

REGIONAL SCHOOL UNIT 40
Friendship • Union • Waldoboro • Warren • Washington
1070 Heald Highway, PO Box 701, Union, Maine 04862
207.785.2277

Steve Nolan, Superintendent
Kimberly Schroeter, Director of Instruction

Karla Miller, Business Manager
Karen Etheridge, Director of Special Services

Board of Directors Meeting
Thursday, September 17, 2015
Friendship Village School

MINUTES

School Board Members: Erik Amundsen, Sara Andrews, Guy Bourrie, Tod Brown, Cheryl Cichowski, Dana Dow, Danny Jackson, Lynda Letteney, Sandra O'Farrell, Dorothy Robinson, Errol Silvestri, Brooke Simmons, Tara Wellman, Bob Williams, Dennis Wooster

Student Representatives: Sophie Cohen, Patrick White

I. The meeting was called to order by Chair Danny Jackson at 7:02 p.m.

1. Pledge of Allegiance
2. Declaration of 739 of 927
3. Note Absences: Dana Dow, Lynda Letteney, Brooke Simmons
4. Adjustments to the Agenda
 - a. Add Executive Session 1MRSA §405(6)(D) Negotiations with Administrative Group
 - b. Add Action item to approve applying for a Maine Department of Education School Revolving Renovation Fund loan for the Medomak Valley High School auditorium roof in the amount of \$72,000
 - c. Add Action item to approve applying for a Maine Department of Education School Revolving Renovation Fund loan for the Prescott Memorial School air handler in the amount of \$292,000

II. Audience with the Public – N/A

III. Consent Agenda

Motion to approve the Minutes of September 3, 2015: Dennis Wooster Second: Guy Bourrie
Vote: 697 – 0 – 42 (Errol Silvestri)

IV. Superintendent and/or Chair Reports

A. Superintendent's Report

1. Steve is visiting each school and meeting with the principals to discuss their "big rocks"

B. Board Chair's Report

1. Attached

C. Business Manager's Report

1. Karla addressed the Maine Department of Education School Revolving Renovation Fund applications that the board is being asked to approve.

D. Student Representative(s) Report

1. Attached

VI. Reports from Schools

- A. Christina Wotton shared with the board the t-shirt that will be provided at the Anti-bullying race this coming weekend.

VII. Presentations – N/A

VII. Educational Issues

- A. No Child Left Behind

VIII. Action Items

- A. Motion to approve applying for the Maine Department of Education School Revolving Renovation Fund loan for the Medomak Valley High School auditorium roof in the amount of \$72,000: Sandra O’Farrell Second: Dennis Wooster Vote: 739 – 0 – 0
- B. Motion to approve applying for the Maine Department of Education School Revolving Renovation Fund loan for the Prescott Memorial School for the Air Handlers in the amount of \$292,000: Sandra O’Farrell Second: Dennis Wooster Vote: 739 – 0 – 0

IX. Committee Reports

- A. Policy Committee – September 22nd @ 5:00 p.m. -- Central Office
- B. Facilities-Transportation Committee – September 24th @ 4:30 p.m. – Warren
- C. Curriculum Committee – October 6th @ 5:00 p.m. - MMS
- D. Finance Committee – October 13th @ 5:00 p.m. – Central Office
- E. Negotiations Committee – TBA @ 5:00 p.m. – Central Office
- F. Personnel Committee – TBA

X. Region 8 Board – September 30th @ 7:00 p.m. – MCST

- XI.** Motion to go into Executive Session 1MRSA §405(6)(D) Negotiations with Administrative Group: Dennis Wooster Second: Guy Bourrie Vote: 739 – 0 – 0
Time In: 8:21 p.m. Time Out: 8:42 p.m.

- XII.** There was no action as a result of Executive Session.

- XIII.** The meeting adjourned at 8:42 p.m.

All meetings of the Board, except executive sessions, will be open to the public. All actions of the Board will be taken openly and the deliberations leading to Board action will likewise be conducted openly. The public and district employees are encouraged to attend Board meetings. A time of up to thirty minutes in duration for comments by visitors at Board meetings will be scheduled at the beginning of the Board’s agenda. Board committee meetings are open to the public. Public input is welcomed but the Board Chair may need to limit discussion.

Board Chair Report 09/17/15

- 1) I am handing out a couple of sheets that were presented at the New Board Member Training session on 8/20/15. One is Nine Traits of an Effective School Board Team and the other is.. Maine School Boards are Unique: Understanding That Uniqueness Is Important. I think these are two good pieces of information that all Board Members should have and not just the ones who attended the training.
- 2) I mentioned at the last Board Meeting that I would read Bill Moody's resignation letter. I will read it so it can be part of the minutes.
- 3) I want Board Members to be thinking of the MSMA/School Board Conference in October. It will be 10/22-10/23. I know Guy has said he wants to attend. If you are interested in going, please let Karen Overlock know by 10/08/15.
- 4) On 09/11/15, I attended the School Spirit Challenge. I want to thank Dana for also attending the event. It was great seeing the students there so early and showing their pride and spirit. I also want to thank the staff who were involved in putting together this event. I hope the school can surpass their goal of 100,000 pounds of food by the end of October.
- 5) On 09/13/15, I attended the MMS Girls soccer game against Boothbay and the MMS Boys soccer game against Camden. Both teams MMS teams won. I want to thank Coach Libby for her coaching style. Positive reinforcement and not hollering at the boys. I also want to thank Matt Lash for the time and effort he puts into the fields for the sports teams. While I was at the soccer games on 9/13/15, one of the referees commented to me how the soccer field was one of the best in the league.
- 6) On 09/14/15, I attended the first half of the MVHS Varsity Boys soccer game against Morse.
- 7) I hope to have an alternate student rep for the Board to vote on at the Board Meeting on 10/01/15.
- 8) On 06/04/15, Ryan McNelly and Scott Hastings made a presentation about the work that is being done to prepare for the NEASC visit. At that meeting it was mentioned they would need board members to help out. I will read the email and forward it to board members as well.
- 9) I went to the last half of the MVHS Girls Varsity Soccer game this afternoon.

