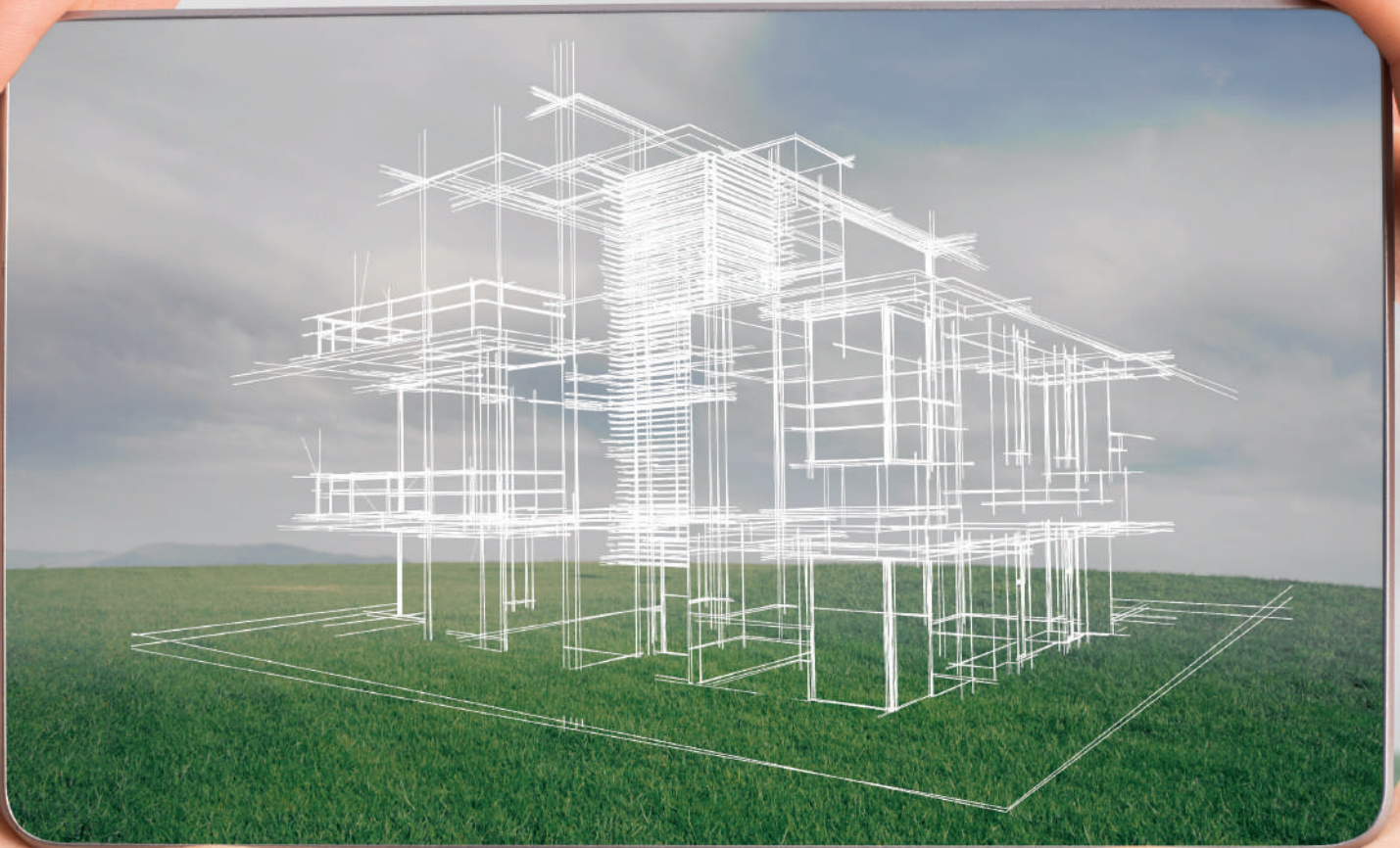


MeASBO

The official publication of the Maine Association of School Business Officials
Winter 2016-17



Construction

Another Round of Projects
Pilot Regional Plan
\$3M in grants

Proposed Budget Axes Admin
More Money into Classrooms

Ed Bills Load Legislature





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PRESIDENT'S MESSAGE

Sharing lessons from Int'l ASBO Conference

Hello, Everyone,
The school year is more than halfway through and we are smack dab in the middle of budget season. I hope everyone is surviving without too much pain and suffering.

This past September I was excited and honored to go to the ASBO International Meeting and Expo in Phoenix, Ariz. It was an amazing experience. I met business officials from all over the country and Canada. I attended several different presentations on how to make school finance fun and understandable.

"How To make School Finance Fun" was an informative roundtable discussion about school funding in Wisconsin. There was a large poster on the table with seven people around it discussing the items on the poster and the cards that were included with the poster.

It was an interesting way to get stakeholders invested in the funding of schools. It was also a great way to learn how other

states fund education.

Washington State has a limit to what they can raise locally for taxes. Oregon has open enrollment where students can go to any public school in the state. A district in Ohio did a drive to bring in the grandparents and point out how tax reductions would impact their grandchildren.

In New York State you have to have a master's degree and be certified through the state to be a business official. Kansas' cost per pupil is only \$3,852.

Jeff Dornbusch from Ohio did an interactive presentation with Kahoot.it in his talk, "Presenting School Finance in the 21st Century." It made the presentation entertaining even while we were learning.

When I got back to my district I used Kahoot.it to give a short presentation



Cathy Messmer

to the school board on the budget process. They laughed and I heard one say that they didn't know the budget could be so fun.

I also attended a faculty meeting at every school in my district and gave that presentation to the staff. I had people laughing and saying how entertaining it was.

Jeff suggested other free software to use for presenta-

tions, or to help with efficiencies in the office.

Google Docs has the ability to share one document live with a large number of people. He suggested using a mail merge in Google Docs to e-mail contracts to staff.

He also mentioned the software Prezi, which can be used instead of PowerPoint.

Continued on page 22

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Waning joins select group of certified members

Carmel — The job title “bookkeeper” falls far short of describing Shirley Waning’s duties at RSU #87/SAD #23, especially since she was awarded Level 3 certification, the highest degree of accreditation offered by the Maine Association of School Business Officials (MeASBO).

Waning, who earned a bachelor’s degree in accounting from Husson University in 1992 and a master’s degree in accounting in 2009 on-line from University of Phoenix, has been the bookkeeper at the Carmel district for 23 years.

Her incentive for earning certification?

“It was something I wanted, so I did it,” she said. “I started working toward it when it was first announced.”

Waning’s college courses filled a number of the components toward certification and the remaining pieces were augmented by MeASBO’s professional training days.

In fact, Waning says MeASBO has been an important part of her career — from education to networking.

