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UPDATE..

June 2017

Update on Legislation

While all eyes are now on the state budget, the Legislature this session dealt with some significant proposals affecting K-12 education.

A fair number of those bills are waiting on what's known as the Appropriations Table to see if there is the necessary state money to fund them. Those bills were passed by both the House and Senate, but it will take a vote of the Appropriations Committee to move them forward. They will not be considered until the budget is finally passed.

On the Funding Table

L.D. 1396, An Act To Remove Certain Restrictions Imposed on Retired State Employees Who Return to Work as Educators, would allow retired administrators and teachers to return to work without a pay cut. Teachers currently can return to work at full pay, but only for five years. After five years, the pay is cut to 75 percent. Superintendents and other certified administrators can only return to work at 75 percent of pay. The bill removes those penalties, but requires school districts to pay the employee share for both groups into the retirement system to prevent any negative impact on the retirement fund.

L.D. 601, An Act To Return the Normal Cost of Teacher Retirement to the State, would do as the title suggests and repeal 2013 legislative action that shifted the employer contribution for educators from the state and onto local

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MSMA Fall Conference October 26-27

Plans are well underway for the 44th Annual MSMA Fall Conference, which provides outstanding professional development clinics for school leaders and a chance for board members and superintendents to meet and share ideas.

Information packets have been sent out to superintendents and school board members. See pages 2 and 4 for reminders on board nominations, School Board resolutions and nominations for board awards.

The conference will be held at the Augusta Civic Center.

Budget offering \$162 million for GPA and tax relief up for vote today

A special committee put forward a state budget last night that increases state aid to schools by \$162 million over the next two years – half of which must be used to reduce property taxes – and includes reforms that tie funding for administration to regional sharing and target more money for economically disadvantaged students.

Language outlining how half the additional funding will be used to reduce property taxes was being drafted yesterday and was not available as of this writing. Updates will be provided once the actual budget is printed.

The vote on the overall budget was 5 to 1, with the representative from the House Republicans voting against it. The budget will need a two-thirds vote of both bodies – 101 in the House and 24 in the Senate – to pass before midnight tonight and avoid a government shutdown. The governor has threatened to veto any budget that includes a tax hike, and this one does – specifically a one and a half percent increase in the lodging tax.

The proposed \$162 million in General Purpose Aid (GPA) in the budget is split over the biennium, with \$67 million for the fiscal year starting July 1 and \$95 million next fiscal year. That is up from the last offer of \$147 million. The higher number is a result of Democratic efforts to increase the amount to get closer to what would have been raised if a tax targeting higher-income earners had stayed on the books.

That tax was put in place as part of the Question 2 referendum, which narrowly passed at the ballot box, and would have raised an estimated \$320 million over the next two years. The referendum put a 3 percent surcharge on income over \$200,000 – a surcharge Republicans said had to be repealed in order for them to support a budget. The proposed budget repeals it.

The budget proposal finally came together Thursday evening after Republican Senate President Mike Thibodeau and Democratic House Speaker Sara Gideon took over to make the final compromises.

Sen. Cathy Breen, D-Cumberland, representing Senate Democrats on that committee expressed her unhappiness with the process, saying she was only voting for the proposal to avoid a government shutdown.

“All day the Senate President and Speaker of the House continued negotiations and excluded the Senate Democrats,” she said.

President Thibodeau and Speaker Gideon acknowledged the process was flawed.

“This was far from a perfect process and far from a perfect document. We did the best we could to deliver a budget,” said Speaker Gideon, to avoid a state shutdown.

Potential Nominees for At-Large and Regional Directors of the MSBA Executive Board of Directors

Per by-laws, the MSBA Nominating Committee will consider nominations for At-Large and Regional Director seats. All will be presented for election at the October 26 meeting of the MSBA Delegate Assembly.

Please note the following restrictions apply: a) only one member on an active regular member School Board is eligible to serve on the MSBA Board of Directors; and b) no more than three officers and/or directors can be members of School Boards in any one region. Note: Individuals serving on Associate Members Boards, including vocational regions, are ineligible to serve on the MSBA Board of Directors.

DEADLINE: Names of suggested nominees, who must be from MSBA member boards, must be received at MSMA by **July 14, 2017**, to assure consideration by the Nominating Committee. Remember to indicate the seat for which the person is being suggested. Regional Directors must be from the correct Region (click link below). A listing of the current Board of Directors is provided (click link below). Open seats are those expiring in 2017, interim appointments, or those indicating a vacancy. The Nominating Committee will advance a slate of nominees for consideration by the Delegate Assembly.

