

## SCHOOL COMMITTEE 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 Machias School Committee 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 committees have responsibilities to the local citizens they serve and that elect them to office. Recognizing this parallel concept of authority and responsibility, the school committee 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 five members on the Machias School Committee.

Each member serves for three years and these terms overlap so that in each year at least one membership vacant and must be resupplied by election.

Each member of the School Committee has one vote.

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

One 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 MRS §§ 1001, 1251 et seq.

Cross Reference: BDB - School Committee Officers

Adopted: \_\_\_\_\_

## **SCHOOL COMMITTEE POWERS AND RESPONSIBILITIES**

The School Committee shall have general charge of all the public schools of this unit and shall exercise such other responsibilities as specifically provided by law.

The School Committee 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 School Committee, 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

Adopted: \_\_\_\_\_

**SCHOOL COMMITTEE MEMBER AUTHORITY AND RESPONSIBILITIES**

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

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

Adopted: \_\_\_\_\_

## **SCHOOL COMMITTEE MEMBER QUALIFICATIONS**

A person is legally qualified to become a member of the School Committee 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 School Committee 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: \_\_\_\_\_

## **SCHOOL COMMITTEE-DECLARED VACANCY CAUSED BY ABSENTEEISM**

When a member must be absent from a regular meeting of the School Committee for any reason, that member shall contact the School Committee 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 School Committee. 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 School Committee 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 School Committee informing him/her that a third consecutive unexcused absence from a regular meeting will constitute cause for the School Committee to consider declaring his/her seat on the School Committee vacant.
- B. After three consecutive unexcused absences from regular meetings, the School Committee shall notify said member in writing that the School Committee will consider declaring his/her seat vacant at the next regular meeting of the School Committee 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 School Committee member who is the subject of the action shall be provided the opportunity to present his/her reasons why the School Committee should not declare a vacancy.
- D. Following the deliberation outlined in sections B and C of this policy, the School Committee 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 School Committee within 30 days 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 School Committee on an individual basis.

Legal Reference: 20-A MRSA § 2305

Adopted: \_\_\_\_\_

**UNEXPIRED TERM FULFILLMENT/VACANCIES**

A vacancy shall be declared when the term of office of a member expires, when a member changes residency from the municipality, upon the death of a member, or when a member resigns. A vacancy may be filled by the School Committee within 30 days or by election at a town meeting called for that purpose.

Legal Reference: 20-A MRSA § 2305

Adopted: \_\_\_\_\_



## **SCHOOL COMMITTEE MEMBER CODE OF ETHICS**

Having accepted the challenge of service on the Machias School Committee, 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 School Committee 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 School Committee meetings, about other members of the School Committee or their opinions.
- D. I will remember at all times that as an individual I have no legal authority outside the meetings of the School Committee, 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 School Committee 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 School Committee as a whole.
- L. I will not discuss the confidential business of the School Committee in my home, on the street, or in my office, the place for such discussion being the School Committee meeting.
- M. I will confine my School Committee action to policy making, 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 Committee 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 School Committee 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 School Committee.
- R. I will recognize at all times that the School Committee 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: \_\_\_\_\_

## **CONFLICT OF INTEREST**

School Committee service is a matter of public trust. In making decisions that affect the Machias schools, School Committee 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 School Committee member's personal interest and his/her responsibilities as an elected official in a matter proposed or pending before the School Committee. School Committee 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 School Committee 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 School Committee action. The vote of the School Committee is voidable if a School Committee 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 School Committee 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 School Committee 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 School Committee member from voting or the school unit from contracting with a business because a School Committee member is an employee of that business or has another, indirect interest but is designed to prevent the placing of School Committee 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 School Committee 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.

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

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

A School Committee member may not, during the time the member serves on the School Committee and for one year after the member ceases to serve on the School Committee, 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 School Committee during the time the member served on the School Committee.

### **Employment**

A member of the School Committee or spouse of a member may not be an employee in a public school within the jurisdiction of the School Committee 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.

### **School Committee Members as Volunteers**

A member of the School Committee, 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 School Committee 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 School Committee or member's spouse other than in roles that are prohibited by this section may be prescribed by policies developed and approved by the School Committee.

**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 M.R.S.A. § 1002-1004  
30-A M.R.S.A. § 2604-2606

Cross Reference: BCA-School Committee Member Code of Ethics

Adopted: \_\_\_\_\_

NEPN/NSBA Code: BCC

## **NEPOTISM**

### **Employment**

Under Maine law (20-A M.R.S.A. § 1002(2)), a School Committee member's spouse is precluded from employment under any circumstances in any public school within the jurisdiction of the School Committee 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.

