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# School District Reorganization in Maine: *Lessons Learned for Policy and Process*

by Janet Fairman

Christine Donis-Keller



*In 2007, Maine's legislature enacted a law mandating school district consolidation with the goal of reducing the state's 290 districts to approximately 80. Five years later the success of this policy is open to debate. Janet Fairman and Christine Donis-Keller examine what worked and what didn't work in this effort to consolidate school districts and provide a list of "lessons learned," with clear implications for the design and implementation of state educational policy. 🐉*

Maine embarked on a bold education policy initiative in 2007 when Governor Baldacci proposed and the legislature enacted a law mandating school district consolidation with the goal of reducing the state's 290 districts to approximately 80 (Maine State Legislature 2007). This was the first major effort to consolidate school districts since the Sinclair Act of 1957 (Maine State Legislature 1957). Five years later, the success of this policy is still open to debate. While the total number of school districts did decline from 290 units in 2007–08 to 164 in 2011–12, many school districts were not required to reorganize, and several that reluctantly consolidated to avoid fiscal penalties now seek to separate from their regional partnerships (e.g., Gagnon 2012; Moretto 2012; Steeves 2012). Substantial revision of the law each year, a delay in enforcing the penalties until 2010–11, and the elimination of the fiscal penalties for 2012–13 diminished the authority of the policy and returned Maine to a system of voluntary consolidation and regional collaboration.

This paper focuses on the implementation of Maine's reorganization policy from 2007 to 2009. We discuss what worked and what didn't work in the state's most recent effort to consolidate school districts. Research findings on the fiscal and educational impacts of the policy will be reported separately. The "lessons learned" from Maine's experience provide insights for state and local education leaders and have clear implications for the design and implementation of state education policy and the hard, messy work of reorganizing school districts at the local level.

### THE POLICY CONTEXT

The school district reorganization law of 2007 emerged from a context of declining state fiscal resources and increasing education costs. During his first year in office in 2004, Governor Baldacci pursued reform through a task force and legislation that proposed regionalization and collaboration with incentives (Task Force on Increasing Efficiency and Equity 2004). However, the bill was defeated in the legislature. Several factors then converged to open what Kingdon (2002) has termed a "policy window" of opportunity, including severe state fiscal constraints, a decline in K-12 enrollment, public

demand for tax relief, and flat trends in student academic performance. At the same time, numerous studies and reports recommended increased efficiency in the delivery of Maine's K-12 education, both for the purpose of directing a larger portion of funding to classroom instruction as opposed to administration and to increase coherence in educational goals, learning opportunity, and quality across the state (e.g., The Brookings Institution 2006; Children's Alliance 2006; Donaldson 2006). But the problem of how to coax districts to consolidate remained.

Historically, communities in Maine have vehemently defended the notion of "local control" in governance and education. While the Sinclair Act of 1957 enticed some districts to voluntarily consolidate through fiscal incentives (Donaldson 2007), the overall trend was steady growth in the number of districts, superintendents, and amount of educational spending. From 1950 to 2000, the number of districts increased by 68 percent, the number of superintendents increased by 33 percent, and K-12 spending per pupil increased by 461 percent (excluding transportation, construction, and debt service and without adjustment for inflation) (Donaldson 2006).

The 2007 district reorganization law outlined two broad goals: (1) to improve educational opportunities and equity for Maine students; and (2) to reduce the cost of providing education and to increase efficiency in education delivery (Maine State Legislature 2007). To achieve these goals, the law required districts with fewer than 2,500 students to join with other districts and outlined a process for communities to select partners through regional planning committees. Larger districts, high-performing districts, and isolated districts were

The "lessons learned" from Maine's experience ... have clear implications for the design and implementation of state education policy and the hard, messy work of reorganizing school districts....

To School!

allowed to stand alone, but were asked to improve their administrative structure and efficiency.

The law departed from earlier efforts to consolidate districts in that it mandated consolidation, set a strict timeline, and imposed substantial fiscal fines for noncompliance. Yet, the law did include some financial supports to help defray regional planning and start-up costs, and provided facilitators to guide districts through the process of developing a reorganization plan. With the exception of the financial supports, other aspects of this policy approach are markedly different from the way other states have pursued consolidation (e.g., Plucker et al. 2007; Spradlin et al. 2010). Other states have typically encouraged voluntary consolidation through fiscal incentives or a combination of fiscal incentives and disincentives, such as reduced subsidy for small schools or more favorable subsidy or priority for construction of larger, regional schools. Other states have often focused on school consolidation rather than district consolidation.

...the policy and the process of deliberation at the local level were successful in reducing the total number of school districts, and also had the positive effect of engaging communities in serious conversation to explore or expand collaboration and improvement of K-12 education.

The decision to approach district reorganization in Maine through a mandated policy, rapid timeline, and fiscal penalties had some negative consequences both for the survival of the policy itself and for outcomes of the policy. Yet, the policy and the process of deliberation at the local level were successful in

reducing the total number of school districts, and also had the positive effect of engaging communities in serious conversation to explore or expand collaboration and improvement of K-12 education.

## RESEARCH METHODS

Despite the flurry of school district consolidation efforts across the country, empirical research remains limited. A few studies have examined the fiscal aspects of consolidation (Cox and Cox 2010; Duncombe and Yinger 2012), equity (Berry 2007), educational impacts (Berry and West 2010; Johnson 2006), and the process of reorganization (Nybladh 1999; Ward and Rink 1992). We developed a study to address gaps in the research literature and to examine this phenomenon in a more comprehensive way, looking at how the process of reorganization unfolds along with the impacts of district consolidation.