“It’s getting together with your colleagues and learning so many different things,” she said. “You might do some things one way and hear someone else has found an easier way. So you’re learning from them all the time.”

Waning became the xxth MeASBO member to gain certification and only the sixth MeASBO member to obtain certification.



Shirley Waning shows off her Level III certification.

MeASBO’s Level III certified members

Name	Cert. Date	Expiration	Level
Deborah Roberts	9/28/2012	9/28/2017	SBO III
Scott Vaitones	12/14/2012	12/14/2017	SBO III
Luci Milewski	5/03/2013	5/03/2018	SBO III
Sherrie Small	4/11/2014	4/11/2019	SBO II
Karla Miller	9/26/2014	9/26/2019	SBO III
Shirley Waning	11/18/16	11/18/21	SBO III



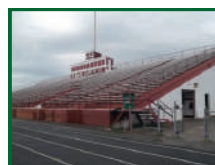
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- * Owner’s Representative
- * Roof Replacement / Renovation
- * Site Planning, Permitting & Development Design

Planning Data Capture Pre-Design Analysis Design Construction Record Drawings



Tri-State Conference: 'A Symphony of Success'

By Mark Leslie

BURLINGTON, Vt. — Tri-State ASBO will celebrate its 25th annual conference at the Sheraton Burlington Hotel & Conference Center, highlighted by a bevy of general sessions and workshops ranging from the nuts-and-bolts of finance to ethics and healthy lifestyles, Wednesday through Friday, May 17-19.

The conclave is titled A Symphony of Success, taken from the Napoleon Hill quote: "Go forth into the field of your chosen endeavor and play a glorious symphony of success."

Each day features exceptional topics, culminating with Dan Thurmon's keynote talk at 10:30 a.m. Friday entitled, Off Balance on Purpose: Embrace Uncertainty and Create a Life You Love.

While so many declare that it is crucial to find "perfect balance," Thurmon says it is, indeed, unachievable and, upon closer inspection, undesirable.

With an engaging style and a storyteller's gift, Thurmon combines profound insight, humor, compassion, and practical examples to offer a realistic path towards a rich and rewarding life.

Wednesday Highlights

Wednesday's opening day will feature a general session at 9 a.m. on the latest information on the Fair Labor Standards Act (FLSA), presented by Pietro J. Lynn. Lynn is a lawyer serving Burlington in



The view from the Sheraton Burlington Hotel & Conference Center.

**To register link to the website:
www.tristateasbo.org**

personal injury, labor and employment law and commercial litigation cases.

At 10:45 a.m. Wednesday, concurrent sessions will feature best-selling author Jon Wortmann speaking on Mindfulness & Meditation — a follow-up to his talk a year ago; Steve Grzelak speaking on Federal Funds Accounting; and Porter Knight, a certified professional organizer with Productivity Vermont, talking on Time Management.

An executive and mental coach and minister, Wortmann has written such books as Mindfulness Is Sublime, Hijacked by Your Brain, Mastering Com-

munication at Work and Your Brain on Golf: How to Turn Frustration, Fear, and Anger into Better Scores.

1 p.m. sessions include nutrition consultant Pam Stupp speaking on Healthy Lifestyles and Nutrition for the Business Administrator; and Sean Cuskey, director of operations at E-Rate Exchange LLC in Syracuse, N.Y., updating the New E-Rate.

Thursday's Schedule

Wortmann will speak again at 10:45 a.m. Thursday in a session concurrent with a presentation on Crowd Funding, Scams & Mini-Grants by Sheryl Pratt and Scott Eagan of Plodzick and Sanderson, PA in Concord, N.H.

Thursday's key 1:15 p.m. time slot will feature Ethics in the Workplace, a presentation by two University of Vermont professors: Terence Cuneo, Marsh Chair of Intellectual and Moral Philosophy, and Tyler Doggett, an assistant professor in ethics and philosophy of mind.

Friday Finales

Before Thurmon's keynote, attendees will be treated to Zap the Gap: How To Work with Multiple Generations, an enlightening talk by Meagan Johnson, CSP.

Johnson says the people we encounter on the job today come in at least four generational flavors. Each generation comes with a unique set of expectations and perceptions and each has a different motivation, she says, and these differences can lead to a dynamic union or a combative conflict.

Her presentation will urge business

Continued on page 22

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'Birthday gift' went both ways for Wentworth, Brunswick

By Mark Leslie

What a birthday present. Kelly Wentworth, Pownal resident and Brunswick High School alumna, attended a Maine Association of School Business Officials (MeASBO) meeting last fall expecting nothing unusual.

What she got was a career-changer.

Brunswick School Department icon Jim Oikle announced he was retiring and bells chimed for Wentworth. Oikle's was one of those few prime positions people in the school finance business seek—like a basketball coach replacing Red Auerbach at Boston Garden.

Soon afterward, Wentworth had won the prize, leaving her business manager's post at RSU #5 (Durham, Freeport, Pownal), which she had held for six years, and succeeding Oikle last Nov. 28.

For Wentworth the job meant three things:

- She could remain close to her Pownal home, which is seven miles from her childhood home.
- She could return to her alma mater, Brunswick High School.
- She'd be returning to the municipal side of finance whereas an RSU is a stand-alone unit.

"Brunswick is one of those districts that, once I got into education, I had always looked towards," Wentworth said. "But business managers don't often move unless someone retires."

Her former boss, Edward McDonough, said Brunswick School Department Superintendent Paul Perzanoski "is a lucky man" to have hired Wentworth.

McDonough, the superintendent at RSU #5 from 2015-16 and current business manager in Wells, said, "Kelly is first-rate, excellent."

"I did not worry about finances or anything else in terms of the operation under her control," he said. "She had the full faith and confidence of everyone in the school and the community."



Kelly Wentworth with husband Eric, daughter Ciera and son Eric Jr.

She had the full faith and confidence of everyone in the school and the community.

**Edward McDonough, ex-superintendent at RSU #5
current business manager in Wells**

Wentworth had joined RSU #5 in October 2010, just a year after the three towns consolidated, and while the new school unit "struggled with budgets," McDonough said, "Kelly's numbers, her way of presenting the budget and her transparency earned townspeople's faith and confidence in her."

Indeed, transparency is key to Went-

worth's success.

"As long as you're transparent and up front with your school board and town councilors, and can prove your case, you can get their support," Wentworth said.

The new Brunswick business manager's strengths of accounting, organization and prioritization were apparent early on in her career.

As long as you're transparent and up front with your school board and town councilors, and can prove your case, you can get their support.'

— Kelly Wentworth

A 1991 alumna of Westbrook College (now University of New England), where she earned an associate's degree in accounting, the then-Kelly Williams went to work at Hannaford's corporate head-

quarters for five years, married husband Eric Wentworth, a self-employed excavation and construction worker, and bore two children.

