

## **SCHOOL BOARD LEGAL STATUS**

In recognition that “a general diffusion of the advantages of education [is] essential to the preservation of rights and liberties of the people,” the Constitution of the State of Maine declares that the Legislature has the duty to require communities to provide for the support and maintenance of public schools in order to further this objective. Maine law establishes a State Department of Education to supervise a coordinated system of public education, a Commissioner to enforce regulatory requirements and to provide technical assistance and educational leadership, and a State Board of Education to act as a body with certain policymaking, administrative and advisory functions, but places the responsibility for control and management of public schools with locally elected School Committees, School Boards or Boards of Directors. Thus, the RSU 58/MSAD 58 Board of Directors (“the Board”) derives its legal authority from the State’s Constitution, state statutes and regulations of the State Board of Education, as well as Federal laws and regulations.

By custom and tradition, local school boards have responsibilities to the local citizens they serve and that elect them to office. Recognizing this parallel concept of authority and responsibility, the school board becomes a policy-making body for the school district, serving within the framework provided by law and responding to the will of the local citizenry.

There shall be 14 members on the RSU 58/MSAD 58 Board, 4 from Kingfield, 4 from Phillips, 4 from Strong, and 2 from Avon.

Each member serves for three years and these terms overlap so that in each year three directorships are vacated and must be resupplied by election.

Each Board member will have one vote and the votes shall be weighted.

Each year as a part of the Board reorganization procedure, one Board member is elected to serve as Chair and is the presiding officer at all its meetings.

One Board member is elected to serve as Vice-chair. In the absence of the Chair, the Vice-chair will assume the role of Acting Chair with all rights and responsibilities of the Chair contained therein.

Legal Reference: 20-A MRSA §§ 1251 et seq., 1471 et seq.

Cross Reference: BDA – Board Organizational Meeting  
BDB – Board Officers

Adopted: Date of manual adoption (unknown)

Revised: October 20, 2016

## **SCHOOL BOARD POWERS AND RESPONSIBILITIES**

The RSU 58/MSAD 58 Board shall have general charge of all the public schools of this unit and shall exercise such other responsibilities as specifically provided by law.

The Board shall concern itself primarily with broad questions of policy rather than with administrative details. The application of policies is an administrative task to be performed by the Superintendent and his/her staff, who shall be held responsible for the effective administration and supervision of the entire school system.

The Board, functioning within the framework of laws, court decisions, attorney generals' opinions, and similar mandates from the state and national levels of government, and recognizing the authority of the state, fulfills its mission as the governing body of a political subdivision by acting as follows in the execution of its duties:

- A. Enacts policy;
- B. Selects, employs and evaluates the Superintendent;
- C. Provides for the planning, expansion, improvement, financing, construction and maintenance of the physical plant of the school system;
- D. Prescribes the minimum standards needed for the efficient operation and improvement of the school system;
- E. Requires the establishment and maintenance of records, accounts, archives, management methods, and procedures incidental to the conduct of school business;
- F. Approves the budget, financial reports, audits, major expenditures, payment of obligations, and policies whereby the administration may formulate procedures, regulations, and other guides for the orderly accomplishment of business;
- G. Estimates the funds necessary from taxes for the operation, support, maintenance and improvement of the school system;
- H. Adopts courses of study;
- I. Provides staff and instructional aids;

- J. Evaluates the educational program to determine the effectiveness with which the schools are achieving the educational purposes of the school system;
- K. Provides for the dissemination of information relating to the schools necessary for creating a well-informed public; and
- L. Approves/disapproves personnel nominations from the Superintendent and determines (where appropriate via collective bargaining) compensation and working conditions of all staff.

Legal Reference: 20-A MRSA § 1001  
20-A MRSA §§ 1256, 1476

Adopted: Date of manual adoption (unknown)

Revised: October 20, 2016

## **BOARD MEMBER AUTHORITY AND RESPONSIBILITIES**

Members of the Board have authority only when acting as a board legally in session. The Board shall not be bound in any way by any action or statement on the part of any individual Board member except when such statement or action is in pursuance of specific instructions from the Board.

Legal Reference: 20-A MRSA §§ 1001-1003

Adopted: Date of manual adoption (unknown)

Revised: October 20, 2016

## **SCHOOL BOARD SELF-EVALUATION**

As an elected body, the RSU 58/MSAD 58 Board of Directors is accountable to the public for the education of its children and the stewardship of the school unit's resources. The Board believes that in order to be most effective in its governance role, it should continuously monitor and evaluate its own performance, processes, and practices. The Board believes that periodic self-evaluation is essential to improved leadership, support of student achievement, and the attainment of the school unit's vision and goals.

The Board will annually conduct a self-evaluation at a scheduled time and place. The Board encourages all of its members to attend. No other Board business will be taken up at this session. Consistent with the Freedom of Access Act, the Board's self-evaluation will be held in open session. The Superintendent is expected to participate in the process.

During self-evaluation, the Board will evaluate itself as a whole. The self-evaluation should emphasize areas of strength as well as those identified for improvement. Board members are encouraged to use the evaluation process as an opportunity to assess their own personal performance.

The Board will determine the areas of competence and/or Board responsibilities and relationships that will be used as the basis for the self-evaluation. The Board will select an evaluation method or instrument that will include a reasonable number of criteria or performance indicators by which to appraise the Board's functioning and effectiveness. The Board may also identify specific topics for discussion that are related to its meeting processes, communications, Board-Superintendent relations, and "boardsmanship" skills.

The Board may seek the assistance of the Superintendent in identifying standards for assessment and topics for discussion and/or in selecting an evaluation method or instrument that meets its needs.

If a self-evaluation instrument/form is used, a composite profile of responses may be tabulated to provide a more detailed analysis of Board performance. As no single instrument or form may encompass all of the Board's responsibility or sufficiently address the relationship between responsibilities, the Board need not limit itself to those items that appear on the instrument or form, but should use it as means of structuring and stimulating Board discussion.

A different method or instrument may be used from year to year, but must be agreed upon by a majority of the Board.

The areas of Board responsibility and relationships that may be appropriate to consider during the self-evaluation may include but are not limited to:

- A. Board “visioning,” strategic planning, and long-range planning skills and processes;
- B. Board meeting management, conduct, and decision-making processes;
- C. Policy development and implementation;
- D. Fiscal oversight and resource allocation;
- E. Oversight of curriculum and instruction;
- F. Monitoring of student achievement;
- G. Board subcommittee structure, responsibilities, and processes;
- H. Board member development;
- I. New Board member orientation;
- J. Board-Superintendent relations;
- K. Board-community relations and communications;
- L. Board relations with the media; and
- M. Board legislative involvement and advocacy.

Following a discussion of identified topics, the Board will establish priorities and objectives for the following year’s self-evaluation.

The Board may, as desired, schedule interim self-evaluation sessions to assess progress toward achieving identified priorities and objectives.

Adopted: Date of manual adoption (unknown)

Revised: October 20, 2016

## **BOARD MEMBER QUALIFICATIONS**

A person is legally qualified to become a member of the RSU 58/MSAD 58 Board if he/she is a United States citizen, a resident of the State of Maine, a qualified voter in the community or ward thereof by and from which he/she is elected and at least 18 years of age.

Elections shall be nonpartisan. Candidates' qualifications, residency requirements and proper nomination procedures shall be the same as for candidates for city or town council.

No member of the Board or spouse shall be an employee in any public school within the system.

Legal Reference: 30-A MRSA § 2526  
20-A MRSA § 1002(2)

Adopted: Date of manual adoption (unknown)

Revised: October 20, 2016

## **STUDENT REPRESENTATIVES TO THE BOARD**

The RSU 58/MSAD 58 Board of Directors endorses the concept of student access to the Board's decision-making process to provide advice and opinions on matters of common interest and to enhance communication and sense of community within the District.

### **APPOINTMENT AND TERM**

At its regular meeting in June of each year, the Board shall appoint one member of the student body to serve as a non-voting student representative to the Board for a one-year term that begins July 1 and ends June 30 of the following year. The student who is appointed must be a "rising junior" at the time of appointment. Should a vacancy occur prior to the conclusion of the term, another student may be appointed in accordance with the selection procedure to finish the term.

