

MeASBO

The official publication of the Maine Association of School Business Officials

Winter 2015-16

Mr. Fix-It: Commish Scrutinizes a *Fractured* System

ACA Rescued Again:
Cadillac Tax delayed
Small Groups relieved

Member Profile:
Lucie Tabor outside the
box (er, country)





“ We are honored to help school districts throughout Maine, like SAD #61, to integrate their district data into our software system so they can create an optimal transportation management system that meets their unique geographic and demographic requirements. ”

ANTONIO CIVITELLA
PRESIDENT & CEO - TRANSFINDER

WINNING PARTNERSHIPS



ANDREW MADURA, DIR. OF TRANSPORTATION, FACILITIES & FOOD SERVICES, SAD #61, BRIDGTON, ME

“ The **Transfinder** system works very well, our drivers are scheduled to the minute and our students and parents can depend on the bus being on time. We are extremely happy with the software and can say it has saved time and funds over the years. ”

>> **ANDREW R MADURA, DIR. OF TRANSPORTATION, SAD #61**



800.373.3609 | www.transfinder.com | #SpeakingOnTransfinder

INSIDE MeASBO

NEWS

3 School Technology

Planning long-distance video-taped meetings as well as surveys, archives and upkeep of website.

4 Tri-State Conference

Twenty-third annual conclave is filling out to a can't-miss educational experience.

5 Hot Topics at State Legislature

Maine state legislators are in the midst of myriad bills affecting various areas of public education, and there is a way to keep tabs on them.

11 More Obamacare Fixes



Maine's Bureau of Insurance and U.S. Congress come to the rescue of Small Groups and those facing Cadillac Excise Taxes.

COVER STORY



The Fix-It Man?

14

Maine Acting Commissioner of Education Bill Beardsley has the experience — and success — to give school officials hope for a future of improvements in streamlining and efficiencies.

FEATURES



Member Profile

8

Maine SAD #27's Lucie Tabor, who comes from outside the country, thinks outside the box to tackle her job's many challenges in Fort Kent

The Commissioner's Right Hand

21

Suzan Beaudoin, who has served the DOE for 30 years, is the new acting deputy commissioner of education.

July 19-22, 2016

Drummond Woodsum Conference Center
Portland, ME

LIMITED TO 32
PARTICIPANTS

2016 Maine School Finance Institute

REGISTER
TODAY

Topics Include:

- Financing Public Education
- Maine's Funding Law—Essential Programs and Services
- Budget Development and Approval
- School Borrowing
- School Construction
- Tax and Benefit Issues in School Employment
- Torts and Insurance

Sponsored by:

The Maine Principals' Association
Maine School Management Association
in Partnership with Drummond Woodsum



DrummondWoodsum
ATTORNEYS AT LAW

SchoolLaw.com

The Site Created Specifically for School Leaders

800.727.1941 | SchoolLaw.com

PRESIDENT'S MESSAGE

Exciting MeASBO and Tri-State conferences throughout spring

It's hard to believe, but we are halfway through another school year. Where does the time go?

MeASBO had a pair of information-packed meetings last fall, covering topics ranging from the Affordable Care Act to Federal Grant Compliance and Community Eligibility for School Nutrition. We are looking forward to upcoming meetings in Augusta and Bangor, as well as the 24th annual Tri-State ASBO Conference May 18-20 at the Mt. Washington Hotel and Conference Center in Bretton Woods, New Hampshire.

The Feb. 26 meeting at Le Club Calumet in Augusta promises to be an exciting one, as we tackle the subject of "Best Practices" for school business officials. We are currently putting together the agenda for that meeting, and it is shaping up as a great opportunity to dig deep into such topics as Internal Controls, Accounts Payable and Payroll processing and Budget Preparation.



Adam Hanson

Are there topics you would like to see us cover at a future meeting? Please let us know in the "Future Meeting Topic Ideas" section of the MeASBO forum, or by sending me an email at ahanson@lewistonpublicschools.org.

Mark Leslie (this magazine's publisher) and I recently had the opportunity to visit the Department of Education in Augusta for an extended sit-down with Acting Commissioner of Education Bill Beardsley and newly appointed Acting Deputy Commissioner Suzan Beaudoin. Our conversation covered a lot of ground, and I know you will enjoy reading some of the very candid insight that the commissioners had for us on a wide variety of school finance-related topics. I want to thank both of them for generously sharing their time with us.

I hope you will be able to take a break from putting together your FY 17 budget, get yourself a cup of hot cocoa and dig into the contents of this issue of the MeASBO Magazine. Enjoy!

Discover what know-how can do for local governments.

By maintaining strong relationships and delivering a high level of personalized service and expertise, we provide the know-how it takes to meet the ever-changing requirements of the municipal environment.

.....
CONTACT OUR GOVERNMENT BANKING EXPERT TODAY.

James Edwards

Senior Government Banking Officer, SVP
350 Fore Street, Portland
207-828-3131 • james.edwards@peoples.com



People's United Bank

What know-how can do®

©2016 People's United Bank, N.A. | Member FDIC | Equal Opportunity Lender

Technology Committee eyeing more advances

Plans long-distance video-taped meetings as well as surveys, archives, upkeep of website

The Technology Committee is currently recruiting new members. The committee is responsible for the oversight of the MeASBO website as well as recommending technology related improvements for our group.

The committee serves as the administrator for the MeASBO forum, which includes designing forum topics, creating sub forums, maintaining forum security and approving new members.

Committee members will work closely with the MeASBO administrative assistant to coordinate MeASBO surveys, uploading and archiving of MeASBO documents and general upkeep of the forum and website. The committee members will also periodically update the website with the latest magazine, membership application, and latest agenda.

Annually the website will need to be updated to add or delete vendor members and update the MeASBO officer list.

If you like using or learning technology tools such as Google forms, forum administrative tools, ftp file transfer, then consider joining the committee. Meetings will be minimal and participation can be remote. Committee duties can be divided among members.

We need you or at least your ideas!

The one goal that has eluded the Technology Committee is that of arranging a way to record or live broadcast our meetings for members who find it too far to travel to each meeting. If you

have any experience with video meeting recording, especially in an interactive environment such as a Tandberg-type setup, please consider volunteering to be part of the Technology Committee even if it's just to work on this project.

I picture the possibility of our northern members finding a convenient site to meet and to join in on our meetings, watching and even being able to participate in the presenter's question-and-answer sessions. Or when we meet in Bangor, our Southern members could perhaps have an alternate site and join us remotely.

If you cannot join in on this project, then perhaps you know a tech person or a family member who does this, and who could talk to the Executive Committee about the possibilities.

Please send any information or possible contacts to the Technology Committee chair, Sue Lambert, at slambert@msad49.org. We'd like to launch this project so any direction, help, feedback would be most welcome.

Do you have a suggestion for the website or forum? Go to the forum and post a message there in the Suggestion Box or email Sue Lambert at slambert@msad49.org.

To get the most out of the forum, subscribe to the topics you are interested in. To do that and to check what topics that you are currently subscribed to, log into the forum and go to "Member Control Panel," then "Subscriptions." "Forums you have Subscribed to" appears at the top. If you would like to add any, see the drop down list at the bottom of the page.



Sue Lambert



CARPENTER ASSOCIATES

Consulting Engineers
687 Stillwater Avenue • Old Town, Maine 04468
207-827-8001
info@carpenterassoc.com

- * Facility Assessments
- * Energy Use Analysis
- * Life Cycle Cost Analysis
- * Feasibility Studies



- * Civil / Structural Design
- * HVAC and Plumbing Design
- * Heat Systems & Conversions
- * Electrical Design



- * Third-Party Inspections
- * Owner's Representative
- * Roof Replacement / Renovation
- * Site Planning, Permitting & Development Design

Planning Data Capture Pre-Design Analysis Design Construction Record Drawings

ENERGY SAVINGS IN EVERY DISCIPLINE



*No matter your service needs, we'll save
your business or institution energy and money.*

*For more than 60 years, we've done
just that for educational institutions as well as
local, state, and federal facilities throughout
Maine—and we can do it for you.*

Call us. You'll like what you hear.



**MECHANICAL
SERVICES, INC.**
MAINE CONTROLS
mechanicalservices.com

Augusta 626-0822 **Bangor** 947-6250 **Portland** 774-1531 **Presque Isle** 554-1212

Tri-State Conference taking shape

By Diane Boucher

Empowering with knowledge is the goal of every Tri-State ASBO Conference, and the 21-person Planning Committee expects the upcoming 24th annual conclave at Mount Washington Hotel in Bretton Woods, N.H., May 18-20, to fulfill expectations.

After 23 years, not only are we still strong we are really working hard to empower all of our Tri-State peers and partners. In order to be empowered you need to have knowledge. I think we accomplished that task once again this year.

School business officials unanimously consider the conference worthwhile, and it is up to each and every one to convince their superintendents that this is where they need to be in May — better than any budget meeting.

I have successfully been able to develop our district budget calendar to accommodate Tri-State Conferences.

When the conference brochure and schedule are complete, they will be available on the web site tristateasbo.org, where attendees can pre-register. It's a wonderful resource to support your attendance. As always the committee welcomes your feedback and suggestions.

We will also be looking for new members to join the committee in the near future.

Let's make Maine proud and show our support of this conference. Next year in Vermont we will be 25 years strong.

MeASBO schedules meetings

Feb 26 — Le Club Calumet in Augusta.

April 29 — Bangor United Technology Center.

Tri-State ASBO

May 18-20 — 24th Annual Tri-State Conference - May 18-20, Mt. Washington Resort, N.H.

Legislative report

Legislators debating myriad bills affecting education

By Jude G Cyr

7he Second Regular Session of the 127th Maine Legislatures commenced on Jan. 6 and although it will be short, there are still plenty of bills to watch.

People interested in a particular bill can follow its status by searching the website at: <http://legislature.maine.gov/house/homepage.htm>

They can navigate the website, follow the status, hearing and workshop sessions of the hosted by Education and Cultural Affairs Committee.

The MeASBO web page is also giving weekly updates. Members must log in and peruse the MeASBO Discussions Forum entitled "Legislative Updates." To be alerted for any new post and any particular discussion topics, click on the "Forum Options" icon, located on upper right corner of the page, and in the pull down menu, click the "Watch This Forum" where they will receive all newly posted Topics and Responses via an email announcement.

This is a terrific way to remain current on topics without the responsibility of getting into the MeASBO website on daily basis.

So enjoy the 127th Maine Legislatures Second Regular Session and be cognizant of the work, which may very well impact your school district.

Here is the current list of bills and their respective last update:

L.D. 1560 - STATUS: Pending - Latest Update: 01/15/16

An Act To Strengthen Intergovernmental Communication

This bill requires the commissioner or director of a state agency, which includes Executive Branch departments and quasi-independent agencies, to appear before a joint standing committee of the Legislature or a study commission or work group formed by legislative action and to participate in the hearing and work sessions of that committee, commission or work group.

L.D. 1556 - STATUS: Pending - Latest Update: 01/15/16

Resolve, Regarding Legislative Review of Portions of Chapter 40: Rule for Medication Administration in Maine Schools, a Major Substantive Rule of the Department of Education

This resolve provides for legislative review of portions of Chapter 40: Rule for Medication Administration in Maine Schools, a major substantive rule of the Department of Education.



L.D. 1555 - STATUS: Pending
- Latest Update: 01/15/16

Resolve, Regarding Legislative Review of Portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age 20, a Major Substantive Rule of the Department of Education

This resolve provides for legislative review of portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age 20, a major substantive rule of the Department of Education.