The findings reported here are drawn from a larger, multiyear investigation of consolidation of Maine school districts conducted by research teams from the University of Maine and the University of Southern Maine. In 2007–08, the University of Maine studied a sample of 29 districts (school administrative units) engaged in five regional planning groups for consolidation using a case-study approach. We collected the data through confidential interviews, a survey of regional planning committee members, observation of meetings, and collection of documents from state and local levels. We analyzed the data both within cases and across cases, identifying recurring themes and patterns. Our research followed these five regional planning groups as they struggled to understand the requirements of the 2007 reorganization law, select partners, and form a reorganization plan (Fairman et al. 2008).

In 2008, the University of Maine partnered with the University of Southern Maine to follow the reorganization progress for an expanded sample that included a total of 98 districts (school administrative units) attempting to form 15 regional planning groups. Cases were selected to reflect variation in district size, governance structures, geographic location, and other variables, as represented in Table 1. To maintain

TABLE 1: **Demographic Characteristics of the Study Sample (15 Regional Groups)**

Demographic Characteristics	Number of cases	Demographic Characteristics	Number of cases
<b>Governance structure of school districts partnering</b>		<b>Number of high schools</b>	
Only municipal system	1	1 high school	6
Two or more school administrative districts	1	2 high schools	6
Mostly school union(s)	3	3 high schools	3
Mixture of different governance types	10	<b>Total number of attending pupils (October 2006)</b>	
<b>Number of districts (School Administrative Units, SAUs)</b>		<1,500 pupils	2
2 SAUs	2	1,501–2,000 pupils	4
3–4 SAUs	5	2,001–2,500 pupils	4
5–7 SAUs	1	2,501–3,000 pupils	2
8–10 SAUs	4	>3,000 pupils	3
>10 SAUs	3	<b>Total number of square miles</b>	
<b>Total number of municipalities</b>		50–100 miles	4
2	1	101–250 miles	4
3–5	5	251–400 miles	3
6–8	4	401–550 miles	0
10–15	3	551–700 miles	2
15–20	1	701–850 miles	1
>20	1	851–1,000 miles	0
<b>Number of schools</b>		1,001–1,200 miles	1
< 5 schools	5	<b>Geographic location in Maine</b>	
5–7 schools	6	Northern	4
8–10 schools	4	Western	1
>10 schools	0	Eastern Coastal	3
		Central Coastal	2
		Southern	5

confidentiality for the districts and participants, we've described the cases using a range rather than exact figures for some variables.

The research team followed the progress of regional groups as they worked to revise their partnerships and reorganization plans and to obtain voter approval in local referenda. Again, this involved interviews with district leaders and regional planning members, observation of regional planning meetings, and collection of documents. We then followed regional groups that

successfully reorganized into their first or second year of implementation.

Further, the study tracked statewide progress toward reorganization through collection of documents and through observation of state-sponsored facilitators' meetings. We conducted interviews with state policy-makers to understand both how the reorganization law developed and the intended policy goals. Our interviews with education department staff and reorganization facilitators described the state's implementation

of the law. Overall, we conducted 376 interviews with a wide range of stakeholders from 2007 to 2011.

This paper focuses on the early planning and implementation period of the district reorganization effort from 2007 to 2009 and explores the following research questions:

- Why did some school districts successfully consolidate while others did not?
- What community or district factors either facilitated or challenged the effort to consolidate?
- What aspects of the policy itself and the state's implementation approach either facilitated or challenged districts' efforts to consolidate?

## FINDINGS

### *Community and District Factors*

Several factors that relate to the communities or school districts served to either support or impede progress in reorganizing. The primary factors included geographical location of districts, community and district self-interests, existing and prior relationships between the partnering districts, and leadership for reorganization.

#### **Geography**

Geographic proximity was the first thing that district leaders considered when looking for prospective partners. All of the groups we studied looked first to the districts immediately adjacent to them. In most cases, districts were able to partner with neighboring districts. Three groups in our sample attempted to partner with districts that did not share borders. Not long into their regional planning talks, all three groups fell apart, and only one eventually reorganized. These three groups were also among the largest groups discussing partnership, each with seven or more district partners and covering more than 550 total square miles.

Aside from the problem of nonadjacent district borders, the large geographic area and long traveling distances between communities in some proposed

regional units became a serious obstacle to reorganization. Superintendents and school board members were concerned about the distance administrators and staff would need to travel between schools. Of the four groups in our study with more than 550 total square miles, only one was able to reorganize.

Most of the groups with the largest geographic areas were located in northern and western Maine, where the population density is the lowest. Thus, districts had to combine with a larger number of district partners to reach the minimum enrollment of 2,500 initially required by the law. Across our sample, the groups in northern, western, and eastern coastal Maine struggled or failed to reorganize. Five of these eight groups eventually reorganized, but with fewer partners than initially proposed and some well after the 2009 deadline. By contrast, the seven groups we studied along the central coast or southern Maine had smaller regional areas of 50 to 250 square miles and were all successful in reorganizing.

#### **Self-interest**

After identifying possible partners, district leaders and regional planning members focused on selecting partners with whom they would be compatible. That is, districts sought partners that would have a fiscally neutral or beneficial impact on the regional unit, partners of similar size to preserve a balance of power on the regional planning board, and partners who shared their educational priorities and student-achievement results. These criteria reflect the tendency for school districts, like individuals, to act from a perspective of self-interest to maximize the anticipated, positive outcomes (Weiss 1983). There are three areas of self-interest that served to either facilitate or impede reorganization.

*Financial Interests.* As districts began their regional planning, they examined the budgets, assets, and debt service of the proposed partnering districts. During the regional planning meetings, we observed community, district, and municipal representatives posing hard questions about the pros and cons of partnering with districts that held a debt service for recent school construction, or districts that had not spent money to maintain buildings that would need costly renovations.