### **ELIGIBILITY**

The student representative to the Board must:

- A. Maintain a cumulative grade point average of "B;"
- B. Display exemplary adherence to standards for conduct and citizenship; and
- C. Meet the same expectations for attendance, decorum and ethics that apply to elected Board members.

A student representative may be removed from office by a majority vote of the full Board.

### **SELECTION**

Any student seeking appointment as student representative to the Board must submit an application to the High School Principal. The Superintendent, High School Principal and Board Chair shall meet to review candidates' applications and qualifications and to recommend to the Board an appropriate candidate for student representative

### **PARTICIPATION**

The student representative shall be seated with elected Board members and be recognized at meetings in his/her advisory (non-voting) capacity. The student representative may participate in meetings by questioning presenters and discussing issues.

The student representative may not make or second motions or vote on any question, but may have his/her positions noted in the minutes.

The student representative will receive all materials presented to the elected Board members except those related to executive sessions or confidential in nature.

Adopted: December 18, 2014

Revised: October 20, 2016

## **STUDENT REPRESENTATIVES TO THE BOARD–PROCEDURE**

All student representatives to the Board shall be non-voting members.

The following regulations apply to student representation on the Board:

1. The student representative will be seated with the elected Board members and may question presenters and participate in discussions during regular and special Board meetings. This responsibility does not preclude a student representative from stating his/her individual opinion.
2. No substitute shall be allowed to serve in place of the appointed student representative at any Board meeting.
3. Student representatives shall adhere to Board bylaws/operating procedures, Board policies and regulations including the Board Member Code of Ethics. Failure to do so may result in suspension or revocation of the privilege of serving as a student representative to the board.
4. A student representative may request, in writing, to the Board Chair or Superintendent that an item be placed on the agenda for Board consideration. The Chair, in consultation with the Superintendent shall determine whether the item shall be placed on the agenda.
5. A student representative may not make or second motions, or vote on any question, but may have his/her positions noted in the minutes.
6. A student representative may not participate in any executive session.
7. A student representative shall not have access to confidential materials, including but not limited to those prepared in anticipation of executive sessions.
8. Student representatives may not participate in the Board's negotiations with any collective bargaining units or in discussion or deliberation concerning hiring, evaluation, compensation or other matters related to employment in RSU 58/MSAD 58.

Adopted: December 18, 2014

Revised: October 20, 2016

## **BOARD MEMBER RESIGNATION**

The Board believes that any citizen who files for and seeks election to the Board should do so with full knowledge and appreciation of the investment in time, effort and dedication expected of all Board members, and that his/her interest reflects his/her intent to serve a full term of office.

If, for reasons of health, change in residency, or any other compelling reason a member does decide to terminate service, the Board requests earliest possible notification of the intent to resign so that the Board may plan appropriately for the anticipated vacancy.

Adopted:     Date of manual adoption (unknown)

Revised:     October 20, 2016

### **BOARD-DECLARED VACANCY CAUSED BY ABSENTEEISM**

When a member must be absent from a regular meeting of the Board for any reason, that member shall contact the Board Chair and request to be excused from the meeting; if the Chair must be absent, he/she shall contact the Vice Chair. The Chair shall determine whether or not the request shall be granted, unless otherwise ruled by a majority of the Board. The minutes of each meeting shall reflect the names of the members present, those absent with excuse (if any) and those absent without excuse (if any).

The Board shall take the following action when a member is absent without excuse:

- A. After two consecutive unexcused absences from regular meetings, the member shall be notified in writing by the Board informing him/her that a third consecutive unexcused absence from a regular meeting will constitute cause for the Board to consider declaring his/her seat on the Board vacant.
- B. After three consecutive unexcused absences from regular meetings, the Board shall notify said member in writing that the Board will consider declaring his/her seat vacant at the next regular meeting of the Board or at a special meeting called for the purpose of considering this matter.
- C. At the meeting where the declaration of a vacancy, in accordance with this policy, is being considered, the Board member who is the subject of the action shall be provided the opportunity to present his/her reasons why the Board should not declare a vacancy.
- D. Following the deliberation outlined in sections B and C of this policy, the Board shall vote whether or not to declare a vacancy.
- E. Should a vacancy be declared in accordance with this policy, the vacancy shall be filled by the Board of Selectmen of the municipality from which the Director was elected or by election at a town meeting called for that purpose.
- F. An absence for any of the following reasons shall be routinely considered an excused absence: Illness of the member or members of his/her immediate family, death in the member's family, a short-term family obligation, or an unavoidable commitment related to the member's employment (so long as such a commitment is not of the type which prevents the member from attending on a regular basis). Absences for reasons other than those identified above shall be considered by the Board on an individual basis.

Legal Reference: 20-A MRSA § 1254, 1474

Adopted: December 9, 1999

Revised: October 20, 2016

## **BOARD MEMBER CODE OF ETHICS**

Having accepted the challenge of service on the RSU 58/MSAD 58 Board, I accept the principles set forth in the following code of ethics to guide me in helping to provide free public education to all the children of my school unit within the State of Maine:

- A. I will view service on the Board as an opportunity to serve my community, state, and nation because I believe public education is the best means to promote the welfare of our people and to preserve our democratic way of life.
- B. I will at all times think of children first and base my decisions on how they will affect children, their education, and their training.
- C. I will make no disparaging remarks, in or out of the Board meetings, about other members of the Board or their opinions.
- D. I will remember at all times that as an individual I have no legal authority outside the meetings of the Board, and that I will conduct my relationship with the school staff, the local citizenry, and all media of communications on the basis of this fact.
- E. I will recognize that my responsibility is not to operate the schools but to see that they are well operated.
- F. I will seek to provide education for all children in the community commensurate with their needs and abilities.
- G. I will listen to all citizens but will refer all complaints to the proper authorities, and will discuss such complaints only at a regular meeting after failure of administrative solution.
- H. I will support a decision made by the majority of the Board graciously.
- I. I will not criticize employees publicly, but will make such criticism to the Superintendent for investigation and action, if necessary.
- J. I will make decisions openly after all facts bearing on a question have been presented and discussed.

- K. I will refuse to make promises as to how I will vote on a matter that should properly come before the Board as a whole.
- L. I will not discuss the confidential business of the Board in my home, on the street, or in my office, the place for such discussion being the School Board meeting.
- M. I will confine my Board action to policymaking, planning, and appraisal, leaving the administration of the schools to the Superintendent.
- N. I will welcome and encourage cooperation and participation by teachers, administrators, and other personnel in developing policies that affect their welfare and that of the children they serve.
- O. I will endeavor at all times to see that schools have adequate financial support within the capabilities of the community and state, in order that every child may receive the best possible education.
- P. I will resist every temptation and outside pressure to use my position as a School Board member to benefit myself or any individual or agency apart from the total interest of the school unit.
- Q. I will endeavor to attend every regular and special Board meeting recognizing that my presence means representation for my town or city. If I find that this is not possible for an extended length of time, I will give consideration to resigning from my position on the Board.
- R. I will recognize at all times that the Board of which I am a member is an agent of the state, and as such, I will abide by the laws of the state and the regulations formulated by the Maine Department of Education and by the State Board of Education.

Adopted: October 20, 2016

## **BOARD MEMBER CONFLICT OF INTEREST**

Board service is a matter of public trust. In making decisions that affect RSU 58/MSAD 58 and its schools, Board members have the duty to act in the interest of the common good and for the benefit of the people they represent.

A conflict of interest may arise when there is an incompatibility between a Board member's personal interest and his/her responsibilities as an elected official in a matter proposed or pending before the Board. Board members have a legal and ethical responsibility to avoid not only conflict of interest, but the appearance of conflict of interest as well.

### **Financial Interest**

A Board member has a financial interest in a question or contract under consideration when he/she or a member of his/her immediate family may derive some financial or other material benefit or loss as a result of the Board action. The vote of the Board is voidable if a Board member has a financial interest and votes on that question or is involved in the discussion, negotiation, or award of a contract or other action in which he/she has a financial interest.

In order to prevent the vote on a question or contract from being voidable, a Board member who has a financial interest must:

- A. Make full disclosure of his/her interest before any action is taken; and
- B. Abstain from voting, from the negotiation or award of the contract and from otherwise attempting to influence the decision.

