

***Durham, Freeport, & Pownal
Reorganization Planning Committee
Meeting Minutes
March 26, 2008
Freeport High School~Freeport***

Members Present: Fred Palmer, Sherry Dietrich, Tim Giddinge, Paul Schumann, John Gleason, Wesley Bennett, Amber Snell, Allan Purinton, Rick White, Jennifer Kaplan, Nelson Larkins, Rhonda O'Shea, Cliff Ruprecht

Advisors Present: Shannon Welsh, Superintendent of Schools, Durham Elaine Tomaszewski, Superintendent of Schools, Freeport

Also Present: Bob Kautz, Facilitator; Diane Boucher, Business Manager, Freeport/Pownal; Cathy Messmer, Business Manager, Durham and 3 members of the public

Not Present: Joe Feeney, Superintendent/Principal, Pownal

- The meeting convened at 7:01 pm.
- Previous minutes were reviewed and accepted by consensus.
- There were no public questions from the previous RPC meeting
- There were no public comments or questions.
- At the last RPC meeting it was requested this meeting's agenda focus on key comments and issues and be used as an opportunity to discuss the committee members' thoughts on the draft Plan. It was stated that school choice would not be relevant as the town of Durham would be voting on phasing out school choice on April 4th. Once the vote is taken the RPC will discuss the results. It was stated that the RPC did not want to influence any decisions by discussing the matter beforehand. Bob Kautz asked if the RPC felt this discussion should be included within the agenda. The consensus of the committee was the school choice discussion should happen after the vote in Durham.
- All areas of involved discussion were captured on the agenda. There would be discussion of cost sharing and what other avenues could be thought of which were brought up by the public.
- There was a 4th issue added within cost sharing piece of the agenda. It was stated at the public meetings that once consolidated students in all communities would have access to programs in any schools. This comment was surprising to some members of the RPC. Most of discussions and plans of blending of programs were focused on the high school level. This has implications within costs and gives concerns to members of the RPC. It was stated the RPC needed an appropriate plan and an analysis for Elementary blending of programs like the analysis that is being done at the high school level. It was explained that some members did not believe this had been discussed. Transportation concerns were discussed as well. It was asked how the RPC could tell voters this could be a possibility if it has not been planned

for. It was explained that if the Plan specifically stated that students can cross communities it would be allowed. If nothing in the Plan addressed this situation it would be up to the RSU to make policies regarding this issue. It was explained if it was written within the Plan the blending of programs at the Elementary level could not take place, it would be difficult for the RSU board to change this if needed due to declining enrollments or other situations that may arise within the RSU in future years. It was explained that the Education Subcommittee had made recommendations that students may attend other schools within the RSU if they are facing challenges at their current school. It was also discussed that co-curricular clubs may be opened up to the other communities, but parents must provide transportation. This would be flexible situation depending on factors of involvement within the communities. There was some discussion that if one of the Elementary Schools closed the other Elementary Schools within the RSU would take those students. There were questions regarding Freeport having 2 Elementary Schools and it was explained that the two elementary schools in Freeport house different grade levels. It was asked if the Plan stated there was intent that students whose needs were not being met at their current school could attend one of the other schools within the RSU how could the RSU say the intent has bearing and how would the costs be shared. It was explained that it needs to be clearly stated within the Plan of how we might decide to share costs with the blending of programs. It was asked what the difference is in what is currently done with a Superintendent's Agreement and an RSU representative making the decision of a student attending a different school within the RSU. It was understood that Superintendent's Agreements are rare and it was asked if the RPC envisioned something such as a parent request going to the RSU board for students to change schools. It was agreed that there may be some students who will request to change schools as it can be envisioned there may be options that work better for some students in one school than another. It was stated that some constraints may be needed by the RSU board and decisions could be made by looking at the opportunity for the student subject to guidelines. It was stated that all towns within the RSU will provide elementary level education and there were concerns that some members could not make an argument to their communities that they should support the RSU, but the other elementary schools within the RSU are closed to their students. The concern was stated that if communities don't have access to all schools how could the RPC members present the idea of cost sharing for all three communities. It was explained that there are differing programs within the Mast Landing School currently with parents having the option of program choice and the school is shifting back to school preference within programs. This was compared to students attending one school or another depending on student needs. It was stated this was the same type of term that needed to be used for "school preference" of students and a review of the student's needs and what would be best for the RSU as a whole would need to be addressed within the RSU structure. It was stated this would leave a door open for the opportunity of school preference, but not the right to change schools without

