

TOWN OF KENNEBUNKPORT

MEMORANDUM

November 29, 2012

TO: Members of the Board of Selectmen
FROM: Larry Mead, Town Manager

RE: PETITION RECEIVED TO CONSIDER WITHDRAWAL FROM RSU

Town Clerk April Dufoe has certified a valid petition to initiate the process under state law for the withdrawal of Kennebunkport from Regional School Unit 21 (RSU-21).

Initial Vote

Under the law governing withdrawal this petition requires that the Town's voters first decide whether to have the Town file a petition for withdrawal with the RSU board of directors and the Commissioner of Education. In order for this to occur the Board of Selectmen must present this to the voters in one of two ways:

1. By calling a special election at which an article for withdrawal is presented, or;
2. By placing an article for withdrawal on the ballot of the next scheduled election.

When the article is placed before the voters it must be worded in substantially this form:

"Article: Do you favor filing a petition for withdrawal with the board of directors of regional school unit 23 and with the Commissioner of Education, authorizing the withdrawal committee to expend (\$ xxxxx.xx) for this purpose?"

The article to file a petition of withdrawal must be approved by secret ballot by a majority of the voters present and voting.

Next Steps if Initial Vote is Approved

If this article is approved the Board of Selectmen must appoint representatives to a withdrawal committee and the RSU board of directors must appoint one member, as specified under state law. The withdrawal committee must prepare an agreement for withdrawal to be submitted to the Commissioner of Education for approval. Once the Commissioner has approved the agreement in final form it is submitted to the voters of the Town for consideration. The withdrawal agreement must be approved by a 2/3 margin of those present and voting by secret ballot.

Kennebunkport's Standard for Withdrawal Differs from Arundel

State law establishes different standards for withdrawal for municipalities, depending on what type of school unit the municipality was a part of prior to joining the RSU. Municipalities that were previously a member of a school administrative unit (SAD) are required to garner a 2/3 majority of voters to withdraw from the RSU. Communities that were not previously a member of an SAD, such as Arundel, may withdraw from an RSU through a majority vote.

The Board does not need to take any action on the petition at this meeting other than formally receiving it from the Town Clerk. I recommend that the Board discuss at its next meeting when to submit the petition question to voters.