The Secretary of the Board shall record in the minutes of the meeting the member's disclosure and abstention from taking part in the decision in which he/she has an interest.

It is not the intent of this policy to prevent a Board member from voting or the school unit from contracting with a business because a Board member is an employee of that business or has another, indirect interest but is designed to prevent the placing of Board members in a position where their interest in the schools and their interest in their places of employment may conflict and to avoid appearances of conflict of interest.

### **Appearance of Conflict of Interest**

A Board member should do nothing to give the impression that his/her position or vote on an issue is influenced by anything other than a fair consideration of all sides of a question.

Board members shall attempt to avoid the appearance of conflict of interest by disclosure and/or by abstention.

### **Appointment to Office and Other Employment**

A Board member may not, during the time the member serves on the Board and for one year after the member ceases to serve on the Board, be appointed to any civil office of profit or employment position which has been created or the compensation of which has been increased by action of the Board during the time the member served on the Board.

### **Employment**

A member of the Board or spouse of a member may not be an employee in a public school within the jurisdiction of the Board to which the member is elected or in a contract high school or academy located within a supervisory union in which the member is a representative on the union committee.

### **Board Members as Volunteers**

A member of the Board, or spouse of a member, may not serve as a volunteer when that volunteer has primary responsibility for a curricular, co-curricular or extracurricular program or activity and reports directly to the Superintendent, principal, athletic director or other school administrator in a public school within the jurisdiction of the Board to which the member is elected, or in a contract high school or academy located within a supervisory union in which the member is a representative on the school committee.

Volunteer activities of a member of the Board or member's spouse other than in roles that are prohibited by this section may be prescribed by policies developed and approved by the Board.

## Definitions

For the purposes of this policy, the following statutory definitions apply:

- A. “Employee” means a person who receives monetary payment or benefits, no matter the amount paid or hours worked, for personal services performed for a school administrative unit.
  
- B. “Volunteer” means a person who performs personal services for a school administrative unit without monetary payments or benefits of any kind or amount.

Legal Reference: 20-A MRSA § 1002-1004  
20-A MRSA § 1493  
30-A MRSA § 2604-2606

Cross Reference: BCA-Board Member Code of Ethics

Adopted: January 5, 2012

Revised: October 20, 2016

## **NEPOTISM**

### **Employment**

It shall be the policy of the RSU 58/MSAD 58 Board not to employ as school unit staff any person who is a member of the immediate family of a Board member or of the Superintendent. Immediate families of Board members or the Superintendent who are employed by the school unit on the date of adoption of this policy are not affected by this paragraph.

By Maine law (20-A MRSA. § 1002(2)), a Board member's spouse is precluded from employment under any circumstances in any public school within the jurisdiction of the Board to which the member is elected.

### **Supervision and Evaluation**

No person shall be employed in or assigned to a position that is within the administrative supervision of a member of his/her immediate family, nor in a position in which he/she is supervised or evaluated, in whole or in part, by a member of his/her immediate family.

### **Exceptions**

In extraordinary circumstances, the Board may approve an exception to the prohibitions on the employment of immediate family so long as the candidate is qualified for the position to which he/she has applied, the hiring is in the best interest of the school system and its students, and the candidate is not the spouse of a Board member.

### **Volunteers**

Under Maine law (20-A MRSA. § 1002(2-A)), a Board member's spouse may not serve as a volunteer when that volunteer has primary responsibility for a curricular, co-curricular, or extracurricular program or activity and reports directly to the Superintendent, Principal, Athletic Director, or other school administrator within the jurisdiction of the Board.

**Definitions**

For the purpose of this policy:

- A. “Immediate family” means spouse, brother, sister, parent, son, or daughter.
- B. “Administrative supervision” refers to the authority of a person in the position of principal or higher.

Legal Reference: 20-A MRSA. § 1002

Cross Reference: BCB - Board Member Conflict of Interest

Adopted: October 20, 2016

## **BOARD ORGANIZATIONAL MEETING**

Reorganization shall be effected at the first regular meeting of the Board in July. At this meeting, there shall be an election for the ensuing year of a Chair and a Vice Chair.

The Superintendent, as Secretary to the Board, shall preside until the new Chair is elected. Following this election, the Chair shall assume his/her office and preside over the election of the Vice-Chair.

The Chair and Vice-Chair shall serve until the next annual organizational meeting, at the pleasure of the Board. Removal prior to the next organizational meeting shall require three-fifths (3/5) vote of the whole Board. Should the office of Chair become vacant, the Vice-Chair shall assume the office of Chair until the next regular Board meeting when a new Chair shall be elected.

The Board Chair shall appoint members of the Board to its Finance Committee, Policy Committee, and Facilities, Maintenance and Transportation Committee and to such other standing committees as may have been established.

The Board Chair shall appoint members of any advisory temporary committees.

All committees shall be composed of less than the majority of the Board.

Legal Reference: 20-A MRSA § 1471

Cross Reference: BDE – Board Standing Committees  
BDF – Board Advisory Committees

Adopted: December 8, 2005

Revised: October 20, 2016

## **BOARD OFFICERS**

### **Duties of the Chair**

The Chair shall preside at all meetings of the Board and shall perform other duties as directed by law, Maine Department of Education rules, and by this Board. In carrying out these responsibilities, the Chair shall:

- A. Sign the instruments, acts, and orders necessary to carry out state requirements and the will of the Board;
- B. Consult with the Superintendent in the planning of the Board meeting agendas;
- C. Confer with the Superintendent on crucial matters that may occur between Board meetings;
- D. Appoint subcommittees subject to Board approval and serve as an ex-officio member of all such committees;
- E. Call special meetings of the Board as necessary;
- F. Be the public spokesperson for the Board at all times except as this responsibility is specifically delegated to others; and
- G. Preside at and be responsible for the orderly conduct of all Board meetings.

As the presiding officer at all meetings of the Board, the Chair shall:

- A. Call the meeting to order at the appointed time;
- B. Announce the business to come before the Board in its proper order;
- C. Enforce the Board's policies relating to the order of business and the conduct of meetings;
- D. Explain, as appropriate, what the effect of a motion would be;
- E. Restrict discussion when a motion is before the Board;

F. Put motions to a vote and announce the vote result.

The Chair shall have the right, as other Board members have, to offer motions, discuss questions, and vote.

**Duties of the Vice-Chair**

In the absence of the Chair, the Vice-Chair shall perform all the duties of the Chair.

**Duties of the Treasurer**

The Superintendent shall serve as Treasurer of the Board. The Treasurer shall be responsible for the review and signing of the warrants.

**Duties of the Secretary**

The Superintendent shall serve as Secretary of the Board, with the right to speak on all questions and offer recommendations. The Secretary shall be responsible for ensuring that records are kept of all business transacted by the Board at both regular and appropriately called special meetings, and shall perform such other functions, as are ordinarily functions of this office.

Legal Reference: 20-A MRSA § 1055  
20-A MRSA§ 1251

Cross Reference: BB - School Board Legal Status

Adopted: October 20, 2016

## **BOARD-SUPERINTENDENT RELATIONSHIP**

The Board believes that exercising its legislative function through policymaking is its most important responsibility. The Board is also responsible for setting the direction for the school unit and evaluating progress toward goals.

The management of the schools is the function of the Superintendent. The Board holds the Superintendent responsible for complying with all applicable laws, rules and regulations; for administering Board policies and decisions; for the operation of the schools and educational program; for the system of supervision and evaluation of staff; and for keeping the Board informed about school operations, problems and opportunities. The Board recognizes that the Superintendent may delegate certain responsibilities to other personnel. Such delegation does not relieve the Superintendent of the final responsibility for actions taken.

The Board, collectively and as individual members, shall:

- A. Recognize the Superintendent as the educational leader of the school unit;
- B. Provide direction for the Superintendent through written policies, objectives and goals for the school unit;
- C. Give the Superintendent full administrative authority and support for properly discharging his/her professional duties, while holding him/her responsible for acceptable results;
- D. Hold all Board meetings in the presence of the Superintendent, except as otherwise permitted by law or when the Superintendent voluntarily excuses him/herself at the request of the Board.
- E. Refer complaints, criticisms, and requests to the Superintendent or other appropriate personnel and discuss them at Board meetings only after administrative solutions have been exhausted; and
- F. Evaluate the Superintendent and provide appropriate opportunities for the Superintendent to share his/her perceptions regarding the working relationship between the Board and Superintendent.