For the purpose of this policy, "administrative supervision" refers to the authority of a person in the position of principal or higher.

### **Volunteers**

Under Maine law (20-A M.R.S.A. § 1002(2-A)), a School Committee 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 School Committee.

Legal Reference: 20-A M.R.S.A. § 1002

Cross Reference: BCB - School Committee Member Conflict of Interest

Adopted: \_\_\_\_\_

MACHIAS SCHOOL COMMITTEE

NEPN/NSBA Code: BDA

**SCHOOL COMMITTEE ORGANIZATIONAL MEETING**

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

The Chair and Vice Chair shall serve until the next annual organizational meeting, at the pleasure of the School Committee. Removal prior to the next organizational meeting shall require three-fifths (3/5) vote of the whole School Committee.

The School Committee Chair shall appoint members of the School Committee to any subcommittees, advisory committees or temporary committees.

All committees shall be composed of less than the majority of the School Committee.

The School Committee shall choose among its membership such representatives as are needed to fill vacancies on the AOS Board (the Machias Bay Area School System Board).

Adopted: \_\_\_\_\_

## **SCHOOL COMMITTEE OFFICERS**

### **Duties of the Chair**

The Chair shall preside at all meetings of the School Committee and shall perform other duties as directed by law, Maine Department of Education rules, and by this School Committee. 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 School Committee;
- B. Consult with the Superintendent in the planning of the School Committee meeting agendas;
- C. Confer with the Superintendent on crucial matters that may occur between School Committee meetings;
- D. Appoint subcommittees and serve as an ex-officio member of all such committees;
- E. Call special meetings of the School Committee as necessary;
- F. Be the public spokesperson for the School Committee 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 School Committee meetings.

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

- A. Call the meeting to order at the appointed time;
- B. Announce the business to come before the School Committee in its proper order;
- C. Enforce the School Committee'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 School Committee;



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

The Chair shall have the right, as other School Committee 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 Secretary**

The Superintendent shall serve as Secretary of the School Committee, 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 School Committee 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

Cross Reference: BB - School Committee Legal Status

Adopted: \_\_\_\_\_

## **SCHOOL COMMITTEE-SUPERINTENDENT RELATIONSHIP**

The School Committee believes that exercising its legislative function through policymaking is its most important responsibility. The School Committee 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 School Committee holds the Superintendent responsible for complying with all applicable laws, rules and regulations; for administering School Committee 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 School Committee informed about school operations, problems and opportunities. The School Committee 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 School Committee, 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 School Committee 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 School Committee.
- E. Refer complaints, criticisms, and requests to the Superintendent or other appropriate personnel and discuss them at School Committee 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 School Committee and Superintendent.

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

Cross Reference: BBA - School Committee Powers and Responsibilities  
BCA - School Committee Member Code of Ethics

Adopted: \_\_\_\_\_

## **SCHOOL COMMITTEE ADVISORY COMMITTEES**

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

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

The School Committee 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 School Committee, 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 School Committee. The School Committee is in no way obligated to follow advisory committee recommendations.

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

### **Instructions to School Committee Advisory Committees**

So that the School Committee'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 School Committee will provide to assist the committee in completing its task;

- F. The expectations regarding the committee's relationship with the School Committee, 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 School Committee and/or other activities;
- J. The date on which the School Committee 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. 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 School Committee's policy and practice concerning notification of School Committee meetings.

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

Legal Reference: 1 M.R.S.A. § 401 et seq.

Adopted: \_\_\_\_\_

## **SCHOOL ATTORNEY/LEGAL SERVICES**

The School Committee recognizes that the increasing complexity of school unit operations frequently requires procurement of professional legal services. Therefore, the School Committee 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 School Committee 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 School Committee Chair in accordance with School Committee policy and when an obvious need exists. Such services may also be obtained as a consequence of a formal vote of the School Committee

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

- A. Providing general legal advice to the School Committee 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 School Committee meetings or other activities as appropriate.

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

Adopted: \_\_\_\_\_

## **SCHOOL COMMITTEE MEETINGS**

### **Regular Meetings**

The Machias School Committee will hold its regular business meetings the first Wednesday of every month at 4:30 PM unless otherwise set by action of the School Committee.