Then after a time as a stay-at-home

mom, Wentworth's career in public service began in the town in which she resided. In 2001 she was elected tax collector for the town of Pownal.

"It allowed me the flexibility of having my children get off the bus at the town hall where I worked," she said.

The next year the town appointed Wentworth its clerk, treasurer and eventually added the positions of registrar of voters, general assistance director, administrative assistant to the selectmen and — oh, yes — tax collector.

"I wore a lot of hats. I was kind of a one-stop shop," she said.

The "lot of hats" reference stayed with her when, a year after it was formed, RSU #5 hired her as director of finance and human resources.

The next five years were a time of growth and learning the education side of the world, aided greatly by MeASBO.

"I feel MeASBO is an extreme help with the intricacies that education financing offers you," Wentworth said. "My colleagues helped me transition from the municipal side and worrying about highways and revenue sharing and trash collection and all that stuff over to the education side, where there's understanding 279, state funding, et cetera. How all of that works is very different from the municipal side."

Admitting it was a tall task replacing Oikle, Superintendent Perzanoski called Wentworth "very organized, very knowledgeable and with a lot of great experience. She's a strong individual, but also a good team player and works to make the financial piece of the business easy for everybody involved."

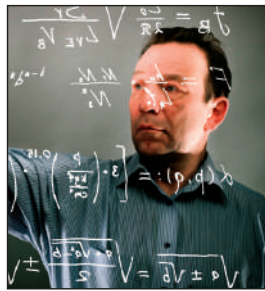
Indeed, Wentworth views her job as being responsible to both the taxpayers and all interested parties — just as it was when she worked on the municipal side at Pownal.

Key Ingredients

"It's time management, prioritization and work ethic, especially when you take on such a large position," she said, "and it's also having a supportive team underneath you who help you succeed. One person can't do it all."

Wentworth gave kudos to bookkeeper Pam Underwood, accounts payable staffer Suzanne White and Karen Perry-Thames, who handles payroll as well the office's halftime secretarial support.

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There's a lot thrown at you all at once. Learning to manage and prioritize is crucial.
— Kelly Wentworth

Success, she said, means “knowing what’s in your budgets, what’s important to the stakeholders, and then figuring how you communicate that to the constituents whether it’s the school board, council, or taxpayers,” Wentworth said. “Whether you’re doing the town things, or school things, everything I learned at Pownal I was able to apply and bring over here.

“The 10 years in Pownal of working so closely with selectmen and taxpayers, truly helped build the foundation for what I needed to come to the education side.

“It is a much larger portion of the tax bill than the municipal side.”

For the Love of Numbers

Wentworth calls herself “very much a numbers person,” so being able to work with numbers “is very intriguing to me. Doing that every day and having my mind challenged is what I



really like the best.”

Just as she tackled the many aspects of her municipal job, being a school business manager means “there’s a lot that’s thrown at you all at once,” she said. “Learning to manage and prioritize is crucial.”

The biggest challenge she sees is the unpredictability of the state funding and “not knowing what they’re doing from year to year.

“This year there’s a whole new proposal and we’re all working diligently on our budgets and trying to get an estimate of what that is and we’re not sure when that’s going to be revealed because of the new proposals,” she said.

Asked if a “fix” to school funding is only mythical, Wentworth said the state funding at 55 percent would help one of her dreams: easing

taxpayers’ burdens.

When she herself is not burdened with wearing all her hats, Wentworth enjoys kayaking, fishing, camping, sightseeing and spending time with her husband and children: daughter, Ciera, 21, a chemistry major at the University of Southern Maine; and son, Eric Jr., 20, a Marine Corps reservist majoring in aeronautical science at Embry-Riddle Aeronautical University in Daytona Beach Fla.

The time away is relaxing, but Wentworth always loves returning to work and “the challenge it brings me.” •••

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Biennium budget forcing admin changes

GPA flat-funded in governor's 2-year proposal

By Mark Leslie

AUGUSTA — While Gov. Paul LePage's proposed biennium budget basically flat-funds the General Purpose Aid that goes out to school districts, it fully funds charter schools so there is no local share and holds out a financial "carrot" to encourage those districts to consolidate administrative functions.

LePage's budget, now before the state Legislature, would provide \$5 million each year of the biennium to pay up-front costs for efforts that reduce school administrative costs long term. The inference is that the \$929 million per year for education is flat-funded until school systems show the governor that they're saving significant money through cuts and efficiencies.

Meanwhile, the funding for the entire per-pupil tuition for charter students runs an average \$7,000 to \$8,000 per student, or more, depending on the grade level.

Another impact on school budgets is a major reduction in state funding for teacher retirement costs. Proposed are \$35 million in fiscal 2016 and \$31 million in fiscal 2017.

Asked what message he had for business managers about this budget and the proposed changes that the DOE has sent out about the EPS formula, School Finance and Compliance Coordinator Tyler Backus said, "The changes proposed in the governor's budget are meant to direct more state funding into the classroom for student instruction.



"The proposals," he said, "include reducing the number of initiatives and amount of funding in Targeted Education Funds (formerly Miscellaneous Costs) and Enhancing Student Performance & Opportunity Funds, resulting in more funds going through the EPS formula (ED279s)."

Backus said, "Other proposals simplify the formula and direct the funding to the costs of instruction and supporting our students, as well as increasing allocations to kindergarten through grade 2 to improve student achievement."

279 Budget Allocation

DOE's finance staff is still in the process of reviewing data and calculations, Backus said. Also, because of the number of changes in LePage's budget, additional programming needs to be completed to enable the ED 279s to be created.

Once they are done, Backus said, a quality control review will need to be completed.

"We don't have a date certain at this time when this work will be completed. However, when the reports are ready, an announcement will be made via a Department Priority Notice," he said.

Backus said that besides incentives to regionalize system administration, other functions could also realize "a wider array of programs, services and efficiencies under a regional approach."

Asked if an increase in the percentage of state allocation may offset any of this lost allocation, Backus noted the allocation percentage under the governor's proposed budget will be 50.87 percent and added: "The removal of a component of the funding model creates a redistribution of resources to other components of the model. By not allocating funds to system administration, more funds are available to support instructional allocations, in an effort to direct more funds to the

provision of more classroom resources for students."

Title I Funding

Meanwhile, the governor's proposed budget repeals the Title I adjustment on page 1 of the ED279 printouts.

Therefore, Backus said, "Title I funds will no longer be subtracted. This repeal also requires increases to the teacher-to-student ratios and the education technician-to-student ratios currently in statute." ...

Education bills flood 128th Legislature

By Jude Cyr, Auburn School Department

7he First Regular Session of the 128th Maine Legislature commenced Jan. 4 with a slate full to overflowing with budget ramifications and other bills affecting public education.