following the stated protocol. It was suggested this would be a preference-based option for students who have well-stated needs that were not being met within a certain school and the need would be reviewed by either the RSU Superintendent or Board. There were concerns discussed about the other communities saying to their voters that they will help pay for other schools within the RSU, but the students from their community would not be able to attend those schools. It was stated that Superintendent Agreements are rare and usually done for moving families who would like to have their students continue to attend in the school they have been in for the remainder of the school year. It is up to parents to provide transportation for students who have Superintendent Agreements. It was explained that the caution of blending schools within the communities was there may be a number of students that may want to attend other schools and it may cause staffing or transportation concerns. Transportation may be more difficult to address as a student would still be attending a school within the lines of the RSU. It is believed that most students will want to go to their neighborhood schools and that in most situations where students choose a different school there was good reason. It was stated that the RSU should be able to work out transportation options for those students but it should be left up to the RSU board to consider. It was also stated that putting in strict wording within the Plan would set very firm guidelines for the RSU board. It was suggested that language be entered within the Plan, something regarding serving the needs of the student, and it was asked whether or not this would be appropriate. It is believed that language could be put in the Plan with the intent to give students this opportunity which would let the RSU board know that this was discussed. It was asked whether certain members within the RPC would be comfortable with the small amount of students who may take this choice which would imply that the RSU does have a blending of programs. It was stated that the RPC has not agreed to a structure of how this should take place. It was stated that the RPC and communities need to envision that town boundaries would be erased once consolidated. At this point the RPC has suggested it be up to the RSU board to decide how the blending of programs and students should take place and that the communities are moving from three structures to one. It was asked for RPC members to think along the situation of their communities having three Elementary Schools and how they would handle students wanting to attend a different school within that community. Other communities who have this similar issue were discussed as well as the idea of computerized bus routing system which will give the most optimal cost savings within communities. It was proposed to have language regarding decisions about student needs being considered if there was a request to attend another school within the district. It was asked what the financial capacity would be if this took place. It was stated to let the RSU Board make the decisions and that they have not only the student's interests, but also the best interest for the RSU to consider. It was explained that the RPC needs to give the RSU Board the power to make these decisions, but there needs to be some governance regarding keeping the best interests within the district. It was

stated the RPC needed to make the language very clear in regards to the decisions of students within the Elementary and Secondary structure as there are concerns of it being read to allow students to go to another High School if it is felt their needs are not being met by parents. It was proposed again that language be put in to have the RSU make the decisions of students who would attend another school within the district. It was suggested the language be crafted and gone over at the next RPC meeting. It was recommended that the RPC members would like to review the language first. There was also a proposal that the language state it would be encouraged as cost sharing is based on this concept. It was proposed each student's tuition dollars follow the student to the school they attend and have the communities remain separate, but in a union structure. It was explained currently under the law this is not allowed. It was understood this could be accomplished with special legislation. It was explained that the RPC did not submit plan and special legislation was able to be voted through in the next session this may be possible. It was explained that the Falmouth/SAD 51 Plan was conditionally approved due to cost sharing legislation still being considered. They would have to resubmit the plan if cost sharing was not passed. It was explained that the Bar Harbor Plan was not approved because they presented local school structures.