The 2007 reorganization law required consolidating districts to share educational costs, assets, and debt. The most problematic task for planning groups state-wide, and for the groups we studied, was determining a fair and acceptable way to share educational costs, assets, and debt (Fairman et al. 2008). Amendments to the law in 2008 (Maine State Legislature 2008) allowed more flexibility in devising a cost-sharing formula, but did not prevent unfavorable fiscal results for some district partners.

In addition to differences in spending and debt among prospective district partners, some groups identified significant differences in property valuations and the ability to generate tax revenue for education. Because of these differences, district leaders and regional planning members voiced strong concern that consolidation could increase the cost of education and local tax rates in some communities. This was particularly salient for groups in eastern coastal Maine where waterfront property values had skyrocketed while the K-12 enrollment had declined. One superintendent explained,

*The cost shares that would occur here... were really quite large because of the huge differences in valuations of the towns.... The pie shifts were huge and they didn't want that added tax burden shifting from one town to another.*

In some groups, there was a sense of distrust or skepticism that the regional unit would fairly allocate the state subsidy to partnering communities. This distrust impeded progress in several of the groups we studied. A superintendent commented,

*It was just a real problem that they couldn't seem to get past...instead of receiving the state subsidy in their own check per town, it was going to come into this new structure...with one check.*

Despite the law's stated purpose of reducing education costs, many districts were unable to identify potential cost savings, which diminished their interest in pursuing consolidation. Instead, these districts predicted an overall increase in education costs and tax burden if they consolidated. Other districts, however, saw the potential for both short- and long-term savings

and increased efficiencies. Anticipated sources of savings included downsizing the number of central administrative positions; shared staff and delivery of some programs; shared purchasing of supplies and fuel; and shared leasing of buses or office space. Some groups anticipated a financial benefit from consolidation in the potential to increase their public high school enrollment with an influx of students from partnering K-8 districts that did not operate high schools.

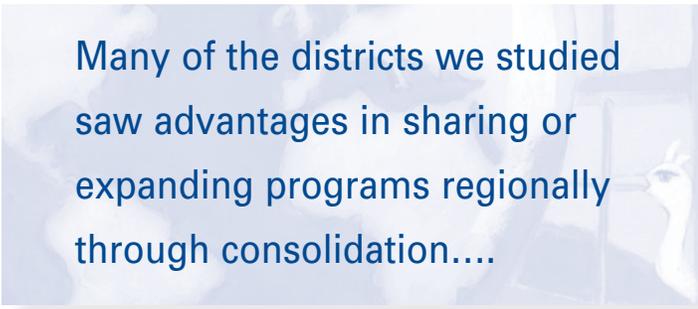
...concern about meeting districts' financial self-interests was an issue for all groups we studied and was a significant factor that impeded progress for about half....

Overall, concern about meeting districts' financial self-interests was an issue for all groups we studied and was a significant factor that impeded progress for about half of the 15 groups. In eight of the 15 groups, district leaders and planning members were either skeptical about the potential for cost savings or were adamant that costs would increase. Five of the eight voted down reorganization plans in referendum. Similarly, cost-sharing was the most frequently cited barrier for all groups submitting reorganization plans statewide in December 2007 (Fairman et al. 2008). While some were able to identify some areas of potential cost efficiencies from consolidation, these savings were still hypothetical and uncertain. The short-term burden of extended superintendent contracts and possible increases in teacher salaries across communities in a regional unit threatened to increase costs. Several district leaders indicated that the potential for future savings would depend on their ability to eventually close some of the smaller schools that had a higher per pupil cost.

*Governance Interests.* Districts initially attempted to partner with others that were fairly similar in terms of enrollment size. Yet many districts found themselves

partnering with considerably larger ones. In groups with uneven district enrollments and groups with a large number of district partners, decisions about how communities would be represented on the regional school board, the size of the board, and voting rules and weights were seen as critically important, and many groups struggled for several months to reach consensus on these decisions.

In some cases, smaller communities would have low representation on the board, or no direct representation, particularly if a community tuitioned students to neighboring districts. The prevailing concern among the smaller communities was the balance of power on the regional school board and a fear of being outvoted. One regional planning member talked about this tension within the planning discussions: “We talked about weighted votes and how representation would be made up. And our town, we want to have equal say, just as any other town does.” Repeatedly, planning members said they feared a loss of local control over financial and educational decisions. In small rural communities, the local school was seen as central to the community’s shared identity and the long-term economic viability of the community, and school buildings served as the primary public meeting space. These communities feared a regional board would be more likely to close smaller schools.



Many of the districts we studied saw advantages in sharing or expanding programs regionally through consolidation....

We found no clear pattern of success in reorganization based on the balance of district enrollment size within the proposal regional unit. Districts generally felt their partnering options were restricted to the existing neighboring districts for logistical reasons and to districts not already partnered with other groups. Smaller districts were compelled to find larger partners

to meet the minimum enrollment. Thus, the regional units that did form typically combined districts of different sizes.

However, we did see a pattern related to the number of district partners and the statewide consolidation results. In six of the 15 groups where a majority of communities voted against reorganization, the groups were quite large, with seven or more district partners. In the other nine groups where most of the partners approved the reorganization plan, six groups had two to four district partners and three had eight or more partners. Among these three, however, there was a history of extensive collaboration and shared personnel. Statewide, the majority (64 percent) of the 25 regional units that approved their plans before July 2009 had only two or three district partners (Maine Department of Education 2011).