Here are the financially oriented bills worth watching and which can be read in full at <http://legislature.maine.gov/house/homepage.htm> by inserting the LD number through the Bill Text and/or Bill Status link. From there you can navigate the website, follow the status, hearing and workshop sessions of the hosted by Education and Cultural Affairs Committee. You will have access to the proposed Bill language and monitor its status from public session on the Bill to its pass or fail in the House and Senate.

L.D. 47 - 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 \$40,000,000, will be used to provide funds to make capital improvements to and purchase equipment for career and technical education centers for high school students.

L.D. 143 - An Act To Provide Funding for Upgrades of Learning Spaces and Other Projects Funded by the School Revolving Renovation Fund

This bill provides funds to be used to upgrade learning spaces in school buildings and for other necessary repairs approved by the Commissioner of Education.

L.D. 74 - An Act To Realign the State-Municipal Revenue Sharing Distribution

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to realign the percentage of revenue from the sales and use taxes, the service provider tax and the income taxes that is transferred monthly from the General Fund to the Local Government Fund under state-municipal revenue sharing.

L.D. 129 - An Act To Include Locally Funded School Construction Projects in the School Funding Formula

This bill amends the definition of debt service costs to include, for purposes of the school funding formula, the cost of locally funded major capital projects for school construction that are not approved by the State Board of Education.

L.D. 86 - An Act To Protect Worker Wages and Benefits

Current law provides that an employee whose employment has ceased is entitled to earned wages from the employer, including unused vacation time when paid vacation was included in the terms of employment, upon a reasonable time after that employee makes a demand for such payment from the employer, and that the employee may bring a civil action against an employer that does not comply with this requirement.

This bill eliminates the requirement that the employee make a demand for the earned compensation with the employer. Instead, earned wages must be paid by the employer within a reasonable

Follow bills on-line

Bills can be followed on-line at <http://legislature.maine.gov/house/homepage.htm>.

Insert the LD (Legislative Document) number through the Bill Text and/or Bill Status link. From there you can navigate the website, follow the status, hearing and workshop sessions of the hosted by Education and Cultural Affairs Committee. It provides access to the proposed bill language and the ability to monitor its status from public session to its pass or fail in the House and Senate.

amount of time after the cessation of employment, regardless of whether the employee has made a demand for the wages.

L.D. 65 - An Act To Ensure the Right To Work without Payment of Dues or Fees to a Labor Union as a Condition of Employment

This bill prohibits a person, either in the public or private sector, from being required to join a labor organization or pay any labor organization dues or fees as a condition of employment or continuation of employment, notwithstanding any state law



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to the contrary. A violation is a Class D crime and is also subject to civil damages and injunctive relief. The Attorney General is responsible for enforcement and is required to prosecute all violations.

L.D. 163 - An Act To Strengthen the Enforcement of Maine's Labor Laws

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to enact measures designed to strengthen the enforcement of Maine's laws governing labor and employment.

L.D. 79 - An Act To Provide a Sales Tax Exemption for Career and Technical Student Organizations

This bill provides a sales tax exemption to nonprofit career and technical education student organizations recognized by the Department of Education.

L.D. 66 - An Act To Prohibit Public Employers from Acting as Collection Agents for Labor Unions

Current law allows a public employer to deduct service fees owed by an employee to a collective bargaining agent pursuant to a lawful collective bargaining agreement.

This bill prohibits a public employer from collecting those fees or collecting member dues.

This bill also eliminates language from the election statutes allowing a public employer to deduct dues or other funds from an employee's pay and remit those funds to the employee's collective bargaining agent.

L.D. 51 - An Act Regarding the Withdrawal of a Single Municipality from a Regional School Unit

This bill adds requirements to an agreement for withdrawal of a single municipality from a regional school unit. The additional requirements are a plan for providing child nutrition services and an anticipated budget for the first year of operation of schools operated by the petitioning municipality.

The bill requires the directors of a regional school unit board to respond to a proposed agreement of a withdrawing municipality within 30 days. It also authorizes a withdrawing municipality to request the Commissioner of Education to provide assistance

to the withdrawing municipality and the directors of the regional school unit board in negotiations relating to the withdrawal agreement.

L.D. 32 - An Act To Increase the Size of Grants under the Maine State Grant Program

This bill increases the minimum grant amount under the Maine State Grant Program from \$1,000 to \$2,000, subject to the current grant amount modifications under the program.

L.D. 27 - An Act To Exempt Sales to Parent-Teacher Organizations from the Sales Tax

This bill provides a sales tax exemption to parent-teacher organizations organized as public benefit corporations.

L.D. 23 - An Act To Provide for Legislative Review of Federally Mandated Major Substantive Rules under the Maine Administrative Procedure Act

This bill repeals the provision of law that exempts from legislative review major substantive rules that must be adopted to comply with federal law or to qualify for federal funds.

L.D. - An Act To Provide a Source of Funding for Drug Abuse Resistance Education

This bill requires that the funds generated by forfeited firearms that are auctioned to federally licensed firearms dealers or the public be used to fund educational programs taught by law enforcement officers that target prevention of substance abuse, violence or high-risk behavior and teach students good decision-making skills to help them lead safe and healthy lives. These educational programs are known as the Drug Abuse Resistance Education program.

L.D. - 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.

Education bills

Continued

L.D. 174 - An Act To Limit the Use of Pesticides on School Grounds

This bill restricts the use of pesticides on school grounds.

It allows their use only in situations that pose a health threat to a student or staff member, in response to the presence of animals or insects identified as a public health nuisance or on agricultural fields in accordance with the manufacturer's instructions.

It permits their use on athletic fields when determined necessary by the school for the health and safety of the field and students.

It requires the Commissioner of Education to adopt rules to implement landscaping design that minimizes or avoids the necessity of the use of pesticides on school grounds for new construction of school facilities.

Registered MeASBO members are also able to receive weekly updates through www.MeASBO.org. Log in and peruse the MeASBO Discussions Forum entitled "Legislative Updates."

Members wanting to be alerted for any new post and any particular discussion topics, should 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 e-mail announcement.

It is an excellent way to remain current on topics without the responsibility of getting into the MeASBO website on daily basis.

There are other methods to follow the Legislative session.

The Maine School Management Association has a web portal within the MSMA website, that provides minutes of its Legislative Committee meetings and status of Bills.

Click on the "Legislative Advocacy" where you can educate legislators and lobbying on behalf of school board and superintendents on issues affecting public education.