L.D. 1544 - STATUS: Pending
- Latest Update: 01/08/16

An Act To Improve Teaching Assignments in Maine's Public Schools

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to amend municipal public employees labor relations law to allow a public employer and a teacher to confer and negotiate regarding the assignment of the teacher to a grade level or content area.

L.D. 1540 - STATUS: Pending - Latest Update: 01/08/16
An Act To Protect All Students in Elementary or Secondary Schools from Sexual Assault by School Officials

This bill removes the age limit on the victim of the crime of unlawful sexual contact, unlawful sexual touching or gross sexual assault when the victim is a student at an elementary, secondary or special education school and the actor is a person at the school who has authority over the student. The bill also specifies that a parent convicted of the crime of unlawful sexual contact, unlawful sexual touching or gross sexual assault is subject to stricter scrutiny by the court when it determines residence for and contact with a child of the parent when the victim was a student at an elementary, secondary or special education school and the parent was a person at the school who had authority over the student.

L.D. 1522 - STATUS: Pending - Latest Update: 01/08/16
Resolve, Regarding Legislative Review of the Final Repeal of Chapter 101, MaineCare Benefits Manual, Chapter III, Section 32: Allowances for Waiver Services for Children with Intellectual Disabilities or Pervasive Developmental Disorders, a Major Substantive Rule of the Department of Health and Human Services

This resolve provides for legislative review of the repeal of

Chapter 101, MaineCare Benefits Manual, Chapter III, Section 32: Allowances for Waiver Services for Children with Intellectual Disabilities or Pervasive Developmental Disorders, a major substantive rule of the Department of Health and Human Services.

L.D. 1517 - STATUS: Pending - Latest Update: 01/08/16

An Act To Enable an Alternative Organizational Structure (AOS) To Purchase Group Health Insurance for Its Employees

This bill allows the governing body of an AOS to obtain health insurance loss information for all of the AOS's member school administrative units' employees and retirees and their dependents on an aggregate basis and to purchase a single health insurance policy that is offered to all eligible employees and retirees of the AOS and its member school administrative units and their dependents.

L.D. 1512 - STATUS: Pending - Latest Update: 12/31/15

An Act To Authorize a General Fund Bond Issue To Fund Equipment for Career and Technical Education Centers

The funds provided by this bond issue, in the amount of \$25 million will be used to provide funds to purchase equipment

for and make capital improvements to career and technical education centers for high school students.

L.D. 1492 - STATUS: Pending - Latest Update: 12/31/15

An Act To Amend the Laws Governing Education Standards in Maine

This bill removes the Common Core State Standards Initiative standards from the system of learning results at the end of the 2016-2017 school year. For the 2016-17 school year, as an alternative to the core of standards in English language arts and mathematics for kindergarten to grade 12 established in common with the other states, the bill allows a school administrative unit (SAU) to administer the state-wide system of learning results standards that were in effect prior to April 12, 2010. It requires the Department of Education (DOE), with input from a stakeholder group, to develop new statewide content standards for use beginning with the 2017-18 school year and to submit provisionally adopted major substantive rules to the Legislature by Jan. 2, 2017. It requires the DOE to develop and adopt assessments for elementary and secondary schools in English language arts and mathematics that are aligned with the new content standards for use beginning with

the 2017-18 school year. The bill also requires the DOE to establish accountability standards at all grade levels in the area of social studies.

L.D. 1491 - STATUS: Pending - Latest Update: 12/31/15

An Act To Allow Trained, Nonmedical Employees in Schools To Administer Emergency Medications

This bill authorizes a school administrative unit to participate in a program to allow nonmedical employees to volunteer to be trained to provide emergency medication to students upon request by a parent or guardian.

L.D. 1475 - STATUS: Pending - Latest Update: 12/31/15

An Act To Facilitate the Use of State Education Subsidies

This bill authorizes a regional school unit (RSU) to include an article in the warrant for its annual budget meeting providing that, in the event that the RSU receives more state education subsidy than the amount included in its budget, the RSU is authorized to increase expenditures for school purposes in cost center categories approved by the RSU board, without a special budget meeting and budget validation referendum.

L.D. 1469 - STATUS: Pending - Latest Update: 12/31/15

An Act To Promote Private Fund-raising for the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf

This bill requires the executive director of the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf to designate a nonprofit organization as the private support organization for the two to organize and foster support for the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf and its programs.

L.D. 1464 - STATUS: Pending - Latest Update: 12/31/15

An Act To Revise the Educational Personnel Certification Statutes and To Direct the DOE To Review Department Rules Regarding Educational Personnel Certification

This bill amends the laws regarding the criminal history record information of educational personnel to consolidate and



Making a Difference for Maine's communities.

Created by the Maine State Legislature in 1998 and sponsored by the Maine Municipal Bond Bank, Maine Power Options has been serving a coalition of members including Municipalities, Schools, and other not-for-profit organizations. We provide energy purchasing strategies and opportunities in Maine's Energy markets to provide a variety of pricing options to meet members's needs.

Market Expertise and Pro-Active Pricing for Members

Administrative Support for Members

Your Advocate with both Utility Company and Energy Supplier

Call us for your next energy purchase. We can help you in making an informed decision with our knowledge of Maine's Energy markets.

A program of the Maine Municipal Bond Bank and the
Maine Health & Higher Educational Facilities Authority

127 Community Drive • P.O. Box 2268 • Augusta ME • 04338 • (207)621-0744 •
www.maineenergyoptions.org

update language.

It requires the commissioner of education to set annually fees for criminal history record checks for and certification of educational personnel that currently are set in statute. It extends from fiscal year 2014-15 to all subsequent fiscal years the crediting of up to \$335,000 of fees from the initial and renewal certification of educational personnel to the National Board Certification Salary Supplement Fund, Other Special Revenue Funds account within the DOE.

It allows course work and testing for targeted need area and conditional certificates and transitional endorsements issued preceding the amendment of rules regarding qualifications to be completed within 3 years instead of annually

It also requires the department in conjunction with the state Board of Education to review all educational personnel certification rules and report by Jan. 7, 2017, to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs. The joint standing committee is authorized to report out legislation to the First Regular Session of the 128th Legislature.

L.D. 1463 - STATUS: Pending - Latest Update: 12/31/15

An Act To Allow Members of the State Employee and Teacher Retirement Program To Reapply for Disability Retirement Benefits after Denial and To Allow the Board of Trustees of the Maine Public Employees Retirement System To Offer Long-term Disability Insurance Coverage

This bill provides that a denial of a disability retirement benefit application to the Maine Public Employees Retirement System does not bar the filing and approval of a subsequent

application for the same or different medical conditions if the applicant has returned to service with an employer covered under the Maine Public Employees Retirement System.

It authorizes the Board of Trustees of the Maine Public Employees Retirement System, beginning Jan. 5, 2017, to procure and offer long-term disability insurance to the retirement system's members and nonmembers who participate in the retirement system defined contribution plan.

Persons who elect this coverage or their employers are responsible for premiums and other 3rd-party costs.

It directs the Maine Public Employees Retirement System to study how it would procure and offer long-term disability insurance and to report the results of its study to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs, which is authorized to report out a bill to the First Regular Session of the 128th Legislature.

And, finally:

L.D. 1459 - STATUS: Pending - Latest Update: 12/31/15

An Act To Delay Any New Statewide Assessment Test

This bill delays by one year the implementation of any assessment test chosen by the DOE to replace the Smarter Balanced Assessment but allows schools to voluntarily implement the new test for the 2015-2016 school year. ...



Jude Cyr, business mgr.
Auburn School Dept.

A vibrant, stylized illustration of a coastal town. The town is built on a hillside, with numerous colorful houses in shades of red, orange, yellow, and blue. A large church with a tall steeple is prominent on the left. The town is surrounded by lush green trees. In the foreground, there is a body of water with several boats, including a white motorboat and a yellow boat. The sky is a clear blue.

SIMPLE. CONVENIENT. COST-EFFECTIVE.

Specializing in fixed rate leasing programs for:
School Buses, Fire Trucks, Police Cars,
Snow Plows, and Computer Equipment.

Painting by local artist Catherine Breer, annielcatherine inc.

Gorham
LEASING GROUP
Gorham Savings Leasing Group, LLC

Frederick G. Proctor, Vice President

207-222-1498 • rproctor@gorhamsavingsbank.com

63 Marginal Way • Portland, ME 04103

gorhamsavingsbank.com

Gorham Savings Leasing Group LLC is an affiliate of Gorham Savings Bank. Member FDIC Equal Housing Lender

Luci Tabor makes her mark in Ft. Kent

By Mark Leslie

Lucie Tabor thinks outside the box. There are many proofs, but the simplest may be an odd one: the font she chose for the contact information in her e-mails: Comic Sans, which certainly brings a measure of levity to a demanding job.

"I try to bring a different perspective [to a problem]," says the director of finance and projects for Maine SAD #27 in Fort Kent and SAD #10 in Allagash. "I double-check everything to bring another view. Someone else has already thought of it one way; I try to think of it with a new perspective."

The fact that Tabor hails from a different country, Canada, perhaps accounts for her fresh vision.

Born and raised in Grand Falls, New Brunswick, she earned a bachelor's degree in business administration from The University of New Brunswick (UNB) in Fredericton and worked three years at St. John Shipbuilding in Saint John, NB, then from 1993 to 2005 for School District #17 in Oromocto and School District #18 in Fredericton, and three years at a real-estate firm in Truro, Nova Scotia.

Indeed, Tabor was a member of the Association of School Business Officials in New Brunswick long before joining and becoming an active member of Maine ASBO.

When then-Gov. John Baldacci and former Education Commissioner Susan Gendron unveiled consolidation plans for Maine, Tabor had already experienced the process in Canada. ("It seemed like when there was a change in politics every four years, there was a change in the education system as well... The first time they combined two districts and four years later they disbanded them again," she says.)

When the Maine and federal Departments of Education (DOE) piled on demands for more and more paperwork, Tabor had already survived such burdens from the Canadian DOE.

"There are some issues that Canada has tackled earlier and we're catching up, and vice versa," Tabor says. "I was



Maine SAD #27 Director of Finance Lucy Tabor poses with Superintendent Benjamin Sirois.

surprised the first time they [SAD #27 officials] said, 'Now we've got to bring this budget to vote.' I said, 'What do you mean, "to vote"? Why would they vote on my budget?' In Canada the School Board votes and that's that.' They said, 'In Maine we have local control.'

"That was foreign to me but it didn't take long to catch on."

The mill-rate money flow is also different. In Canada the money is all parsed from the Provincial government, whereas Maine schools get a percentage from the state but also a portion from local taxes.

"That was a big change, having to think about how are we going to be able to do things and afford it."

But in the end, "Education is education," Tabor says. She'd been there before and she could do it again.

Familiarity Meets Coincidence

It was both familiarity of the job and simple coincidence that resulted in Tabor being back in school finances after her

stint as office manager of the real-estate firm.

The coincidence came in 2008 after she and her husband, Peter, moved with their two children to Fort Kent, where Peter had been promoted to manage Irving Woodlands' Northern Maine Division. She enrolled her children in school, longtime finance director and MeASBO member James Grandmaison passed away a month later, and then her children's school principal, Mr. Murphy, called her up, saying, "Didn't you say you worked in the Canadian school system in finances?"

