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State of Maine  
 ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE  
 COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS

February 22, 2012

TO: Senator Roger J. Katz, Senate Chair  
 Representative David C. Burns, House Chair  
 Government Oversight Committee

FROM: Senator Brian D. Langley, Senate Chair  
 Representative David E. Richardson, House Chair  
 Joint Standing Committee on Education and Cultural Affairs

SUBJ: **OPEGA Special Project to Provide Technical Assistance for an Independent Review of the Essential Programs and Services Funding Law (LD 958)**

We write to request that the Government Oversight Committee approve the involvement of OPEGA in a special project to provide technical assistance for a Request for Proposal (RFQ) process to select a qualified research entity to conduct an independent review of the Essential Programs and Services (EPS) Funding Act. The Education and Cultural Affairs Committee is considering its options regarding LD 958, "Resolve, To Direct the Department of Education To Review the Essential Programs and Services Model." We believe that OPEGA is uniquely qualified to provide technical assistance to ensure that this evaluation of Maine's school funding law is conducted in a timely and professional manner.

Ever since the enactment of the EPS Funding Act established under the Maine Revised Statutes, Title 20-A, chapter 606-B, the Legislature has debated both incremental and comprehensive funding reform proposals to remedy perceived flaws in the school funding formula and the state subsidy distribution mechanism. Numerous legislators, school officials and key education stakeholders have supported legislation to provide for an independent review of the education finance policies and practices associated with the EPS Funding Act. During the current legislative session, we have come to the conclusion that the Legislature should promptly contract with a qualified research entity to conduct an objective evaluation of the EPS Funding Act as it relates to best practices in school funding systems in other states that are deemed to be fair and equitable.

As you may know, the Education and Cultural Affairs Committee reported out an amendment to LD 958 during the first session that would have directed the Department of Education to administer the RFQ process and select a vendor for this review. Due to several factors, including concerns that the department should not be the principal agency administering this *independent* review, the bill was carried over to the second session. We have been exploring the appropriate roles and relationships of state government agencies in conducting this review.

On behalf of the Education and Cultural Affairs Committee, we are requesting that OPEGA provide technical assistance to the Legislature in administering a RFQ process to select a qualified research entity to conduct an independent review of the education finance policies and practices associated with the EPS Funding Act. The technical assistance provided by OPEGA would be subject to an agreement between the Legislature and OPEGA and would include, but is not limited to the following activities:

1. Advise and guide the Legislature; review proposed RFQ and vendor selection process; review, approve and receive responses to the RFQ; and review contracts for final approval; and
2. Assist the Legislature in identifying needs; initiate the RFQ contracting process; solicit and evaluate bids; select vendor; prepare and execute contracts;
3. Provide other technical assistance as determined by mutual agreement of the Legislature and OPEGA.

We shall provide to OPEGA the materials related to LD 958 that our committee has considered during our deliberations on this matter.

Thank you for your time and consideration of this request. If you have any questions, please don't hesitate to contact us.

cc:           Members, Joint Standing Committee on Education and Cultural Affairs  
              Beth Ashcroft, Director, OPEGA