So enjoy the 128th Maine Legislature First Regular Session and be cognizant of its work, which may very well impact your school district. •••

Non-financial bills add to mix

Following are non-financial bills affecting schools that may be worth watching:

L.D. 70 - An Act To Allow Municipal Governing Boards of 3 Members To Perform Official Duties via Technology

L.D. 50 - An Act To Amend the Laws Governing Teacher Certification

L.D. 48 - An Act To Provide for Fairness in the Transfer of Students

L.D. 40 - An Act To Strengthen Requirements for Water Testing for Schools

L.D. 158 - An Act To Improve the Certification and Evaluation of New Educators and Administrators by Consolidating Standards

L.D. 144 - An Act To Create a Pilot Project To Reduce Substance Use Disorders among Youth in Piscataquis County To Be Used as a Model for All Maine Communities

L.D. 138 - An Act To Amend the Laws Governing the Sex Offender Registry

L.D. 122 - An Act To Allow Schools

To Operate Nonprofit Bingo Events for Children and Families

L.D. 96 - An Act To Improve Attendance at Public Elementary Schools

L.D. 95 - An Act To Provide a Method for a Student To Be Excused from Standardized Testing

L.D. 49 - An Act To Improve Science and Engineering Education for Maine's Students

L.D. 43 - Resolve, To Establish the Task Force To Study Higher Education Attainment and Completion Goals

L.D. 38 - An Act To Strengthen the Maine Children's Growth Council

L.D. 28 - An Act To Allow Alternate Flashing Headlights on a School Bus

L.D. 228 - An Act To Amend the Mathematics Requirements for High School Graduation

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DOE opens gates to new capital construction plans

By Mark Leslie

With the Maine Department of Education still plugging away at 16 capital school construction projects approved in the 2011 application process, the state has invited districts to apply in a new round of funding.

Scott Brown, the DOE's director of school construction, said the deadline for the applications is April 14, which will actually be the beginning of a long process that includes a year of review; developing a list, then presenting the list to the state Board of Education and Legislature.

"At that point they will determine what funds are available and if they want to raise the debt ceiling and commit to doing more," Brown said.

The state's commitment is now below current \$126 million ceiling for major capital school construction which Brown said includes "projects bonded from 20 years ago to projections for

the ones we're working on now that will be bonded" in the next few years.

The school construction pipeline is a extensive, Brown said, adding, "It takes a long time to plan a school now. We're finding a lot of consolidation in a lot of planning. All those decisions, locally and with the state, rightly so, just takes time. There is a lot of consolidation coming to us and if it involves external consolidation, it takes an awful long time. You need to get districts and referendums and all kinds of things in place."

For instance, from the 2011 list, several weren't bonded until 2015 and 2016, and Brown expects three to not be bonded until 2020. That means none of the projects on the 2017 list will be bonded until at least 2021.

Even now, six years out from 2011, Brown said, "Budgets have not been developed for a lot of them; they're just projected costs."

He expects that the 16 projects from 2011 will cost around \$500 million.

The debt ceiling will not exceed \$126 million unless it's changed by the state Legislature and that is impossible to fore-

Continued on page 14

Another round!



Pilot project unveiled for regional projects

AUGUSTA – Acting Commissioner Robert G. Hasson has announced that the Maine Department of Education, in concert with the state Board of Education, has released an application for innovative, regional school construction and is encouraging school districts to work together to apply for the 2017-2018 rating cycle.

The “Integrated, Consolidated 9-16 School Construction 2017-2018 Rating Cycle Application” is available on the DOE website at <http://www.maine.gov/doe/facilities/construction/index.html>

The DOE hopes to identify a pilot project that results in the construction of a new, regional high school that integrates career and technical education (CTE), collaborates with Maine’s higher education institutions, and expands programming and services to students throughout the region.

“This is an exciting step forward to create new opportunities for Maine students,” said Dr. Hasson. “We hope communities

around the state have heard the clarion call that the Department of Education will stand behind voluntary efforts to collaborate and deliver education in new, innovative ways.”

The application for school administrative units and their partner organizations consists of two parts. Part 1, in which school administrative units must identify partner organizations and their envisioned partnership, are due at the DOE on May 1.

“The application process is intended to be straightforward and to follow existing statute and rules,” said Scott Brown, director of school construction programs. “This new pathway for regional collaboration provides new opportunities ... on while following best practices from the state’s traditional construction programs.”

Following the scoring of Part 1, the DOE will determine whether the applicants qualify to move forward to Part 2. The Part 2 application will be due six months after receipt of formal written authorization to proceed from Part 1.

“We have designed a process and a timeline that is equally aggressive and measured,” Dr. Hasson said. “Based on the number of grassroots efforts around the state looking for support for a project of this kind, we are hopeful that there will be sev-

Continued on page 14

Current projects from 2011 listing

School Unit	Project Name	State	Local	Total	Status
1. RSU 64 – Corinth	Morison Mem'l School	\$25,639,308	\$492,488	\$26,131,796	Final Funding
2. Sanford School Dept.	HS/Reg'l Tech Center	\$89,790,633	\$10,628,450	\$100,419,083	Final Funding
3. RSU 19 – Newport	Newport Elementary	Included in No. 6			Concept Approved
4. Sanford School Dept.	Sanford Elementary				To Be Determined
5. RSU 72 – Fryeburg	Charles Snow School	\$19,341,759	\$0	\$19,341,759	Final Funding
6. RSU 19 – Newport	Nokomis Reg'l HS	\$67,747,549	\$250,000	\$67,997,549	Concept Approved
7. RSU 75 – Topsham	Mt. Ararat HS	\$53,486,792	\$6,857,347	\$60,344,139	Concept Approved
8. Lewiston School Dept.	Martel School	\$49,749,244	\$2,151,360	\$51,900,604	Concept Approved
9. RSU 2 – Monmouth	Monmouth Middle Sch.				To Be Determined
10. RSU 39 – Caribou	Teague Park School	\$45,640,112	\$2,502,423	\$48,142,535	Concept Approved
11. RSU 1 – Bath	Morse HS				To Be Determined
12. Portland Sch Dept.	Fred P. Hall School	\$28,329,971	\$1,390,485	\$29,720,456	Concept Approved
13. Sanford School Dept.	Lafayette School				To Be Determined
14. So. Portland Schools	Mahoney Middle Sch.				To Be Determined
15. RSU 24 – Sullivan	Sumner Mem'l HS				To Be Determined
16. Auburn School Dept.	Edward Little HS				To Be Determined

DOE opens gate

Continued from page 12
cast, Brown said.

But what districts needing new construction can do is apply for the new funding cycle. If a school applied during the last cycle, it needs to reapply.

The state Department of Education's direct link to the application is: <http://www.maine.gov/doe/facilities/documents/application2017-18.docx>.

Questions about the application should be directed to Scott Brown at scott.brown@maine.gov. Questions and answers that are applicable to the process will be posted online at: <http://www.maine.gov/doe/facilities/construction/> in an effort to provide all schools the same information.

Pilot project

Continued from page 13

eral strong proposals resulting in a pilot project that leads the way for future efforts."

