

CAPE ELIZABETH SCHOOLS**Alan H. Hawkins***Superintendent of Schools***Dominic DePatsy**
*Special Services***Sarah Simmonds/Shari Robinson**
*Curriculum and Staff Development***Pauline Aportria**
Business Manager

February 22, 2008

Susan A. Gendron
 Commissioner of Education
 Department of Education
 23 State House Station
 Augusta, Maine 04333-0023

Dear Commissioner Gendron:

In response to your letter on February 19, 2008, a copy of which is attached, I am providing the additional information as requested.

1. With regard to P.L.2007, chapter 240, Part XXXX-36(6)(F) the Cape Elizabeth School System states that the projected expenditures in FY2008-2009 for system administration, transportation, special education, and facilities and maintenance will not have an adverse impact on the instructional programs for Cape Elizabeth students.

2. Enclosed are three (3) Alternative Plan Submittal Sheets, unfortunately not included in our original documentation, therefore dated as

Initial Plan – November 27, 2007

Revised Plan – January 25, 2008

Update of Revised Plan – February 22, 2008

3. No additional information is sent with regard to

- Additional information/revisions except as noted above
- No updated Cover Sheet Checklist and there have been no changes

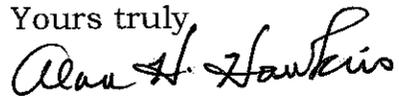
4. With regard to the last paragraph in your letter, since we do not have disposition of property, to debt, or to employee contracts/relations, so no legal information about these areas is included.

5. We are currently in the process of reviewing the proposed Superintendent's Budget request for FY2008-2009 and there are scheduled workshops with the School Board to review the budget and

develop the Cape Elizabeth School Board's Budget. Once complete, that document will go to the Town Council for review and to set the final figures. As you know, those final figures, once decided will, if needed, be validated by the voters of Cape Elizabeth, or, if not needed, will be finalized with the Town Council with a budget limit set by their guidelines.

6. Attached is a copy of your letter dates February 19, 2008.

Yours truly,

A handwritten signature in cursive script that reads "Alan H. Hawkins".

Alan H. Hawkins
Superintendent of Schools

ALTERNATIVE PLAN SUBMITTAL SHEET

School Administrative Unit Submitting Alternative Plan:

- Cape Elizabeth

Contact Information:

Name: Alan H. Hawkins

Address: 320 Ocean House Road

P.O. Box 6267

Cape Elizabeth, ME 04107

Telephone: 207-799-2217

email: ahawkins@cape.k12.me.us

Date Plan Submitted by SAU: Intial plan - November 27, 2007

The intent to submit an alternative plan has been approved by the Commissioner in the approval of the Notice of Intent?

YES

NO

(If NO, please explain.)

ALTERNATIVE PLAN SUBMITTAL SHEET

School Administrative Unit Submitting Alternative Plan:

- Cape Elizabeth

Contact Information:

Name: Alan H. Hawkins
Address: 320 Ocean House Road
P.O. Box 6267
Cape Elizabeth, ME 04107
Telephone: 207-799-2217
email: ahawkins@cape.k12.me.us

Date Plan Submitted by SAU: Revised plan - January 25, 2008

The intent to submit an alternative plan has been approved by the Commissioner in the approval of the Notice of Intent?

YES NO

(If NO, please explain.)

ALTERNATIVE PLAN SUBMITTAL SHEET

School Administrative Unit Submitting Alternative Plan:

- Cape Elizabeth

Contact Information:

Name: Alan H. Hawkins
Address: 320 Ocean House Road
P.O. Box 6267
Cape Elizabeth, ME 04107
Telephone: 207-799-2217
email: ahawkins@cape.k12.me.us

Date Plan Submitted by SAU: Update of revised plan - February 22, 2008

The intent to submit an alternative plan has been approved by the Commissioner in the approval of the Notice of Intent?

YES NO

(If NO, please explain.)



JOHN ELIAS BALDACCI
GOVERNOR

STATE OF MAINE
DEPARTMENT OF EDUCATION
23 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0023

FEB 21 2008

SUSAN A. GENDRON
COMMISSIONER

February 19, 2008

Alan Hawkins, Superintendent
Cape Elizabeth School Department
PO Box 6267
Cape Elizabeth, ME 04107

Dear Superintendent Hawkins:

Thank you for the revised Alternative Plan that you submitted on behalf of Cape Elizabeth School Department on January 25, 2008 for Department review for compliance with the school reorganization law, P.L. 2007, chapter 240, Part XXXX.

Members of my staff and I have completed the review of the plan. Below is a list of our findings and identification of any additional information/revisions.

FINDINGS:

- The plan submitted as of January 25, 2008 will be approved once the additional information/revisions listed below are received.

ADDITIONAL INFORMATION/REVISIONS:

- The Alternative Plan Submittal Sheet is missing; please include a Submittal Sheet for both your November 30, 2007 and January 25, 2008 filings with your revisions.
- For clarity, as you prepare your statement on adverse impact, please consider using language similar to that in P.L. 2007, chapter 240, Part XXXX-36(6)(F) that "... the projected expenditures in FY 2008-2009 for system administration, transportation, special education, and facilities and maintenance will not have an adverse impact on the instructional program" by providing an assurance to that effect.

SUBMISSION OF ADDITIONAL INFORMATION/REVISIONS:

Please provide the additional materials to complete your plan by March 28, 2008.
Please include:

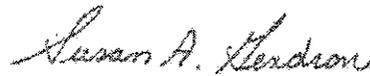
- Any additional information/revisions required
- An updated Submittal Page
- An updated Cover Sheet Checklist, if anything has changed with the new submission
- A copy of this Response from the Commissioner.

I will respond no more than 14 days after the revisions/additional materials are refiled with the Department. As you are the contact person identified on the Submittal Sheet, this response is addressed to you but with the understanding that you will share it with your school administrative unit board members.

Finally, what I am reviewing for approval is a plan (or a submission, if the plan is incomplete) which is by its very nature prospective, with steps yet to be taken or finalized; and any review comments or approval given are in relation to the elements required under P.L. 2007, chapter 240, Part XXXX but not the legality of all the activities proposed. Thus, I strongly recommend that you have your own legal advisor(s) review the details of any particular transaction proposed in your plan (particularly with respect to the disposition of property, to debt, and to employee contracts/relations) as you proceed, to ensure the legality of the steps you'll be taking to implement the plan. If that review leads to any substantive changes in any parts of your plan, please be sure to submit an amended plan to the Department for our review and our file.

Again, my sincere thanks for your efforts.

Sincerely,



Susan A. Gendron
Commissioner of Education