

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the amendment by striking out all of Part XXXX and inserting the following:

PART XXXX

Sec. XXXX-1. 20-A MRSA §15680, sub-§1, ¶A, as enacted by PL 2003, c. 504, Pt. A, §6, is amended to read:

A. System administration. The per-pupil amount for "system administration" is the actual system administration expenditures, as defined in the State's accounting handbook for local school systems, for the most recent year available excluding expenditures for leases and the purchase of land and buildings, less revenues to system administration for services to other governments and refunds from a statewide school management association, divided by the average October and April enrollment counts for that fiscal year and then inflated to an estimated allocation year level by a 10-year average increase in the Consumer Price Index or other comparable index. Beginning in school year 2008-2009, this per-pupil amount must be based on school year 2005-2006 system administration expenditures then reduced by 50% and inflated to an estimated allocation year level by a 10-year average increase in the Consumer Price Index or other comparable index;

Sec. XXXX-2. 20-A MRSA §15680, sub-§1, ¶B, as enacted by PL 2003, c. 504, Pt. A, §6, is amended to read:

B. Operation and maintenance of plant. The per-pupil amount for "operation and maintenance of plant" is the actual operation and maintenance of plant expenditures, as defined in the State's accounting handbook for local school systems, for the most recent year available excluding expenditures for leases and the purchase of land and buildings, divided by the average October and April enrollment counts for that fiscal year and then inflated to an estimated allocation year level by a 10-year average increase in the Consumer Price Index or other comparable index. For school year 2008-2009, the resulting per-pupil amount must be reduced by 5%;

Sec. XXXX-3. 20-A MRSA §15681-A, sub-§2-A is enacted to read:

2-A. Reduction for fiscal year 2008-09; special education. For fiscal year 2008-09, the commissioner shall reduce by 5% the allocation for special education costs as described in subsection 2. These calculated special education costs for school administrative units for fiscal year 2008-09 are subject to the appeals procedure described in subsection 2.

Sec. XXXX-4. 20-A MRSA §15681-A, sub-§3-A is enacted to read:

3-A. Reduction for fiscal year 2008-09; transportation. For fiscal year 2008-09, the commissioner shall reduce by 5% the allocation for transportation costs as described in subsection 3. These calculated transportation costs for school administrative units for fiscal year 2008-09 are subject to the appeals procedure described in subsection 3.

Sec. XXXX-5. Implementing legislation. The Commissioner of Education shall report by January 15, 2008 to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Education and Cultural Affairs with legislation that implements this section to consolidate the administration of school administrative units.

1. Reduction of number of superintendents' offices; creation of regional administrative districts. The number of school administrative unit superintendents must be reduced to 80 or fewer. Each resulting regional administrative district must contain central office staff, business offices and special education offices for the school administrative units within that district.

2. Consolidation of functions. Each regional administrative district shall consolidate the following functions for the school administrative districts within that regional administrative district:

- A. Transportation;
- B. Purchasing;
- C. Personnel services;
- D. Building maintenance services;
- E. Special education;
- F. Curriculum planning;
- G. Professional development;
- H. Legal services; and
- I. Other administrative functions as determined by the Commissioner of Education.

All functions other than those listed in paragraphs A to I remain in the control of the local school board or, in the unorganized territory, the Commissioner of Education.

3. Local control. Each school administrative district is allowed to choose other school administrative districts with which to consolidate for purposes of establishing a regional administrative district. Student population is not a determinative factor. Any disputes between school administrative units in a regional administrative district must be referred to the joint standing committee of the Legislature having jurisdiction over education matters for resolution.

Decisions regarding key school issues, including, but not limited to, school closings, employment of educational personnel and union contracts, remain with the local school board or, in the unorganized territory, the Commissioner of Education. A local school board may obtain assistance from the regional administrative district if necessary.

4. Secondary and special education. If there is not a secondary school in the regional administrative district, then the students in that regional administrative district may be sent to other school administrative units on a tuition basis. Special education services may be contracted out by the schools within the regional administrative district to a secondary school outside of the regional administrative district.

5. Incentives for collaboration. A regional administrative district may have some or all of the 5% essential programs and services funding reduction restored by choosing collaborative classroom opportunities, distance learning opportunities or consolidating schools. The Commissioner of Education shall recommend the level of funding restoration to the joint standing committees of the Legislature having jurisdiction over appropriations and financial affairs and education matters.

6. Operation of regional administrative district. Each regional administrative district is controlled by a board made up of one delegate appointed to the regional administrative district board by each local school board in the regional administrative district. The delegate must be a member of the local school board and must be paid a stipend. The regional administrative district board must meet at least twice per month, with the superintendent in that regional administrative district establishing the agenda for each meeting.

7. Operation of local school board. For any matters regarding the regional administrative district, the delegate from the local school board must serve as the chair. The superintendent of the regional administrative district in which a local school board is contained is not required to attend the meetings of the local school board but must select a local administrative delegate to attend. The local delegate must receive a stipend.

8. Effective date. The implementing legislation must provide for an effective date to apply to school years beginning with the 2008-2009 school year.'

Amend the amendment by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment removes that part of Committee Amendment "A" that provides for the reorganization of school administrative units and replaces it with a requirement that the Commissioner of Education report to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Education and Cultural Affairs with legislation that creates no more than 80 regional administrative districts. The purpose of a regional administrative district is to consolidate certain functions for groups of school administrative units such as transportation, purchasing, personnel, building maintenance, special education, curriculum planning, professional development and legal services. Decision making for other functions continues to reside with local school boards. School administrative units are free to choose with whom to consolidate.

This amendment maintains the reductions in funding for administration, special education, building maintenance and transportation as proposed in Committee Amendment "A," but school administrative districts, as regional administrative districts, that collaborate on classroom and distance learning opportunities or consolidate schools may get back an amount up to the reduction, as determined by the Commissioner of Education.

FISCAL NOTE REQUIRED
(See attached)