After the July 14 deadline, in order to nominate a candidate, two MSBA active member boards must file the Application for Nomination - Director form (click link below) along with a copy of the minutes of the board meetings indicating a formal vote in support of that nominee. This statement of endorsement must be received at the MSMA office at least 30 days prior to the Delegate Assembly—no later than **September 26**. In the case of an At-Large Director nominee, the endorsement can be done by any two active member boards. In the case of a Regional Director nominee, the endorsement must be done by two active member boards in that Region.

Anyone interested in more information on the duties of MSBA Board of Directors should contact Terry McCabe at 1-800-660-8484 or email tmccabe@msmaweb.com.

[Region List](#), [MSBA Board of Directors](#), [MSBA Application for Nomination - Director](#)

A Call for Nomination of Board Awards

The MSBA Board of Directors calls for nominations for three awards in recognition of service in support of public education in Maine. The three award categories include:

- [MSBA Business Friend of Education Award](#)
- [MSBA Distinguished Service Award](#); and
- [MSBA School Board Service Certificate](#).

The MSBA **Business Friend of Education Award** may be awarded to no more than two companies located in Maine, which have made significant contributions to public education.

The MSBA **Distinguished Service Award** recognizes an individual or a group who has made a significant contribution to public education in Maine.

The MSBA **School Board Service Certificate** will recognize individual school board members for their length of service on a local school board. Any board member having served twelve or more years who has not received a certificate since 2011 is eligible to receive this certificate of recognition. **The nomination form must be received at MSMA no later than September 30, 2017.**

The criteria and the appropriate forms for each award category are linked above. **MSBA Business Friend of Education Award and MSBA Distinguished Service Award nomination forms must be received at MSMA no later than August 31, 2017.** If you have further questions, please call MSMA (1-800-660-8484) or email msma@msmaweb.com. A subcommittee of the MSBA Board of Directors will review all nominations, with the final selection being approved by the MSBA Board of Directors.

Maine Schools in Focus:

Maine's Schools More Rural than Other States

Gordon Donaldson

Many Mainers were surprised that the 2010 U.S. Census found Maine to be “the most rural state” in the nation. Alaskans and Wyoming-ites have good-naturedly questioned this finding, but an ongoing examination of rural education lists Maine as the state with the fifth highest percentage of rural schools. The Rural School and Community Trust (RSCT) publishes a biennial review, entitled *Why Rural Matters*. It rates the 50 states on five “gauges” describing characteristics of each state’s rural schools.

The most recent report, *Why Rural Matters 2013-14*, identified Maine as the one state nationwide where addressing the needs of rural schools mattered the most (Johnson et al., 2014, p. 9). Why? Because 67.5% of Maine schools qualify as rural, based on data provided by the National Center for Educational Statistics (NCES) – next only to Montana, South Dakota, Vermont, and North Dakota. Fifty-seven percent of Maine students qualified as “rural students,” meaning that they attended schools in areas defined by the U.S. Census as “rural remote,” “rural distant,” or “rural fringe” (nces.ed.gov). This was the second highest percentage in the country next to Vermont. Further, 60% of Maine’s state education funds go to “rural districts”—the highest rate in the country.

Clearly, it’s vital that we recognize the highly rural nature of Maine’s PreK-12 schooling system and that we accommodate policies and practices to its special features. *Why Rural Matters 2013-14* makes the case that our national (and often our state) education laws, policies, and procedures do not adequately honor the particular needs of rural schools and populations. Indeed, rural families and schools constitute a small portion of our country’s families and schools, so education practices, systems, and policies are likely geared to non-rural – and in the past century, especially to urban – contexts. Nationwide, only 20% of students and only 33% of schools are classified as “rural”; 23% of state school funding flows to rural districts nationwide compared to our 60% (Johnson et al., 2014).

So, what are some of the unique assets and challenges that come with being one of the most rural education environments in the country? To oversimplify, rural schools face the same challenges as their communities: economic stagnation, loss of population, higher proportions of low-income families and adults with lower levels of education. Students face longer bus rides, a narrower range of educational and co-curricular opportunities, and fewer specialized teachers than their suburban and urban peers. On the flip side, rural schools tend to be smaller, provide more personalized instruction, and can guarantee attention to all children on a daily basis. Mara Casey Tieken, a professor at Bates College, writes that rural schools share a symbiotic relationship with their communities, shaping the social, cultural, and economic viability of their entire regions (2014).

