



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

JOHN ELIAS BALDACCI  
GOVERNOR

SUSAN A. GENDRON  
COMMISSIONER

**EXHIBIT: #IV. I.**

TO: Members of the State Board of Education

FROM: Susan A. Gendron, Commissioner\*

DATE: November 12, 2008

SUBJECT: Board Responsibility to set the date for the initial meetings of the newly voter approved Regional School Units [RSUs] and Alternate Organizational Structures [AOSs]

Background: The State Board of Education, pursuant to state statute 20-A MRSA §1473(1), is authorized to set the date, time and place for the initial meetings of the RSU. As the attached memo from Jim Rier to the municipal clerks explains there are some very specific timelines in statute regarding the issuance of the Certificate of Organization and the setting of the dates for the election of the new RSU and AOS boards. In order to expedite the process and to ensure that the timing of the required steps is adhered to, it would appear that a delegation of authority to the State Board chair to set the date, time and place for the first meeting would be appropriate. This is comparable to the delegation that you made by motion at the July 9, 2008 State Board meeting for the chair to sign the Certificates of Organization.

Recommendation: The State Board of Education move to delegate authority to the Chair of the State Board of Education to set the date, time and place for the initial meetings of the voter approved Regional School Units and Alternate Organizational Structures.

## **Guidance to Municipal Clerks and Interim Secretaries Regarding November 4 Referendum**

To: Municipal Clerks and School Officials

From: Jim Rier, Director of Finance and Operations, Maine Department of Education

Date: October 28, 2008

Re: Guidance to Municipal Clerks and Interim Secretaries Regarding November 4 Referendum

In response to a recent meeting I attended with municipal clerks, I agreed to send some guidance regarding the reorganization referendum process and how you and we can assist school units in moving quickly to begin the reorganization process, if approved by voters.

The timeline for voting on new Regional School Unit (RSU) members and then creating the new structure is quite tight and so we have developed this guidance to help expedite and clarify the process. This will be particularly important in cases where some of the member school units in the proposed RSU vote “yes” and others vote “no.”

### Reporting Referendum Results

It is essential that municipal clerks report results to the Department as quickly as possible after the election so that we can move to draft the Certificates of Organization and present them to the State Board for issuance. We would request that you:

- a. Inform us by phone or email of the results of the vote on the referendum question in your municipality, if possible, on November 5. Please contact:

Melissa Padgett or Jennifer Pooler

207-624-6802

[Melissa.Padgett@Maine.gov](mailto:Melissa.Padgett@Maine.gov)

[Jennifer.Pooler@Maine.gov](mailto:Jennifer.Pooler@Maine.gov)

- b. Send certified results as soon as they are available by mail to:

Jennifer Pooler

Department of Education

23 State House Station

Augusta, ME 04333-0023

### Timeline for Subsequent Activities Related to Formation of the Regional School Unit

- Following the issuance of a Certificate of Organization for the new RSU by the State Board of Education, member school boards will need to meet as soon as possible and then will have a minimum of 45 days and a maximum of 60 days from the issuance of the Certificate to hold an election for the new RSU Board of Directors. This means that boards should consider carefully when they wish to hold their election and make that information known to the Department and the State Board in order to time the issuance of the Certificate to make that date possible. In other words, we will work with the State Board to issue Certificates as quickly as possible – but not so early that it would force

elections sooner than the future RSU would like. For example, 60 calendar days from a November 5, 2008 Certificate of Organization issuance is January 3, 2009.

- Member school boards will need to meet as soon as possible following the issuance of a Certificate of Organization to:
  - elect an Interim Secretary, and
  - officially set the date for the election of directors of the RSU Board.

It is vitally important that the Interim Secretary of the future RSU and the municipal clerks of the member municipalities work collaboratively, as the Interim Secretary will not have the experience or the means to distribute nomination papers and validate signatures.

- In advance of the RSU Board of Directors election, the Interim Secretary is responsible for preparing warrants and nomination papers in close collaboration and consultation with municipal clerks who must certify the nomination papers and validate the signatures.

We believe that this approach will enable all parties to meet the requirements within the timelines specified in the law, and to get the new RSU boards in place as soon as possible, so they can then hire a superintendent and begin the budget process for school year 2009-2010.

If you have questions, please do not hesitate to contact me. I can be reached at 207-624-6790 or by email at: [Jim.Rier@Maine.gov](mailto:Jim.Rier@Maine.gov)