"I really contemplated it," Tabor says. "When you first apply to a school district you don't really know what you're getting yourself into and you learn as you go along. But I didn't have that excuse. I knew exactly what I'd be getting into. I'd only have myself to blame."

But I really enjoyed what I did in Canada and knew I could help them and bring some good experience, so I jumped on board."

Any regrets after seven years?

"There may be one or two days a year, say when my budget doesn't pass, that I question my sanity," Tabor says with a laugh. "But any other day I'm really happy to be here. I'm doing something that I love and that I do well."

"It's been a good fit."

Benjamin Sirois, who took his first superintendency at SAD #27 last October, agrees.

"I know curriculum and education. As for the business side of things, I know it, but am thankful for somebody who knows it a whole lot more than me and who's able to do it fluidly and without all the bumps and bruises I go through," he said.

"I have daily meetings with Lucie. I need to be briefed on so many different things, the learning curve is straight up and down," he added. "Lucie's highly knowledgeable about not only the history of what's gone here at SAD #27, but is diligent about keeping a pulse on what may happen. SAD 27 is facing an unknown future. We have communities that are looking to withdraw and with that comes a ripple effect as far as how we're going to plan for the future.

"I find that Lucie's got a calm way about exactly how to plan for that. If A happens, then we're going to have to plan for B. She brings confidence that allows me to feel confident that we're on the right track."

Wearing Multiple Hats

Like many of her colleagues, Tabor's job umbrella is a comprehensive one. As director of finance and projects, she handles human relations, manages the central office, and oversees the secretarial, custodial, transportation and food services areas.

Her one reprieve is that SAD #27 has a director of transportation, so she doesn't have to worry about the buses and routes.

Superintendent Sirois is still learning what he wants to take on, so Tabor says, "I do whatever they need me to do. It doesn't matter. I like the variety."

"For me to come in and do the same routine every day would drive me nuts. Fortunately, this is not the case."

Indeed not. Even from Day One.

"I had familiarized myself with the files Mr. Grandmaison left behind," Tabor says. "I did call a few business managers because we're all in the same boat..."

Any school district is facing very similar things.

"How we operate different from any other business was very familiar to me — the school year, the calendar, how things depend on school days versus non-school days, etc., and how the summer pays work.

"You don't see that in any other industry. People who work 10 months a year but get paid for 12 months is foreign to just about everybody else. A lot of our staff can't get employment in the summer because we guarantee them a position in the fall."

In Canada, staff who don't work in the summer are able to collect unemployment. That difference, she says, affects certain decisions because staff in Maine are impacted differently.

Understanding the Public

Tabor finds her work in the private sector has also helped her perform her work in the school system.

"I'm able to bring a different assessment of what this role is, to sit back and take a bird's-eye view of what we do here and how it affects diverse people differently," she says.

"I can view it from the public perception. We have to realize they don't understand everything we do. There's no way

to understand that unless they're sitting in this chair. It helps maintain your cool when they criticize your budget, or what you're doing in the school district. We know the reasons why we're doing it this way and that we have to follow all these rules and regulations and state mandates. People don't understand that because they're not sitting in this chair."

Not only that, but the public is also driven, in large part, by a different agenda. That is, the tax bite versus quality of education.

"I find the budget season can get overwhelming because there's so much to do, so much communication to do," Tabor says. "I can do a budget in my sleep and put it on paper and manipulate it. But when you have to fight for every aspect of it because you have to bring it to the public vote, I find that very challenging.

"We may think something's important, but for some voters it may be all about tax dollars. It comes down to the almighty dollar and their tax bill.

"But you have to educate the kids for the century they're in, not the century the taxpayers want to pay.

Tabor points out that taxpayers don't understand that SAD #27 administrators are running a business.

"We run the biggest transportation in town, the biggest cafeteria in town and

O'Connor

BUS SALES

PROVIDING ALL YOUR NEW & USED BUS NEEDS!

2 LOCATIONS!

299 WARREN AVENUE
PORTLAND, ME 04103
888-343-5415



187 RIVERSIDE DRIVE
AUGUSTA, ME 04330
207-622-3191



SALES-SERVICE-PARTS



****NOW OFFERING COMPETITIVE
LEASE/PURCHASE FINANCING****

‘
There are some
issues that Canada
has tackled earlier
and we’re catching
up, and vice versa...
Education is educa-
tion.’

— Lucy Tabor



they may not see it that way. I find that very challenging.

“You have to defend your salaries, etc. and you don’t have to do that in any other industry. When you’re a public servant you suddenly have to defend how your education and everything else in your background brought you to this day and to the amount of money you make, and the superintendent makes and what-not. And you constantly have to defend your expertise and why you’re worth what you’re paid. Those types of things frustrate me.”

Last year was the first time the district’s budget was voted down even though every year it has been “fairly consistent,” she says. “Like every budget manager, you look at every line item and try to find your savings and your improvements and still maintain enough to run your business. Our business is their children’s education.”



ServiceMaster Contract Services
is the premier choice for green cleaning
and facility maintenance solutions in Eastern
Maine. For healthier cleaning methods, count
on the specialists.

ServiceMASTER
Clean

Toll Free: (800) 278-0745
Email: info@svmcontract.com
www.svmcontract.com

After being voted down three times, the budget was passed in November.

“We’re coming into a brand-new era of discovering what can we do differently,” Tabor says.

Calling herself “a gadget girl,” she says, “I love my technology.”

“If I could, I would make it a technology-based education system. I’d make sure students had what they need to get ready for the real world. We have students who can’t afford the fancy iPads and laptops and I would make sure they had that. I think it’s important to get them ready for the real world.

“Right now, money becomes an issue when you’re trying to outfit your schools appropriately. Yet, we have a significant amount of technology here. We have the MLTI Program for grades 6 to 12. We have one-to-one laptops for grades 3, 4 and 5; some may be in carts but are used on a regular basis. And we have a ratio of 1 to 2 or 3 iPads in the lower grades — and even in pre-K.

“What we’ve struggled to keep up with is the infrastructure. We don’t have new buildings. We’ve upgraded electricity and connections and rewired some buildings.”

Asked about e-textbooks, Tabor says, “A lot of textbooks we’re buying have both paper and on-line copies. But some of the publishers don’t make a Mac version, so we’ve missed some changes by going with iPads rather than other laptops. We try to get electronic versions as much as possible. You end up with a more updated textbook because you can buy an upgrade as opposed to buying a whole new book.”

Divorce, School-style

Adding to Tabor’s challenge is the withdrawal from SAD #27 by Winterville Plantation, which is saving money by tuitioning its 22 students back to district, and the coming withdrawals of Eagle Lake and Wallagrass as soon as 2017.

Nevertheless, Tabor says with a faint chuckle, “If there were no constraints on what we paid for education, it would take the fun out of it.

“And if we eliminate all the challenges from the students learning as well, we’re not preparing them for the real world because the real world is full of challenges everywhere you turn. There are changes. There are things you want to do that you can’t do. So, in those terms, I don’t think I would change too much. I think we’re doing pretty well with what we have.”

One of Tabor’s challenges is proximity.

When in Fredericton and Oromocto, NB, she was down the street from the New Brunswick DOE. Here, it’s a four-and-one-half-hour drive to Augusta

“I can get to a [DOE or MeASBO] meeting in Bangor in one day. But to go to a two- or three-hour meeting in Augusta, it’s a day and a half event for me.

“Retail therapy’ helps when we’re there.”

The bottom line is that, back in 2008, Tabor was “in the right place at the right time. It’s been a good fit. I hope the community thinks so.”

Her central office team certainly thinks so.

“I tend to brag when I’m with other superintendents who don’t have a Lucie Tabor,” said Sirois. “I brag about how beneficial she is to this district and how I’m allowed to focus on education. Just having her here is definitely a plus. She’s the go-to person when it comes to finances.” •••

From Obamacare to the negotiating table

Two blows softened: Cadillac Tax, Small Group coverage

Maine school units have dodged two more bullets from the Affordable Care Act (ACA), often called Obamacare.

First, when Congress passed the omnibus budget this winter, it delayed the Cadillac Excise Tax for two years.

Second, 85 Maine districts with 50 or fewer employees had expected to lose their health-care coverage but have been spared that dilemma.

According to Christine Burke, executive director of the Maine Education Benefits Trust (MEABT), which ensures most all of Maine school educators, the state Bureau of Insurance issued an opinion to Anthem Blue Cross Blue Shield of Maine that said that the MEABT could be issued insurance as one single group.

“The MEA Benefits Trust had been experiencing some concerns about how a small portion of the ACA was to be interpreted,” Burke said. “We were concerned the our small groups of fewer than 50 full-time Employees (FTEs) would be considered as separate groups under our umbrella, and as such would be required to move from the Benefits Trust to the Exchange or the Small Group market.”

MEABT sought an opinion from the superintendent of the Bureau of Insurance, who ultimately issued the opinion.

“As a result of this letter,” Burke said, “Anthem can issue a policy to our whole group without having to separate out the small groups with fewer than 50 FTEs.

“So, all the small groups that had been fearful that they would be forced to leave the Benefits Trust can rest assured that they will not have to leave us and can continue to retain the MEA Benefits Trust plan.”

1094-C and 1095-C Extensions

Meanwhile, the Internal Revenue Ser-
Continued on next page



Negotiating health insurance, wellness

By S. Campbell Badger

Health insurance is still one of the most difficult issues at the bargaining table. With some schools experiencing increases of more than 25 percent over the past three years, the cost of these increases on an individual basis has outstripped salary and wage increases.

Unfortunately, negotiating the issue of health insurance seems to be a zero-sum equation, where the only relief is a negotiated cost shift from the school board to the employees, whether through an increase in the contribution rates employees are asked to pay for themselves and their dependents, or through the introduction of an insurance cap, which protects the school board from excessive annual premium increases beyond a specific amount.

The result of this negotiation dynamic is tremendously difficult and unsatisfying. Both the school board and the employees are left feeling that they have gotten the short end of the stick. And solutions are limited.

School boards are perplexed by the fact that employees don't recognize that they receive health-insurance benefits that far exceed the insurance protections afforded to many within the community who support the school, a large portion of whom have

possibly not experienced a net increase in their own take-home pay because of shifting health-insurance costs by their own employers, and that a shift in health-insurance costs is simply a matter of life that employees should accept.

Employees feel that that their portion of health-insurance contributions has also increased by the same amount as the board's increases, and that their own income is eroding because they are now being asked to pick up a greater portion of their own health insurance.

These negotiations can be exceedingly difficult. Systemic change of this type in health-insurance contributions is rarely a product of face-to-face negotiations.

Keep in mind that, when school boards propose significant changes to their contributions towards health insurance, the local union views this as concessionary bargaining.

Within the school context, school boards are asking the union bargaining team — whether it is made up of teachers, educational technicians, or bus drivers — to agree to a provision that adversely impacts their colleagues and coworkers.

This is a difficult task. Unlike in the private sector, where we are dealing with experienced, professional business agents

Continued on next page

Negotiating health and wellness

Continued from previous page

from the Teamsters, Steel Workers, or International Union of Operating Engineers, local association bargaining teams and their individual members rarely have the standing or resolve to voluntarily agree through collective bargaining to a change in health insurance that will adversely impact their colleagues and coworkers.

As such, there is often the need for mediation, fact finding, and possibly interest arbitration, which provides the local union bargaining team members the protection of saying that the insurance changes were forced upon them rather than that they agreed to them.

Not only can this be time-consuming and expensive, but it can also undermine good labor relations.