### **Special Meetings**

A special meeting of the School Committee is a meeting that is held to address important matters that arise between regular meetings and/or require School Committee 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 a majority of the School Committee.

The Superintendent shall be responsible for providing notice of a special meeting to School Committee 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

### **Emergency Meetings**

An emergency meeting of the School Committee 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 School Committee 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 School Committee 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 School Committee, 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 School Committee 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 School Committee Meetings  
BEDB—Agenda Preparation and Dissemination

Adopted: \_\_\_\_\_



## **SCHOOL COMMITTEE USE OF ELECTRONIC MAIL**

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

- A. The School Committee shall not use email as a substitute for deliberations at School Committee meetings or for other communications or business properly confined to School Committee meetings.
- B. School Committee members should be aware that email and email attachments received or prepared for use in School Committee business or containing information relating to School Committee 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. School Committee members shall avoid reference to confidential information about employees, students or other matters in email communications because of the risk of improper disclosure. School Committee 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: \_\_\_\_\_

## **EXECUTIVE SESSIONS**

Except as provided by law, all meetings of the School Committee shall be open to the public, and all persons shall be permitted to attend the meetings. The School Committee 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 MRSA § 401 et seq.

Cross Reference: BE - School Committee Meetings  
BEC-E - Executive Session Law

Adopted: \_\_\_\_\_

## **EXECUTIVE SESSION PROCEDURE**

- I. To Enter Executive Session, the School Committee 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. School Committee 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 School Committee 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: \_\_\_\_\_

## **NOTIFICATION OF SCHOOL COMMITTEE MEETINGS**

It shall be the policy of the School Committee 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.

Whenever possible, School Committee members shall receive notice of special or 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 School Committee members.

Legal Reference: 1 MRSA § 401 et seq.

Cross Reference: BE - School Committee Meetings

Adopted: \_\_\_\_\_

## **AGENDA**

### **Agenda Preparation and Dissemination**

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

The agenda will be distributed to School Committee members, the media, and to designated school-affiliated organizations no later than five days prior to a regular meeting of the School Committee and no later than three days (72 hours) prior to a special meeting. Copies of the agenda will be available at the Superintendent's Office, the Town Office and the schools. 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 School Committee 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 School Committee members.

### **Requests for Agenda Items**

School Committee members, school unit staff, groups or organizations, and members of the public may submit written requests to the School Committee 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 School Committee's duties, timely, and appropriate for consideration under all applicable laws and School Committee policies. The request must be received a minimum of one week prior to the meeting at which the group or individual wishes the item to be addressed by the School Committee 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 School Committee such background materials and data that in his/her judgment are necessary for the School Committee to give informed consideration to agenda items. The Superintendent will also provide to the School Committee the draft minutes of School Committee 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 School Committee members or the Superintendent or provided to the media or the public. Requests for disclosure of materials received by School Committee members should be referred to the Superintendent.

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

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

Any School Committee 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 School Committee’s duties, timely, and appropriate for consideration under all applicable laws and School Committee 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 School Committee may adjust the agenda by changing the order of business. Such adjustments shall require the consent of the School Committee by majority vote.

Legal Reference: 20-A MRS § 1477 (RSU)

Cross Reference: BE—School Committee Meetings  
BEDB-R—Agenda Format  
BEDH—Public Participation at School Committee Meetings  
KE—Public Concerns and Complaints

Adopted: \_\_\_\_\_

**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 School Committee has adopted the following 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 School Committee policy. The agenda format may be altered only by vote of the School Committee 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 School Committee members present and voting.

Cross Reference:   BEDB—Agenda  
                          BEDH—Public Participation at School Committee Meetings

Adopted:       \_\_\_\_\_



**QUORUM**

Unless otherwise required by law or School Committee policy, a majority of the School Committee shall constitute a quorum for purposes of taking action.

Adopted: \_\_\_\_\_

**RULES OF ORDER**

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

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

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

Adopted: \_\_\_\_\_

### **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 School Committee 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 School Committee.

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 School Committee policy.

Cross Reference: BEDFA - Abstentions

Adopted: \_\_\_\_\_

## **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 - School Committee Member Conflict of Interest  
BEDF - Voting Method

Adopted: \_\_\_\_\_

## MINUTES

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

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 School Committee member making the motion; the name of the School Committee member seconding the motion (if a second is required); the action taken; and the vote.

When a School Committee 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 School Committee 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.

School Committee meeting minutes shall be acted upon by the School Committee at its next regular meeting. The School Committee'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.