What particular challenges and assets do Maine’s many rural schools face? On their Socioeconomic Challenges gauge, the RSCT rated the conditions for our schools as “critical” (p. 17). Maine schools serve a higher proportion of students with special needs than rural schools nationwide. Our schools match the national average for free-and-reduced lunch eligibility. Our communities experience adult unemployment at the national average, but NCES data indicate that 13.1% of our 5-to-17-year-olds live in families in poverty, the highest rate in the nine Northeastern states (NCES: *Rural Education in America*, Table A.1.a.-6). These indicators demonstrate a somewhat higher than average set of socioeconomic challenges for Maine’s rural educators and schools.

Despite these above average challenges, Maine’s rural students perform slightly better than the national average on the National Assessment of Educational Progress (NAEP) tests. Our scores on the Educational Outcomes gauge ranked in the middle of the pack compared to other states. Perhaps reflecting the larger size of our rural population, our students tested somewhat lower than rural students in our five New England neighbor states (Johnson et al., 2014, p. 25). Nationally, it is important to note, rural students currently outperform city and town students on the NAEP reading and math tests. On average, the high school completion rate of rural students is also second only to suburban schools’ completion rates (NCES: *The Status of Rural Education*, 2011).

These two patterns—Maine’s more challenging rural demographics and our relatively high performance—suggest that there is much to laud in the ways our rural schools and faculties are functioning. In general, nationwide, surveys of teachers reveal that rural teachers are, next to suburban teachers, most positive about teaching and learning conditions in their schools (NCES: *The Status of Rural Education*, 2011).

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A Call for Resolutions

The Maine School Boards Association will be holding its annual Delegate Assembly in conjunction with the 44th Annual Maine School Management Association Fall Conference scheduled for October 26 and 27 at the Augusta Civic Center. During the Delegate Assembly the election of the Officers and the Board of Directors of MSBA takes place. The Delegate Assembly also provides an opportunity for school board members to discuss and adopt resolutions that express the collective views of local school boards on current issues in education.

Each school board has the opportunity to submit to the MSBA Resolutions Committee subjects, positions, and rationales for possible resolutions to be considered by the 2017 Delegate Assembly.

Please identify the subject you would like considered, describe your position and briefly state your rationale using the form, below.

The deadline for receipt of your recommended resolutions is August 11, 2017.

[A Call For Resolutions & Proposed Resolution Topic Form](#)

Update on Legislation

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districts. This bill, like similar ones before it, is expected to die on the table with an overall price tag of more than \$45 million, of which \$23 million would be de-appropriated from General Purpose Aid going out to school districts.

L.D. 891, An Act To Support the Professional Development of Principals in Maine, would require school districts to provide a mentoring program for principals and assistant principals who have held a certificate for less than 5 years. It represents an unfunded mandate on districts.

L.D. 1286, An Act To Require Background Checks for All School Employees, has a somewhat misleading title since background checks already are required. What this does is require districts to submit quarterly a list of school employees to the Department of Education, which, in turn, has to verify that all applicable criminal history record checks and fingerprinting have been completed. The intention is that no employee be allowed to fall through the cracks. The bill includes \$13,244 for this activity that is supposed to go out to schools, and is considered a state funded mandate that still has to be approved by the Appropriations Committee.

L.D. 1433, An Act To Protect Maine Children from Lung Cancer by Requiring Radon Testing in Schools, requires schools comply with federal EPA testing standards for radon testing and test occupied schools every five years. It does not mandate mitigation protocols. It is on the table because it allocates more than \$2 million in money from the Fund for Healthy Maine for districts to do the testing.

A handful of bond proposals for public schools, ranging from

support for innovative regional school projects to increasing the amount available for the School Revolving Renovation Fund, have not yet been acted upon by the Appropriations Committee.

Studies Need Approval

Two studies supported by the Maine School Boards and Maine School Superintendents Association have been put on what's known as the Study Table and have to be approved by legislative leadership before they can move forward. The two include:

L.D. 642, Resolve, To Establish the Task Force to Identify Special Education Cost Drivers and Innovative Approaches to Services. This bill, which was endorsed through a resolution at the MSBA Delegate Assembly, would create a task force of people in the field, including a superintendent and school board member, to examine cost drivers in special education and propose innovative ways to meet student needs.