And because school boards are required to maintain the status quo after a contract has expired, employees benefit from the delay in reaching an agreement on health-insurance changes because these changes are rarely retroactive.

Wellness Programs

The simple truth is that there is no silver bullet to help resolve the health-insurance dilemma.

However, some schools are now looking to the private sector for solutions. Several prominent private employers in Maine have initiated wellness programs that change the manner in which health-care services are accessed.

The purpose of these programs is to both encourage prudent consumption of health-

care services and promote change toward a healthy lifestyle to combat chronic illnesses.

Such programs have varying degrees of intervention.

Some include biometric screenings to identify chronic diseases and then provide healthcare professionals to work hands-on with individuals to determine specific actions to address risks and establish goals for improvement.

Other programs simply provide rewards for participation in online questionnaires.

The goal of these efforts is simple: if employees are healthier and use services more carefully, this will impact the utilization rate for employers and thus impact insurance-premium rates.

The success of a wellness program appears to be greatly dependent upon how robust it is and the degree of “buy-in” from employees.

Given that a school district’s premium rates for group insurance under the MEA Benefits Trust are now determined by the district’s own experience rating, how employees access health insurance will have a direct impact on the district’s premium costs.

If employees can change the manner in which they use health services, the benefits can be seen in the reduction of a school’s experience rating.



S. Campbell Badger

Therefore, the adoption of a wellness program is a tool that school boards may want to consider when negotiating changes to health insurance in a collective bargaining agreement.

If a school board is considering adopting a wellness program, it should consider how to encourage buy-in and what type of support can be provided to help employees change their behavior towards accessing health-insurance services and/or changing their lifestyle in ways that promote health.

Incentives can be used to encourage participation, while additional costs can be assigned to discourage non-participation.

Private employers have used incentives such as increased employer contribution rates for those who successfully participate in a wellness program and lower contribution rates for those who don’t.

This, together with a collective responsibility for future premium increases on all employees so that employees understand that how they access health services will impact their health insurance costs.

The benefits of a robust wellness program are straightforward. Not only do employers have a healthy workforce with increased productivity and a reduction in sick leave absences, but they also hopefully have a slowing of health-insurance increases.

In addition, in the zero-sum negotiations over health insurance, where schools are asking employees to pick up a greater portion of their health insurance costs, wellness programs provide employees the actual tools to impact those costs that they are being asked to pick up.

Because of the nature of group health insurance, it is surprising how ill-informed many are about the direct correlation between the manner in which they access health services and the resulting costs.

A good wellness program should provide employees with both the education and the tools to actually change their behavior which, in turn, may very well positively impact on insurance costs.

—S. Campbell Badger represents school districts statewide in labor negotiations, grievances and fact finding. This article was reprinted with permission from Drummond Woodsum from its School Law Advisory, fall 2015 issue.

Two Obamacare blows are softened

Continued from previous page

vice (IRS) has extended the deadlines for furnishing Form 1095-C and IRS Form 1094-C to both employees and the IRS. Under the notice, for this year only, the deadlines have been extended as follows:

IRS Form 1095-C: The deadline for furnishing this form to employees was extended from Feb. 1 to March 31.

The deadline for furnishing the IRS with its copy of Form 1095-C has been extended from Feb. 29 to May 31 (or June 30, if filing electronically).

IRS Form 1094-C: The deadline for furnishing this form to the IRS has been

extended from February 29 to May 31 (or June 30, 2016, if filing electronically).

For employers offering self-insured health plans, the deadline for furnishing Form 1094-B to individuals has been extended to March 31 and the deadline for filing Form 1094-B and Form 1095-B with the IRS has been extended from Feb. 29 to May 31 (or June 30, if filing electronically).

Despite these extensions, the IRS has already begun accepting these forms and is encouraging employers to furnish them to employees and the IRS as soon as they are ready.

A New Start:

Creating a new school posed fascinating challenges for MeASBO Past President Vaitones

By Scott Vaitones

I've had the privilege of growing up in Tenants Harbor, one of the most beautiful communities on the coast of Maine. As for all of us, life is a journey and my journey has been circular and has included being a business manager for 30 years.

A year and a half ago I sort of retired and was doing some consulting when I was asked by the St. George Withdrawal Committee to work with them to develop a budget model of what St. George would look like if they were to successfully withdraw from RSU #13.

Back to the journey. Tenants Harbor is one of several villages that make up the town of St. George.

The withdrawal vote was 85-percent "Yes." At which point, I was formally hired to develop the systems needed for the existing K-8 St. George School to become a stand-alone school district on July 1, 2015. My office is three miles by land from my home and eight miles by water. Not a bad way to spend semi-retirement. And, I'm getting paid very well!

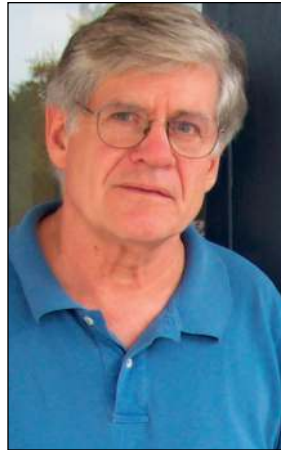
The School Committee was elected and immediately hired George Joseph as the interim one-day-a-week superintendent and formally hired me as the business manager for four days a week. The School Board charged George and me to bring forward the first budget for the new school system.

One catch: we couldn't exceed the current-year assessment to St. George from RSU #13. St. George is a very property-rich coastal community that was sending off a fortune to RSU #13 beyond what we cost them. It was paying RSU #13 about \$1.8 million more than we were receiving in services K-12!

There was one other charge from the School Board: That the St. George School becomes truly community-based, striving for excellence in every area. The directive was clear and with the dollars available great things become possible when you build a staff that share in that simple philosophy.

George and I each developed an independent list of tasks and found we had identified most of the same things. We also developed a timeline that we followed very carefully. I am more than willing to share these if someone is heading down this road.

The withdrawal agreement identified which staff from RSU 13 would be assigned to St. George. We identified several critical components needing solutions including transportation, food services, accounting and technology. I first approached RSU 13 about buying these services on a for fee bases. I knew the technology department was strong, the bus garage and mechanic



Scott Vaitones

were exceptional and the food services director was very good at his job. It became interesting in that there were people within RSU 13's administration and within its School Board that did not want the St. George Municipal School Unit to succeed. The response to my request for pricing included a mark-up that we pay 24 percent of the superintendent's and business manager's salary as overhead!

That was an instant deal breaker and has turned out to be a gift.

We hired a Technology Manager/Integrator/Repair Person new to education who has incredible skills and a way with staff and students that is amazing. He accepted the job because of the opportunity to help build a community school.

We hired a local young women as the one day a week Food Services Director. She happens to be a Johnson & Wales graduate and has an amazing philosophy of how to get kids to eat right! The meals coming out of our cafeteria are the talk of the community. We booked 110 adult meals in November! Our total staff is only 42!

The accounting piece was scary. I needed a person that could be comfortable doing payroll and payables. Another local find, a work from home mom who was ready to return to a formal job. She had never done a payroll in her life.

My best advice always is hire the person with the "can do" attitude. I found the resources to help her learn (that being some of you reading this) and what a find Cassie has been! She has a BA in Accounting.

Instead of building a chart of accounts from scratch, I looked for a similar type of school system and found that in Vinalhaven and Kathy Warren was more than willing to have ADS copy her chart of accounts into our system. The fine tuning was very little work. My first upload to MEMEMs only had a couple of errors to correct! My advice - if you find yourself having to re-invent a system, find someone who has what you need and bribe them until they give you a copy!

We looked locally for a bus mechanic and found a local garage that had everything we needed for skills and again, the word local, like - lives in the community and supports the school.

The darker side: Software - we knew what had been used and what we needed. However, the software vendors were our biggest nemesis.

Being a K-8 with only 200 students, it made sense from the beginning to buy web based programs. In fact, I believe the network administrators in schools will soon go the way of the

Continued on page 24

DOE gets new life from a co

7 twenty-two years ago Bill Beardsley saved a floundering Husson Business College from obliteration, then helped transform it over the next 20 years into a respected university with a beautiful campus, thriving student body and respected faculty.

With health issues forcing Jim Rier to retire as Maine commissioner of education, Gov. Paul LePage has called on Beardsley to leave his most recent position as commissioner for the Maine Department of Conservation and return to the world of education.

Beardsley's wide-ranging credentials include serving on and chairing the boards of the Maine Development Foundation, Finance Authority of Maine, Maine Higher Education Council, Maine Independent College Association and Maine Development Foundation. Most recently, he served on the Maine State Board of Education and on the Science, Technology, Engineering and Mathematics (STEM) Council.

Beardsley had this to say:

- **About school consolidation:** "When anything is imposed from the top, it is pushed extra hard and there are a lot of pressures to do it. And you're going to get some bad apples. It isn't going to work."

- **About infrastructure and technology:** "We have no mechanism the way we do for building a bigger school, or filling other needs like removing asbestos. I think there's a gap, some kind of deficiency — a need for another revolving loan fund that would be used for equipment."

- **About special education and the EPS formula:** "These are the things that get into the weeds, but the weeds are pretty serious. So how do we levelize that? How do we address volatility, particularly in small towns? And how do we make it fit better? Finding out just how many weeds there are was a bit of a surprise."

- **About test results:** "We have an income achievement gap. In the three poorest counties in Maine, only 30 percent of the 3rd- and 11th-graders reach grade-level achievement in math and English. In the three richest counties, the numbers are double: 60 percent are proficient at those grade levels."

"We have an obligation to make sure all kids have equal opportunities."

- **About teacher certification:** "We can simplify our certification system. For one, it's expensive. You could radically change it... If we simplified it and made broader categories, rural schools would have a lot more flexibility. And that's what we're trying to accomplish."

- **About technical education:** "It's been marginalized in the Maine learning



Maine Acting Commissioner of Education Bill Beardsley, left, Acting Deputy Commissioner Suzan Beaudoin and MeASBO President Adam Hanson of the Lewiston School Department had plenty to discuss at the DOE offices in Augusta.

results. It doesn't exist in the learning results. You can build a house for Habitat for Humanity and perhaps not get credit towards graduation. You can build a house in art with toothpicks and get credit."

- **About the Every Student Succeeds Act (ESSA), replacing No Child Left Behind:** "I think it's premature to talk about how big an impact it's had. The feds have delegated a whole bunch of power to the state and local governments."

"The state, of course, wants to keep it and become the new feds. But we're trying to say, 'No.' We've got to figure out how we're going to delegate authorities and hold people accountable but not

the way the feds work. And who do we give it to? Who do we pass the authority on to? The superintendents say, 'Us.' But the school boards are the governing body. The towns and school boards. So one of the interesting ways of thinking of it is, if we give it to the school boards we have more authority with accountability. Yet, they don't have the staff. But that's what the feds said about us. They said, 'Maine doesn't have the resources to handle this stuff. We have to teach them.' That, to me, is the interesting thing that could be a shifting."

- **About the flow of money:** "As a conservative, I say if we're taking all this

couple of experienced hands

Beardsley, who holds a bachelor's degree in economics from Earlham College in Indiana, earned a doctorate from Johns Hopkins University and completed the Harvard Institute for Educational Management Program.

When Suzan Beaudoin, a 30-year veteran of finance with the DOE, was promoted in January to deputy commissioner of education (*see story page 15*), observers termed it a perfect match: academic Beardsley, financial expert Beaudoin.