Legal Reference: 1 MRSA § 401 et seq.  
20-A MRSA §§ 1001 et seq.; 1051 et seq.; 13201; 13301

Cross Reference: BBA - School Board Powers and Responsibilities  
BCA - Board Member Code of Ethics  
CBI - Evaluation of the Superintendent

Adopted: October 20, 2016

## **BOARD STANDING COMMITTEES**

The Board may establish such standing committees, as it deems necessary to facilitate school unit governance and address ongoing school unit needs. A standing committee has only such authority as specified by the Board.

All standing committees shall be comprised of less than a majority of the Board.

All standing committee meetings are open to the public except as provided by the Freedom of Access Law and the Municipal Public Employees Labor Relations Law.

### **Establishment and Functions of Standing Committees**

The following provisions apply to the establishment and functions of standing committees:

- A. All standing committees shall be established by vote of the Board. A motion to establish a standing committee shall state the purpose and responsibilities of the committee (the “charge”) and set the number of members comprising the committee.
- B. The Board Chair may appoint members to a standing committee from among the membership of the Board. For existing standing committees, appointments will be made at or as soon as practicable after the School Board’s annual organizational meeting.
- C. The Board Chair may also make appointments to standing committee vacancies on standing committees that occur prior to the Board’s next organizational meeting.
- D. The term of appointment to a standing committee shall be until the next organizational meeting.
- E. Each standing committee will elect its own chair.
- F. The Board Chair and Superintendent shall be ex officio (non-voting) members of all standing committees.
- G. Any Board member may attend standing committee meetings, but only appointed members of the committee may vote.

- H. Except as authorized by law or Board action, a standing committee may research issues and make recommendations for Board action, but may not act for the Board.
- I. A standing committee may be abolished at any time by a vote of the Board.
- J. The number of members on a standing committee and/or the responsibilities of a standing committee may be modified at any time by a vote of the Board.

Legal Reference: 1 MRSA. § 401 et seq.

Adopted: October 29, 1998

Revised: October 20, 2016

## **BOARD ADVISORY COMMITTEES**

The Board may establish advisory committees to perform specific functions. Advisory committees may study particular problems or issues and make reports and/or recommendations to the Board, but may not act for the Board.

Advisory committees may include individuals who are not elected members of the Board but each advisory committee shall have at least one Board representative.

The Board will consult with the Superintendent before establishing or dissolving any advisory committee. The number of members, the composition of each advisory committee, and the selection of members will be determined by the Board, in consultation with the Superintendent based upon the purpose of the committee.

The scope and authority of any advisory committee shall be limited to that assigned to it by the Board. The Board is in no way obligated to follow advisory committee recommendations.

Unless given a new assignment by the Board, an advisory committee shall automatically dissolve after the Board has received the committee's final report or recommendations. An advisory committee may be dissolved at any time by Board action. No advisory committee shall continue for a prolonged period without a specific assignment.

### **Instructions to Board Advisory Committees**

So that the Board's intent and expectations are clear, each advisory committee shall be instructed in writing concerning:

- A. The purpose of the committee, the specific issue(s) for study, and/or the scope of the committee's activity;
- B. The composition of the committee, including designation of voting and non-voting members, if applicable;
- C. The length of time each member is expected to serve;
- D. The role of the committee as being advisory only;
- E. The resources the Board will provide to assist the committee in completing its task;

- F. The expectations regarding the committee's relationship with the Board, the Superintendent and school system personnel;
- G. The designation of the individual who will be responsible for providing information to the public concerning the committee and its work;
- H. The time and place of the first meeting;
- I. The timeline for progress reports to the Board and/or other activities;
- J. The date on which the Board expects to receive a final report or recommendations and dissolve the committee.

All advisory committee meetings are open to the public except as may otherwise be provided by law. Advisory committee reports and minutes of advisory committee meetings, if prepared, are public information subject to the Freedom of Access Law.

Notice of advisory committee meetings shall be provided in a manner consistent with the Board's policy and practice concerning notification of Board meetings.

The Board recognizes that any advisory committee mandated by state law or Department of Education regulations may require deviation from any or all of the provisions of this policy. Any such deviations shall be identified when the Board establishes such a committee and reflected in the Board's instructions to the committee.

Legal Reference: 1 MRSA. § 401 et seq.

Adopted: Date of manual adoption (unknown)

Revised: October 20, 2016

## **SCHOOL ATTORNEY/LEGAL SERVICES**

The Board recognizes that the increasing complexity of school unit operations frequently requires procurement of professional legal services. Therefore, the Board shall designate an attorney and/or law firm to provide such services on an ongoing basis. The school attorney(s) shall be admitted to practice law in Maine. The Board reserves the right to obtain legal services outside of its designated attorney/law firm as deemed appropriate.

A decision to seek legal advice or assistance on behalf of the school unit shall normally be made by the Superintendent or Board Chair in accordance with Board policy and when an obvious need exists. Such services may also be obtained as a consequence of a formal vote of the Board:

Legal services required by the school unit may include, but not be limited to:

- A. Providing general legal advice to the Board and/or administration;
- B. Assisting with labor negotiations;
- C. Assisting with personnel matters;
- D. Assisting with expulsions and other student disciplinary matters;
- E. Conduct and/or assist with pending or actual litigation involving the school unit;
- F. Other specialized legal services; and
- G. Attendance at Board meetings or other activities as appropriate.

Many types of legal services are considered routine and do not require specific Board approval. However, when the Superintendent concludes that the potential for significant legal expenditure exists or under other unusual circumstances, he/she shall inform the Board at an appropriate point in the process. The Board may take action on such matters as appropriate.

Adopted: May 12, 1993

Revised: October 20, 2016

## **SCHOOL BOARD MEETINGS**

### **Regular Meetings**

The RSU 58/MSAD 58 Board will hold its regular business meetings at 6:30 PM on the third Thursday of each month, unless otherwise set by action of the Board. For the convenience of Board members and the public, the locations for regular meetings will rotate sequentially through the towns, unless otherwise changed by action of the Board.

### **Special Meetings**

A special meeting of the Board is a meeting that is held to address important matters that arise between regular meetings and/or require Board action before the time set for the next regular meeting, or to consider a single subject in one session.

A special meeting may be called at any time at the discretion of the Chair or at the request of the Superintendent. A special meeting shall be called at the written request of three or more members of the Board.

The Superintendent shall be responsible for providing notice of a special meeting to Board members and the media at least 72 hours in advance of the meeting. The notice or agenda shall indicate the subject(s) of the meeting and action to be taken.

No business other than that stated in the notice of the meeting shall be transacted unless the Board agrees by majority vote to consider other business.

### **Emergency Meetings**

An emergency meeting of the Board is a meeting that is called because a matter is so urgent that it must be addressed immediately and the advance notice required for a special meeting cannot reasonably be provided.

An emergency meeting may be called by the Chair or at the request of the Superintendent.

Whenever practicable, 24 hour advance notice will be provided. The Superintendent shall notify the media of an emergency meeting by the same or faster means as used to notify Board members. The notice shall indicate the purpose of the meeting.

No business may be transacted other than that related to the purpose for which the emergency meeting is called.

### **Executive Sessions**

Executive sessions of the Board shall be called and conducted in accordance with state law. Only the matter(s) stated in the motion to enter executive session shall be considered. No final action may be taken in executive session.

### **Workshops and Informational Meetings**

The Board, at its discretion, may schedule workshops and other meetings to discuss a particular subject or proposal or to gather input from staff, community, or other groups.

No formal action shall be taken by the Board at any meeting other than a regular meeting, special meeting, or emergency meeting.

