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DEPARTMENT OF EDUCATION
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STEPHEN L. BOWEN
COMMISSIONER

Exhibit #: VI.B.

TO: Members of the State Board of Education

FROM: Stephen L. Bowen, Commissioner*

DATE: October 6, 2011

SUBJECT: Request for Approval to Proceed with Rulemaking Chapter 61 – Rules for Major Capital School Construction Projects.

Statement of Facts

Chapter 61 Rules for Major Capital School Construction Projects governs the expenditure of millions of Maine taxpayers' dollars in support of safe and effective schools that support the demands of 21st century education. Extensive needs for improved education facilities across the state make it imperative that the rules be kept clear, current and supportive of the state's education goals. The Department of Education and the Construction Committee of the State Board of Education have worked jointly to propose modifications to Chapter 61.

Key aspects of this revision include:

- An on-site representative for each construction project who will represent the State's best interest and be funded as a project expense;
- Refining the Rating System;
- Strengthening the Design and Funding Approval language; and
- Strengthening the Finance and Audit section of the rule.

Recommendations

It is recommended by the Department of Education that the State Board of Education approve the attached proposed amendment to Chapter 61, Rules for Major Capital School Construction Projects, as major substantive rules. It is further recommended by the Department of Education that the State Board of Education authorize proceeding with rulemaking in accordance with the State of Maine Administrative Procedure Act.

* Prepared by the School Facilities Services Team