"We're a pretty good fit," Beaudoin said. "We complement each other. We have similar ideas."

MeASBO President Adam Hanson of the Lewiston School Department and MeASBO Magazine editor/publisher Mark Leslie sat down for an extensive interview with Beardsley and Beaudoin and the free-flowing conversation was memorable.

“ We can simplify our certification system. For one, it’s expensive. You could radically change it...”

— Bill Beardsley

“ We need to prepare Maine students not for the jobs we have now, but for future jobs.”

— Suzan Beaudoin

money from the towns and then turning around and giving it back, let's let them keep it because they deserve it. Let's reduce the flow in and out. But the trouble is that it comes from different towns than it goes to. So it gets more problematic."

• **About Common Core:** "People are afraid of having one big system that might be all screwed up, like it was with New Math. All of a sudden a whole generation of kids didn't know math. So you have that tug-of-war between the national, international and collective standards that are efficient and make sense and are world-class. And then you have the local control, innovative units, doing things differently. That's the way democracy works. That's why we're a federalism system rather than a democracy.

"That ideological issue is quite an interesting battleground."

Beaudoin, meanwhile, held sway

• **On consolidation:** "What I hope through the formula is that somehow we can keep it so that it's not a disadvantage to be in an RSU. We do have a new debt-service adjustment coming in this next year — by town rather than by the RSU as a whole. That's going to help on the debt service. Once that hits, they will have a new adjustment. That's going to help those towns that are below the mill expectation."

• **On preparing students:** "We need to

prepare Maine students not for the jobs we have now, but for future jobs."

• **On the Essential Programs and Services (EPS) formula:** "It seems like the formula goes through a massive change every 10 years. We're a little overdue actually."

• **On special education:** "We have some ideas, especially regarding high-cost out-of-district, high-cost in-district. State wards, even, and what we're doing there.

"In special-ed, 70 percent of the school units are on what is called a 'maintenance of effort' piece in the EPS, which looks at two-year-old expenditures. So you're basically getting an expenditure-driven formula idea."

• **On 55-percent funding from the state:** "I don't see it. Not in my lifetime."

• **On the mill rate:** "You have the worst of two things happening. I don't have extra state dollars unless they add more. And I know that total's going to go up. So guess where that goes? On the local side. So the mill rate is going to go up."

• **On a charter school "hit" for school districts:** "One thing that is going to hit people is that those districts that had large numbers of charter-school kids had a buffer last year. This year they're going away. The ones that had that extra-kid count last year aren't going to get that."

• **On the upcoming "staff cliff":** "A statewide cliff is indeed coming... Teachers are getting to an age when they are

going to retire and that's what I'm trying to figure out is, when. I saw this trend coming 12-15 years ago and have asked for a special report on it."

• **On certification renewals:** "If you're really in a bind, have your fingerprints redone. Our idea and the feds' idea is that we're looking towards an automatic reprinting every five years because it can be all automated."

Withdrawals

Communities pulling out of their school districts is a concern, Beardsley and Beaudoin agreed.

Saying he is neither for nor against consolidation or deconsolidation, Beardsley added, "One of my concerns is that when a town withdraws, it has no obligation to come up with an audited forecast of what its budget costs are going to be in the next year. So, I think townspeople don't know whether it's going to be a really good deal. [The idea] is being sold on "local control," but not on "We'll break even; it's going to cost us a little more, a lot more or a lot less..."

"It makes a lot of sense to have legislation saying the process should include [financial outlook]. If they present that and it turns out to be totally different, the burden's going to be on them."

"Like Oxbow," Beardsley said, "you can deorganize, and then you get the pooled cost of deorganized townships.



**“There is a growing interest in [withdrawals] and it is not being initiated by me.”
— Bill Beardsley**

So you get a lower rate because they split the costs evenly. But if very many towns do that, then the wealthier towns, like Edmonds Township and others like that in unorganized townships, are going to pull out and become organized. And it’s just going to go around in a circle. It will be like a cat chasing its tail.”

Beardsley said there is a natural interest in deorganizing “because you have declining demographics and you can use capital construction to perhaps build a new building. That could be a way to draw school districts together.”

Meanwhile, he said superintendents and school boards are discreetly approaching

him, asking for help with initiatives to join forces with other districts.

“They want to think it through and do their homework before they raise it up publicly too much. There is a growing interest in that and it is not being initiated by me,” he said.

Beaudoin warned that many towns scrutinizing withdrawals don’t realize all the administrative costs involved, nor the fact that they will have to offer nutrition programs.

“If they don’t know that up front,” she said, “they don’t realize they have federal regulations they have to deal with, and they don’t know the true costs...”

“You can share services, you can share staff, you can share salaries, you can consolidate and share buildings. There are huge savings to be had.”

Infrastructure and Technology

Meanwhile, the state has set aside \$130 million, \$140 million a year for capital expenditures, but “we have virtual schools in waiting lines,” Beardsley said. “They have no buildings at all, and we don’t have any revolving loan fund — let’s say with a bond bank or elsewhere — for either CTE [career and technical education] equipment or expensive infrastructure and technology.”

A district might want a new building — for which it could receive \$20 million — but would prefer that kind of money for SYSCO infrastructure to teach courses from a university.

Besides a revolving loan fund, such needs might be addressed with a matching fund program.

“The trouble with that,” Beardsley said, “is that the rich towns will go out and get the match because they have the greater numbers of taxpayers while and the poor towns won’t be able to get the match and won’t get the money.”

“What I’ve learned is that I have this great idea, but there are unintended consequences.”

Special-ed Woes

A dire circumstance for years now has been special education. That much has not changed.

“People ask why the state doesn’t take over the cost,” Beardsley said. “Well, the risk is that you’ll get more people in special-ed.”

The question, Beardsley said, is how to deal with this “very important, valued part of the budget. It’s highly volatile and also hard from a budgeting point of view. And we can’t just throw money at it. We’ve been toying around with catastrophic insurance for any town that would be up or down, or can we set aside money to help towns in extreme situations?”

“For instance, due solely to a transfer agreement, a town is hit in the middle of the budget year with an increase of more than 5 percent. But we can’t just go increasing the budget.”

Beardsley said some superintendents have raised the idea of hosting special-ed at a county-wide or other intermedi-

Continued on page 18

So, you’re telling me our Intercom System is outdated?



It’s time to call Canfield Systems, Inc!

207-883-4110

scott@canfieldsystems.com
www.canfieldsystems.com



We carry the most **GREEN** Intercom System solution available today. Low power consumption and its equipment is 100’s of lbs less than other brands!



A distinct rich over poor in academic achievement

Maine Acting Commissioner of Education Bill Beardsley, on the job since Oct. 15, declared that the state is experiencing a major “income achievement gap.”

“In the three poorest counties in Maine, only 30 percent of the 3rd- and 11th-graders reach grade-level achievement in math and English. In the three richest counties, the numbers are double: 60 percent are proficient at those grade levels,” Beardsley reported, adding, “We have an obligation to make sure all kids have equal opportunities.”

Acknowledging that 60-percent grade-level performance is unsatisfactory, he said, “But the bigger issue is that we have this massive gap where, for all the things the state has done and tried to do, we haven’t been able to close that gap. So, assuming everybody is of equal intelligence, kids from low-income families who live in low-income towns are just not getting the same opportunities.

“We’re trying to deal with it through EPS and things like that,” he said. “But how far you go in transferring huge amounts of money from rich to poor towns? Part of [the problem] is to get everybody to [improve], even if the gap were there. That’s the old Democrat-Republican argument over ‘We want to make everybody equal versus we want everybody to go up and the only way to do that is to let there be a gap.’

“Figuring out how to address that is the biggest challenge.”

Distance learning and virtual programs are two solutions. For instance, Beardsley noted that island schools have a Skyping network and Beaudoin said some rural districts, when they have a

hard time finding a teacher, use technology to solve the problem.

“Another way to handle that,” Beardsley said, “is to simplify our certification system. You could radically change it. For one, it’s expensive. If we simplified it and made broader categories, rural schools would have a lot more flexibility. And that’s what we’re trying to accomplish. We have broad categories but also many micro-categories.”

He pointed out that his sister got certified when she got her degree in college and has never been certified again. She is monitored, evaluated, professionally developed, mentored by the superintendents and principals.

Beaudoin said an internal DOE group is investigating what other states and even one other country are doing, with the idea of streamlining the process.

“We are going to face a cliff of retirements,” she said. “We have a lot of aging teachers with lots of years of service and they’re all going to retire at once. And I suspect we’re going to have some huge shortages. We’re going to have to be more creative and flexible to deal with those shortages.”

Beardsley asked, “How many times have you or your colleagues sat in on a meeting where you know who you want to hire but can’t? Time and time again, you said, ‘If only this person weren’t missing one course we could hire them as a science teacher. But you can’t. You have to hire a second- or third-tier person.’” •••



Tap into our Expertise!

35+ years insuring Maine schools

Dedicated exclusively to Maine school systems

Experts in school specific exposures



Insurance Programs

Workers’ Compensation

Property Insurance

Liability Coverage

Unemployment Compensation

Dental Plans

Life Insurance

Short and Long Term Disability

Flexible Spending Programs

Risk Management Services

No one knows Maine schools systems better. Make MSMA your first call. 800.660.8484

ate way, so that there is still some local responsibility for it.

“That works for the town with the greatest need,” he said. “They’re praising the Lord, while the other towns are saying, ‘Why are we being dragged into this?’”

“We have to try equaling the playing field,” Beaudoin said. “But there still has to be a local effort.”

The issue is muddled by cases where the special-ed student is bouncing from town to town, or homeless and the DOE has to go back to the last place the student had a home; or when a third party has taken the child in and the parents, if findable, are out of reach.

Answers may come sooner than later. Beaudoin pointed out that the DOE’s cycle is to review one-third of the EPS every year, and this year’s foci are Career and Technical Education, special ed, specialized student populations, system administration and operations and maintenance of plants.

When completed, she said, “we’ll come back the next legislative session and make recommendations to the Legislature for changes to the formula to address problems in any particular area.”

Staff Cliff

Meanwhile, schools need enough teachers to prepare these students and, by all estimates, that will soon be a problem in itself.

“We never have too many,” Beaudoin said. “We always have targeted need areas, and perennially that includes science and math. We do ‘conditional endorsements.’ If a person isn’t qualified, we give them a conditional endorsement, which gives them so much time to get up to that level. In some areas — and it’s usually the targeted need area — we do that.

“Often a person qualifies, say, in life science and knows a lot about plant science or vice versa. The idea is to give them a conditional endorsement to get them on their way to certification.”

Redoubling the possibility that this will help stave off “the cliff,” if a teacher goes to work in a targeted need course, they can receive loan forgiveness.

“That’s huge,” Beaudoin said.

NEO Data

MeASBO’s Hanson pointed to a concern among school business officials about NEO staffing data that was uploaded in December.

“It is likely,” Hanson said, “that many districts corrected their data after DOE gave clarification on how to count years

Technical education ‘a staple’ in Maine

Technical education, which should be considered a staple of Maine’s economy, “has been marginalized in the state’s learning results,” declared Acting Commissioner of Education Bill Beardsley.

“It doesn’t exist in the learning results,” Beardsley said of technical education. “You can build a house for Habitat for Humanity and perhaps not get credit towards graduation. You can build a house in art with toothpicks and get credit.”

