

School Law Reform Stalls as Legislature Quibbles over Changes; "Super Union" Idea Gaining Ground

Dep. Jan 29 - Feb 4

Repeal Petition Drive to Continue Through February; Some Legislators "Shocked" at Power Given to Education Commissioner

By WILL TUELL

Mainers looking for relief in the state's school reorganization law will have to wait at least another week or two, if it comes at all, according to local officials tracking the legislation as it consumes solons in Augusta. Meanwhile, a petition calling for outright repeal suffered a setback this past week as petition organizers reported that they have not yet attained the 55,087 signatures

required to be obtained within three months for the initiative to be placed on the November 2008 ballot. Nevertheless, they said the process to collect an additional 15,000 signatures will continue in order to have the repeal referendum placed on the next available ballot in 2009.

Sen. Kevin Raye (R-Perry) said that legislators are focusing on an amendment to Education Commissioner Susan A. Gendron's

bill—LD 1932—which would restore a school union governance system that many towns in the area operate under. This amendment, proposed by Senate Majority Leader Libby Mitchell (D-Vassalboro) and Sen. Dennis Damon (D-Trenton), is being strongly resisted by Gendron, who is continuing to push for a strong centralized governing approach to public education

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over traditional local control options.

"It's not likely to come for one to two weeks," said Raye in an interview January 25. "The discussion is over the Mitchell amendment that would restore the ability to have school unions. Something is going to happen; it remains to be seen what."

"A lot of these senators, representatives, that supported this law should've been looking into it more; they should've been listening to the people. While many want change, we want change for the good, not for the bad."

—East Machias Selectman Kenneth "Bucket" Davis

Legislators "Shocked"

Raye said that he would be working with Damon on specific language that would allow towns to opt out without an approved reorganization plan, noting that many legislators were "shocked" that towns could not opt out until Gendron had personally approved such a plan.

"It's an unnecessary motion," said Raye, adding that towns should have the right to "opt out at any point" for any number of reasons, including finances, quality of education, and governance. "A lot more people are looking at the same set of facts [and] factors we were a year ago."

East Machias selectman Kenneth "Bucket" Davis agreed with Raye's assessment: "They [legislators] were totally shocked that you couldn't opt out without an approved plan. A lot of people are realizing this is a total mess."

Davis added that he didn't feel the Legislature would be able to pass any reforms this session. "There may not be anything done in this session," he said. "They [the Legislature] have a lot of other things [to deal with]. There is a possibility that nothing will be decided. You're going to see a lot of new faces [next year]. A lot of these senators, representatives, that supported this law should've been looking into it

more; they should've been listening to the people. While many want change, we want change for the good, not for the bad," said Davis.

Opting Out Popular in East Machias

Davis said he supported Raye's amendment allowing

towns to opt out at any time. "When we can get out, I feel confident that the people in East Machias are not going to be in an RSU, no way."

Union 102/East Machias superintendent Scott Porter credited the Rural Caucus—a group of legislators who are from northern, eastern and other rural regions within the state—with "sticking together," adding that as a group, they have been getting "so much pressure" from their constituents upset by the new law that they are "afraid" they won't be re-elected this November.

"People [legislators] are skeptical. What they were promised [by DOE] didn't appear in print. ... We're going on the reality of what the words actually say, not a promise of what they're going to say," Porter said.

Until that language, specifically protecting a school union governance system, is ironed out, Porter felt that legislators would be reluctant to sign on to anything, raising the specter of a full-blown shutdown of the process if no amendments are adopted.

Porter said that legislators are trying to get all the amendments they can onto the commissioners' bill, which, because it is "emergency legislation," will require a two-thirds majority of votes in

both chambers. Many regional planning committees (RPCs) have stopped meeting until the Legislature comes out with its final package, a process that in itself has pressured the Legislature and the DOE to get a deal finalized as soon as possible.

"Everybody is trying to attach as many amendments as possible," said Porter, "so that they can get as many problems solved as possible. Once that [LD 1932] goes through there will be very few changes." Porter said that the education committee, which referred LD 1932 to the full Senate for a vote earlier this month, has identified more than 120 issues with the original law, a vastly larger number than those addressed in Gendron's proposed amendment bill.

"The Ed Committee identified 122 issues [with the law]. They need to come to a conclusion that this thing has so many problems it really needs to be repealed. I don't think they'll do that, because they would have to do a lot of backpedaling. They're not willing to admit that they were wrong," said Porter.

Petition Effort Update

As for repeal, Davis, who also serves as Washington County coordinator for the Maine Coalition to Save Schools, a group trying to get the law repealed, added that even though his group had failed to get the requisite 55,000 signatures by January 28, they would push through February to get the rest, with the hope that legislators might consider repealing the law this session. If not, a referendum on the subject could appear on the ballot in November 2009.

"We didn't get the signatures [by January 28]," said Davis, "but we collected 40,000 in three months."

Davis went on to say that the professional circulators his group had hired were impressed, noting that most petition drives take "at least a year" to get the 55,000 they need.

"A lot more towns are calling, coming on board," he added. "They were a little behind and didn't know what to do. [the law] is just not working. It can't work in rural areas."