- There was discussion regarding the option of having cost sharing per pupil above EPS or whether this should be focused per pupil only at the high school level. It was recommended that both options were discussed. It was also recommended that the Finance Subcommittee review cost inclusions within the structure. It was proposed the Subcommittee compare the numbers Peter Murray has given and discuss whether or not the numbers the RPC has given are appropriate. It was recommended the Subcommittee review costs for capital improvements that may be needed with secondary students in-fluxing to the High School. It was also suggested the Subcommittee predict some of the capital improvements that may be needed in the future. There was discussion regarding a validation vote to change any cost sharing methods with a 2/3rds vote. There were concerns that a super majority vote means that the minority communities can rule the vote. It was stated the flip side would be that the majority would be able to pass decisions through. It was explained what had been heard is there are many variables in projecting enrollments, costs and other items of consolidation. It was stated the 2/3rds majority vote will keep stability and offers more promise to the RSU. It was explained after the third year in the RSU changes within cost sharing would require a 2/3 s vote. It was stated that some feel that using this model only for cost sharing segregates one issue within the communities which is fundamental to the district. Saying that changes to cost sharing can only be changed through a super majority could be problematic because it locks things in. It was stated some Freeport RPC contingents will have a difficult time explaining to Freeport residents why they may have a minority vote on one issue. On the flip side Freeport RSU Board members could vote through an issue. It was stated in order to vote an issue through Pownal and Durham would need to

have each member of board from their community vote together. It was stated that this was presuming that communities would vote on every issue together and this should not be the case as each community would be combining together as a whole to make decisions. It was asked how it would be explained to the minority communities that Freeport could vote together and pass through an issue with just their board members. It could be a problematic both ways. It was stated it would not be wise to write into the plan that cost sharing could only be changed by a constitutional amendment. It was asked if the RPC was willing to lock in a cost allocation with any projections hoping for accuracy. It was asked if the validation vote was passed by a simple or super majority by the entire RSU and what the amendment procedure would be. It was explained the amendment procedure is similar to the budget validation. There was some discussion regarding voting and how it would only take one or two votes from the other board members in different communities to vote through issues. It was stated that weighted voting gives some fluidity for changes within cost sharing as this is the most uncertain area. It was asked if the RPC would be tying the hands of the board by using weighted votes. There was discussion on having board members from geographic areas in the district and it was stated some members did not feel this would work. It was agreed it was important that Pownal get some representation as this has not been the case. The Financial Subcommittee felt they have done the best job possible. It was stated that the RPC members are starting to visualize separation of town boundaries and not coming together as a whole. At the beginning of the process the RPC started as individual towns and came together to work hard for the same purposes. It was stated that now all focus seems to be on the bottom line and everyone is concerned about the dollar and can't be seen past. It was stated it takes a village to educate and each village is having a different idea of how to pay for it. It was explained that the RPC members can agree on processes but it always comes down to the communities and financial implications. It was explained that within this group there has been sharing and compromising with an understanding of what's best for the proposed RSU, but when members leave the group they listen to community concerns and need to explain the issues. It was stated the words don't sound as strong and compelling as they do within the RPC meetings and this needs to be worked on.

- Bob Kautz stated he had heard three informal proposals for cost sharing. The 2/3rd vote already discussed and proposed, a simple majority vote and that cost savings decisions be amended in the same manner as the rest of the plan. It was stated the constitutional amendment portion is already written within the plan. It was explained this can protect smaller towns but can hurt them and it could work to both benefits. It was stated that the whole assumption is that Freeport board members would want to make the change and not any of the other towns. Bob asked the group if they wished to refer this issue to the Finance Subcommittee to debate or did the group want to make recommendations. It was stated that there is no more investigation that needs

to be done. The Finance Subcommittee proposed to set this issue aside and work on other items first and then bring a package together to propose to the RPC. It was explained most decisions are done by consensus and the RSU will decide by consensus as well. It was stated that as people think through the discussions the other piece to remember is the protection of the three year transition timeframe which also could be changed if needed. It was explained the RSU would not have to deal with plan approval as the RPC has had to do. It was stated the Finance Subcommittee would discuss the notion of each of the proposed ideas of cost sharing and would also review what the unintended consequences that might result may be.

