

To: Kennebunkport Registered Voters

From: Board of Selectmen

RE: **RSU Withdrawal – ballot question #8**

Date: May 14, 2015

Question #8 on your ballot asks voters if they are in favor of beginning the RSU withdrawal process. **Step 1**, of the RSU withdrawal process began when a petition signed by at least 10 percent of the number of voters in the municipality who voted for Governor in the last gubernatorial election was presented to the municipal officers. In Kennebunkport that number equaled 208 signatures.

Many people have questions about the RSU Withdrawal process. What does a yes vote mean? When would we get out? How will the education system change? Where will my children attend school? These are all valid questions that deserve answers. Our plan is to provide some information about the RSU Withdrawal process so that voters can make an informed decision on election day.

If the RSU withdrawal petition is step 1, then the election is **Step 2**. The municipal officers *shall* call and hold a special election (article) to vote on whether or not to officially start the withdrawal process.

- The article *must* specify a dollar amount to be raised to support legal and other withdrawal process costs.
- The article to be voted upon must be as follows:

“Do you favor filing a petition for withdrawal with the board of directors of regional school unit 21 and with the Commissioner of Education, authorizing the withdrawal committee to expend \$40,000 and authorizing the Kennebunkport Board of Selectmen to issue notes in the name of the Town of Kennebunkport or otherwise pledge the credit of the (name of municipality) in an amount not to exceed \$40,000 for this purpose?”

The question is decided through a secret ballot process. If a majority of the voters say yes, the Town Clerk gives notice to the RSU and the Commissioner of Education.

Once the Commissioner determines that there was a valid petition and vote then he/she will direct the Selectmen to establish a Withdrawal Committee to develop a withdrawal agreement as part of **Step 3**.

The Four Member Withdrawal Committee shall include members appointed as follows:

- A. One member from the municipal officers.
- B. One member from the general public.
- C. One member from the group filing the petition.
- D. One member of the regional school unit board who represents that municipality.

The Withdrawal Committee is responsible for **Step 4**, the negotiation of a withdrawal agreement with the regional school unit board. The agreement must include eleven (11) different items as dictated by State law. These items include: the transition of educational services for students currently enrolled in the RSU, a date when the agreement will take effect, an acknowledgement that school construction projects will not be eligible for state funds for 5 years, the implementation of transportation services, the establishment of administration of the new school unit, the distribution of financial commitments arising from outstanding bonds, the distribution of financial commitments for the Superintendent, the continuation and assignment of labor contracts as well as financial obligations, and the transition of administration and governance of schools.

The proposed agreement is sent to the Commissioner of Education who then must give it conditional approval or recommend changes. Once conditional approval is finally given, the Commissioner will call for **Step 5**, the public hearing and vote on the agreement.

The question brought before the Town will be:

“Do you favor the withdrawal of the Town of Kennebunkport from regional school unit 21 subject to the terms and conditions of the withdrawal agreement dated (insert date)?”

The withdrawal agreement will be not be printed on the ballot, but available for voters in advance of the election.

According to 20-A M.R.S.A. Section 1466, if a majority of the voters voting on the article have voted “yes”, and the total number of votes cast for and against the article is equal to or exceeds 50% of the total number of votes cast in the municipality for Governor at the last gubernatorial election, the Commissioner shall notify the municipal officers and the regional school unit board to take steps for the withdrawal in accordance with the terms of the agreement for withdrawal.

If the election meets the requirements set above, then the Commissioner shall immediately issue a Certificate of Withdrawal and the Town of Kennebunkport will be a separate school unit.

The above process could range, from beginning to end, anywhere between six months and two years.