Legal References: 1 MRSA § 403 et seq.  
20-A MRSA § 1001

Cross References: BEC—Executive Sessions  
BEDA—Notification of Board Meetings  
BEDB—Agenda Preparation and Dissemination

Adopted: November 17, 2011

Revised: October 20, 2016

## **SCHOOL BOARD USE OF ELECTRONIC MAIL**

Use of electronic mail (email) by school board members should conform to the same standards of judgment, propriety and ethics as other forms of school board-related communication. Board members shall comply with the following guidelines when using email in the conduct of board responsibilities:

- A. The RSU 58/MSAD 58 Board shall not use email as a substitute for deliberations at Board meetings or for other communications or business properly confined to Board meetings.
- B. Board members should be aware that email and email attachments received or prepared for use in board business or containing information relating to board business are likely to be regarded as public records which may be inspected by any person upon request, unless otherwise made confidential by law.
- C. Board members shall avoid reference to confidential information about employees, students or other matters in email communications because of the risk of improper disclosure. Board members should comply with the same standards as school employees with regard to confidential information.

Legal Reference: 1 MRSA § 401 et seq.  
20-A MRSA § 6001-6002  
20 USC § 1232g

Cross Reference: GBJ - Personnel Records and Files  
JRA - Student Educational Records

Adopted: November 10, 2005

Revised: October 20, 2016

**BOARD/STUDENT/FACULTY TOWN MEETING**

The first Wednesday of March each year will be designated as “Town Meeting Day.” The Board will meet with interested students at Mt. Abram High School to receive comments, questions, and suggestions. No action will be taken at this meeting.

Approved: March 26, 1998; June 11, 1998  
Reviewed: October 20, 2016

## **EXECUTIVE SESSIONS**

Except as provided by law, all meetings of the RSU 58/MSAD 58 Board shall be open to the public and all persons shall be permitted to attend the meetings. The Board may hold executive sessions upon recorded vote of 3/5 of the members present and voting. Any motion to go into executive session shall indicate the precise nature of the business of the executive session and include a citation of one or more sources of statutory or other authority that permits an executive session for that business. Deliberations may be conducted in executive sessions only on those matters defined in the law. No final action shall be taken in executive session.

By its very nature, the subject matter of executive sessions is highly confidential. It is expected that all parties to such discussions will respect the need for confidentiality.

Legal Reference: 1 MRS § 401 et seq.

Cross Reference: BE - School Board Meetings  
BEC-R - Executive Session Procedure

Adopted: November 17, 2001

Revised: October 20, 2016

## **EXECUTIVE SESSION PROCEDURE**

- I. To Enter Executive Session, the Board must:
  - A. Start with a public meeting;
  - B. Have a public recorded vote of 3/5 of members present and voting; and
  - C. State in a motion the precise nature of the business of the executive session and include in the motion a citation of one or more sources of statutory or other authority that permits an executive session for that business. If more than one matter is to be discussed, the nature of each matter and the source(s) of authority for each must be stated. When labor contracts are the subject of an executive session, the parties must be named.
  
- II. Restrictions During Executive Session
  - A. Only matters stated in the motion may be considered.
  - B. No official actions shall be finally approved.
  - C. No public record shall be kept.
  
- III. Items Which May Be Discussed In Executive Session
  - A. Discussion or consideration of employment, appointment, assignment, duties, compensation, evaluation, resignation, disciplining, promotion, demotion or dismissal of public officials, appointees or employees or the investigation of charges or complaints against persons, subject to the following conditions:
    1. Only when public discussion could be reasonably expected to cause damage to the reputation or violate the individual's right to privacy;
    2. Person charged or investigated has right to be present;
    3. Person charged or investigated may request in writing that the investigation be conducted in open session. Such requests must be honored; and

4. Any person bringing charges shall be permitted to be present (does not specify participation).
- B. Discussion or consideration of suspension or expulsion of a student, the cost of whose education is paid from public funds. The student and legal counsel (and parents or guardian if student is a minor) shall be permitted to be present if student, parents or guardian so desire.
- C. Discussion or consideration of the condition, acquisition or the use of real or personal property only if premature disclosure would prejudice the bargaining position of the body or agency.
- D. Board discussion of labor contracts and proposals and meetings may be held in executive session. Negotiations between the representatives of a public employer and public employees are closed unless opened by agreement of both parties.
- E. Consultations between a body or agency and its attorney concerning legal rights, pending litigation, and settlement offers, when premature public knowledge would give the Board substantial disadvantage.
- F. Discussion of records made, maintained or received by the body or agency, when access by the general public is prohibited by statute.

Legal Reference: 1 MRSA § 405

Cross Reference: BEC - Executive Sessions

Adopted: October 20, 2016

## **NOTIFICATION OF BOARD MEETINGS**

It shall be the policy of the Board to announce all meetings publicly. Except in the event of rare emergencies, such announcement will be made by the Superintendent/designee in ample time to allow public attendance and shall be disseminated in a manner reasonably calculated to notify the general public, i.e., at least 72 hours (three days) in advance for a regular Board meeting or a special Board meeting.

Whenever possible, Board members shall receive notice of emergency meetings at least 24 hours in advance. Such notice shall include the date, time, location and purpose of the meeting. The Superintendent/designee shall, whenever practical, notify local representatives of the media by the same or faster means as used to notify Board members.

Legal Reference: 1 MRSA § 401 et seq.

Cross Reference: BE - School Board Meetings

Adopted: Date of manual adoption (unknown)

Revised: November 14, 1996; November 17, 2011; October 20, 2016

## **AGENDA**

### **Agenda Preparation and Dissemination**

The Superintendent, in consultation with the Chair, shall prepare an agenda for each meeting of the Board. The agenda shall include items that the Board plans to address in performing its duties as the governing body of the school unit in accordance with Maine law and Board policies.

The agenda will be distributed to Board members, the media (by email), and to designated school-affiliated organizations no later than seven days prior to a regular meeting of the Board and no later than three days (72 hours) prior to a special meeting. Copies of the agenda will be posted and/or available at the Superintendent's Office, each RSU 58/MSAD 58 school, the town office, and/or other appropriate public facilities. The agenda will also be posted on the RSU 58/MSAD 58 website. Anyone desiring additional information regarding an agenda item should direct inquiries to the Office of the Superintendent. Copies of the agenda will also be available at the Board meeting.

In the case of an emergency meeting, notice of the agenda will be given as early as practicable and will be provided to the media at the same time and in the same manner that it is given to Board members.

### **Requests for Agenda Items**

Board members, school unit staff, groups or organizations, and members of the public may submit written requests to the Board through the Chair or the Superintendent for items to be placed on the agenda. To be considered for placement on the agenda, an item must be within the scope of the Board's duties, timely, and appropriate for consideration under all applicable laws and Board policies. The request must be received a minimum of ten business days prior to the meeting at which the group or individual wishes the item to be addressed by the Board in order for it to be considered for the agenda of that meeting. The Chair and Superintendent shall make the final decision regarding placement of items on the agenda.

### **Dissemination of Supporting Materials**

As an accompaniment to the agenda, the Superintendent will provide to the Board such background materials and data that in his/her judgment are necessary for the Board to give informed consideration to agenda items. The Superintendent will

also provide to the Board the draft minutes of Board meetings that will be presented for approval.

Documents containing information that is exempt from disclosure under the Freedom of Access Act or other law shall be marked “confidential.” Such information shall not be disclosed by Board members or the Superintendent or provided to the media or the public. Requests for disclosure of materials received by Board members should be referred to the Superintendent.

### **Additions and Adjustments to the Agenda**

After the meeting has been called to order, the Superintendent or Board Chair may recommend additions and/or adjustments to the agenda of a regular meeting or, unless otherwise prohibited by Board policy, to the agenda of a special meeting.

Any Board member who wishes to add an item to the agenda may offer a motion to that effect. Such a motion shall require a second to proceed to a vote. The item should be within the scope of the Board’s duties, timely, and appropriate for consideration under all applicable laws and Board policies.

All additions to the agenda must be approved by a majority vote of the members present and voting.

In order to facilitate its business or to accommodate groups in attendance, the Board may adjust the agenda by changing the order of business. Such adjustments shall require the consent of the Board by majority vote.