- The discussion led to the next item on the agenda regarding inclusion of debt in the formula. This was discussed at the Pownal public meeting mostly. It was explained the debt discussed is as of a certain date and there needed to be some decisions made as to what happens to debt between the referendum and start of the RSU. It was explained that Pownal will have board representation for their High School students which they have not had in the past and there is the potential that Elementary and Middle School students could have some access to the other community schools. It was recommended the Finance Subcommittee look at what the costs would be with or without sharing debt within the communities. It was stated that Pownal residents felt this is the majority of their concerns as they feel there is no reward to come into the RSU without debt. Pownal contingents felt they would like to present to their community that they are being rewarded for their hard work for having no debt. They felt Pownal not having debt was an asset to the RSU. It was felt that Pownal residents would not see an advantage while they pay for other schools within the RSU. It was explained that Pownal is a very small community and a small tax base and \$100,000 makes a big difference within the tax structure. It was reminded that once the RSU starts any new debt would be shared such as if there was a new roof needed for Pownal Elementary it would become a shared improvement. It was proposed for Finance Subcommittee to review and respond to these concerns.

- Bob asked for guidance regarding the agenda as the time was short and Subcommittees needed time for scheduling meetings. Another decision to be made was that it was evident the Plan will not be submitted by March 28th. It was explained the RPC had the options of submitting the Plan with what has been completed so far or have a letter crafted by Bob sent by Tri-chairs to the Commissioner explaining that where there has been progress no formal actions have been taken at this point. Bob explained if the RPC chose to send the letter only the signatures of the tri-chairs would be needed. If the RPC chose to submit the updated Plan it would need to be voted on by all three school boards. Bob recommended the RPC to submit the letter. It was agreed that the agenda would not be completed during the meeting and would need to continue next week.

- There was a request to discuss the effect of legislative changes happening within Augusta. There are concerns that with some of the legislation pending it would present a completely new set of parameters for consolidation. And it

undermines the current process. Some members were uncomfortable with submitting a plan until decisions of clarity were made by the State. It was stated some members were starting to question why we are continuing the process when there is the possibility of just dispersing because of pending legislation. It was asked why the RPC was pushing for deadlines when we don't have clarity. It was felt the communities were being set up to fail even though the consolidation could be a plus for all three communities. There was a review of the bill LD1932 and the flexibility for cost sharing. The bill intended to allow RPCs some flexibility. Another piece of the bill would delay the budget validation process. Bob explained this bill now has other amendments including the structure of regional school unions. Another amendment states that local school units in a Regional School Union will also have budget validation referendums as well as the Regional School Union. It was stated this could be problematic. There is an amendment to allow a community to withdraw from a potential RSU and if a community is in a SAD they could also withdraw before the SAD chose to align with an RSU. This bill as presented with amendments passed 26-8 in the Senate. The bill then went to House and added amendments regarding 50 residents per square mile as an exception and that proposed RSUs could be within a minimum of 1200 students. A committee of conference was formed as the House and Senate versions were different. The Committee of Conference recommended the House version with the delay of the budget validation referendum stripped from the bill. The House passed the bill with amendments 104-41. It was explained both votes are greater than 2/3rds. The bill is now going back both the Senate and the House for a final vote. The Governor has stated he may veto this bill. If the Governor vetoes then the bill there would need to be a 2/3rds vote from each body to override the veto. If the bodies do not have a 2/3rd majority this bill would die, leaving the existing law. The Appropriations Committee has stripped language out of the supplemental budget regarding this bill. Therefore, if LD1932 as amended is vetoed and the veto is upheld then some other legislation must be done before April 16th to correct LD 1932. If this bill goes forward with amendments passed the RSUs could then be regional school unions instead of units. It was stated that some pieces of the bill are impossible to carry out. It was stated that some members of the RPC feel we are at a point of being finished unless there is some clarity from the State. Bob explained that the members of the RPC were charged with coming up with a plan to present to the voters. It was the right of the RPC to say they do not want to continue and then each community would face the issues of not consolidating. It was also stated the RPC could submit the best plan they feel but could be voted down in all three towns. Bob advised the RPC to move forward with what they have and then if rules changed decisions could be made then. It was stated that the amendment to allow unions will make things different.

