

EDU Cmte Review of SAU Reorganization -- 1-22-08 WS

ID #	Proposal Summary	Cmte Action
DOE01	Consider requiring all districts that filed an alternative plan to submit their decision to the voters for confirmation	
DOE08	School choice is an obstacle; communities that have the right to continue school choice see it as fair, but other communities that don not have school choice don't see it as fair and do not think it is fair to provide financial support for school choice of those communities within a prospective RSU partner	
DOE10	Recommend clarify and amending the budget approval and validation process to address: define the number of days from legislative body meeting to referendum validation; define distribution procedure for absentee ballots; define process by which local municipalities are authorized to levy taxes for education if SAU budget is not approved by July 1 of any year; and build cost of one annual budget referendum into EPS.	
FAC12	Issues surrounding technology is an issue for continued review	
FAC15	RSU board representation will leave some communities without a representative on the board that resides within their town	
FAC17	SAD property issue is different, if a municipality owns all or part of a building, they do not necessarily want to turn over ownership of that facility to the new RSU	
FAC18	Issue of local debt and property ownership (RPC)	
RPC02	Need DOE to establish a standard administrative organization chart for large districts	
RPC05	Need assistance from DOE to clarify what happens if an individual unit turns down a plan at referendum.	
RPC07	Assistance from DOE is needed to determine what "geographic area" means;	
RPC15	Implications of tuition contracts and school choice are unclear in context of school consolidation	

RPC18	Need assistance from DOE to determine where savings can be realized without moving costs to taxpayers; Need assistance from DOE regarding cost savings in year one of RSU before completing 3.A(12); Need continued State updates on financial information
RPC20	Potential loss of federal funds
RPC21	Size of RSU may not assure cost savings at this point in time
RPC22	Difficult to address financial implications two years out without information regarding impact of state funding
RPC24	Potential cost savings must be visible to voters
RPC25	If one or more units vote down the plan, remaining units may face unexpected costs because of the new configuration created
RPC27	Concerned about displacement of teachers (and students)
RPC29	Length of contracts negotiated in before 2009 may have effect on containing costs in the future RSU
RPC31	Collective bargaining contracts have potential of increasing costs for wages and benefits for all districts
RPC33	Difficult to project specific costs of combining labor contracts and specific costs of penalties in order to decide on the better financial options
RPC39	Need legal opinion regarding rights of school units to retain property that is solely or jointly owned
STK16	Ask that you keep current employees under their existing bargaining agreement if they are transferred from one school in a new RSU into another RSU within the new RSU (MEA)
STK17	Collective bargaining provisions will not provide saving; increased cost for management (MMA)
STK19	"As soon as practicable" needs to be seen in context of other existing statutes, so RSU board could reject collective bargaining agreement, fact finding, voluntary mediation and interest arbitration and refuse to accept these (Stupak)

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STK20	"No displacement" language - in no case will the plan displace teachers or students; this language is being understood as a guarantee of continued employment, which is incorrect as the legally-constituted RPC board can decide to RIF teachers (MMA)	
STK27	Exemption for efficient, high-performing school units seems unfair as units must have three high-performing units and some only have two (MSMA)	
STK29	Implications for municipalities ability to assess property taxes (MSMA)	
STK31	Recommend that the budget validation process be an option, not a requirement that RSUs that request a waiver to opt out of (MEA)	
STK38	No harm in letting municipalities continue to own and operate municipally funded and owned property and leasing facility for school operations and don't see that this impairs the goals of this legislation (MMA)	
STK39	MSMA Resolutions to repeal and significantly amend LD 499 provisions on school reorganization (MSMA)	
DOE02	Clarify defined consequences of voting not to join an RSU	
DOE03	Current law reconstitutes all K-12 SADs as RSUs by July 1, 2009 but is silent on the ability of CSDs and K-8 SADs to remain operational	
DOE04	Provide consistency of language within all sections of the law defining the referendum ballot question	
DOE05	The method by which a municipality within a regional school unit may raise money and direct spending of funds to a school serving children from kindergarten to no higher than grade 8 should be clarified	
DOE06	The purposes allowed for raising funding above and beyond those deemed necessary by the RSU board should be clarified and the process to get authorization from the appropriate legislative body to raise, appropriate and expend must also be included	
DOE07	Received requests from school administrative districts to allow municipalities to raise additional funds for high schools in the same manner as is allowed for K-8 schools	
DOE09	Review contract/bargaining unit requirements in PL 2007, chapter 240 with the Maine Labor Relations Board for possible clarification of process	