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

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

Adopted: \_\_\_\_\_

## **PUBLIC PARTICIPATION AT SCHOOL COMMITTEE MEETINGS**

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

Although School Committee meetings are not public forums, the School Committee will provide appropriate opportunities for citizens to express opinions and concerns related to the matters under consideration by the School Committee. The intent is to allow a fair and adequate opportunity for the public to be heard and to provide adequate time for the School Committee 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.

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

The following guidelines shall apply to public participation at School Committee 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 School Committee 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 School Committee and the Superintendent may ask questions of any person who addresses the School Committee 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 School Committee 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 School Committee discourages duplication or repetition of comments to the School Committee. The School Committee 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 School Committee policy. Copies will be posted and/or available prior to regular meetings, at the Superintendent's Office. 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 School Committee Meetings  
BEDB – Agenda  
BEDD – Rules of Order  
KE – Public Concerns and Complaints

Adopted: \_\_\_\_\_

## **SCHOOL COMMITTEE RELATIONS WITH THE MEDIA**

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

When individual School Committee members receive requests from news media representatives for information or comment, they shall refer such inquiries to the School Committee Chair who shall be public spokesperson for the School Committee.

Legal Reference: 1 MRSA § 402

Cross Reference: KI - Visitors to the Schools

Adopted: \_\_\_\_\_



**ADJOURNMENT OF SCHOOL COMMITTEE MEETINGS**

Meetings of the School Committee shall be adjourned at 6:30 p.m. except when a motion to continue past this hour has been carried by a two-thirds (2/3) vote of the School Committee members in attendance. It is also intended that a topic started before the 6:30 PM curfew may be continued beyond that point.

Adopted: \_\_\_\_\_

## **SCHOOL COMMITTEE POLICY**

The Machias School Committee considers policy development its most important governance function.

It is the intent of the School Committee to develop written policies that will serve as the foundation for the successful and efficient operation of Machias School Department and its schools.

The School Committee accepts the definition of policy set forth by the National School Committees Association:

School Committee 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 School Committee's vision, define roles and responsibilities (who is supposed to do what), and include measurable outcomes.

The School Committee'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 School Committee's policies are also intended to reflect the School Committee'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 School Committee'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 School Committee 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 School Committee 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 School Committee. 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 School Committee adoption or at a future date designated by the School Committee at the time of adoption.

The Superintendent/designee will be responsible for distributing new or revised policies to School Committee 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: \_\_\_\_\_

## **POLICY ADOPTION PROCEDURE**

The following procedure shall be used to develop, adopt, review, revise and/or delete (repeal) Machias School Committee policies:

- A. The School Committee as a whole will review all proposed new policies and revisions of existing policies.
  1. The Superintendent, individual School Committee members, School Committee subcommittees/advisory committees and members of the public may submit policy suggestions and concerns directly to the School Committee Chair. Policy suggestions that are submitted to the Superintendent will be forwarded to the School Committee Chair. 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 School Committee Chair, will be responsible for reviewing and researching suggestions for new policies and policy changes. The School Committee 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 School Committee Chair 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 School Committee, 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 School Committee may also seek input or discuss the proposal with other groups affected by the policy.

5. The School Committee Chair or Superintendent will make reports to the School Committee regarding the status of policy development.

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NEPN/NSBA Code: BG-R

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

The School Committee Chair or Superintendent will explain the proposed policy or policy change. The School Committee may discuss the substance of the policy proposal. If a main motion to approve the policy is not passed at a School Committee meeting by a majority vote of School Committee members present and voting, the process for that policy is ended unless the School Committee, 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).

- C. The Superintendent will be responsible for making new and revised policies available to School Committee 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. School Committee members should update their policy manuals when they receive copies of new or revised policies or notifications of deletions.
- D. The Superintendent shall provide each School Committee member with a policy manual, in print, on a flash drive, CD, and/or by other means, as specified by the School Committee. If School Committee member access to the policy manual will be online, the Superintendent will provide each School Committee member with instructions for accessing it.

Legal Reference: 26 MRSA § 965(1) (C)

Cross Reference: BEDB - Agenda  
BG - School Committee Policy

Adopted: \_\_\_\_\_

## **SCHOOL COMMITTEE COMMUNICATIONS WITH STAFF**

A clear understanding of responsibilities and relationships between and among the School Committee and school personnel is essential for a smoothly running and efficient school system. It should be remembered that the School Committee, 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 School Committee’s considerations and decisions.