- It was recommended the Subcommittees take a short timeframe to review their work. The Superintendents and Bob had met previously to categorize comments/questions from the public meetings. The draft letter to the

Commissioner to meet the March 28 deadline was given to the committee and it was asked to be reviewed and after the committee reconvened they needed to vote to submit the letter and the Tri-chairs would need to sign the letter. The Subcommittee's met briefly at 8:52pm.

Finance, Property, and Cost Savings Subcommittee: Members: Paul Schumann, Cliff Ruprecht, Allan Purinton and Fred Palmer.

Cliff Ruprecht submitted the following notes as scribe:

The meeting convened at approximately 8:55 pm with all members present. Also present were Ms. Tomaszewski, Ms. Boucher and Ms. Messmer in their advisory capacities. The purpose of the meeting was to set a workplan for subcommittee tasks assigned in light of public feedback on the draft plan.

Ms. Tomaszewski will provide the subcommittee with the longest-range high-school enrollment projection that has been prepared for school planning purposes. Those figures will be used to cross-check assumptions about costs associated with projected inflows of Durham students to Freeport HS in the new RSU.

Ms. Tomaszewski reports that cost estimates are currently being prepared on the various items of opportunity for program improvement identified by the Education Subcommittee. Those items range from high/medium cost to low/no cost. Those figures will be used to present further information on RSU costs under various assumptions about how the RSU board might respond to the educational opportunities identified in the planning process.

The subcommittee also will be working on further analysis over concerns voiced by the public over: assumptions about marginal costs of adding students at the high school, debt sharing, and cost-sharing.

The subcommittee tentatively agreed to meet Tuesday, April 1, 2008 at 6 pm, at the Freeport administrative offices on West Street. Date, time and location are subject to subcommittee members' confirmation of availability.

The meeting adjourned at approximately 9:05 pm to rejoin the meeting of the Committee as a whole.

Employment and Collective Bargaining/Other Subcommittee: Members: Jen Kaplan, Rhonda O'Shea, Amber Snell and Rick White.
Members absent: Jen Kaplan; Advisor absent: Shannon Welsh

Jen Kaplan submitted the following notes as scribe:

None at this time

Governance and Transition Subcommittee: Members: Nelson Larkins, Sherry Dietrich, John Gleason, Tim Giddinge, Wesley Bennett

Sherry Dietrich submitted the following notes as scribe:

Members present: Nelson Larkins, chair; Sherry Dietrich, scribe; Tim Giddinge; Wes Bennett; John Gleason, Bob Kautz, facilitator

Absent: Joe Feeney, advisor

This was a very brief meeting to discuss what issues related to Governance in the Reorganization Plan needed to be revisited. Members decided the following:

(1) Look at the recommended number of RSU board members from each town. Could the numbers change?

Nelson will work on some comparison board sizes and e-mail them around.

(2) Look at influence of a small town in the RSU compared to a larger town.

(3) The question arose about municipalities having the responsibility of paying the election costs during the transition period. Why wasn't the RSU responsible? Could we recommend some costs in the proposed transition budget?

We adjourned to meet with the full RPC committee.

- The entire Committee reconvened at 9:13pm. It was stated the Finance Subcommittee would meet the following Tuesday at the Freeport Superintendent's Office from 6-8pm. The Governance Subcommittee would meet within next week and would do some pre-work via email. The Education Subcommittee stated they would not meet as their charge was complete. It was proposed the RPC submit the letter crafted by Bob Kautz as to the intention of the RPC to the Commissioner and it passed by consensus. The Tri-Chairs signed the drafted letter. A reminder of the next meeting on April 2 in Pownal was made.
- The meeting adjourned at 9:15pm.

Respectfully submitted by S.Brewer 3.29.08