The DOE will hold public information sessions around the state where members of the public and interested parties (including superintendents, school leaders and school board members) may ask questions.

Those questions and answers will be posted on the DOE website in an effort to provide all schools with the same information.

The information sessions began Feb. 1 at and Feb. 6 at the University of New England in Biddeford. Another is set for 6-8 p.m. Feb. 27 in Bangor at Eastern Maine Community College, 354 Hogan Road, Room 107. ...

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\$3M in grants for regionalization, efficiency efforts

AUGUSTA — Some \$3 million in undispersed state funds will be made available to school districts through a competitive application process for districts pursuing regionalization and efficiency efforts, according to the Maine Department of Education.

According to Acting Deputy Commissioner Suzan Beaudoin, the undispersed funds resulted from sources such as delayed bond issuance for school construction and money set aside for districts that did not qualify for sudden and severe adjustments.

“We carefully manage General Purpose Aid for Local Schools (GPA) to ensure that all available funds are accessible for our schools,”

Beaudoin explained. “When we passed the budget last year, we estimated the amount of funds that would be needed for adjustments to state subsidy.



Suzan Beaudoin

Based on the timing of bond issuance and the way that events unfolded, we believe there is \$3 million in funds that would not be dispersed.

“This grant will allow us to distribute those funds to school districts as adjustments to promote regionalization and efficiency, as allowed under GPA.”

Every district considering “innovative approaches to achieve efficiencies and deliver educational services in new or collaborative ways” is encouraged to apply for these funds,” said Acting Commissioner of Education Robert Hasson.

Hasson said the DOE hopes to see “ambitious proposals that serve Maine students and free up resources that can enhance educational opportunities.”

Many stakeholders have urged the DOE to provide support and incentives for voluntary efforts to regionalize and pursue cost efficiencies.

“We have heard those calls and are thrilled to take this step to support local efforts,” Hasson said.



Construction at RSU #64.

‘An application for School Administrative Units (SAUs) is available on the DOE website at <http://www.maine.gov/doe/>.



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Future in doubt for new OT, salary rules

By Peter C. Felmly and Anna B. Cole

7he U.S. Department of Labor's wide-ranging changes to salary and overtime rules for "white-collar" workers, announced last fall, may never go into effect.

Last Nov. 22, the U.S. District Court for the Eastern District of Texas issued an order enjoining the U.S. Department of Labor (DOL) from implementing or enforcing the new Fair Labor Standards Act (FLSA) regulations that increase the minimum salary required to qualify for the so-called "white collar" exemptions.

As a result of the nationwide injunction, the DOL's new rules did not go into effect on Dec. 1, and it is unclear whether they will go into effect at all.

Background and Court Decision

By way of background, last May the DOL adopted new rules regarding the "white collar" exemptions from the FLSA's minimum wage and overtime requirements. Those rules were set to go into effect on Dec. 1, increasing the minimum salary required to qualify for the "white collar" exemptions from \$455 per week (\$23,660 per year, based on 52 work weeks) to \$913 per week (\$47,476 per year, based on 52 work weeks).

The DOL's new rules also included an automatic salary escalator mechanism. Under this mechanism, the salary level would increase every three years, beginning in January 2020. After the final rules were announced, but before they took effect, 21 states and more than 50 business groups joined together to file two separate lawsuits to stop the new rules from being implemented.

The cases were consolidated by a federal court in Texas. The

plaintiffs requested that the rules be put on hold temporarily while the case was progressing through the courts. The plaintiffs argued that the new rules should not go into effect for several reasons:

- First, that the FLSA does not apply to the states and, therefore, that the DOL's new rules impermissibly regulate states and coerce them to adopt wage policies that adversely affect their priorities, budgets and services.

- Second, both the state and business plaintiffs argued that Congress intended the "white collar" exemptions to apply depending on what duties the worker performs and that nothing in the law indicates that Congress intended the DOL to define the exemptions based on a minimum salary level.

- Third, that the automatic updating mechanism was unlawful because it was not determined through the customary notice-and-comment period routinely employed by administrative agencies.

After a hearing, the federal court agreed with the plaintiffs and issued a preliminary injunction. The court ruled that the plaintiffs were likely to prevail on the merits of the case.

Although the court rejected the argument that the FLSA does not apply to the states, it agreed that the DOL's new salary test ignores Congressional intent and has the effect of supplanting the traditional focus on a worker's duties.

The court also found that implementing the new rule would result in irreparable harm to employers across the country, and

that maintaining the status quo would be in the public's interest.

Importantly, the court also ruled that the injunction should apply on a nationwide basis. Accordingly, until further notice, the minimum salary required to qualify for a "white collar" exemption from overtime will remain \$455 per week (\$23,660 per year, based on 52 work weeks).

Implications for Schools

The fate of the DOL's overtime rules is far from clear. Certainly, with a temporary injunction in place, the minimum salary requirement of \$455 per week will remain unchanged in the near term.

The DOL has appealed the Texas court's decision to the Fifth Circuit Court of Appeals, and has repeatedly stressed that the minimum salary requirement has not been adjusted since 2004, when George W. Bush was in office.

However, with Donald Trump now at the helm of the Executive Branch, the leadership and direction of the DOL may shift dramatically in the coming months.

It is thus possible that the DOL's rule will never be implemented. Despite this uncertainty, schools must now decide what action they should take. Options include:

- ✓ reversing recent salary increases and/or reclassifications that have already been implemented;
- ✓ maintaining recently increased salaries and/or reclassifications that have already been implemented;
- ✓ forging ahead with planned salary increases and/or reclassifications; or postponing salary increases and/or reclassifications and waiting for further clarity.

This decision will turn on several factors (in no particular order of importance):

1. Whether employees' status/pay have already been changed.
2. Whether contracts have been changed or promises made.
3. The reason(s) why the school sought to make a change (e.g., to maintain the exemption; an employee was misclassified).
4. Whether increasing an employee's pay now is feasible.

These courses of action should be carefully considered together with the school district's labor and employment counsel.

Depending on the particular circumstances, one or more of these options may not be realistically available. Repealing pay increases or rushing to reclassify employees may result in financial savings in the near term, but may have other consequences, such as a detrimental effect on employee morale or the labor/management relationship.

If contracts have been signed, or promises made upon which an employee has relied, changing an individual's compensation may also result in greater legal exposure to the school unit.

Postponing salary increases or reclassifications from exempt to non-exempt status may make sense; however, if the employee has been wrongly classified as exempt, then postponing a change in status may only make a bad problem worse.

For all these reasons, the above options should be carefully considered together with the district's labor and employment counsel.

Drummond Woodsum will be monitoring the status of the DOL's overtime rule and the related lawsuit, and will keep schools informed as the issues develop.

