. Recommend the number of educational administrative and non-instructional full-time equivalent positions required within the planning alliance region for the following positions: superintendent, principal, special education director, transportation director, technology officer, business agent or financial officer, human resources director and all reasonably equivalent positions.
- C. Recommend the organization or reorganization of any joint purchasing arrangements between and among school administrative units within the planning alliance area and between and among school administrative units and municipalities within the planning alliance region;
- D. Recommend the coordination of schedules, including without limitation, school calendars, school board meetings, and school budget development and budget adoption meetings;
- E. Recommend, as applicable, the development of coordinated school transportation systems; and
- F. Recommend the administrative and non-instructional services made available through an educational services collaboration for the benefit of school administrative units and municipal units of government in the region.

**3. Consolidation of school administrative units.** In addition to recommendations for collaboration among school units under subsection 2, each alliance shall develop a consolidation plan for school administrative units with less than 1,200 pupils. The plan shall identify the boundaries of the consolidated units and propose a timeline to achieve consolidation that results in units of at least 1,200 pupils. This subsection does not apply to school administrative units that serve geographically isolated municipalities, areas with a unique cultural heritage, or municipalities served by a private school approved for tuition purposes with 60% of the student population publicly funded.

**4. Submission of plan.** Each alliance shall submit a plan, including recommendations developed in accordance with subsections 2 and 3, to the Commissioner of Education no later than *March 1, 2008.*

**5. Review and approval of regional school districts.** The commissioner shall review the recommendations of each alliance and work with the alliances to finalize configurations for regional school collaborations that in the commissioner's judgment best address the purpose and achieve the goal of regionalization as stated in section 1451. *A plan for consolidation may not proceed without an affirmative vote by the municipalities involved.*

6. Report of the commissioner. The commissioner shall provide a preliminary report on regionalization to the Joint Standing Committee on Education no later than March 31, 2008 including the recommendations of the regional planning alliances.

**Sec. 2. Legislation to be submitted by the Commissioner of Education** The commissioner shall submit emergency legislation to the Legislature no later than January 15, 2008 to provide incentives for regional school collaboration and consolidation into regional school districts, including the awarding of additional points to regional school districts in the rating of applications for the major capital school construction program or the revolving renovation fund. The legislation may also provide for Additional allocations of state subsidy, as funds may be made available, from appropriations to the Essential Programs and Services Funding Act or the Fund for the Efficient Delivery of Educational Services.

**Sec. 3. Committee authorized to report out legislation.** The joint standing committee of the Legislature having jurisdiction over education matters is authorized to report out legislation to the Second Regular Session of the 123<sup>rd</sup> Legislature related to the reorganization of school administrative units or the formation of regional school collaboratives.

#### SUMMARY

This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs. It establishes regional planning alliances and directs each alliance to make submit a plan to the Commissioner of Education no later than March 1, 2008. The plan must include recommendations for regional school collaborations and recommendations for consolidation of existing school units with less than 1,200 students. Recommendations for consolidations may not proceed without an affirmative vote by the municipalities involved.

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