

### **Board Member Authority**

The Constitution of the State of Maine places the responsibility of establishing and maintaining public schools in the jurisdiction of the State Legislature, which provides for a State Board of Education, charged with the general supervision of the public schools. The law also provides that local public schools shall be maintained, developed, and operated by locally elected Boards of Education. The RSU 40/MSAD 40 Board of Directors derives its legal authority from the State Constitution, state statutes and regulations of the State Board of Education.

By custom and tradition, local School Boards have responsibilities to the local citizenry they serve and which elect them to office. Recognizing this parallel concept of authority and responsibility, the 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 sixteen (16) members on the Board of Directors of RSU 40/MSAD 40, two from Friendship, three from Union, five from Waldoboro, four from Warren and two from Washington. Each director serves for three years.

As confirmed by letter of the Commissioner of Education dated May 21, 2012 Board members will cast weighted votes in regular and special Board meetings as follows:

Each Director from Friendship	42 Votes
Each Director from Union	55 Votes
Each Director from Waldoboro	73Votes
Each Director from Warren	69 Votes
Each Director from Washington	55 Votes

The Board has the authority to act only when a quorum (majority of voting power) is present at a duly called regular or special meeting. An individual Board member exercises the authority and responsibility of their position only when the Board is in legal session. The Board will not be bound in any way by any statement or action on the part of any individual Board member except when such statement or action is in pursuance of special instructions (authorization) by the Board.

Within the capacity of Board membership, the individual Board members shall represent the best interests of all the schools in the district. They will suggest issues for Board consideration, inform themselves on school matters, take part in Board deliberations, arrive at opinions independently, and vote as they choose. Each Board member shall be committed to reaching and supporting group decisions that represent the best judgments

of the Board as a whole. This does not preclude a Board member from voicing a minority viewpoint, but such should be indicated as personal, not Board, opinion.

In order to arrive at decisions, Board members recognize the need for information and materials. All formal requests for information should be directed to the Superintendent. However, it is understood that certain informal lines of communication exist between the staff and Board members; this policy is not meant to interfere with these lines of communication.

Board members who are going to be absent from any meeting shall inform the Superintendent or the committee chair before the scheduled meeting time. Attendance for meetings including regular, special and subcommittee meetings will be reported to member's town quarterly.

Board members who are going to be absent from the district for prolonged periods shall inform the Superintendent.

When dealing with public issues outside official Board sessions, Board members should strive at all times to represent the Board to the public in a professional manner. The following suggestions are offered to help individual Board members maintain this posture:

- If questioned by someone about a matter on which policy has been clearly defined, an individual Board member should answer based on policy.
- If approached by someone about a matter on which the Board has not established policy, individual Board members should not commit themselves to any position or promise other than to discuss the matter with the Superintendent or to present it to the Board for consideration.
- Individual Board members shall refer all complaints or requests relating to instruction, personnel, or services to the Superintendent of Schools who is chief executive officer and is charged with the responsibility of correcting deficiencies in these areas.
- No member, by virtue of the office, shall exercise any administrative responsibilities with respect to the schools or direct the services of any school employee.

This policy shall be reviewed and made part of the orientation of every new Board member.

Legal Reference: CONSTITUTION OF THE STATE OF MAINE  
20-A MRSA § 1001  
20-A MRSA §1475, 10  
Rule Chapters for the Department of Education

Adopted: February 3, 1997

Revised: September 20, 1999  
January 5, 2004  
Reviewed: April 4, 2013  
December 22, 2015  
Revised: May 5, 2016