*Educational Interests.* Following finance and governance issues, education was also an important area of interest for districts in selecting partners for consolidation. First, district leaders and regional planning members explored whether neighboring districts and potential partners shared a similar educational vision or priorities. Districts looked at the curriculum in other districts and schools and often focused on the range of courses and extracurricular offerings at the secondary level. One superintendent remarked,

*We were already established [the regional planning committee] and one of the criteria we set was that if anybody wants to join us, they have to tell us why they would improve our educational system.... It was, “What can you bring to the table educationally?”*

Many of the districts we studied saw advantages in sharing or expanding programs regionally through consolidation, such as pre-K, art and music, foreign language, career and technical education, technology, and advanced placement courses. These districts saw opportunities to increase equity in educational opportunity for students. By contrast, some districts worried that their partners did not share the same commitment to high-quality educational programming. A municipal representative from one group stated,

*If I'm to vote for this... I have to believe that educational quality will not suffer, and that it will improve. We need to supply a better education, or at least the same, hopefully with a cost saving.*

Second, districts considered academic performance as an indicator of educational priorities, and quality. If they discovered that potential partners were not performing at a comparable level on state assessments, this difference was a concern and could be a deal-breaker. A regional planning group member explained how educational performance was an important interest:

*We wanted to make sure that if we were going to consolidate that our testing averages weren't either significantly higher or lower than another group that we were going with, especially if we were going to start combining programs.*

Third, districts considered whether or not potential partners had a policy of school choice for secondary education, and whether this would create inequity among the partnering communities. Some districts sought K-8 district partners that could increase their public high school enrollment, whereas some K-8 districts sought to maintain their option to send students to different high schools in their area. In seven of the 15 groups we studied, high school choice was maintained at least initially for some of the partnering communities. In other groups, high school choice was phased out or ended upon reorganization. The overall trend was to eliminate high school choice where it had existed historically.

Fourth, districts considered opportunities for innovative approaches to education where they had more than one secondary school in the proposed regional unit. For example, regional planning members discussed ideas for assigning upper or lower secondary grades to certain high schools, or creating secondary schools with a unique programmatic emphasis. Although district leaders and community members expressed excitement about the potential to restructure or refocus educational programming, this opportunity was not a sufficient motivator by itself to consolidate.

Education was an important topic of discussion within all 15 regional planning groups we observed. Five of the 15 groups formed a subcommittee to focus on education or curriculum, and four of these groups obtained voter approval of their reorganization plan. In three of the 15 groups, participants saw no potential educational benefits and these groups overwhelmingly voted down their reorganization plans. In a majority of the groups we studied, planning members did envision the possibility for consolidation to improve educational equity in resources and learning opportunity. One superintendent summed up a partnership this way: “the natural reason for us to get together is everybody needed something, and everybody was a little concerned about something.”

### Relationships

The quality of the relationship between districts and communities discussing potential partnership was another factor that shaped the reorganization planning process and outcome. In about half of the 15 groups we studied, district leaders and planning members cited prior district relationships and trust as factors that made consolidation planning go more smoothly and helped ensure successful reorganization. One planning committee member explained, “We had a long-standing relationship both with the school district and the community, so we knew a lot about them and they knew a lot about us. We thought the communities were similar.” A planning committee member in another group said, “There was a lot of trust. There was trust that no one had hidden agendas.” Districts that had a history of positive collaboration when they began planning for consolidation needed less time to get to know their district partners as they had already established trusting relationships between the key players. Examples of prior collaboration included previous partnership in a school administrative unit, membership in a regional consortium, or collaborative agreements for shared programs, personnel, purchasing, or school facilities.

In other groups, district and community relationships were not strong or entirely congenial, which contributed to tension and discord in the planning process. Even communities with similar demographic characteristics and education systems were sometimes unable to see any common interests. In these communities, a long

history of community pride and rivalry, often expressed through high school sports, and a lack of mutual respect between communities, drove a wedge between the communities that made it difficult for planning members to think of themselves as part of one regional group. In some groups, we found a general attitude of distrust in the prospective district partners because a prior collaboration had not proved satisfactory. These groups struggled to develop a reorganization plan and gain voter approval of the plan.

Superintendents' professional aspirations also affected the working relationship between potential district partners and the reorganization process. In several cases, only one of the partnering superintendents aspired to lead the regional unit, and the lack of competition in these groups generally reduced the tension and uncertainty in reorganization planning. In a few groups, more than one superintendent vied to lead the regional unit, which produced some discord and sometimes slowed the reorganization process.

### Leadership

The leadership of superintendents, and sometimes other members of the planning group, was an important factor influencing the planning process and outcome. In most cases, superintendents used their leadership skills to support and facilitate the reorganization process and made an effort to communicate with their communities about the potential for educational opportunities from reorganization. In a few cases, superintendents passively resisted reorganization or actively worked against reorganization at both the local and state levels.

In the interviews, superintendents were the most frequently mentioned resource supporting the work of the planning committees. Superintendents were a valued resource because of their knowledge and expertise in district finances, teacher contracts, educational programming, and education law. Planning committee members generally lacked expertise in these areas, and relied on superintendents and their central office staff to provide the information needed. One planning committee member explained,

*Our superintendent really stayed with it and became, you know, basically the*

*computer that we all operated from. She was able to synthesize data and take what we were discussing and lay it out into a form that we could consider further.*

Superintendents took an active role in suggesting district partners, selecting a state-supported facilitator, working on the details of the reorganization plan, and communicating with the public. Consistently, superintendents indicated they were motivated to help their communities with reorganization as a way to support improved educational opportunities for students, even if it meant they might lose their positions in the consolidation process. The additional workload for superintendents and their central office staff was considerable, particularly the task of generating the necessary financial information.

Regional planning members also assumed important leadership roles in the reorganization planning. Chairs were typically selected by the committee because they were respected in their communities and had been active in school and community affairs. Chairs exerted strong influence in 10 of the 15 groups we studied. They led planning meetings, coordinated work with superintendents and state-supported facilitators, and led public meetings.