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What know-how can do®

IPM training a cost-saver for schools

From exterminating mice, ants and board bees indoors to fighting Japanese beetle grubs, digger bees and hornets outdoors, some Maine schools are saving significant money annually by educating staff in Integrated Pest Management (IPM).

IPM strategies at Cape Elizabeth School Department, Oxford Hills School District in South Paris and George Stevens Academy (GSA) in Blue Hill could serve as models for school systems across the state to save tens of thousands of dollars annually.

After six years, Cape Elizabeth reports that after initial elevated costs to update the maintenance program and clean up its pest infestations — along with updating its facilities — the department has realized substantial savings, including:

- Oil consumption at the high school averages about 20,000 gallons less annually for the past five years.
- Oil consumption at the elementary and middle schools last year dropped about 14,000 gallons.
- Electricity consumption in the high school has dropped on average about \$15,000 annually.
- Electricity consumption in the elementary and middle schools has dropped an average about \$8,000 annually.

Key to these reductions was sealing the buildings' envelopes by replacing windows and sealing all holes and other pest entry points into the buildings, fixing door sweeps, plugging leaks and sealing gaps.

IPM is a broad-based, common-sense approach to pest management that integrates practices for economic control of pests; keeps pesticides and other interventions to levels that are economically justified; and reduces risks to human health and the environment.

Before the changes were implemented, facilities staff would catch 30 to 50 mice per day in some of the older buildings.

Central to Cape Elizabeth's success is the School Dude IPM tracking system, according to Gregory Marles, director of Cape Elizabeth Facilities and Transportation as well as IPM coordinator of the school department.

School Dude accounts for everything in real time from IPM inspections to monitoring data locations and dates when pest evidence is found, IPM treatment including herbicide and insecticide applications.

Marles said the system saves a considerable amount of time and money by managing support services like facilities, energy, and risk and environmental management and by streamlining the district's planning and communications to allow schools to effectively provide a safer learning environment.

With proactive, preventive maintenance in place, knee-jerk reactions are a thing of the past, Marles said. Since the state of

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The pitfalls of naming rights

Editor's note: MeASBO's summer 2016 edition featured a cover story on the possible revenue source of selling naming rights to school facilities.

By Greg Im

Naming rights have recently emerged as a promising revenue source for schools throughout the country.

Nearly all schools have existing or new facilities — including athletic fields, gymnasiums, and performing arts centers — for which naming rights can be sold. Naming rights can include physical signage on the facility as well as other rights, such as requiring the use of the name in event promotions and advertising, on programs and tickets, and on event schedules.

Before entering into a naming-rights contract, however, schools should first examine, among other relevant issues (such as first amendment commercial speech concerns), whether the sale of naming rights could affect the tax-exempt status of bonds issued to finance the facility.

By way of background, the federal government allows public schools (and other local government entities) to borrow money on a tax-exempt basis. “Tax-exempt” means that the bondholder (i.e., the lender) does not have to pay federal income tax on the interest paid by the school on the loan. This tax exemption typically results in the interest rate on a tax-exempt bond being lower than the interest on a comparable taxable bond.



Governor Mifflin High School in Shillington, Pa., named its stadium Visions Federal Credit Union Field.

Congress, however, intended the advantages of tax-exempt borrowing to flow to local governments, not to private businesses.

Accordingly, IRS regulations restrict the extent to which private businesses may benefit from tax-exempt bond proceeds. As a general rule, if both private business use of property financed with tax-exempt bond proceeds and private business payments toward debt service of tax-exempt bonds exceed 10 percent, the tax-exempt status of such bonds can be jeopardized. If a bond loses its tax-exempt status, the bonds could be declared taxable retroactive to the issue date of the bond, and the bond issuer



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can have significant liabilities, including financial damages, to bondholders, the IRS, and/or the Securities and Exchange Commission (for publicly traded bonds).

A naming-rights contract with a private business for a project financed with tax-exempt bonds may be considered a "private business use" of the bonds, and payments under that contract may be considered "private business payments" toward debt service of the bonds.

The analysis and measurements of private business use and private business payment under the IRS regulations are

quite complicated and fact-sensitive. This article is not intended to detail such analysis and measurements; rather it is intended to help schools identify a potential pitfall related to post-issuance tax compliance of tax-exempt bonds.

When contemplating the sale of naming rights, a school should first identify any tax-exempt bonds outstanding or to be issued for the facility that will be the subject of the naming rights.

If there are, or will be, no tax-exempt bonds for the facility, then there are no private business use concerns.

If, however, tax-exempt bonds are implicated for the facility in question, the school should consult with bond counsel about the proposed sale of naming rights.

Reprinted with permission from Drummond Woodsum from DWM's fall edition of Maine School Advisory.

IPM training

Continued from page 18

Maine requires that all pesticide applications in schools must be by permit only, School Dude's help with compliance is critical.

Outdoors at George Stevens

At GSA, where maintenance staff were trained in IPM and licensed as pesticide applicators to deal with problems in the athletic fields, the new outdoor IPM strategy reportedly saved the school \$11,000 in the first year and more than \$10,000 per year in each of the next two years.

It all started when school officials realize the company they hired to maintain athletic fields was applying pesticides and lime that were unnecessary and ineffective.

Buzz Moore, a teach and local golf course owner who is IPM certified and a licensed pesticide Master Applicator, advised that the \$2,500 bio-pesticide applications to control grubs represented money down a well and that lime applications were not needed since the fields' soil had pH values in the low- to mid-6's.

GSA had staff members trained to test and monitor the soils and the savings has been marked.

Oxford Pest Complaints Diminished

In South Paris, where the school system has had an APM program since 2003, the emphasis is on preventative maintenance, reducing sources of food, water and harborage that pests need.

While Director of Facilities and school IPM coordinator Nelson Baillargeon has his maintenance crew perform quarterly inspections and daily monitoring, the district hires two pest management companies that honor IPM directives.

When indoor pests are discovered, Baillargeon contacts teachers and they discuss non-pesticide alternatives for action.

Whatever the costs would have been for pesticide applications stays in the district's coffers. ...



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The Bond Bank was established as an independent agency administered by a board of commissioners, including the Treasurer of State, Superintendent of Banking and three commissioners appointed by the Governor.

Working closely with its municipal clientele, the Bond Bank sells tax-exempt and taxable bonds issued under its own name and uses the proceeds to purchase municipal borrowers' bonds.

The Bond Bank's high investment grade rating from both Standard & Poor's and Moody's Investment Service allows it to obtain lower interest rates and issuance costs than most local governmental entities.

A locality wishing to borrow money for any governmental purpose submits an application form, which is reviewed by both commissioners and staff. The board's lending decisions are based on such factors as project purpose, estimated costs, construction schedule, state and local valuation, tax levy or user charges, demographic trends, recent financial and debt history, and economic stability.