Cross Reference: BE—School Board Meetings  
BEDBA —Agenda Format  
BEDH—Public Participation at Board Meetings  
KE—Public Concerns and Complaints

Adopted: October 20, 2016

## **AGENDA FORMAT**

In order to provide reasonable notice of the business to be conducted and to achieve consistency in the order of its meetings, the Board will establish an agenda format for its regular and special meetings. Additions and/or adjustments to the agenda for a particular meeting may be made during that meeting in accordance with Board policy. The agenda format may be altered only by vote of the Board and in a manner consistent with its policy adoption process.

The order of business may be altered or items added or deleted from the agenda by a majority vote of the Board members present and voting.

Cross Reference:   BEDB—Agenda  
                          BEDH—Public Participation at Board Meetings

Adopted:       October 20, 2016

## **QUORUM**

Unless otherwise required by law or Board policy, a majority of the Board's weighted votes (out of 1000 possible) shall constitute a quorum for purposes of taking action.

Adopted:     Date of manual adoption (unknown)

Revised: October 20, 2016

## **RULES OF ORDER**

Except as otherwise provided by law, by Maine Department of Education regulations, or by Board policy, *Robert's Rules of Order, Revised* (latest edition available) shall be used to resolve procedural uncertainties.

The Superintendent, as Secretary to the Board, shall function as Parliamentarian and advise the Chair and Board, as necessary, regarding parliamentary procedure or interpretation of *Roberts Rules*.

The Chair will rule on all questions pertaining to rules of order/parliamentary procedure that may arise during a public meeting of the Board.

Procedural rules may be suspended at any time for the duration of any one meeting by majority vote of the Board members present.

Adopted:     Date of manual adoption (unknown)

Revised: October 20, 2016

## **VOTING METHOD**

Voting shall ordinarily be by show of hands. Voting shall be done by roll call at the direction of the Chair, or at the request of any Board member. When voting by roll call, the names of the members shall be called alphabetically, and each member shall respond “Yes” or “No” or “Not Voting.” All votes shall be recorded in the minutes.

Maine public officials are obliged to vote openly; thus, secret ballots are not to be used by the Board.

A motion shall be declared “Carried” upon the affirmative vote of the majority of the members present and voting, unless otherwise required by law or Board policy.

Cross Reference: BEDFA - Abstentions

Adopted: Date of manual adoption (unknown)

Revised: August 21, 2014; October 20, 2016

## **ABSTENTIONS**

An abstention is a non-expression and cannot be considered a vote in favor of or against a motion.

Each member of a public body has the duty to express a choice or preference by voting on the issues, but can legally abstain from doing so when there is a statutory or ethical conflict of interest. Not to vote is to abstain.

Abstentions are intended for situations where a member may have a direct or indirect pecuniary interest in the matter being voted on.

Legal Reference: 30 MRSA § 2605 et seq.

Cross Reference: BCB - Board Member Conflict of Interest  
BEDF - Voting Method

Adopted: October 20, 2016

## MINUTES

The Superintendent, in his/her role as Board Secretary, shall prepare and maintain accurate minutes of all meetings of the Board.

The minutes shall reflect the type of meeting (regular, special, or emergency), the date, time, and place of the meeting, and the names of the members present, those absent with excuse (if any), and those absent without excuse (if any).

The minutes shall include, at a minimum: the wording of motions and resolutions; the name of the Board member making the motion; the name of the Board member seconding the motion (if a second is required); the action taken; and the vote.

When a Board member abstains from voting because of a conflict of interest as defined by law, his/her abstention and reason for doing so shall be recorded in the minutes.

Draft (unapproved) minutes of meetings will be distributed to all Board members prior to the meeting at which they are to be presented for approval. Draft (unapproved) minutes will be made available to the media upon request and may be inspected and copied by members of the public at the Office of the Superintendent. Draft (unapproved) minutes shall be stamped "draft" to indicate their status.

Board meeting minutes shall be acted upon by the Board at its next regular meeting. The Board's action on the minutes will be reflected in the minutes of the meeting at which they are approved.

Approved minutes shall be permanently filed in the Office of the Superintendent, where they shall be available to the public for inspection and copying during normal business hours.

Board minutes will also be posted on the RSU 58/MSAD 58 website.

Legal Reference: 1 MRSA §§ 402(3), 408  
20-A MRSA §§ 1004, 1055  
30-A MRSA § 2605

Cross Reference: BBBDA - Board Declared Vacancy Caused by Absenteeism  
BEDI - Board Relations with the Media

Adopted: October 20, 2016

## **PUBLIC PARTICIPATION AT BOARD MEETINGS**

Board meetings are conducted for the purpose of carrying on the official business of the school system. All regular, special and emergency meetings of the Board are open to the public. The public is cordially invited to attend and participate in Board meetings as provided in this policy.

Although Board meetings are not public forums, the Board will provide appropriate opportunities for citizens to express opinions and concerns related to the matters under consideration by the Board. The intent is to allow a fair and adequate opportunity for the public to be heard and to provide adequate time for the Board to obtain information and opinion on subjects before it, while ensuring that the time allowed for public discussion does not interfere with the fulfillment of the scheduled agenda.

A period for public participation will be provided immediately following the approval of minutes. During the time allotted for public participation, members of the public may speak on any subject directly related to the operations of the schools, except for personal matters or complaints concerning specific employees or students, which shall be addressed through established policies and procedures.

The Chair may at his/her discretion invite the public to speak prior to the Board's vote on a specific agenda.

Members of the public may address the Board within the guidelines provided in this policy. The Chair shall be responsible for maintaining proper order and compliance with these guidelines.

### **Guidelines for Public Participation**

The following guidelines shall apply to public participation at Board meetings.

- A. Citizens and employees of the school unit are welcome to participate as provided in this policy. Others may be recognized to speak at the Chair's discretion. Individual employees and/or employee groups will not be permitted to discuss matters for which complaint or grievance procedures are provided.
- B. The Chair may limit the time allotted for comments on a particular topic as well as the time each individual may speak.

- C. In the event of a sizeable audience, the Chair may require persons interested in speaking to sign up so they may be called on in a fair and efficient manner.
- D. During the time set aside for public participation, the Chair will be responsible for recognizing all speakers, who must identify themselves as they begin talking.
- E. Speakers are not permitted to share gossip, make defamatory comments, or use abusive or vulgar language.
- F. All speakers are to address the Chair and direct questions or comments to particular Board members or the Superintendent only with approval of the Chair. Requests for information or concerns that require further research may be referred to the Superintendent to be addressed at a later time.
- G. Members of the Board and the Superintendent may ask questions of any person who addresses the Board but are expected to refrain from arguing or debating issues. Questions must be addressed through the Chair.
- H. No complaints or allegations will be allowed at Board meetings concerning any person employed by the school system or against particular students. Personal matters or complaints concerning student or staff issues will not be considered in a public meeting but will be referred through established policies and procedures.
- I. In order to make efficient use of meeting time, the Board discourages duplication or repetition of comments to the Board. The Board requests that groups or organizations be represented by designated spokespersons.
- J. The Chair has the authority to stop any presentation that violates these guidelines or the privacy rights of others.
- K. Persons who disrupt the meeting may be asked to leave, and the Chair may request law enforcement assistance as necessary to restore order.

An agenda shall be published in advance of each meeting in accordance with Board policy. Copies will be posted and/or available prior to regular meetings at the meeting site, at the Superintendent's Office, in each school, and on the RSU 58/MSAD 58 website. Anyone desiring additional information about an agenda item should direct such inquiries to the Office of the Superintendent.

Legal Reference: 1 MRSA § 401 et seq.

Cross Reference: BEC – Executive Session  
BEDA – Notification of Board Meetings  
BEDB – Agenda  
BEDD – Rules of Order  
KE – Public Concerns and Complaints

Adopted: November 17, 2011

Revised: October 20, 2016

## **BOARD RELATIONS WITH THE MEDIA**

The Board believes that it has a responsibility to keep the public informed about the operations, programs, progress, and problems of the public schools. Consequently, Board meetings are open to the news media and public. In the event that representatives of the news media are unable to attend a meeting, the Superintendent shall provide, upon request, a summary of important Board actions.

Public documents, as defined by state statute, will be made available as provided by statute and the school unit's procedures. Requests should be made to the Office of the Superintendent.