In a majority of groups that successfully reorganized, these leaders generally communicated a positive view of the potential educational benefits and cost savings. Superintendents and planning members engaged individual community members in informal conversations and made persuasive arguments within the regional planning meetings. But these leaders also used more formal communication strategies including district newsletters and flyers, public informational meetings, and editorials in local newspapers. Three of the 15 groups had a subcommittee on public relations or communications to carefully orchestrate communications about the reorganization work.

We also found examples of leadership against or passive resistance to the state mandate. A few superintendents who did not agree with the consolidation mandate did not provide or delayed the information requested by the regional planning groups. They used a passive-resistance approach to impede progress on the reorganization plan. Other superintendents more

actively opposed consolidation. In three of the regional groups we studied, district leaders and regional planning members were openly against the idea of consolidation and organized in opposition when the policy initiative was announced early in 2007. In these groups, district and planning leaders communicated through newsletters, public meetings and editorials the view that no cost savings or educational benefits would result from consolidation. They lobbied against the reorganization law and advocated for its revision or abolishment, while complying minimally by holding reorganization meetings and forming a reorganization plan. Two of these groups failed to approve a reorganization plan by the 2009 deadline.

### *Policy Factors*

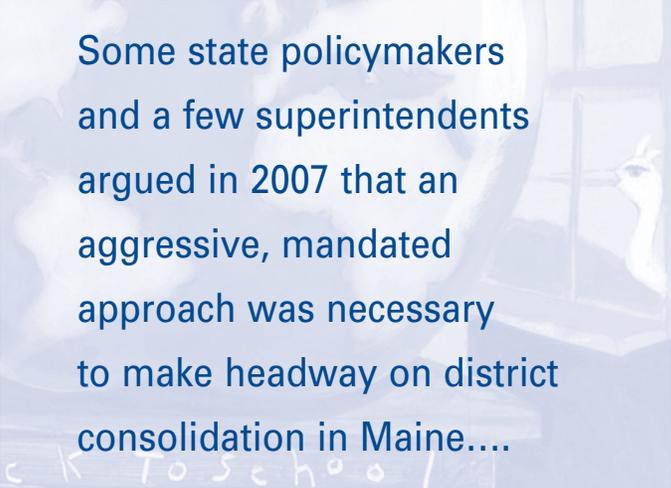
Through the interviews with policymakers, state education officials, school district leaders and regional planning members, we examined how the state's approach to reorganization influenced community and school district response to the policy and the policy's overall success. Consistently, district leaders and community members stressed that the state's approach, lack of clarity in the law, short timeframe for compliance, and uncertainty about the permanence of the policy diminished motivation to consolidate and impeded progress. Yet, some aspects of the law or state implementation were credited with supporting the reorganization planning, including the structural support of the regional planning committees, the state-supported facilitators, a template for developing reorganization plans, and financial supports for reorganization.

### **Policy Approach**

Some state policymakers and a few superintendents argued in 2007 that an aggressive, mandated approach was necessary to make headway on district consolidation in Maine as the incentives used with the Sinclair Act of 1957 had not produced substantial district consolidation. They pointed to the "fiscal cliff" looming for education finance because of the state's limited resources and a legislated tax cap. A state education official, reflecting on the policy approach in January 2010, also defended the governor's decision to include the reorganization initiative within a budget

bill that cut \$36.5 million in state funding for district administrative costs:

*It's the only way it was going to happen.... The superintendents' association had a white paper supporting consolidation for ten years.... There were no results even from that work. And had...[it] not [been] in the budget, I do not believe we would have achieved what we achieved.*



**Some state policymakers and a few superintendents argued in 2007 that an aggressive, mandated approach was necessary to make headway on district consolidation in Maine....**

A state legislator involved in drafting the reorganization law offered this view in a July 2009 interview,

*The mandate was all about treating everybody the same. So even if you didn't have to consolidate, like an island school or the bigger school districts, you still had to meet the fiscal parameters.... I wished we could have done an incentive program, instead of the penalties...but we couldn't afford them...and there was a sense from a lot of people that we were investing so much new money in K-12 anyway....*

A superintendent working on reorganization in 2007 shared his view: "As much as we may say there are opportunities for collaboration and savings, the nature of Maine communities is such that that isn't going to happen unless it's forced upon towns and school districts." A facilitator in another group we

studied agreed that a mandated approach was necessary:

*I think it has to be mandated or else it's not going to happen...the comment I heard a lot [in the regional planning committee] was, "Well, I don't really like this but we have to do it, so let's come up with the best plan we can." So I think the mandate was pretty important.*

**District leaders and community members stressed that the governor and state leaders were too focused on the goal of cost savings and did not sufficiently articulate the potential educational benefits of consolidation.**

Yet, the majority of district leaders and community members we interviewed disagreed with the state's approach, favoring more incentives and supports for regional collaboration and voluntary consolidation. Districts in 11 of the 15 groups we studied already collaborated by sharing administrative personnel, programs, purchasing, or school buildings. They maintained that diminishing resources for education and declining enrollments had already compelled districts to find creative ways to increase efficiency. Given the existing efforts to economize, the decision to mandate consolidation and include fiscal penalties produced strong anger and resentment and reduced public support for compliance with the law. A superintendent described the public sentiment: "Whether you are for or against consolidation, just the way this was done... where it was basically top down, the anger is still there for a lot of people."

