

1. Please provide more clarity on the side by side and Regional Education District (RED).

A. Some ways in which they are the *same*:

1. Both involve unified union school district creation – meaning a single district that is *responsible for the education of all resident students in PK-12* – by the merger of two or more districts.
2. Both are created through a process that has been in statute since 1968 and that was used to create all existing union high school districts and union elementary school districts.
3. The State Board of Education (SBE) reviews both types of merger against the goals of Act 46 and the concern for geographic isolation of a district that would be a good partner and has no other obvious, nearby partner.
4. The merging districts do not have to be in the same SU prior to merger.
5. The merging districts do not have to be contiguous.
6. The same incentives and protections are available for both types of merger.
7. To be eligible for the incentives and protections, both are subject to the same deadlines:
 - a. Vote by the electorate of each potentially merging district: by July 1, 2017
 - b. Operational: on or before July 1, 2019

B. Some ways in which they are *different*:

A Regional Education District (or RED)

1. Merger of at least 4 existing districts or has a post-merger ADM of at least 1,250 or both
2. Provides PK-12 education for all resident students in one of the following ways:
 - a. Operates PK/K-12
 - b. Operates PK/K-8 and Pays Tuition/Designates 9-12
 - c. Operates PK/K-6 and Pays Tuition 7-12
 - d. Pays Tuition for all Grades
3. Has the potential to be its own supervisory district (i.e., a single-district SU) or it can be a member of a multi-district SU

A Side-by-Side Merger

1. Two (or more) unified union school districts are formed
2. Each newly merged district is formed by merging at least 2 pre-existing districts
3. One of the newly merged districts must operate grades PK-12
4. The other newly merged district or districts pays tuition in one or more grades and operates any grade for which it does not pay tuition
5. Each newly merged district has the same first day of operation
6. Once merged, each new district is a member of the same SU (other districts can be members of that SU as well)

2. Does that mean that Tunbridge and Chelsea could merge?

If Tunbridge and Chelsea wish to merge, then one or both would need to change the way in which they provide for the education of resident students (e.g., the new district would operate PK-12 for all students OR the new district would operate one or more PK-8 (or PK-6) schools for all students and pay tuition for all other grades; etc.)

Only the voters can decide whether they want to change the way in which they provide education to their students.

3. In our supervisory union – we have four Prek-12 schools, if two of those schools combine, then we would have met the law?

Every school district in the supervisory union must take steps to comply with the law. If the State Board of Ed and the voters of the two merging districts approved of the merger of just those two districts, then those two merging districts would have satisfied the requirements. The two remaining PK-12 operating districts would not satisfy the requirements if they do nothing, unless they convince the State Board of Ed that there is no other district with which they can merge or that staying exactly as they are is the best way to meet the goals of Act 46.

4. What is the benefit they are attempting to achieve by having like schools only merge with like schools? Versus Chelsea merging with Tunbridge?

A single district is a single municipal entity – with one board, one budget, one unified tax rate, etc. – even if its boundaries encompass more than one town. As a result, it must treat all students within the district in the same manner, regardless of the student’s town of residence.

This is a matter of constitutional law.

5. Is it fair to say the first decision we have to make is that we have to decide whether we have a high school or not or whether we have choice before we decide anything else?

The most important first step is for your community to decide its priorities in connection with providing for the education of your students.

(A) Because of the constitutional requirement in question #4 above and (B) because nothing in statute authorizes a district to simultaneously operate a grade or grades and also offer to pay tuition for all students in the grade(s), then making a decision about what grades you want your district to operate is a good next step.

If you are asking this question in relation to whether you pursue merging with Tunbridge, then that would be a good thing to decide early in your considerations.

6. Do we have to merge with another PreK-12 school?

No. See the answer above to question #2 above: “Does that mean that Tunbridge and Chelsea could merge?”

7. Does our newly formed SU dictate who we can merge with?

No.

8. Our small schools are worried about not having a vote or a voice. What is the difference with weighting board membership in a district with representative from multiple towns

There are three basic models by which a multi-town district can meet constitutional requirements of proportionality:

A. Strictly Proportional Model: Each town is allocated a certain number of members based on its total population, the town nominates the candidates for its own allocated seats, and only that town votes on the candidates.