The Chair shall be the public spokesperson for the Board. Individual Board members who receive requests from news media representatives for information or comment shall refer such inquiries to the Board Chair.

Legal Reference: 1 MRSA § 402

Cross Reference: KI - Visitors to the Schools

Adopted: October 20, 2016

## **BROADCASTING/TAPING OF BOARD MEETINGS**

An audio recording will be made of any regular or special Board meeting, except for executive sessions. Such recordings will be maintained and made accessible for one year following the meeting. Audio recordings may be posted on the District's website.

## **PUBLIC TAPING/RECORDING AT BOARD MEETINGS**

The following guidelines will govern the public use of recording devices at the public meetings of the Board of Directors and subcommittees.

Any recording device may be used by members of the public so long as it does not:

- A. Require the use of power cords and microphone cords that would interfere with the free movement of traffic into, out of, and within the meeting room;
- B. Produce continuous or periodic sounds that interfere with speakers or with the ability of all persons present to hear the proceedings;
- C. Require the occasional or frequent relocation of a microphone or microphones in such a manner as to be disruptive to speakers or other persons present; and/or;
- D. Require excessive space in the meeting room so that any participants or observers at the meeting are displaced, excluded or cannot see because of the device.

Whenever a tape or film recording is to be made of a meeting or any part thereof, the person making the tape or film shall first notify the Board Chair or the person conducting the meeting. The Chair will announce at the meeting that a member of the public is recording the meeting.

The Chair has the authority to request the operator to comply with the provisions of this policy when, in his/her judgment, the activity is interfering with the orderly conduct of the meeting and/or the ability of the public to observe the proceedings. If the problem persists, the Chair may direct that the recording be discontinued and, if necessary, that the recording device be removed from the meeting room.

Adopted: October 20, 2016

**ADJOURNMENT OF BOARD MEETINGS**

Meetings of the School Board shall be adjourned at 9:00 PM except when a motion to continue past this hour has been carried by a two-thirds (2/3) vote of the Board members in attendance. It is also intended that a topic started before the 9:00 PM curfew may be continued beyond that point.

Adopted: October 12, 2000

Revised: October 20, 2016

## **SCHOOL BOARD POLICY**

The RSU 58/MSAD 58 Board considers policy development its most important governance function.

It is the intent of the Board to develop written policies that will serve as the foundation for the successful and efficient operation of RSU 58/MSAD 58 and its schools.

The Board accepts the definition of policy set forth by the National School Boards Association:

School Board policies are statements that set forth the purposes and prescribe in general terms the organization and program of a school system. They create a framework within which the Superintendent and the staff can discharge their assigned duties with positive direction. They tell what is wanted. They may also indicate why and how much. Policies should define clearly the goals and objectives of the school system, allow for the flexibility that is vital in day-to-day operations, reflect the board's vision, define roles and responsibilities (who is supposed to do what), and include measurable outcomes.

The Board's policies are framed and meant to be interpreted in terms of federal laws and regulations, state statutes and the rules of the Maine Department of Education, State Board of Education, and other regulatory agencies at various levels of government. The Board's policies are also intended to reflect the Board's educational philosophy and instructional objectives and practices and procedures that are supported by research and generally accepted by leaders and authorities in the field of public education.

It is the Board's intent that its policies set goals and provide direction and guidance for administrators, staff, and students and serve as sources of information for parents, community members and others who are interested in or connected with the schools.

The Board regards policy development and review as an ongoing process. The need for a new policy or revision or deletion of an existing policy may arise from a change in law and/or regulations, modification of the school unit's vision or goals, educational research or trends, the occurrence of a significant incident or a recommendation or request from Board members, school administrators, staff, parents, students or other interested persons.

Adoption of new or revised policies and repeal of existing policies is solely the responsibility of the Board. Policies will be adopted, amended or repealed only by the affirmative vote of a majority of members present and voting.

Policies shall become effective upon Board adoption or at a future date designated by the Board at the time of adoption.

The Superintendent/designee will be responsible for distributing new or revised policies to Board members and for making policies accessible to school personnel, students and the public.

Legal Reference: 20-A MRSA §1001 (1) (A)

Cross Reference: BEDF – Voting Procedure  
BG-R – Policy Adoption Procedure

Adopted: November 12, 2002

Revised: October 20, 2016

## **POLICY ADOPTION PROCEDURE**

The following procedure shall be used to develop, adopt, review, revise and/or delete (repeal) RSU 58/MSAD58 Board policies:

- A. The Board as a whole will review all proposed new policies and revisions of existing policies.
  1. The Superintendent, individual Board members, Board subcommittees/ advisory committees and members of the public may submit policy suggestions and concerns directly to the Policy Committee. Policy suggestions that are submitted to the Board Chair or Superintendent will be forwarded to the Policy Committee. School unit employees should follow any and all applicable administrative procedures and/or collective bargaining agreement provisions for submitting policy suggestions.
  2. The Superintendent, in consultation with the Policy Committee, will be responsible for reviewing and researching suggestions for new policies and policy changes. The Board may seek or ask the Superintendent to provide information such as, but not limited to, the specific need for the policy; the fiscal consequences of the proposed policy; the potential effect of the policy on the instructional program, staff, students and the community; samples of policies on the same or similar subjects; applicable provisions of state and/or federal law and regulations; and the anticipated costs and benefits of implementing, enforcing and monitoring the proposed policy.
  3. The Policy Committee may prepare draft policies or delegate the drafting of all or individual policies to the Superintendent.
  4. At an appropriate stage in the process, the Superintendent, on behalf of the Board, shall notify the bargaining agent for the school unit's teachers of any proposed new educational policy or proposed modification of any existing educational policy.

The Board may also seek input or discuss the proposal with other groups affected by the policy.
  5. The Board Chair or Superintendent will make reports to the Board regarding the status of policy development.

- B. The first reading of a new policy, revision or deletion of policy shall be placed on the agenda of a regular Board meeting. Board members shall receive the policy, supporting material, if appropriate, and any written recommendations in advance of the meeting date.

The Policy Committee Chair will explain the proposed policy or policy change. The Board may discuss the substance of the policy proposal, and a vote shall be held to acknowledge the first reading of the policy. Any changes to the policy agreed to by consensus or by vote on a motion to amend shall be made prior to the second reading.

- C. At a subsequent regular meeting, but no more than eight weeks after the first reading, the policy shall be placed on the agenda for second reading and action. Amendments may be introduced and acted upon. If a main motion to approve the policy is not passed at such a meeting by a majority vote of Board members present and voting, the process for that policy is ended unless the Board, by vote, takes action to table further consideration of the policy or otherwise dispose of the policy (e.g., refer it back to the Superintendent or a subcommittee/ advisory committee further research).
- D. The Superintendent will be responsible for making new and revised policies available to Board members, school unit personnel, students and the public by sending copies to the schools, updating the school unit's website and/or other appropriate means as soon as practicable following adoption. Board members should update their policy manuals when they receive copies of new or revised policies or notifications of deletions.
- E. The Superintendent shall provide each Board member with a policy manual, in print, on a USB flash drive, CD, and/or by other means, as specified by the Board. If Board member access to the policy manual will be online, the Superintendent will provide each Board member with instructions for accessing it. The Superintendent /designee may periodically recall all policy manuals for administrative updating to ensure that the content of all Board manuals is current and consistent.

Legal Reference: 26 MRSA § 965(1) (C)

Cross Reference: BEDB - Agenda  
BG - School Board Policy

Adopted: November 12, 2002      Revised: October 20, 2016

## **BOARD COMMUNICATIONS WITH STAFF**

A clear understanding of responsibilities and relationships between and among the Board and school personnel is essential for a smoothly running and efficient school system. It should be remembered that the Board, school administrators, teachers and all others responsible for any phase of the work of the school system have a common and basic responsibility—the welfare of the children in the schools. This responsibility must guide all of the Board’s considerations and decisions.

### **Board and Superintendent**

The relationship of the Board and the Superintendent can best be described as one of teamwork. They must function cooperatively as some of their functions are not readily separable. However, the primary functions are separable and should be clearly understood by each. The Board is the legislative body of the school unit. It exercises its mandated management of the schools through the formation of policies.