Applications are accepted at any time during the year in advance of the desired bond sale deadline. Once the board approves the application, the applicant is eligible for inclusion in an upcoming bond sale.

An applicant must enter into a loan agreement with the Bond Bank, and obtain a preliminary legal opinion from a recognized bond counsel to assure the legality of the bond's purpose. Borrowers must get authorization to sell bonds through a vote by its governing body (town meeting, council, board). Each of these actions is necessary before the Bond Bank bonds are sold.

At least twice a year, the Bond Bank consolidates eligible applicants and sells bonds on their behalf. This larger-sized sale:

- attracts buyers who are interested in large purchases;
- creates a wider distribution; and
- broadens demand on a national and state level.

Advantages of the Bond Bank

Cost of issuance — The Bond Bank's tax-exempt bond sale is provided for any participant at no cost, with the exception of underwriter's discount (sales commission). The underwriter's discount is included in the interest rate on the Bond Bank bonds.



Borrowers are responsible for their own bond counsel costs.

Credit enhancement — To enhance marketability of its bonds and provide investors with an additional measure of security, the Bond Bank finances a reserve fund at the time of its bond issuances.

By law, the fund is maintained at an amount that enables the Bond Bank to make an individual bond payment in the event that its borrowers are unable to do so.

The Bond Bank's ability to achieve a higher credit rating is further enhanced by the state of Maine, which provides the bank with an assurance that they will consider replenishing the reserve funds in the event that they might be needed to cover a borrower default.

As market conditions permit, the Bond Bank can also obtain the highest credit rating available by purchasing bond insurance. Also, in 44 years the Bond Bank has never had one of its borrowers fail to pay back a loan. These all result in reduced interest charges (and therefore increased savings) to the governmental entities that use the Bond Bank's services.

Marketability — Since the Bond Bank sells bonds in larger volumes than most municipalities, it enjoys national market acceptance and recognition. This broad distribution reduces interest rates and overall long-term capital borrowing costs.

Distribution within Maine — Individual buyers within the state are given priority status on Bond Bank bonds over all potential investors. The Bond Bank bonds are sold by a large selling group of investment potential investors and brokerage firms, which allow investors within Maine the greatest accessibility to the bonds that represent their communities.

Loan servicing/trustee — The process of issuing and maintaining loans involves the coordination of communication between trustees, brokers and bond-holders as well as the responsibility of complying with secondary market-disclosure regulations. The Bond Bank assumes all of these responsibilities and accompanying costs on behalf of its borrowers throughout the life of the loans.

Loan procedure — The majority of the work on the part of a municipal official is in filling out the application and obtaining the necessary votes for authorization of the debt. The Bond Bank staff handles all of the day-to-day operation of the loan process, and the community's or school district's bond counsel performs all the legal reviews and prepares the required documents on their behalf.

The Bond Bank does not charge application fees or other similar fees. The Bank covers the issuance costs that the recipient would otherwise incur if it issued individually, as well as pays all trustee fees and costs for required secondary market disclosure for the life of the loan.

The interest rate that a governmental entity receives on a bond is determined by the supply-and-demand of the municipal bond market place. Also, the evaluation of the financial condition of the borrower (in this case, the Bond Bank) determines the rate the borrower will receive on the loan.

The Bond Bank does not know what the actual interest rate will be until its sold in May and October. We are always happy to provide interest rates at any time based on then current market conditions.

The Bond Bank typically sells bonds twice a year, once in the spring and once

in the fall. Applications are accepted at any time during the year. A project financed through the general resolution program must be a public-purpose borrowing.

Examples include: school, road or other municipal construction, upgrade to sewerage treatment plant or water facility, land-fill closures, purchase of a new fire truck, new town office or other facilities, or other capital acquisitions. The Bond Bank does not have a minimum amount that municipalities may borrow. Federal law requires that the term of any loan shall not be longer than the useful life of the purchase, construction or other activity to be funded with the proceeds of a loan. Generally, the minimum term requested by borrowers has been three years, and the maximum 30 years.

The Maine Municipal Bond Bank's goal is to provide a service that meets the needs of Maine's governmental entities in the most efficient and cost-effective manner possible. The Bond Bank staff is happy to assist with any borrowing decision as schools and communities plan capital financing needs.

Further information is available on its website at www.mmbb.com, or calling 1-800-821-1113. ••

President's message

Continued from page 2

It is online and compatible with any platform and can be sent as a link.

Flickr is a good source for pictures. Finally, keep the presentation relevant and add some humor, he suggested.

In his presentation, "Making School Finance Understandable," John Hutchinson from Kansas had a lot of great suggestions on how to keep a presentation interesting and understandable:

- Brevity, levity and repetition make a good speech.
- The brain can process pictures much faster than text.
- Keep it Super Simple (KISS).
- Only be fancy in your heading.
- Use Arial fonts during your presentation.
- Videos get people's attention.
- Introduce only one idea per slide and six bullets or less.
- Only show four to eight items per chart.
- Charts are like garlic. They should be present but not overbearing.
- Use a lot of blank space in the slide to make it pop.
- We are naturally drawn to faces and what they are looking at.
- Finally, the more simple the message the more effective it is.

I am very happy that I had the opportunity to attend the ASBO International Meeting and Expo and I would recommend it to everyone at least once. I would like to caution anyone who does attend that meals are not provided except for a few situations.

Hope to see you all at the next MeASBO meeting and may the rest of

Tri-State Conference

Continued from page 4

managers to adapt their approach to the generation or generations with whom they're working to make the most of these differences and minimize the conflicts when they know what motivates and drives each generation. Those who adjust approaches based on generational preferences create better working environments.

Besides times devoted to vendor displays and banquets, the conference will include a range of entertainment, wellness activities and a trip to Shelburne Museum. •••



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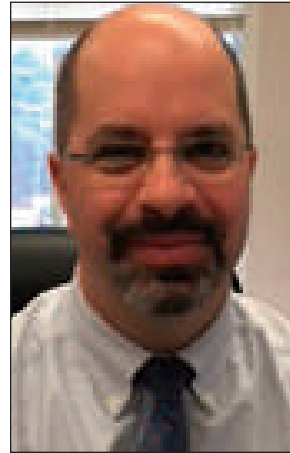
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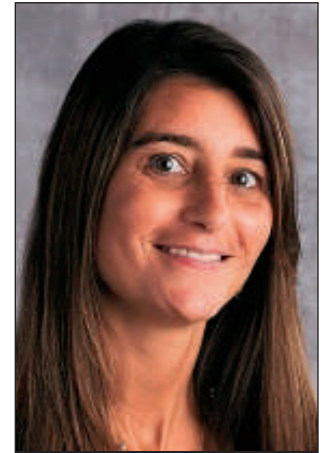
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