

To: Members of the Education and Cultural Affairs Committee
From: Robert M. Kahler, Superintendent of Schools, AOS 98
Date: January 22, 2026
Re: Testimony in Support of Amendments to the Charter of the Boothbay-Boothbay Harbor Community School District

Dear Members of the Education and Cultural Affairs Committee,

Thank you for your time and for this opportunity to speak in favor of the proposed amendments to the Charter of the Boothbay-Boothbay Harbor Community School District (CSD). As the Superintendent of Schools, I work directly with both the CSD Board of Trustees and the CSD School Committee and can attest to the critical role both boards perform in the governance of our district.

The amendments before you have received broad support from all four governing bodies: the CSD Board of Trustees, the CSD School Committee, and the Select Boards of Boothbay and Boothbay Harbor. This consensus underscores the critical need and broad agreement on the necessity of these changes. The proposed amendments focus on two sections of the charter: Section 6 (Budget Adoption) and Section 3 (The Board of Trustees; School Committee).

Clarifying Budget Authority and Adoption Process (Section 6)

The primary driver for amending Section 6 is to resolve an unintended consequences of the last charter change, which created a significant conflict in the budget adoption process. Specifically, the CSD School Committee adopted the current budget before the Board of Trustees had approved it.

This sequence of events diminished the significance of the Trustees' vote and raised serious questions about their authority in governing the district. As you can imagine, this led to a great deal of confusion, disruption, and tension among the boards and the community. The amendments to Section 6 are designed to prevent a repeat of this conflict. They will clearly define the roles and sequence of the budget adoption process, ensuring that the authority of both the Board of Trustees and the School Committee is respected and that the process avoids the disenfranchisement of voters.

Clarifying Governance and Responsibilities (Section 3)

The amendments to Section 3 of the charter offer greater clarity regarding the distinct areas of responsibility for each board. Crucially, they also provide a formal framework for the boards to create joint bylaws as necessary to fulfill their duties and responsibilities to the district and the community. The intent of establishing this framework is twofold:

- To provide a formal, agreed-upon process for resolving disputes and clarifying areas of confusion between the boards.
- To serve as a vital mechanism to combat the loss of institutional knowledge that occurs during turnover of Board Members and Superintendents.

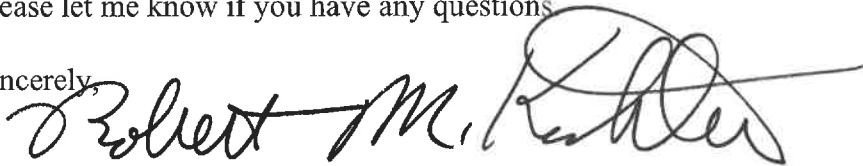
Clarification on Mechanism for Board Consolidation

Finally, I wish to clarify a point regarding the provision for combining the two boards into a single entity. The boards did not intend to remove the citizens' right to pursue this option. Rather, because the process for consolidating boards is already fully addressed in state statute, the boards deemed it unnecessary to duplicate this provision within the local charter. I have shared this assessment with my boards and have received no feedback to the contrary.

On behalf of the Board of Trustees and the School Committee, we appreciate your time and attention to this critical matter of local governance. We urge your support for these amendments to ensure a clear, functional, and collaborative structure for the Boothbay-Boothbay Harbor Community School District.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert M. Kahler". The signature is fluid and cursive, with a large, stylized "R" at the beginning and a long, sweeping horizontal line extending to the right.

Robert M. Kahler
Superintendent of Schools
AOS 98

Boothbay - Boothbay Harbor CSD
Board of Trustees and School Committee
Joint Meeting Regarding Potential Charter Amendments 16 December
Language voted on and approved by Board of Trustees (Last vote on 11 December)
Language voted on and approved by CSD School Board (Last vote 16 December)
Language voted on and approved by Boothbay Board of Selectmen (16 December)
Language voted on and approved by Boothbay Harbor Selectboard (22 December)
Updated Charter Language Votes as of 22 December, 2025

Sections 1,2,4,5, 7,8,9 – No Changes Recommended or adopted

Sections 3 and 6 approved to be amended as written below

An Act to Amend the Charter of the Boothbay-Boothbay Harbor Community School District

Be it enacted by the People of the State of Maine as follows:

Sec. 1. P&SL 2023, c. 12 is amended as follows:

Sec. 1. Organization and continued existence. The Boothbay-Boothbay Harbor Community School District, referred to in this Act as "the community school district," is a community school district organized pursuant to the Maine Revised Statutes, Title 20-A, chapter 105 and this Act to provide public education in grades prekindergarten or kindergarten to grade 12 for the Town of Boothbay and the Town of Boothbay Harbor. The community school district is governed by Title 20-A, chapter 105 except as provided by this Act.