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DOE11	Add language to clearly articulate the powers and duties of any local school committee created; define who determines those powers and duties; and how their existence and/or powers and duties can be changes and by whom	
DOE12	Local school committees should be advisory to the RSU board for budget; recommend teacher candidates for employment; monitor building-level data for alignment with k-12 curriculum; and recommending professional development based upon student achievement data	
DOE13	Add language to provide a municipality in a school administrative district the ability to withdraw from a current SAD or CSD prior to joining a new RSU	
FAC01	Reorganization Planning Committees (RPCs) where SAD member municipalities have experience working with other municipalities on district budget procedures and with "weighted voting" are not where problems are; rather, work with RPCs involving school unions were the more challenging due to their strong "local control" ethic	
FAC02	1,200 student minimum threshold and challenges in finding partners is a barrier	
FAC03	Cases where regions have "leap frogged" to find noncontiguous partners	
FAC04	Start up costs for RSUs is an issue for continued review	
FAC05	December 1 deadline results in some regions switching partners; Reasons for late starts or non-cooperation include: power, money, relationships and education	
FAC06	Need to set a deadline for consideration of new partners	
FAC07	Give the Commissioner flexibility on timelines for complying with this law; authority to waive penalty if approved RPC plan cannot be implemented for 7/1/09 or authority to approve a RPC alternative plan that does not meet the 1,200 minimum student number, but was close	
FAC08	Timeline is too short to make this happen; change is a process not an event	
FAC09	If LD 1932 is delayed much longer, it may not be possible to prepare new RSU for operation on July 1, 2009 for school year 2009-2010	

FAC10	School advisory committees will look a lot like budget committees, but law is silent on authority for a local school committee to raise additional funds for K-8 schools
FAC11	Cost sharing options for consideration by RPCs is an issue for continued review
FAC13	Need significant definition of budget validation process; for example, defining the powers and duties that RSU board can delegate to a local school committee
FAC14	Legislature needs to give Commissioner more guidance in this area
FAC16	Legal authority of RSU board before the RSU is in operation
RPC01	Enrollment of 2,500 can only be reached if all units participate
RPC03	Potential member SAUs do not see either a financial or educational gain in consolidating and therefore are not in support of the legislation
RPC04	Potential size may negatively impact ability to expand student program options, services and supports
RPC06	Need assistance from DOE to understand participation denial
RPC08	Local funds need to be raised to fund election of new board members and hiring of a superintendent
RPC09	Disposition of existing school indebtedness
RPC10	Need assistance from DOE with money for non-legal issues
RPC11	There should be a prohibition on school closings
RPC12	Need assistance from Legislature to remove cost-sharing barrier so that units can gain voter approval
RPC13	Cost-sharing should use valuation only
RPC14	Present cost-sharing formula (above EPS) is a barrier
RPC16	Short time frame
RPC17	RPC will not be able to demonstrate savings with time available
RPC19	Sections 3.A (12 and (13) are barriers due to the reason that the RPC could not identify savings in areas other than system administration
RPC23	Where will money come from to support initiation process for new RSU once it is approved, new board, superintendent, and business manager are hired?

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RPC26	Need assistance with consolidating contracts	
RPC28	Future collective bargaining uncertainty relating to pay scale	
RPC30	How to handle costs when some schools have merit based pay salary and other schools in union do not have similar pay scales	
RPC32	Unknown what duties will be assigned to transferred personnel	
RPC34	Budget process would require multiple referenda due to a 10-day requirement to hold referendum	
RPC35	Need assistance from AG office to determine if Option D method of voting will permit board representation that does not comply with the 2% rule	
RPC36	Need assistance from DOE or SPO with apportionment of governing body	
RPC37	Not able to come up with consensus about number of board members and voting methodology; Smaller units are concerned that larger units will control all decisions made by the board and lose all control over local communities; small communities believe no allowed method of voting will give them any real decision making powers; Some RPCs do not have proportional representation across involved municipalities	
RPC38	Municipal partners are reluctant to turn over municipal property or municipal rights to properties	
RPC40	Need legal opinion regarding disposition of property of municipal school debts	
RPC41	Need legal assistance regarding reversionary clauses in deeds requiring RSUs to give towns /other public entities first refusal on properties	
RPC42	Need legal assistance on how to handle transfer of building owned by SAU, but land is owned by the town	
RPC43	A barrier to public acceptance is that there is no plan for recovering property if RSU decides it is unneeded	
STK01	Develop a template for RPCs to use in developing a reorganization plan for an RSU or an alternative (MSMA)	
STK02	Super union model (MMA)	
STK03	Law allows for regional collaborative (MCA Ed. Initiative)	
STK04	Ask that you invite RPC members to speak with you (MMA)	