The Superintendent is the executive officer of the Board and the chief administrative officer. The Board recognizes this and wishes to make this clear to all staff members and to all citizens.

All communications or reports to the Board or to any committee of the Board from Principals, supervisors, teachers, or other employees shall be submitted through the Superintendent.

### **Board and Principal**

The School Principal has no direct administrative relations with the Board. His/her relations to the Board are through the Superintendent, for the Board recognizes that the Superintendent is the person to whom it must look for professional leadership within the schools. A spirit of cooperation and mutual helpfulness must prevail between the Superintendent and the Principal if the best results are to be realized. For instance, the Principal and the Superintendent must cooperate in the selection of school staff because the Principal is in the best position to know the kind of person needed for a particular type of service in the school. However, the Principal must make recommendations to the Superintendent and not to the Board. At all times the Principal must remember that all matters which require Board action must be presented to the Board by the Superintendent.

## **Board and Teachers**

The relationship of the teacher to the Board is indirect. The teacher is directly responsible to the Principal and through him/her to the Superintendent, and then to the Board. However, this does not mean that the teacher does not have access to the Superintendent or to the Board. Conditions may arise when direct access may be obtained through channels established for grievances.

Adopted: October 20, 2016

## **NEW BOARD MEMBER ORIENTATION**

In order that newly elected Board members may cast informed votes and function effectively as board members, the Board and Superintendent will extend to them the fullest measures of courtesy and cooperation, and will make every reasonable effort to assist newly elected Board members in understanding the Board's functions, policies, procedures and current issues.

- A. In the interim between a new member's election or appointment and his/her assuming office, the Board, through the Superintendent, will invite newly elected members to attend meetings, except those held in executive session, and provide newly elected members with agenda, minutes and reports applicable to those meetings. During the time between election or appointment and the assumption of office, the status of the future-member remains that of a private citizen and not that of an elected or appointed official.
- B. The Board, through the Superintendent, will provide new members with copies of appropriate publications, such as the Board policy manual, student handbook(s), collective bargaining agreements, and current budget documents.
- C. The Superintendent will remind Board members of their obligation to complete, not later than the 120<sup>th</sup> day after the date of taking the oath of office, training on the requirements of Maine's Freedom of Access Law. The Superintendent will provide Board members with information regarding available training options. Each Board member shall attest by means of a written or electronic record that he/she has completed the training and provide a copy of such record to the Superintendent's Office. To facilitate documentation of training, the Superintendent will make available to Board members copies of the State's sample Certification of Completion of Freedom of Access Training form.
- D. The Board will encourage new members to attend appropriate in-district and out-of-district orientation and/or boardsmanship workshops. Reimbursement for such activities must be approved in advance by the Board Chair, in consultation with the Superintendent, and is subject to the availability of funds.

- E. The Chair and Superintendent will schedule and arrange for an orientation session for new Board members as soon as practicable after election or appointment. A reasonable amount of time will be provided for discussion of:
1. The roles and responsibilities of the Board and individual members;
  2. Basic operational procedures of the Board;
  3. Placement of items on the agenda;
  4. The role of committees, subcommittees and advisory committees;
  5. How and why executive sessions may be held;
  6. What is considered confidential or privileged information;
  7. Appropriate responses of an individual member when a request or complaint is made directly to him/her by a student, parent or member of the community;
  8. How the Board responds to complaints involving personnel;
  9. General information about the school system and its resources;
  10. How Board members, in fulfilling their duties, may request information concerning schools and District operations, finances and personnel;
  11. How Board members may make arrangements to visit schools and the protocol for such visits;
  12. Protocol for dealing with the media; and
  13. Other relevant topics.

All Board members will be invited to the orientation session and encouraged to attend. The orientation is intended to serve as a useful review of basic boardsmanship concepts for experienced members, as well as an opportunity to provide information and counsel to new Board members.

Legal Reference: 1 MRSA. § 412

Cross Reference: BIC – Board Member Freedom of Access Law Training

Adopted: October 20, 2016

## **BOARD MEMBER DEVELOPMENT OPPORTUNITIES**

Recognizing the value of continuous and life-long learning, the School Board places a high priority on the development of its members' "boardsmanship" skills and on supporting opportunities for in-service education. The purpose of board development is to enhance the quality of education in the school unit and the effectiveness of school unit governance.

Board members need to be well informed and to expand their knowledge of trends and issues affecting education and school governance. In addition, Board members need to develop and reinforce the skills required for effective policy-making, budget planning and communications.

Board members are encouraged to participate in district-sponsored training sessions and/or workshops and in school board or related conferences, seminars, workshops and conventions sponsored by the Maine School Boards Association, the Maine School Management Association, the National School Boards Association and other recognized leaders in education. Board members are also encouraged to be active in leadership opportunities that may be available within regional, state and national associations.

Adequate funds should be budgeted annually to support Board member development, including participation at meetings, subscriptions to publications that address the concerns of Board members and memberships in school boards associations.

Upon Board approval and within budgetary limitations, reimbursement for travel and necessary expenses will be provided to individual members for activities related to Board development. The Board, on a case-by-case basis, will determine the number of Board members authorized to attend specific meetings, conferences, conventions or other events at the school unit's expense, as warranted by budgetary limitations. Board members may use their own discretion regarding attendance at meetings, conferences, conventions or other events where reimbursement will not be provided by the school unit.

At a Board meeting subsequent to attendance at an educational event, members should report briefly to the Board and to the public to share knowledge gained and thoughts on implications for local school governance. Board members should study and share with the Board and Superintendent materials of interest that they have collected.

Adopted:     October 20, 2016

## **BOARD MEMBER FREEDOM OF ACCESS TRAINING**

In accordance with Maine law, every Board member must complete a course of training on the requirements of Maine's Freedom of Access law as it relates to public records and proceedings not later than the 120<sup>th</sup> day after the date he/she takes the oath of office to assume his/her duties as an elected official.

Freedom of Access training must be repeated within 120 days of taking the oath of office each time a Board member is elected to serve a new term.

At a minimum, the training course must include instruction in:

- A. The general legal requirements of the Freedom of Access law regarding public records and public proceedings;
- B. Procedures and requirements regarding complying with a request for a public record under the Freedom of Access law; and
- C. Penalties and other consequences for failure to comply with the Freedom of Access law.

A Board member may meet the training requirement by conducting a thorough review of all the information made available by the State of Maine on the Frequently Asked Questions portion of its Freedom of Access website, or by completing any other training course that includes all of this information.

Each Board member shall attest by means of a written or electronic record that he/she has completed the training and provide a copy of such record to the Superintendent's Office.

To facilitate documentation of training, the Superintendent will make available to Board members copies of the State's sample Certificate of Completion of Freedom of Access Training form.

Legal Reference: 1 MRSA. §§ 411, 412

Cross Reference: BID – New Board Member Orientation  
KDB – Public's Right to Know/Freedom of Access

Adopted: October 20, 2016

**CERTIFICATION OF COMPLETION OF  
FREEDOM OF ACCESS TRAINING REQUIRED BY 1 MRSA. § 412**

I, \_\_\_\_\_, hereby certify that I have met the  
*(Name of elected official)*

training requirements set forth in MRSA. § 412 on \_\_\_\_\_ by  
*(Date of training)*

completing the following training.

- A thorough review of all of the information made available on the Frequently Asked Questions portion of the State Freedom of Access website, [www.maine.gov/foaa/faq](http://www.maine.gov/foaa/faq).
- Another training course that includes this information, identified as follows:

\_\_\_\_\_  
*(Title of course)*

\_\_\_\_\_  
*(Name of course provider)*

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
*(Signature)*

\_\_\_\_\_  
*(Printed name)*

\_\_\_\_\_  
*(Elected office)*

**BOARD MEMBER COMPENSATION**

Compensation for attendance at a regional school unit board meeting, by law, must be between \$10 and \$25 for each Director.

Members of the RSU 58/MSAD 58 Board shall receive \$10.00 per meeting for each Director. Any increase in compensation recommended by the Board must be approved by a majority of the voters in RSU 58/MSAD 58 voting on the increase in compensation.

Legal Reference: 20-A MRSA § 1471

Adopted: October 20, 2016