This marginalization “doesn’t make sense,” he said, “and we say we prepare all students for life, careers and college. But it’s almost as if our curriculum is written for getting ready for college [only].”

New Deputy Commissioner of Education Suzan Beaudoin noted that the School Reform Act of 1984 started this treatment in motion, and Beardsley said, “It’s a good system, but what’s happened is, we’re blind to the reality that almost every high school and many junior highs have all kinds of applied technology courses — workshops, carpentry, plumbing, marine trades — that aren’t at all connected with a career in technical education. So we bundle everything and call it career technical education.

“A lot of schools have more kids in these in-school programs going down to junior high than we have going to creative schools. Some schools have apprenticeship programs and are sending students to the shipyards in Portsmouth and things like that that have nothing to do with CTE. As a department, we don’t recognize that. It doesn’t fit into our lexicon of what’s going on in the schools, but we know it’s there.”

Beardsley said that 10 years ago the Top 10 companies in the world didn’t exist.

And in that vein, Beaudoin declared, “We need to prepare students not for the jobs we have now, but for future jobs.”



Making a Difference for Maine's communities.

Created by the Maine State Legislature in 1972, the Maine Municipal Bond Bank provides a unique financing alternative for Maine’s municipalities. Dedicated to providing effective and cost efficient financing programs and services, the Bond Bank’s long-term loans provide Maine’s communities access to low cost funds through the sale of our highly rated tax-exempt bonds.

Strong Bond Ratings

Low Issuance Costs

Competitive Financing

Low Interest Rates

*Call us when you need capital financing for your next project.
We can help you choose the financing options best suited for your needs.*

127 Community Drive • P.O. Box 2268 • Augusta ME • 04338-2268 • (207)622-9386 • www.mmbb.com

of service in a position, and many districts probably did not. This could create a situation where those with correct data become 'losers' because they are showing fewer years of service in positions, while those who did not correct their data are 'winners' because they incorrectly show too many years of service."

"The question wasn't quite the one you really need to ask," Beaudoin said. "We have proven that they were sometimes overestimated — hugely, sometimes. So this is correcting an error. It was sending money to places where it shouldn't have been going."

"The new data is probably a lot better quality, I suspect... The administrative piece is based on size of schools. It's not as detailed as the teachers and staff. It depends on how many kids are where they're teaching, not so much their FTE. What we found is when the data was scrubbed it actually improved the books, for the most part."

"That will give us better-quality EPS rates."

Charter-School Impact

Another thing she could predict, Beaudoin said, is the financial hit on schools that had large numbers of charter-school students

"They had a buffer last year. This year that's going away. The ones that had that extra-kid count last year aren't going to get that."

Asked how a district can predict lost subsidies because of these children, Beaudoin replied, "It's all timing. The kid could move to the district next door. It happens all the time."

"With a student going to a charter school, the most you would lose would be half-a-year. But, now the state DOE is paying the charter schools. At least you don't have to pay the bill anymore. We do. It's caused me heartache this year because this is the first year the state has paid charters directly and we have estimates."

The state's charter schools plan is to reach their maximum enrollment in five years.

Each charter school "is like a brand-new school district," she said, "so we had to figure this out — to estimate what they're going to need — to make sure we're on track and make adjustments. But that's only for that five years while they're ramping up."

The DOE compiled estimates for the

two new charters coming on board next fall. Come October, it will adjust those estimates if they don't get their projected enrollments.

"They get their maximum plus 10 percent because they have a leeway of 10 percent in their contract," Beaudoin said. "If they set 100 kids as their maximum this year, we put in 110. And we estimate special-ed by the percentage of special-ed kids statewide."

"This has been an interesting challenge for us."

"What's good" she added, "is that we still attach how we calculate their rate

based upon where they're coming from. They don't have a rate of their own because they don't have a tax base, for one thing. So if there are 10 kids from Auburn or Lewiston, we build that in."

There are still identified with all the units the children are coming from, which is good for the virtual schools especially because they come from all over the state. It's pretty consistent with the SAUs but we have to do a couple of different things.

Aging Bus Fleets

Another matter challenging school finance officials is aging bus fleets, espe-

Know options



Why be over-insured?

Your health plan can do a better job serving the people it's meant to help.

Talk to us about plan design,
HSAs and options that fit
every age and your budget.



EMPLOYEE BENEFITS GROUP

David Hamilton Tony Payne
207.523.2294 207.523.2213

dhamilton@clarkinsurance.com tpayne@clarkinsurance.com

cially with the toll taken by new IEP transportation requirements that call for year-round transportation.

"The problem is that we have an approval level of \$8 million a year and people aren't spending it," Beaudoin said. "What happens is, we give them the approval, it becomes spring and time to buy the bus and they decide they don't have enough money and they don't buy the bus. Local decisions and local budgets are driving that. So we're not spending the whole \$8 million. I'd love to direct it to something else. We actually lowered the amount from \$8.5 million to \$8 million."

Noting an uptick in purchases the last couple of years, she said, "We try to put the approvals on units that get subsidy. If they're a minimum-subsidy unit, it's not going to make a difference. That skews these figures a bit because some units are buying their own."

Indirect Cost Rates

Asked when districts will begin to hear back about the results of their indirect cost rates, Beaudoin said, "We're waiting on the feds. Denise Powers has been promoted to the compliance position. We have a contract with Maximus, which will come up with a calculation, then the feds have to approve it. That could take six-plus months. So we're thinking February 2017."

Once those are attained, school units have an application process to go through, she said, and "Not everybody's going to do this. I think there was a clause that if every single school in the unit agrees to the standard rate, you probably won't have to go through the process."

Custodial Rights

Some school districts have faced problems with Custodial and Legal Parental Rights in situations where the Department of Health and Human Services (DHHS) is involved under a "safety plan." An enrolled student may be living with a family member who doesn't have legal custodial rights and there is no superintendent's agreement.

The state has set aside \$130 million, \$140 million a year for capital expenditures, but we have virtual schools in waiting lines.'
— Bill Beardsley

"We're told that's how we need to handle it because of a safety plan," said Hanson, "but who gives permission for the student or who approves the student to attend or not attend certain classes or other issues that come up that require parental permission?"

Saying that this is a major issue with special-ed students, Beaudoin added that the law has been tweaked in regard to their acceptance for temporary residency.

"This is where it's not in a child's best interests to be with their parents, for their safety. This is why they called it the 'safety plan.' Normally what happens is, this child is probably living with grandma or grandpa, or been placed with someone else but not officially. So, the superintendent often will just accept that child as a resident of his unit under this category. What they added is the same idea as a superintendent transfer, where if the superintendent denies that the student is a resident, they can appeal to the Commissioner to override it. The superintendent can request the subsidy of the other unit.

"When the Commissioner makes his decision, he can't consider finances. He can only consider what's best for the child. He isn't even told about the finances," she added.

The upcoming special-ed report will address this and other concerns, Beaudoin said. "I think there are some ways we can solve some of these questions about how we handle high-cost out-of-district and high-cost in-district. I have ideas but want the people doing the study to take my ideas and think about it before I let them loose." ...

W.C. CRESSEY & SON, INC.



ENGINE REPAIRS
FOR ALL MAKES



Vans / Bus Lifts
Wheelchair
Tiedown Systems
Bus Camera Systems



Automatic Tire Chains

ASK US ABOUT OUR NEW ANTI-CORROSION

2 COMMERCE DRIVE, P.O. BOX 326
KENNEBUNK, MAINE 04043

(207) 985-6111 WWW.WCCRESSEY.COM FAX: (207) 985-2692 1-800-794-6113

Beaudoin rises to deputy post, keen on streamlining, lessening bureaucracy

By Mark Leslie

Maine's new Acting Deputy Commissioner of Education is determined to make special-education maintenance of effort "more flexible," improve the Essential Programs and Services (EPS) formula and "make it so it's not disadvantageous to be in an RSU [Regional School Unit]."

Suzan Beaudoin (Cameron), the Department of Education's longtime director of finance and operations, assumed her new duties on Jan. 11 with a resolute focus to make a difference despite facing a mere \$2 million increase in general purpose subsidy next year; an overload in paperwork that even extends to security checks of athletic coaches; and looming statewide dearth of teachers and principals.

"Streamlining" and "exploring efficiencies" are ingrained in Beaudoin's philosophy in continuing her broad administrative oversight of \$900 million of state and general purpose aid to education and coordinating an array of operation activities ranging from school construction, transportation and nutrition, to teacher certification and statistical data collection and analysis.

Acting Commissioner Bill Beardsley said, "Suzan will also be broadening her coordination and policy activities to other department divisions and will be expanding and improving the department's working relationship with other public financing authorities, school districts and the Legislature."

Beaudoin attended Augusta public schools and earned her B.A. degree in public administration at the University of Maine. She has served on and or staffed numerous commissions, study groups and task forces, and sits on the board of the Maine Health & Higher Educational Facilities Authority.

Former Deputy Commissioner Tom Desjardin, who came to Maine DOE as acting commissioner a year ago following former Commissioner Jim Rier's untimely illness and subsequent retirement, has transferred to the Governor's Office of Policy and Management to shape one of the Governor's signature policy initiatives. Desjardin originally served in the Governor's Office as senior policy advisor for education and



Acting Deputy Commissioner of Education Suzan Beaudoin

natural resources.

Streamlining

Declaring her agreement with Beardsley that "we need to do some streamlining," Beaudoin said, "I think the districts are overwhelmed with all the stuff being pushed at them."

She added that the sheer volume of paperwork demanded of school finance officers is "unreal" (in the case of the new demand for school-based data) and "ridiculous" (regarding the number of financial accounts).

"One of my biggest pet peeves is the reason why we request that data is because we have to give it to the feds," Beaudoin said. "If we didn't collect it, guess what, you'd have to report yourselves. You do the Civil Rights piece already and isn't that a pain?"

While intimating that the state DOE now has data to help districts with Civil Rights reports next year, Beaudoin did suggest that MeASBO and individual districts "push back on the feds on two things: first, all the data they require from different sections of the U.S. Department of Education, and the U.S. Department of Agriculture for child nutrition ... and on more flexibility with special-ed maintenance of effort."

Beaudoin agreed with MeASBO's position that the utter number of account numbers that schools have now is "out of control" and that keeping people accurately in those accounts is almost impossible.

She maintained that Maine's Congressional delegation are "good people who will listen if we could just make an effort to persuade them."

EPS Formula

Beaudoin envisioned a much-improved EPS formula — a subject that has been revisited about every 10 years since 1985.

"We built the formula using the data we had at the time [2005-06]," she said, "and as we improved some of the system like NEO staff, that has improved things and made it easier for us to separate staff..."

As for changes, she said, "We don't want to do too much each year. We have to plan it out."

Fingerprinting system to get an overhaul

Delays in processing security checks has been causing problems with a number of Maine school districts, and that has grabbed the state Department of Education's attention.

Acting Deputy Commissioner of Education Suzan Beaudoin promised, "Changes are coming... It might require a statutory change. What's easy is the initial approvals. The fingerprints come, we get no hits, no problems. It's the renewals that cause delays because they have to go to the Federal Bureau of Investigation, who has to look through the fingerprint cards; everything is manual and it takes time."

The delays, she said, stem from the fact that renewals peak on years that end with a 5 or a 0. Therefore, 2015 was a "bump year" with a deluge of renewals.

Adding to the current situation, the Maine Principals Association — which has always done its own policing — wants all referees, some 3,000, to go through DOE's approval process, starting next year. Her staff issued 115 applications a day and processed more than that.