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STK05	Much of DOE regional facilitators information presented through a certain filter (MMA)	
STK06	Success or failure of the school reorganization law will turn on the public policy goals stated in LD 499; so we recommend you include some way to measure whether these goals are being met rather than tax relief. Craft language to require report coming back to future Legislature (MMA)	
STK07	RSU approval - unallocated language appears to offensive and prefer the language allocated to statute (MMA)	
STK08	Cost-sharing has become a major barrier (MSMA)	
STK09	RPC process needs to focus on educational process; when you talk about educational benefits people are interested, but not when you focus on cost-sharing (MCA Ed. Initiative)	
STK10	Current law allows municipalities to raise additional funds for their local K-8 schools and we believe that the local school committees can present supplemental budget requests through the legislative body of the municipality (MMA)	
STK1	Timeline was unreasonable, including December 1, 2007 plan submission deadline and June 1, 2008 deadline for referendum vote (MSMA)	
STK12	Have been asked to develop another template to deal with financial aspects of new RSUs; Law is silent on raising money for the RSU start up costs, advertisement for hiring a superintendent, public hearing, etc. (MSMA)	
STK13	Spending reductions must be realized in non-instructional areas and they must be transparent and verifiable; DOE interpretation that statue requiring that reductions must not have an adverse impact (MEA)	
STK14	LD 499 creates a new employer in RSUs and the law includes thoughtful and developed language and it should not be amended (MEA)	
STK15	RPCs perceive that collective bargaining contracts will result in significant increase in school costs, but we have demonstrated our creativity in implementing the \$30,000 minimum teacher salary law in a way that adjusted the salary schedules to the benefit of ? (MEA)	

STK18	The law requires that when a new RSU is formed, all teachers and school employees must be transferred to and employed by the new regional school unit, and that all the separate collective-bargaining units representing one class of employees merge into one region wide unit that will negotiate a single contract (Stupak)	
STK21	We think that ultimately the process can work effectively (Stupak)	
STK22	53.86% penalty seems arbitrary and unclear and prefer a clear and rational penalty (MMA)	
STK23	Incentives are in the law, but are less clear than the penalties (MCA Ed. Initiative)	
STK24	Consider incentives through school facilities policy (MCA Ed. Initiative)	
STK25	Budget validation referendum process has significant problems including: the double voting provision is unnecessary; 10 day wording is vague and ambiguous and needs to be clarified; the process for municipal charter school units is unclear; budget referendum has two separate questions relating to raising additional funds above EPS (MSMA)	
STK26	No method for a town to withdraw from one RSU and join another (MSMA)	
STK28	Laws that govern school unions and school districts will be repealed as of 7-1-09, so what will become of towns that do not approve RSU plan (can they still operate a school unions and school districts?) (MSMA)	
STK30	Debt that was preexisting g debt as of 7/1/08 may be taken on by new RSU, but if debt is issued after 7/1/08, then there are no provisions on how to treat it (MSMA)	
STK32	Cost center budget format is helpful, but the budget validation process is excessive, costly and burdensome (MEA)	
STK33	Law is silent on providing authority for electing RSU Board members, from nominating papers to validating nominating papers (MSMA)	
STK34	Legislature never looked at how the RSU law interacts with the CTE law; no way to appoint the cooperative board for the region or deal with boundaries and finances (MSMA)	

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STK35	Inoperability of municipal law needs to be clarified to make clear local school committees for K-8 schools may be considered by the legislative body of the municipality (MMA)	
STK36	Concerned that the SAU school committee is created as a legislative body for the member municipalities and would approve greater proportion of the school budget (MMA)	
STK37	Focus shifted from educational quality to school financing and governance (MEA)	
STK40	MSSA Resolution to significantly amend LD 499 provisions on school reorganization (MSMA)	