Anger about the state's approach hindered progress in the selection of district partners, reorganization talks, development of plans, and the ability to obtain

voter approval for reorganization across many groups we studied. Some districts and communities openly lobbied to change or overturn the law, and some decided to take their chances on being penalized for noncompliance rather than consolidating. However, most districts in our study reluctantly proceeded with reorganization primarily for the purpose of avoiding fiscal penalties. One superintendent explained, "I think that really forced a lot, because I think—had there not been penalties, [they] would have voted against it." A facilitator in another group stated, "They wanted to be in compliance with the law... so they wouldn't have the threat of the commissioner withholding their subsidy."

District leaders and community members also identified the law's "one-size-fits all" approach as a serious limitation. Smaller communities feared a loss of voice on regional school boards and loss of local control over major decisions on the budget or educational programming. Districts that had operated as a loosely organized union were reluctant to give up the local school boards and direct state subsidy for one regional board and centralized funding. These groups lobbied strongly for an alternative structure and other types of flexibility in the law.

### Policy Articulation

There was general agreement in the interviews on the need to take some action to curb the rising cost of education. Although many people agreed with the governor's call to action, they did not feel that he made a strong case for using consolidation to solve the problem. What was lacking, in their view, was an effort to build consensus around both defining the problem and proposing a solution. One legislator described a familiar notion found in public policy literature and practice:

*If you're going to try for major change, you have to either create buy-in to a vision that says we need this change...or we need to create the feeling of a crisis so people want the change.*

District leaders and community members stressed that the governor and state leaders were too focused on the goal of cost savings and did not sufficiently

articulate the potential educational benefits of consolidation. One superintendent noted, “It was presented as a cost saving initiative, [but] its real value would be to improve educational quality for small districts.” The ability to envision educational benefits was a far stronger motivation for districts to consolidate than was the prospect of cutting costs alone.

Another factor related to policy articulation cited in the interviews was the lack of clear language to guide implementation in the 2007 reorganization law. To begin with, there was no strategic planning prior to enactment to provide a framework for implementation by the state. As one state coordinator for reorganization explained,

*When the law was over, it lacked a lot of clarity. We referred to it as, you know, we were trying to fly the airplane and build it at the same time.... There was no structure, no game plan, no plan about once the law passes what do you do.*

The Maine Department of Education mobilized a staff and structure to support district reorganization planning while it was occurring. This made it difficult for the state to be responsive in answering questions and providing requested information. In addition, the law itself was vague in certain areas, which left facilitators and regional planning members uncertain how to proceed. For example, the 2007 law did not specify a method to calculate each partner’s share of the combined regional budget. One superintendent commented during the reorganization planning, “There are a lot of flaws in the law. There’s a lot of stuff that’s not explained or defined...we’re flying blind half the time.” The law’s vagueness contributed to uncertainty and delayed important decisions, particularly with respect to determining the cost-sharing agreement.

### Timeline

A significant challenge for most districts statewide was the short timeframe for selecting partners and developing and then preparing to implement the plan. The initial deadline of only one year proved to be unrealistic, given the complex issues and decisions that districts needed to resolve. Across the 15 groups in our study, we found that as the number of part-

nering districts grew and the total geographic region expanded, groups needed more time and struggled more to reach consensus on decisions and were less likely to successfully reorganize. The state later extended the deadline to July 2009.

Public members of regional planning groups often lacked expertise in education finance or curricula and needed more time to make sense of information from the state or districts. One regional planning committee member commented, “No one feels it’s adequate time. These are huge decisions to make. We’re all educated, but we’re not specialists.”

Superintendents reflected in the interviews on the difficulty of getting neighboring communities to see their common interests. The goal of moving from local control to a regional approach required a significant shift in cultural attitudes, which would take time. One superintendent described this challenge:

*At the state level, changing the law was a technical change.... The reality is that technical change is the easy part of the work. It’s cultural change where the difficulty comes. The way the law was structured in terms of the timeline, and the dramatic changes that it’s asking for these communities to make, it didn’t take into consideration the amount of work it takes to make cultural change. The entire change process was ignored.*

### State Education Policy Context

Uncertainty about the stability of the reorganization law coupled with a pervasive mistrust in state education leadership at the local level diminished support for the policy and stalled reorganization. Immediately after the policy was announced, some districts mobilized opposition to repeal the law and others worked to draft amendments. From January through April 2008, work halted in 11 of the 15 groups we studied while the legislature debated how to amend the law (Maine State Legislature 2008). A new option for structuring regional units fueled more uncertainty within planning groups as they debated which structure to pursue. One superintendent commented, “The impact it had upon the [regional

planning committee] was that the legislature kept changing the rules of the game while we were trying to play the game. That was extremely frustrating.”

After the amendment, some groups splintered and formed new partnerships and had to begin the process anew. A statewide referendum question on the general ballot in November 2009, after many groups had already consolidated that July, created substantial uncertainty and impeded full implementation. Each year, dozens of legislative bills were presented to repeal or amend the law and the law was continually revised. Fiscal penalties were at first delayed and then eliminated after only two years. These efforts to change or repeal the law reduced public confidence that the law would be upheld and enforced, which reduced motivation for compliance.

District leaders and regional planning members we interviewed consistently described a strong sense of mistrust and low confidence in the state’s education leadership. Part of this feeling they attributed to the state educational agency’s pattern of abruptly halting education initiatives only after districts had already invested considerable effort and time to comply. Representative comments from different groups were:

*We lose considerable resources within the school because we are constantly revamping things to meet changing state requirements and that’s not a productive use of our resources.*

*There’s a great deal of mistrust in the state government. One of the things I consistently heard from people was: “Well, that’s what the law says right now, but what about five years from now?”*

*[There’s] an inherent distrust of what the state has been saying and what they actually do. We’ve watched over the last 10, 15, 20 years a lot of the initiatives that have been started by the [Maine] Department of Education, and we’ve watched them pull the rug out, without letting it play out to see how effective it would be. And I think the initial thought*

*when this whole consolidation [initiative] began was that, “Okay, here we go again....”*

District leaders and community members repeatedly expressed frustration that the state appeared to pursue education initiatives without sufficiently researching or piloting them, building consensus and support, or making a commitment to clear goals and change efforts. Thus, the state’s track-record for implementing major education reforms contributed to the public’s low confidence that the reorganization initiative would be sustained.

