§1512. Closing school

1. Vote; cost of election. A school in a member municipality of a regional school unit may not be closed unless the voters in the member municipality vote on the article in accordance with the referendum procedure set forth in this chapter.

"Article: Do you favor authorizing the board of directors of (name of regional school unit) to close ..... (name of school)?

Yes No

The additional cost of keeping the school open has been estimated by the regional school unit board to be $ ....."

The election must be conducted within that member municipality only, pursuant to department rule, and the costs of the election are borne by the regional school unit.
[PL 2007, c. 240, Pt. XXXX, §13 (NEW).]

2. Expense of keeping the school open. If the voters vote by a majority vote to keep the school open, the member municipality is liable for some additional expense for actual local operating costs and transportation operating costs as defined in section 15672. The determination of costs is subject to the approval of the commissioner. The cost to be borne by the municipality voting to keep a school open is the amount that would be saved if the school were closed. Any additional costs that must be borne by the member municipality must be part of the article presented to the voters at the meeting to determine whether the school should remain open.
[PL 2007, c. 240, Pt. XXXX, §13 (NEW).]

3. Costs and procedures during subsequent years. During any year subsequent to the year during which a school remains open contrary to the regional school unit board's vote to close that school as a result of a municipal referendum, the school will be open without any additional cost to the municipality except as described in paragraphs A and B.

A. If the regional school unit board again votes to close the school and the voters of the member municipality again vote to keep the school open, as described in this subsection, then the school will remain open and the member municipality will be obligated to pay the additional costs as described in subsection 2. [PL 2007, c. 240, Pt. XXXX, §13 (NEW).]

B. If the regional school unit board again votes to close the school and the voters of the member municipality fail to vote to keep the school open, then the school is closed. In this event, the school may be reopened only if the regional school unit board votes to reopen the school. [PL 2007, c. 240, Pt. XXXX, §13 (NEW).]
[PL 2007, c. 240, Pt. XXXX, §13 (NEW).]

4. Definition of school closing. For purposes of this section, a school closing is any action by the regional school unit board that has the effect of providing no instruction for any students at that school.
[PL 2007, c. 240, Pt. XXXX, §13 (NEW).]

5. Method of payment by liable municipality. If a municipality is liable for additional expenses as determined in subsection 3, paragraph A, then the amount of this additional expense must be subtracted from the regional school unit budget before each member municipality's assessment is computed. This additional expense must be paid by the member municipality that is liable in equal monthly amounts, unless the regional school unit and that member municipality mutually agree to another method of payment.
[PL 2007, c. 240, Pt. XXXX, §13 (NEW).]

6. Multiple municipalities. If a school proposed for closure is a school that serves students from more than one municipality, the article set forth in subsection 1 must be submitted to the voters in each of the municipalities that sent all students from that municipality to the school. If a majority of the

voters in each of the municipalities vote to keep the school open, the school is not closed and the municipalities share in the costs under this section in the same proportion as they share the current operating costs of the school.
[PL 2009, c. 213, Pt. OOOO, §1 (AMD).]

SECTION HISTORY

PL 2007, c. 240, Pt. XXXX, §13 (NEW). PL 2007, c. 668, §25 (AMD). PL 2009, c. 213, Pt. OOOO, §1 (AMD).

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