

**Guidance to Municipal Clerks and Interim Secretaries  
Regarding School Administrative Unit Reorganization Referendum**

To: Municipal Clerks and School Officials  
From: Jim Rier, Director of Finance and Operations, Maine Department of Education  
Date: December 1, 2008  
Re: Guidance to Municipal Clerks and Interim Secretaries Regarding School  
Administrative Unit Reorganization Referendum

In response to a recent meeting I attended with municipal clerks, I agreed to send some guidance regarding the reorganization referendum process and how you and we can assist school units in moving quickly to begin the reorganization process, if approved by voters.

The timeline for voting on new Regional School Unit (RSU) members and then creating the new structure is quite tight and so we have developed this guidance to help expedite and clarify the process. This will be particularly important in cases where some of the member school units in the proposed RSU vote “yes” and others vote “no.”

Reporting Referendum Results

It is essential that municipal clerks report results to the Department as quickly as possible after the election so that we can move to draft the Certificates of Organization and present them to the State Board for issuance. We would request that you:

- a. Inform us by phone or email of the results of the vote on the referendum question in your municipality, if possible, the day after the election. Please contact:

Jennifer Pooler  
207-624-6802  
[Jennifer.Pooler@Maine.gov](mailto:Jennifer.Pooler@Maine.gov)

- b. Municipal clerks should also mail certified results as soon as they are available to:

Jennifer Pooler  
Department of Education  
23 State House Station  
Augusta, ME 04333-0023

Timeline for Subsequent Activities Related to Formation of the Regional School Unit

- Following the issuance of a Certificate of Organization for the new RSU by the State Board of Education, member school boards will need to meet as soon as possible and then will have a minimum of 45 days and a maximum of 60 days

from the issuance of the Certificate to hold an election for the new RSU Board of Directors. This means that boards should consider carefully when they wish to hold their election and make that information known to the Department and the State Board in order to time the issuance of the Certificate to make that date possible. In other words, we will work with the State Board to issue Certificates as quickly as possible – but not so early that it would force elections sooner than the future RSU would like. For example, 60 calendar days from a December 1, 2008 Certificate of Organization issuance is January 30, 2009.

- Member school boards will need to meet as soon as possible following the issuance of a Certificate of Organization to:
  - elect an Interim Secretary, and
  - officially set the date for the election of directors of the RSU Board.

It is vitally important that the Interim Secretary of the future RSU and the municipal clerks of the member municipalities work collaboratively, as the Interim Secretary will not have the experience or the means to distribute nomination papers and validate signatures.

- In advance of the RSU Board of Directors election, the Interim Secretary is responsible for preparing warrants and nomination papers in close collaboration and consultation with municipal clerks who must certify the nomination papers and validate the signatures.

We believe that this approach will enable all parties to meet the requirements within the timelines specified in the law, and to get the new RSU boards in place as soon as possible, so they can then hire a superintendent and begin the budget process for school year 2009-2010.

It is the Department's position, that the interim secretary to the RSU board – since it is the superintendent who serves as secretary and treasurer of the RSU board under 1471(4), is the interim secretary to the RSU board under 1472-A, would require a superintendent's certification.

It is the Department's recommendation that a superintendent currently serving in that capacity in the new RSU region should assume the interim secretary position during the election process. If that is not the case, you could contact Maine School Management Association for the list of active Interim Superintendents and proceed from there.

If you have questions, please do not hesitate to contact me. I can be reached at 207-624-6790 or by email at: [Jim.Rier@Maine.gov](mailto:Jim.Rier@Maine.gov).