Sec. 2. Governance transition. The district school committee members and the trustees of the community school district serving as of the effective date of this Act shall continue in their offices for their respective remaining terms.

Sec. 3. Board of trustees; district school committee. Except as provided by this Act, the board of trustees and district school committee have the duties and authority pursuant to the Maine Revised Statutes, Title 20-A, chapter 105. The board of trustees shall have authority over capital expenditures and the district's capital reserve fund and shall [1] act as a building and facilities governing committee, including authority over the budget for maintaining, repairing, replacing and improving the community school district's buildings, facilities, and non-instructional capital purchases. Each board has distinct areas of responsibility and or authority as outlined in this charter and statute., However, should issues arise involving overlapping responsibilities the boards shall create joint bylaws or procedures as necessary to further assist them in the understanding of and execution of their duties and responsibilities to the Community School District.

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Section 4 Current Charter/Placeholder – No changes adopted

Sec. 4. Cost sharing; amendment. The community school district shall apportion amounts to each member municipality for the total sum of the annual capital budget, less funds available from other sources to meet the same, and for the total sum of the annual operating budget, less funds available to meet the same, based upon the number of resident pupils in each municipality on the most recent June 1st before the fiscal year prior to the fiscal year of the budget; except that no more than 60% and no less than 40% of such net sum for the annual capital budget may be so apportioned to any town in any year. For the purpose of local cost sharing under the Maine Revised Statutes, Title 20-A, section 15688, subsection 4, the district's cost-sharing formula was established by this Act prior to January 1, 2004, and this formula determines each municipality's local cost of education for purposes of Title 20-A, section 15688. The community school district shall assess and collect school taxes from each member municipality as provided by state law. The community school district shall follow the procedure under state law for amendment of cost-sharing, except that the district school committee shall submit any cost-sharing amendment to voters at a referendum and may determine the amendment to be approved only if each municipality adopts the amendment by a majority of its voters voting and if the total vote cast in each municipality is at least 20% of the number of votes cast in the last gubernatorial election.

Current Charter Section 5 (no changes recommended)

Sec. 5. Borrowing authority; voter authorization. Except as provided by this Act, the board of trustees has the authority to borrow pursuant to the Maine Revised Statutes, Title 20-A, section 1651, subsection 2, paragraph E. Capital project bonds or notes of the community school district that are general obligations must be approved by the district voters. The board of trustees shall issue a warrant to initiate a district referendum on a general obligation bond issue of \$250,000 or more and a warrant to initiate either a district meeting or district referendum on a general obligation bond issue in an amount of less than \$250,000.

Section 6. Budget Approval. The board of trustees shall prepare the revenues and expenditures for facilities operation and maintenance and the capital portion of the budget as outlined in Section 3 of the charter. The school committee shall prepare the revenues and expenditures for the operating portion of the budget. The school committee shall integrate the capital and operating portions of the school operating budget into cost centers in accordance with the cost center summary budget format and shall submit the school operating budget to the budget meeting and budget validation referendum procedure of the Maine Revised Statutes, Title 20-A, chapter 105, subchapter 3. The board of trustees may prepare other articles related to capital needs, such as capital reserve fund articles, for the budget meeting. The school committee shall include these articles in the warrant for the budget meeting.

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Current Charter – Sections 7,8, and 9 – No changes Recommended

Sec. 7. District meeting procedures. The community school district shall conduct budget meetings and special budget meetings in the manner provided under the Maine Revised Statutes, Title 20-A, chapter 105, subchapter 3. The community school district may conduct other meetings of its voters in the manner provided for budget meetings under state law.

Sec. 8. District referendum procedures. The community school district shall conduct referenda for purposes described in this Act or state law in the manner provided for regional school units under the Maine Revised Statutes, Title 20-A, chapter 103-A.

Sec. 9. Controlling law. If any provision of this Act conflicts with the Maine Revised Statutes, Title 20-A, chapter 105, the provisions of this Act control.