### **School Committee and Superintendent**

The relationship of the School Committee 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 School Committee 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 School Committee and the chief administrative officer. The School Committee recognizes this and wishes to make this clear to all staff members and to all citizens.

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

### **School Committee and Principal**

The School Principal has no direct administrative relations with the School Committee. His/her relations to the School Committee are through the Superintendent, for the School Committee 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 School Committee. At all times the Principal must remember that all matters which require School Committee action must be presented to the School Committee by the Superintendent.

**School Committee and Teachers**

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

Adopted: \_\_\_\_\_

## MACHIAS SCHOOL COMMITTEE

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### **NEW SCHOOL COMMITTEE MEMBER ORIENTATION**

In order that newly elected School Committee members may cast informed votes and function effectively as School Committee members, the School Committee and Superintendent will extend to them the fullest measures of courtesy and cooperation, and will make every reasonable effort to assist newly elected School Committee members in understanding the School Committee'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 School Committee, 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 School Committee, through the Superintendent, will provide new members with copies of appropriate publications, such as the School Committee policy manual, student handbook(s), collective bargaining agreements, and current budget documents.
- C. The Superintendent will remind School Committee 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 School Committee members with information regarding available training options. Each School Committee 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 School Committee members copies of the State's sample Certification of Completion of Freedom of Access Training form.
- D. The School Committee will encourage new members to attend appropriate in-district and out-of-district orientation and/or School Committeemanship workshops. Reimbursement for such activities must be approved in advance by the School Committee Chair, in consultation with the Superintendent, and is subject to the availability of funds.



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- E. The Chair and Superintendent will schedule and arrange for an orientation session for new School Committee 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 School Committee and individual members;
  2. Basic operational procedures of the School Committee;
  3. Placement of items on the agenda;
  4. The role of 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 School Committee responds to complaints involving personnel;
  9. General information about the school system and its resources;
  10. How School Committee members, in fulfilling their duties, may request information concerning schools and District operations, finances and personnel;
  11. How School Committee 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 School Committee members will be invited to the orientation session and encouraged to attend. The orientation is intended to serve as a useful review of basic

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boardsmanship concepts for experienced members, as well as an opportunity to provide information and counsel to new School Committee members.

Legal Reference: 1 M.R.S.A. § 412

Cross Reference: BIC – School Committee Member Freedom of Access Law Training

Adopted: \_\_\_\_\_

## MACHIAS SCHOOL COMMITTEE

NEPN/NSBA Code: BIB

### **SCHOOL COMMITTEE MEMBER DEVELOPMENT OPPORTUNITIES**

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

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

School Committee members are encouraged to participate in district-sponsored training sessions and/or workshops and in School Committee 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. School Committee 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 School Committee member development, including participation at meetings, subscriptions to publications that address the concerns of School Committee members and memberships in School Committees associations.

Upon School Committee approval and within budgetary limitations, reimbursement for travel and necessary expenses will be provided to individual members for activities related to School Committee development. The School Committee, on a case-by-case basis, will determine the number of School Committee members authorized to attend specific meetings, conferences, conventions or other events at the school unit's expense, as warranted by budgetary limitations. School Committee 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 School Committee meeting subsequent to attendance at an educational event, members should report briefly to the School Committee and to the public to share knowledge gained and thoughts on implications for local school governance. School Committee members should study and share with the School Committee and Superintendent materials of interest that they have collected.

Adopted: \_\_\_\_\_

MACHIAS SCHOOL COMMITTEE

NEPN/NSBA Code: BIC

**SCHOOL COMMITTEE MEMBER FREEDOM OF ACCESS TRAINING**

Every School Committee 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 School Committee 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 School Committee 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 School Committee 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 School Committee members copies of the State's sample Certificate of Completion of Freedom of Access Training form.

Legal Reference: 1 M.R.S.A. §§ 411, 412

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

Adopted: \_\_\_\_\_

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**CERTIFICATION OF COMPLETION OF  
FREEDOM OF ACCESS TRAINING REQUIRED BY 1 M.R.S.A. § 412**

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

training requirements set forth in M.R.S.A. § 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)*

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**SCHOOL COMMITTEE MEMBER COMPENSATION**

School Committee members shall serve without pay unless otherwise voted by the Town of Machias.

Legal Reference: 20-A MRS § 2306

Adopted: \_\_\_\_\_

# MACHIAS SCHOOL COMMITTEE