L.D. 1015, An Act To Improve the Student Transfer Process. This bill would establish a commission to review the current student transfer or superintendent agreement process; look at how appeals are handled; and, better define student best interest, which is a term currently used in student transfer law.

Vetoed Bills

A number of bills affecting public education were vetoed by the governor and that veto was not overridden by the Legislature. Those bills, which are now dead, include:

L.D. 633, An Act To Amend Teacher Evaluation Requirements. This bill would have removed from law the requirement that standardized test scores be one of the multiple measures of a teacher's overall effectiveness in the teacher evaluation process.

L.D. 737, An Act To Allow Public Schools to Reserve Funds Designated for Operating Costs. This bill, as the title suggests, would have allowed schools to create a reserve fund specifically for operating costs.

L.D. 809, An Act To Address Student Hunger with a "Breakfast After the Bell" Program. This bill would have required a school district where 50 percent or more of students qualify for a free and reduced lunch to provide an alternative breakfast service after the start of the school day unless the School Board, following a public hearing, deemed it not fiscally viable.

L.D. 1045, An Act To Create More Transparency in the Setting of Normal Teacher Retirement Costs. This bill, which was endorsed through a resolution at the MSBA Delegate Assembly, had a unanimous report out of committee and would have required public review and greater notice to school districts on normal retirement cost increases. The hope is the intent of the bill can still be carried out with the help of the Appropriations Committee and the Maine State Retirement System.

A full accounting of all the legislation followed by MSMA staff and the legislative committees of MSBA and MSSA will be in the Legislative Newsletter put out after the Legislature finally adjourns.

Maine Schools in Focus:

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Curiously, though, Maine’s statewide education policy climate is not as supportive of rural schools as is the case in many other states. RSCT’s 2014 report ranks Maine in the middle of the pack on its Educational Policy Context gauge. On one hand, our per-pupil expenditures for instruction (teaching and learning activities) ranks about \$1,200 higher than the national average. But our:

- “state revenues to schools per local dollar” are 2.4% lower than the national average. That is, our communities—where the median household income is \$7,500 below the national average—pay a higher portion of the school bill than in many other states.
- ratio of instructional to transportation expenditures is 8.5% lower than the national average. We spend a higher proportion of our budgets for transportation compared to what we spend for teaching and learning.
- rural teacher salaries fall \$3,300—5.7%—below the national rural teacher average.

The profile emerging from these data from recent years suggests that Maine’s rural schools are performing well, at least when compared to other states’ rural schools and to city and town schools. But, as a *Washington Post* article on East Millinocket illustrates (*Bangor Daily News*, 2/13/17), our relative reliance on local communities to fund rural schools, the challenges of paying our rural teachers a salary comparable to others’, and the drain of transportation—and perhaps other rural-specific costs—on rural school budgets threatens our capacity to maintain support for teaching and learning.

This leaves us with several questions:

1. Does Maine’s funding policy—Essential Programs and Services augmented by optional additional local allocations—sufficiently address the costs associated with ensuring a high-quality education to all children who live in “rural fringe,” “rural distant,” and “rural remote” communities (57.2% of Maine students)?
2. In particular, does Maine’s policy environment provide for adequate and accessible specialized education services in all rural areas where it is difficult for individual schools and districts to provide such services alone or even collaboratively?
3. To what extent do lower salaries encourage higher turnover in rural teaching and administrative positions and discourage applicants for those positions?
4. Are Maine’s internet-based resources to teachers and students ample and accessible to every rural school, teacher, and student? Is this system supported by strong professional development opportunities for teachers and principals, statewide?

These are hardly new challenges. The current Blue Ribbon Commission and a receptive Education Committee are exploring changes to the education funding formula and greater equity of services across districts. Policymakers have also recently proposed statewide teacher contracts, regionalization of administrative and student support services, expansion of digital learning resources, and new pathways for teacher credentialing. In weighing these proposals, it is imperative that they be evaluated through a rural lens. Imposing solutions on rural schools that are designed for more densely populated and service-heavy regions will too frequently fall short of their goals.

“Maine Schools in Focus” is produced by the University of Maine College of Education and Human Development as a resource for educators and policymakers. Opinions expressed are those of the authors.



If you have questions about any articles in this newsletter or suggestions for improving this publication, let us know.

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