### Structural Supports

The structural framework of the regional planning committee was a key factor supporting reorganization work. Although state policymakers initially proposed a more centralized approach for determining regional districts, the law gave school districts and local communities the authority to select their own partners and develop reorganization plans. The law required regional planning committees to guide the work, with representatives from district administration, municipal government, and the general public. This organizational structure allowed districts to seek input from various stakeholders and to engage members of the partnering communities in deliberations together. A positive consequence of these discussions was that communities were able to discover their common interests, explore opportunities for collaboration, and overcome barriers for cooperation. A municipal representative in one group explained,

*We got to know each other quite well [on my subcommittee]. We learned to respect each other. Initially there was some tension and some discomfort, as there will always be in these kinds of groups. We all recognized that we had different needs but that on balance, we had a lot of common ground. We worked on enlarging the boundaries of that common ground.*

Others agreed that the process of public debate and deliberation was important to successful reorganization planning. A superintendent observed, “The

process did some great things. It brought people together, where they saw commonalities, and they saw where there were some opportunities to save money.”

While the law outlined specific elements required in a reorganization plan, it did not suggest how to organize that information. A law firm assisting several districts in the state developed a template for organizing reorganization plans, which was quickly endorsed by the Maine Department of Education. District leaders and regional planning members consistently said that having a template helped them to focus their work and provided a clear guide for what they needed to do.

The reorganization law also provided some funding to support costs associated with planning work and start-up tasks. One important structural support was the state-sponsored facilitator. Planning groups decided whether or not to work with a facilitator and selected their facilitator, who was often someone who had worked with the districts in the past. In about half of the 15 groups we studied, district leaders and planning members credited their facilitator with keeping their planning group moving forward and completing tasks on time. One superintendent said, “The facilitator played a pivotal role...explained the law and why we have to do certain things.” However, in a few groups, district leaders and planning members were not satisfied with the skills or knowledge of the facilitator they selected. Six of the 15 groups we studied changed facilitators or selected someone in their community to lead the planning meetings.

The reorganization law also included funding to compensate school districts for the expense of hiring lawyers to review their reorganization plans, converting and merging districts’ financial and student data systems, evaluating facilities, purchasing software for bus transportation routing, and other costs. While most districts used these funds to support reorganization planning and early implementation, they consistently argued that these funds did not begin to cover their actual expenditures.

### *Statewide Progress toward Reorganization*

Maine has made progress toward reducing the total number of school districts by almost half—from

290 in 2007 to 164 by July 2011 (Maine Department of Education 2011). Though far short of the goal of 80 districts, the reduction is still substantial. A total of 167 districts (school administrative units) reorganized into 41 regional units. The degree of reorganization varied between the regional units, however. Some of the new regional units consisted of districts that already shared administration and collaborated extensively through a school union structure, and at least one of the regional units was simply a renamed school administrative unit.

Many districts were not required to reorganize: 49 were allowed to remain unchanged as they had 1,200 or more students, and another 18 were exempt primarily due to geographic isolation. Additionally, 56 districts remain nonconforming with the law. Thus, 123 districts did not officially engage in reorganization (Maine Department of Education 2011). For the districts that did reorganize, most felt compelled to do so because of the threat of fiscal penalties. Once the penalties were eliminated, many communities pursued a process to dismantle the regional unit. According to the Maine Department of Education in October 2012, there were 34 communities representing 17 regional units that have either formally initiated the process of withdrawal from the unit or have informally begun to explore withdrawal. This number represents 42 percent of the 41 regional units that reorganized. As these regional units untangle themselves, and if this trend continues, the total number of school districts in Maine will certainly increase.

### LESSONS LEARNED

Overall, the ability of communities and school districts to identify mutual interests with other district partners was the most critical factor determining whether districts could successfully partner or not. Leadership from superintendents and other planning members was another significant factor that propelled communities to approve or reject reorganization. Positive and collaborative relationships between some districts facilitated efforts to consolidate.

With respect to policy, the overwhelming consensus was that the approach of a mandate with penalties, short timeframe, and poor articulation all produced a negative reaction against the policy and led

to efforts to repeal or revise the law. The recurring efforts to change the law, together with a general lack of confidence in the state's education leadership, produced a high level of uncertainty about the fate of the policy, reduced motivation to engage in reorganization work, and stalled work in a majority of cases.

We summarize here the broad lessons learned as relevant to current and future efforts in Maine and other states to reorganize the delivery of K-12 education.

### *Policy Lessons*

1. The problem, options, and proposed policy solution need to be clearly articulated by state education leaders.
2. Effective communication and persuasion are needed at the state and local levels to build support for the policy, and the rationale should include educational benefits along with cost-savings.
3. Ample time should be allowed for public discussion of options, stakeholder input, and consensus-building for the policy.
4. The policy should include a state implementation plan and time to put that framework into place before the districts begin their reorganization work, so the state is ready to support district work.
5. The law should include clear language to guide district reorganization work.
6. Fiscal incentives and start-up funds are helpful, but may not be sufficient on their own to motivate districts to consolidate.
7. Penalties can be a powerful motivator for districts to consolidate, but may also backfire by creating negative reactions or noncompliance.
8. The policy should avoid a "one-size-fits all" approach and instead allow flexibility for districts to achieve the goal of efficiency in different ways.

