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DOE-News

Gendron Responds to Notices of Intent

Update from the Maine Department of Education
September 27, 2007

Reorganization Next Steps

The Department of Education's Reorganization Implementation Team is following up in the next few weeks with all of the units whose Notices of Intent were found not to comply with the law. Education Commissioner Susan Gendron and/or Jim Rier, the Department's Director of Finance and Operations, will be meeting in the key regions that need to continue the work.

In some cases, including cases where Notices were found to comply with the Reorganization Law, the Commissioner has asked units to have more discussions, stretch their thinking, and work with the Department to come up with solutions for ALL the units in the area.

For example, SAD 35 (So. Berwick, Eliot) and York have each been found to comply, but Kittery is left out of the mix and is too small to be a "donut hole." The Commissioner has asked them all to try to find a solution that addresses all of these units. The Department will provide technical and financial analysis, facilitation, and other assistance to them to help them work through any real or perceived barriers.

We are working to schedule these meetings in the coming weeks.

Summary of the Letters of Response

The Department has been able to summarize the Letters of Response that were sent to school administrative units on Sept. 13 in a chart that now shows, by region, all of the responses. You can find this chart on our website: Look for the link: "[Summary Chart of DOE Responses to Notices of Intent](#)", dated September 27, 2007.

The chart shows each proposed configuration and the Commissioner's response. If the same configuration was proposed by several SAUs, it appears only once since the response was the same to all who submitted it.

Responses are in four categories: Complies; Complies, with Request for continued exploration; Does Not Comply; and Non-reciprocal submission. An explanation of each appears at the bottom of the chart.

Numbers You Can Use

- 243 SAUs (80.3%) had at least one Notice of Intent found to comply.
- 57 SAUs had no Notice of Intent found to comply.
- Of the 57, 37 SAUs' Notices were found not to comply simply because of Non-reciprocal filings by their proposed partners. We are asking those units to re-submit mutually agreeable configurations if that is their collective intent and the Department can then act on them.
- There are approximately 12 to 15 areas around the state identified in need of additional discussions, and which will receive assistance from the Department.

Understanding the Letters of Response

Here are a few things to keep in mind when reviewing the Letters of Response:

- In areas where the Commissioner found Notices not to comply with the law, she is not "rejecting" their work; she is asking for continued exploration and we will work with them to find successful solutions.
- Also keep in mind that the Commissioner cannot "force" any units to merge. But she can ask them to work together.
- A primary aim for the Commissioner is to help find solutions for ALL units in each region and statewide; thus she is looking for continued exploration to achieve the most effective and sustainable partnerships for each region.
- Sustainability is a key issue for the Commissioner in guiding school units. The law itself notes the "intent of the Legislature to achieve sustainable, long-term administrative efficiencies." Declining enrollments, the spending cap on state K-12 funding that goes into effect in FY10, and the effects of valuation increases all will play a role in the ability of SAUs and partnerships (RSUs) to remain sustainable.

About the 2,500

Some units have been surprised to see in their Letter(s) of Response that their proposed reorganization configuration was found not to comply because it didn't meet the 2,500 student threshold in the law. Some think that because they are in a "rural" area they automatically only have to meet a 1,200 student threshold. Others don't see that they have the ability to get to 2,500.

The law requires that both the maps presented by the Commissioner (which were offered at the regional meetings) and the alignment options considered by school administrative unit representatives reflect the intent and goals of consolidation listed in section 1451, including

"the intent that sustainable, long-term administrative efficiencies be achieved by consolidating . . . into 80 units or into a number of units that meets the administrative efficiencies . . . Regional units of at least 2,500 resident students must be created except where circumstances justify an exception to that size requirement. When circumstances justify an exception to the requirement of 2,500 students, the unit must serve as close to 2,500 students as possible and in no case, except for offshore island and school operated by tribal school committees, may it serve fewer than 1,200 students. P.L. 2007, Chapter 240, Part XXXX-36(1)(C).

In reviewing alignment options, we were looking for the 2,500 student threshold to be met or for the SAU to provide a description of the circumstances that justified an exception to this requirement. Once the SAU submits the description of the circumstances that the SAU sees as justifying an exception to the 2,500 student threshold, the Department will consider that information and, if the Department agrees, may find that the SAU has complied with the law. Absent that information, the Department is unable to say that the SAU is in compliance.

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