Strict proportionality can also be achieved by weighting the votes of the members allocated to each town so that the weighting reflects its size. In this way, the same or similar number of seats could be allocated to a small town as are allocated to a bigger town.

(B. At-Large Model: Members can live anywhere in the new district and are elected by the voters of all member towns.)

C. Hybrid Model: Each town is allocated a certain number of members as agreed upon in the Articles. The town nominates candidates for its own allocated seats, but the voters of the entire district votes on each town's slate of candidates. In this way, the same or similar number of seats could be allocated to a small town as are allocated to a bigger town – and each board member has the same unweighted vote.

Here is a link to a table that compares each of the models: [table: board proportionality models](#)

9. Does the law allow towns to change whether you have choice?

Act 46 doesn't change existing law regarding whether a district educates its students in any particular grade by operating a school or by paying tuition – only the voters can decide, and only the voters can decide to change.

10. Could you clarify what happens if a town does not act during the voluntary period?

If a district does not act or does not expect to be merged by July 1, 2019, then it must do three things by November 30, 2017:

- a. Evaluate its current ability to meet or exceed the goals of Act 46
- b. Meet with other districts to discuss ways to increase the ability to meet or exceed the goals of Act 46 throughout the region
- c. Submit a proposal, either as a single district or as a group of districts, to the Secretary of Education and the State Board of Education that either proposes to:
 - i. Retain the current structure(s); or
 - ii. Form a different structure with one or more other districts; or
 - iii. Work with other districts in some other way (e.g., contracts)

11. Is there a bulleted list of the dates associated with Act 46 and what is ahead of us?

{the AOE provided two lists electronically – one with detail and one without}

12. Is there any projection of how much money this is supposed to save?

The amount of money saved will depend on the decisions of a future board. Of the newly merged districts that will be operational in FY 2017, most have seen savings projected for the first year before making any substantial changes to the operations of the new district. Some will return those savings to taxpayers; others will reinvest in educational programs that have been reduced in recent years.

13. Can you define what you mean by structure when you use the word structure?

“Structure” doesn’t mean “school” or “building” in this context. “Merging governance structures” means combining school districts, the public governing units responsible for providing for the education of all resident students residing within its boundaries, either by (1) operating one or more schools; or (2) paying tuition on behalf of the students or (3) operating some grades and paying tuition for others.

14. If you have a K-8 school and a K-8 school in a district and then two k-12 schools in a district and they are all in the same SU, does that meet the standards of Act 46 and can resources be shared through the SU?

If you mean that there are two sets of districts (4 districts in all), and the two districts in each set share the same structure – and all four districts want to stay as they are within one SU, then each district (alone or with other(s)) will need to perform the requirements listed in the answer to #10 above and/or wait for Act 46 to be amended or repealed. Assuming the law will stay in place, it is possible that the State Board of Ed will require the two K-12 districts to merge and the two K-8 operating/9-12 tuitioning districts to merge.

15. How much does it cost per student in the state right now?

Spending per equalized pupil for this current year (school year 2015-2016, fiscal year 2016) is \$14,421 for the State as a whole.

For fiscal year 2017 (next school year), it is projected to be \$14,633, based on the preliminary budget data submitted by 235 school districts.

16. If Chelsea is a preK-12, and the tax payers are willing to accept the burden of education, what if new Governor’s or new secretary’s view is different than now?

It is up to the Legislature to make or amend the law. We can’t predict what a future Legislature may or may not do regarding the current laws regarding school governance. We are available to answer questions about what the law is now.

The law passed in response to very real demographic and fiscal challenges that are not going away anytime soon, and that impact some communities more significantly than others. We encourage the community to ask itself what is most important to it about the way that it educates its students and are there ways to improve. If community believes that staying the same is the best means of achieving its priorities, then it can choose to do nothing and see if the law is changed by a future Legislature.

If the law is not changed, then the State Board of Education has the authority to require Chelsea to merge with another district that has the same operating / tuitioning structure. Regardless of whether the State Board merges Chelsea or permits it to remain a separate district, Chelsea would no longer be able to include “phantom pupils” when calculating its tax rate and would be eligible for small school grants only if it meets the new criteria that go into effect on July 1, 2019.