"All of this collided," she said, "and on top of that, we send out certification renewals six months ahead of time. We're sending them out right now. Certification expires every five years on July 1. Authorization for ed-techs is Feb. 1. So every

July they expire and when do districts send them in? June!

"That," she said, "is where you can help us. If you send them in between November and May, your wait is four to six weeks. If you send them in between June and October it's 10 to 12 weeks. So we're doing a big push this year to try to get renewals earlier."

Beaudoin also called on athletic directors to sign off on applications before leaving for the summer, a constant problem.

"The idea is to push them to get the renewals in earlier, get the sport chairs to sign off on them before the end of the school year, to get that bunch as soon as we can. To know they don't need another course. They have everything they need.

"We're pretty on fire with the renewals this year," she added. "We're caught up on the ed-tech and the approvals. We're about three or four weeks behind on the certifications. Some of the approvals were more important, so we really pushed them in December and January."

In the end, she offered, "If you're really in a bind, have your fingerprints redone. That will get it done more quickly.

"Our idea and the feds' idea is that we're looking towards an automatic reprinting every five years because it can be all automated."

Driving High Performance Schools

- Building Automation
- Energy Management Strategies
- Preventive Maintenance Programs
- Mechanical Retrofit Solutions

- Indoor Air Quality Solutions
- H.V.A.C. Replacements
- Energy Benchmarking
- Financing Solutions

Siemens Industry, Inc.
66 Mussey Rd.
Scarborough, ME 04074
207-885-4100

Title I, regional adjustments and school-unit withdrawals are issues at the forefront of the discussion.

"The Education Committee wants me to take the deduction out for Title I, but they didn't want me to take the teachers out. But that costs \$40 million; it's not going to go anywhere. If I take out the deduction I've got to take out the teachers, too," Beaudoin said.

Regarding regional adjustments, she said, "We've brought reports back in the past but they [the committee] didn't approve putting that in. It would have made it worse. The poor would get poorer and the rich richer because the regional adjustment is all based on actual salaries."

Across the state, communities were force-fed consolidation and some are now withdrawing from their RSUs, so Beaudoin and her staff of six are delving into ways to curtail withdrawals.

"We need to make it so it's not disadvantageous to be in an RSU... That's one of the things we have to build in," she said. "We have to have a plan to make these [EPS] changes, and have a cushion against extremes so that no one loses a lot of subsidy because we've changed something."

"I'm thinking of calling it a 'grandfather clause' because it buffers. If we're going to make a number of changes to the formula over several years, we don't want to kill some district by changing it dramatically."

Students Down, Mill Rates Up

One of Beaudoin's major concerns is that the cost of education, especially special-ed, is probably going to increase, and she expects the mill rate to go up because the biennial budget calls for an increase from \$283 million this year to \$285 million.

"Valuations are shifting," she said. "They'd been declining, but I'm starting to see it come around. I've seen this happen before over and over again. It starts in York County... then you get to Kennebec and then all the way through the state. While they are gaining, some people are still losing in northern counties. And then it's going to shift and they will be gaining in Aroostook and Washington counties, and others will start losing. You will see this whole cycle."

While the three-year average helps keep budgets a little more stable, Maine's student population continues to decrease,



Suzan Beaudoin explains an issue.

Beaudoin said.

"We lost another 2,000. We're down to 178,000 kids. Let me tell you how bad that is. Five years ago, we had over 8,000 more. Ten years ago, we had over 22,000 more. Fifteen years ago, we had over 33,000 more. That's huge and it's not the norm in the country."

"Maine has an aging population and

needs to bring back in child-bearing-age people. That means we have to have jobs."

Special Education

High on Beaudoin's agenda is adding flexibility to special-ed maintenance of effort.

"There are some exceptions," she said,

Schools deserve
a smarter way
to bank.



Find out how—call Susan Stacey, BGS Banking Officer
207-376-3564 • [sstacey@androscogginbank.com](mailto:ssstacey@androscogginbank.com)

androscogginbank.com

Androscoggin
Smarter Banking™



“like if you have an out-of-district placement that you don’t have anymore, or if you retire a high-cost teacher.

“I think they (the federal government) do it because they’re afraid they’re going to reduce services to kids or not have as good service.”

Beaudoin wants to make regional services more palatable, whereas today “nobody wants to [create a regional program] because of the maintenance-of-effort, I suspect, because if you decline in your expenditures you lose your federal funds.

Agreeing that it’s backward when something encourages people not to explore efficiencies, she said, “We’re finance people. We get that. It doesn’t mean we can’t provide good services.

But if we should be able to get three or four districts together to provide some of these programs, and not penalize anyone because one district is doing it on behalf of others.

“Bangor does a fabulous job with an autism program that serves that whole area. I’d like to see more of that, some of the big districts putting regional programs in place and have people come in.

“Some of these things we can do regionally, but special-ed maintenance of effort is holding us back.”

Beaudoin said that when she was introduced to Education Board members as the new deputy commissioner, she asked three times if they would do something about maintenance of effort.

“They told me not to hold out hope. So we’re going to have

to attack it some other way,” she said. “We really need to get it moved. It needs to be 100 percent.

“Our Congressmen have to put in a bill. I’m sure we’re not the only state struggling with this.”

Advice

A couple of years ago school business officials dealt with a financial “cliff” when federal dollars disappeared. Soon, Beaudoin predicted, schools will face teacher and superintendent “cliffs” and there appears to be no answer for that quandary.

But she did have an answer for new school business managers.

Pointing out the number of young business managers in Maine, she suggested a full-day workshop may be in the future.

“We have to spend some time with them. In June we do a new superintendents orientation. We could do the same thing for business managers.”

Beaudoin’s one message to MeASBO members? It was not some highbrow philosophical declaration, but a nuts-and-bolts request.

With a meaningful smile, she said, “When you get the 279s, you’re going to lay the current year’s next to the new year and you’re going to go line by line before you even make a phone call. Don’t look at the bottom line and call and say, ‘Why did I lose so much money?’ Look through it.

“Lots of times the answer’s right there. You lost kids. Your valuation went up. Your special-ed went down. The mill rate went up.” •••

A new school, new system, new everything

Continued from page 13

dinosaurs as web based makes so much sense. From AIM-SWeb to Nutri-Kid we got promises and assurances that we were all set. And that any shared data with RSU 13 had been separated. The assurances started in June and came to a head in late August when we were still trying to get programs running. The difficulty with software vendors was a surprise and difficult at best.

An unforeseen issue became credit. We had zero. Some of the vendors that were used through RSU 13 quickly extended credit. Others required credit applications to be submitted and one of the questions on all of the applications: “How long have you been in business?” If less than three years the credit needs a personal guarantee.” In order to move forward, either the Interim Superintendent (not likely) or I had to personally guarantee the credit. Some vendors have made it difficult for us to separate our account from RSU 13.

We received three buses from RSU 13 per the withdrawal agreement. In order to register one of the buses, we had to pay off the lease a year early – ouch! We’re still waiting for RSU 13 to transfer the three buses within NEOs.

If you become involved in a withdrawal, read, re-read and then read the agreement again. The agreement will contain several cost divisions. The first invoice I received from RSU 13 this summer contained charges for items that were not St. George responsibility. Just because a lawyer wrote it,

doesn’t mean you can’t question the meaning and insist on documentation for everything invoiced.

I became involved with tuition for the first time in 30 years. All of our 9-12 attend the high school of their choice. So far, my counts are exactly on and the State tuition rates have come in a tad below my estimates. Two or three missed students in the count is a \$20,000 to \$30,000 unexpected expense.

Our administrative structure evolved through the budget process. Our interim Superintendent was negotiating services for a part-time Special Education Director. We put that number in the draft budget and realized that there was enough in the budget to pay for a fulltime superintendent/special education director, another great find. Michael Felton took the job because of his belief in building a community school focused on excellence.

The School Board was and remains committed to supporting the resources needed to truly effect change and build a high performing school. We also have a full time Principal.

The team is in place, at least 95 percent of the staff are committed to the journey and it is with great pleasure that I drive the three miles to work four days a week and even School Board meetings are positive and productive.

My deepest thanks to my collegiate that I have been reaching out to over the past year to find solutions for starting a new school system! •••

Dine and Dash:

Dealing with the challenge of unpaid student meals

Demetrio F. Aspiras, III

We are all familiar with a school's obligation to provide access to healthy foods and beverages during the school day, but what are school officials to do when families refuse to pay the bill for those meals?

While most people would never walk out of a restaurant with a bill unpaid, schools are increasingly dealing with families who refuse to pay for meals provided to students when they are sent to school without a meal or money.

Some schools around the nation have faced school-meal debt in excess of \$500,000, and many schools have been forced to take action, including refusing to serve students with negative balances and using debt collectors to chase past due amounts. Some key legal standards apply in these situations and there are some possible solutions that schools have used to deal with this issue.

Applicable Law

Numerous federal laws and regulations can apply in these kinds of situations, including the National School Lunch Program (NSLP) and School Breakfast Program (SBP) regulations, as well as the Americans with Disabilities Act (ADA), Section 504, and the Individuals with Disabilities Education Act (IDEA).

For purposes of school meals, students fall into two general categories: those approved for free or reduced meals (free and reduced-price students) and those who are not approved (full-price students).

The U.S. Department of Agriculture, which administers the NSLP/SBP, has made clear that although states can refuse to serve a full-price student who does not have the money to pay.

It "encourages schools to be flexible in this area, particularly with young children and children with disabilities who may be unable to take full responsibility for their money."

With few exceptions, Maine law requires all public schools to participate in the NSLP. The NSLP and SBP provide federal funding to support the provision of free or reduced-priced meals to needy students as defined using income eligibility guidelines.

For the school year 2015-2016, students are eligible for free meals if their household income is at or below 130 percent of the federal poverty guidelines, and eligible for reduced-price meals at or below 185 percent of those guidelines.

Additionally, some students may be "categorically" eligible irrespective of household income if they are deemed homeless, a runaway, or migrant, or if they receive benefits from another support program, such as TANF, SNAP, or FDPIR.

Schools participating in the NSLP/SBP are subject to regulation of their food service programs, including audits, and those regulations can impact the provision of meals to full-price students.

No Write-off for Bad Debt

Most relevant to the issue of unpaid school meal debt is the fact that schools participating in the NSLP/SBP are prohibited from writing off or carrying over any bad debt in their food service program.

This means that schools cannot run a school meal "account" for a student and have them "square up" prior to graduation, or prior to transitioning to their next school.

Instead, schools must reconcile the food service accounts at each year's end, transferring funds from another account, such as the general operating fund, in order to bring the debt off the food service books.

Schools must also take care that any food service policy, including those that deal with unpaid school meal debt, does not result in the overt identification of free or reduced-price students. Overt identification of free or reduced-price students is a violation of federal law.

Schools should also be aware that refusing to serve a student who has a disability that contributes to the student's ability to be responsible for and handle their money may pose a problem under the ADA, Section 504, or the IDEA.

While it does not appear that there are any reported incidents of a student bringing a successful claim under these circumstances, it is well established that schools must accommodate students with disabilities and special dietary needs under these laws, so it is fair to assume that general access to school meals would fall under the regulations.

In Maine, therefore, schools have broad discretion in dealing with full-price students, and there is no legal prohibition against refusing to serve, or providing an alternative meal to, a full-price student who is unable to pay or who has a negative account balance.