### *Process Lessons*

1. Districts need a reasonable timeframe for planning and implementation. Changing cultural beliefs and satisfying common interests takes time. The process may take two years or more.
2. The larger the number of partnering districts the more time will be needed for negotiation and planning, and the more difficult the process will be.
3. Regional planning is hard, messy work requiring many hours for district leaders and planning members. How districts approach the process matters. Negotiations may bring communities together or stir up contention and negative feelings.
4. Superintendents play a critical role in assisting the planning process by lending their expertise and providing district data.
5. Positive relationships or collaboration between partnering districts facilitates the reorganization process, but does not guarantee reorganization success.
6. A trained and trusted facilitator who is familiar with the communities can help members stay focused on the task and overcome differences.
7. Leadership from the superintendent and others is critical for building support for reorganization. Effective communication and persuasion are needed.
8. District and community support for consolidation will center primarily on the satisfaction of self-interests to meet fiscal, governance, and educational benefits. The desire to maintain some degree of local control in these aspects still runs deep in Maine communities. 🐟

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## REFERENCES

- Berry, Christopher. 2007. "School Consolidation and Inequality." *Brookings Papers on Education Policy 2006/ 2007*, ed. Tom Loveless and Frederick Hess. Brookings Institution Press, Washington, DC. pp. 49–75.
- Berry, Christopher and Martin West. 2010. "Growing Pains: The School Consolidation Movement and Student Outcomes." *Journal of Law, Economics, and Organization* 26(1): 1–29.
- The Brookings Institution. 2006. *Charting Maine's Future: An Action Plan for Promoting Sustainable Prosperity and Quality Places*. Report of the Metropolitan Policy Program. Washington, DC.
- Children's Alliance. 2006. *A Case for Cooperation: Making Connections to Improve Education for All Maine Students*. Children's Alliance, Augusta, ME.
- Cox, Betty and Becky Cox. 2010. "A Decade of Results: A Case for School District Consolidation?" *Education* 131(1): 83–92.
- Donaldson, Gordon. 2007. *The Sinclair Act: An Uncertain Legacy*. White Paper. University of Maine, Orono.
- Donaldson, Gordon. 2006. *Pursuing Administrative Efficiency for Maine's Schools: How Our Past Can Inform Our Current Decisions*. White Paper. University of Maine, Orono.
- Duncombe, William and John Yinger. 2010. "School District Consolidation: The Benefits and Costs." *The School Administrator* 67(5): 10–17.
- Fairman, Janet, Walter Harris, Dianne Hoff, Sarah Mackenzie, Gary Chapin and Debra Allen. 2008. *Perceptions and Process: Early Findings from a Study of School District Consolidation in Maine*. A Report to the Penquis Superintendents Association. Center for Research and Evaluation, University of Maine. Orono.
- Gagnon, Dawn. 2012. "Glenburn, Veazie Vote to Pull out of RSU 26." *Bangor Daily News* (Nov. 7).
- Johnson, Jerry. 2006. *An Investigation of School Closures Resulting from Forced District Reorganization in Arkansas*. Rural School and Community Trust, Arlington, VA.
- Kingdon, John. 2002. *Agendas, Alternatives, and Public Policies*. Longman, New York.
- Maine Department of Education. 2011. *Reorganization Status of All School Systems*. Maine Department of Education, Augusta. [www.maine.gov/education/reorg/plansandresponses.html](http://www.maine.gov/education/reorg/plansandresponses.html) [Accessed April 1, 2012]
- Maine State Legislature. 1957. Public Law 1957, Chpt. 364, An Act Relating to Educational Aid and Reorganization of School Administrative Units (Sinclair Act). Augusta.
- Maine State Legislature. 2007. Public Law 2007, Chpt. 240, Part XXXX. Augusta.
- Maine State Legislature. 2008. Public Law 2007, Chpt. 668. An Act to Remove Barriers to the Reorganization of School Administrative Units. Augusta.
- Moretto, Mario. 2012. "DOE Counsels Patience in RSU 24 Withdrawal." *Bangor Daily News* (Sept. 8–9).
- Nybladh, L. 1999. *The Role of Information and Data in Citizen Voters' Decision-Making about School District Consolidation: A Case Study of Select School Districts in New York State and the State of North Dakota from a Rational Choice Theory Perspective*. Doctoral Dissertation, Cornell University.

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Plucker, Jonathan, Terry Spradlin, Marshall Magaro, Rosanne Chien and Jason Zapf. 2007. "Assessing the Policy Environment for School Corporation Collaboration, Cooperation, and Consolidation in Indiana." Education Policy Brief 5(5). Center for Evaluation and Education Policy, Indiana University, Bloomington.

Spradlin, Terry, Fatima Carson, Sara Hess and Jonathan Plucker. 2010. "Revisiting School District Consolidation Issues." Education Policy Brief 8(3). Center for Evaluation and Education Policy, Indiana University, Bloomington.

Steeves, Heather. 2012. "Was Maine's School Consolidation Endeavor a Success?" Bangor Daily News (Feb. 3).

Task Force on Increasing Efficiency and Equity in the Use of K-12 Education Resources. 2004. Final Report of the Task Force on Increasing Efficiency and Equity in the Use of K-12 Education Resources. Office of the Governor, Augusta.

Ward, James and Frances Rink. 1992. "Analysis of Local Stakeholder Opposition to School District Consolidation: An Application of Interpretive Theory to Public Policy Making." Journal of Research in Rural Education 8(2): 11-19.

Weiss, Carol. 1983. "Ideology, Interests and Information." Ethics, the Social Sciences, and Policy Analysis, ed. Daniel Callahan and Bruce Jennings. Plenum Press, New York.



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