The difficulty comes, however, from the fact that many students who might be eligible for free or reduced lunch may never apply. Some students may be "categorically" eligible, and many of the regulations for the free or reduced meal program apply to, or indirectly effect, full-price students as well.

Solutions

So what is the solution to unpaid school meal debt? Unfortunately, there is no one-size-fits-all solution, and schools must look carefully at their own budgets, resources and constituencies before making a decision. While schools can refuse to serve a student a meal if the student is required to pay full price and is unable to pay, hunger impedes learning and the public-relations cost of letting students go hungry may outweigh the financial benefits.

Some schools have used the following solutions some with success.

- To Charge or Not To Charge

First, the school must decide if, and under what circumstances, a full-price student will be permitted to “charge” a school meal. An outright ban on charging will prevent the school from incurring meal debt, but if the policy is not implemented properly or applied uniformly, a school could be open to a claim for disparate treatment or discrimination.

An outright ban also lacks the flexibility for schools to deal with legitimate mistakes or forgetfulness on the part of students and their families.

For schools that allow charging or negative account balances, district rules should clearly set forth guidelines on when the outstanding balances are expected to be repaid and how long a student will be permitted to charge to the account.

The rules should have clear procedures for family notification and a defined process for the collection of unpaid school-meal debt.

If a school allows negative balances, it can still set a threshold at which full-price students will no longer be provided unpaid meals. For example, a school could have a rule that meals will be provided until a student reaches \$10 negative account balance, at which time further service will be refused until the balance is paid.

The school could send a warning letter when the student reaches a \$5 negative account balance, reminding the family of the \$10 cutoff. This would provide families with plenty of notice, but also provide a safety net or buffer for those who make a legitimate mistake in today’s busy world.

- Alternate Meals

Another option is the provision of alternate meals, such as peanut butter sandwiches, to full-price students who are unable to pay.

The meal could be provided for free to the student, or it could be charged to their account balance at a lesser cost than the normal meal.

Like any other rule, alternate-meal standards should be clear and in writing. Additionally, schools can use an alternate meal option in conjunction with a rule regarding refusal.

For example, a school might permit charging of an alternate meal at a lesser cost than the regular meal for a period of time, but still cut off service if a student reaches a high enough negative balance on their account.

- Increase Enrollment in the Free and Reduced Meal Programs

Schools can also be proactive in avoiding unpaid school-meal debt by increasing enrollment in the NSLP/SBP. If a family is incurring unpaid school-meal debt, then it may be worth making the effort to determine whether they are eligible for these benefits.

It is recommended that schools send free or reduced-price meal applications with any warning letter, cutoff letter, or demand letter sent to families regarding unpaid school meal debt. It may be that the family ignored or overlooked the free or reduced-price meal letter sent out at the start of the school year, or it may be that the family’s circumstances have changed since that time.

Keep in mind that a student may also be eligible if their parent has become unemployed or if the family is having housing issues, notwithstanding the family’s overall income.

It also may be that the school possesses information from

which it can make an eligibility determination without the family completing the application. This most often occurs if the school has information that a student is receiving other benefits, like TANF or SNAP.

Under the NSLP/SBP rules, schools have the ability, and sometimes an obligation, to submit applications for free or reduced meals on behalf of students it knows are eligible. While a family can always refuse the benefit once approved, and schools must honor that refusal, approval in the first instance can save the school and the family time, money and energy.

Some schools have also found success by eliminating, through subsidy, the reduced-price meal category.

The reality is that some families that are eligible for reduced price meals but do not apply, may be more inclined to apply for the benefit if it were completely free. In this scenario, the school provides free meals to all students eligible under the guidelines, even those only eligible for reduced prices.

This requires the school to fund the difference between the federal reduced-price meal reimbursement rate and the actual cost of the meal. But it may encourage participation in the program from borderline families who otherwise would not participate.

If the end result is higher participation and more reimbursement, it can have the net effect of reducing unpaid school-meal debt.

- Universal Free Meals

If a school has a high enough percentage of approved free or reduced-price meal students, it may be eligible for school-wide certification under the Community Eligibility Provision (CEP) of the NSLP, allowing it to offer universal free meals to all of its students. Under the CEP, schools, groups of schools, or entire districts, can be certified for free meals from the federal government if at least 40 percent of the students are eligible under the guidelines.

This can be an excellent tool for schools with a high percentage of families that may be struggling financially, yet are still just outside the threshold for free or reduced meals under the guidelines. It can reduce overall administrative costs, as well as eliminate the headache of dealing with unpaid school-meal debt.

- Collection – The Last Resort

If a school finds itself facing large amounts of unpaid school-meal debt, it might have no choice but to attempt to collect the debt from families.

Schools can send debt collection letters themselves, hire outside debt collectors, or retain legal counsel and file claims against the responsible individuals to recover amounts owed. Some schools have also taken to filing small claims cases on their own behalf, without the benefit or cost of legal counsel, in an attempt to collect on debts.

While schools are well within their rights to attempt to collect on a debt, it is much better to avoid the situation with proactive measures designed to reduce or eliminate the risk of unpaid school meals in the first place.

This article is reprinted with permission by Drummond Woodsum from its publication, School Law Advisory, fall 2015 issue.

Demetrio Aspiras represents schools in all manner of litigation matters.

2015-16 MeASBO leadership



President

Adam Hanson, Bus. Mgr.
Lewiston School Department
36 Oak St.
Lewiston, ME 04240
Tel. 795-4104
ahanson@lewistonpublic-schools.org



1st Vice President

Luci Milewski, Bus. Mgr.
E. Millinocket School Dept.
Millinocket, ME 04430
Tel. 639-2086, ext. 5287
lmilewski@emmm.org



Treasurer

Sherrie Small, Fin. Coord.
MSAD #61
900 Portland Rd.
Bridgton, ME 04009
Tel. 647-3048, ext. 523
sherrie.small@lakeregion-schools.org



Secretary

Cathy Messmer, Bus. Mgr.
Cape Elizabeth School Dept.
320 Ocean House Rd.
Cape Elizabeth, ME 04107
Tel. 799-2217
cmessmer@capeelizabeth-schools.org

Executive Committee

Diane Boucher, Gray
Scott Eldridge, Wales-
Sabattus
Sue Lambert, SAD #49
Lucianne Milewski, East
Millinocket and Northport
Brigitte Williams, RSU #38
Colin Walsh, RSU #57

Tri-State Committee

Diane Boucher, Gray
Dean Flanagan, Westbrook
Alan Kochis, Bangor
Kris Pottle, Farmington, chair
Hollis Cobb, Gorham

Technology Committee

Sue Lambert, Fairfield

Certification Committee

Deb Roberts, Turner, chair
Cathy Messmer, Cape Elizabeth
Karla Miller, RSU #40

Legislative Committee

Jude Cyr, Auburn
Kathy Warren, Vinalhaven

Membership Committee

Stacie Field, RSU #16

2nd Vice President

Colin Walsh, Bus. Mgr.
RSU #57
10 Royal Pine Dr.
Steep Falls, ME 04085
Tel. 247-3221, ext. 2204
colinwalsh@rsu57.org

Professional Development Day set

MeASBO's Professional Development Committee has prepared an April 1 training at Lewiston High School's Green Ladle that will count for seven hours of Introduction to School Business content area.

Meeting Jan. 29, the panel finalized training that will cover school business operations with a focus on several key areas. Following 7:30 a.m. registration, the program will begin at 8 a.m. with a brief background on the general functions of the School Business Official (SBO).

Major components of the program will include: reviewing school organizational issues and operational issues (how school

boards and administrators function); and exploring inter-relationships between the business office and site operations — offices in school buildings, facilities, transportation and food services.

Part of the program will be devoted to discussion about the roles and functions of the School Business Official.

Also, a panel will consist of a food service director, transportation/facilities director, and a building principal.

More details and registration information will be forthcoming via an e-mail from MeASBO's administrative assistant.

The committee also reviewed and scored two new certification applications.



Immediate Past President

Stacie Lowe Field, Bus. Mgr.
RSU #16
3 Aggregate Rd.
Poland, ME 04274
Tel. 207-998-2727, ext. 102
sfield@rsu16.org

MeASBO Membership Application

It is time to renew your membership to MeASBO for 2015-16. The membership fees have remained the same and continue to be a bargain. MeASBO is an affiliate of ASBO International and Tri-State ASBO. MeASBO provides members informative meetings with timely topics, a magazine published twice a year, and the opportunity to meet and discuss issues with peers. Contribute to the continued success of the MeASBO by sending in your membership today.

Name: _____ Title: _____

Name of Organization: _____

Address: _____

City: _____ State: _____ Zip: _____

Work Phone: _____ Fax: _____

Cell Phone: _____

E-mail Address: _____

Circle one:

VOTING MEMBERSHIP
Active Member \$50.00

NON-VOTING MEMBERSHIP
Retired Bus. Mgr./Finance Dir. \$0.00
Consultant/Vendor \$200.00

Please mail with your payment to:
MeASBO
C/O Sherrie Small
MSAD #61
900 Portland Road
Bridgton, ME 04009
Tel. 207-647-3048
sherrie.small@lakeregionschools.org
• Downloadable forms on web site:
www.measbo.org

MeASBO Magazine

The *MeASBO Magazine* is published for the
Maine Association of School Business Officials by:

The Leslies
30 Ridge Road
Monmouth, ME 04259
T: 207-312-4495
E-mail: gripfast@roadrunner.com

Publisher/Managing Editor
Mark Leslie

Editorial Director
Sue Lambert, SAD #49, Fairfield

The publisher assumes no responsibility for unsolicited material or prices quoted in the magazine. Reprints and permission to reprint may be obtained from Managing Editor Mark Leslie. The views expressed in the MeASBO Magazine are not necessarily those of the Maine Association of School Business Officials. The magazine is a forum for ideas.

MeASBO encourages all of its members to participate in the publication. It welcomes their thoughts and opinions.

The MeASBO Magazine is distributed by MeASBO at no cost to its members and other selected readers.

It is printed at Snowman Printing in Hermon, Maine.

Advertisers Index

Architectural Services

Building Technologies

Siemens..... 22

Attorney Services

Drummond Woodsum..... 1

Banking Services

Androscoggin Bank 23

People's United Bank 2

Bus Sales & Service

O'Connor 9

W.C. Cressey 20

Communications

Canfield Systems..... 16

Custodial Services

ServiceMaster 10

Energy Procurement

Maine Power Options 6

Energy Solutions

Mechanical Services..... 4

Engineering

Carpenter Associates 3

Insurance

Clark Insurance..... 19

Investment Services

Gorham Savings Bank..... 7

Leasing/All-Purpose

Maine Municipal Bond Bank..... 18

Modular Buildings

Vanguard/Schiavi.....back cover

Security Systems & Service

Norris, Incinside back cover

Student Routing & Transport

Transfinderinside front cover

School Management

MSMA..... 17

MeASBO encourages its members to take note of the businesses supporting this magazine and, in turn, support them.

We help you keep them safe.



Norris Inc.

Advancing security, life safety, and communications.

www.norrisinc.com 1-800-370-3473 info@norrisinc.com



Need Space? Have You Considered

MODULAR CLASSROOMS



Classrooms | Offices | Libraries | Restrooms
Locker Rooms | Labs | Cafeterias

Flexible **FINANCE** Options,
SPEED, CUSTOMIZATION
and *More* to Meet Your
Space Needs



207-539-8211

www.SchiaviLeasingCorp.com

103 Airport Road | Oxford, ME | 04270