Student Representative Report – September 17, 2015

- Spirit week this week, a very high participation rate
- Cross country meet at 4 tomorrow to start off homecoming
- Parade with all classes at 5 tomorrow in parking lot
- soccer all day Saturday, 9, 11, 1, 3 are the times
- All classes will be fundraising Saturday, seniors are selling pies, boosters are doing a chicken dinner
- Next Friday there is another home football game with tailgating

RSU 40 2014-2015 State Assessment Data

English Language Arts

SCHOOL_NAME	Students Enrolled at Time of ELA Assessment	Students To Test ELA	Participant ELA	Participation Rate	Met Standard or Met Standard with Distinction	SMARTER 2015 Percentage Met Standard or Met Standard with Distinction	NECAP 2013-14 Percentage Met Standard or Met Standard with Distinction
Friendship Village School	47	47	41	87%	21	51%	60%
Medomak Middle School	275	271	216	80%	68	32%	47%
Medomak Valley High School	149	148	**	**	**	**	39%
Miller School	159	146	142	97%	55	39%	56%
Prescott Memorial School	63	63	59	94%	27	46%	57%
Union Elementary	69	69	68	99%	38	56%	65%
Warren Community School	199	199	198	99%	55	28%	60%

Mathematics

SCHOOL_NAME	Students Enrolled at Time of Math Assessment	Students To Test Math	Participant Math	Participation Rate	Met Standard or Met Standard with Distinction	SMARTER 2015 Percentage Met Standard or Met Standard with Distinction	NECAP 2013-14 Percentage Met Standard or Met Standard with Distinction
Friendship Village School	47	47	40	85%	17	43%	67%
Medomak Middle School	275	271	238	88%	57	24%	27%
Medomak Valley High School	149	148	**	**	**	**	34%
Miller School	159	146	139	95%	43	31%	45%
Prescott Memorial School	63	63	59	94%	19	32%	54%
Union Elementary	69	69	67	97%	24	36%	55%
Warren Community School	199	199	197	99%	36	18%	55%

Science

SCHOOL_NAME	Students Enrolled at Time of Science Assessment	Students To Test Science	Participant Science	Participation Rate	Met Standard or Met Standard with Distinction	MEA Science 2015 Percentage Met Standard or Met Standard with Distinction	MEA Science 2014 Percentage Met Standard or Met Standard with Distinction
Friendship Village School	13	13	13	100%	8	62%	54%
Medomak Valley High School	149	148	2	**	**	**	29%
Medomak Middle School	135	134	129	96%	80	62%	59%
Miller School	41	37	35	95%	24	69%	22%
Prescott Memorial School	16	16	16	100%	13	81%	64%
Union Elementary	17	17	17	100%	13	76%	54%
Warren Community School	49	49	48	98%	34	71%	48%

All Maine schools' data can be found by following this link.

<http://mainedoe.news.net/2015/09/11/standardized-assessment-scores-for-2014-15/>

Nine Traits of an Effective School Board Team

1. A shared mission that everyone knows and agrees on and is committed to accomplishing
2. A climate of trust and openness
3. Open and honest communication
4. A sense of belonging
5. A shared view that diversity is an asset
6. An ability to self-correct
7. A belief in the collective power of the whole board rather than in individual board members to achieve great and sustainable results
8. A commitment to consensus decision-making
9. An understanding and willingness to hear new ideas and suggestions as part of a continuously improving system

Source: Adapted from the NSBA Annual Conference workshop, *Veterans and New!; Elected Board Members: A Working Partnership*, presented by Rob Delane, deputy executive director at the Ohio School Boards Association, April 2011

MAINE SCHOOL BOARDS ARE UNIQUE: UNDERSTANDING THAT UNIQUENESS IS IMPORTANT

By Donald A. Kopp

Background

Of Maine's political bodies, school boards may well be the most complex and least understood.

Maine's Constitution gives the responsibility and authority for public education to the Maine Legislature, mandating that it, through its statutes, require Maine's towns to provide a suitable public education. Acting on that mandate, the Legislature has enacted statutes creating the Maine school board as a political entity (and creating the separate office of superintendent) and defining the duties of school boards.

Maine's Supreme Court has concluded that school boards may exercise only those powers conferred on them by the State's education laws.¹ Towns and town voters did not create school boards, and other than voting for school board members, budgets, and referenda, towns and town voters have no authority over school boards. That is why understanding the following principle set forth by Maine's Supreme Court is so important:

(T)he (school) committee acts as a public board. It in no sense represents the town. Its members are chosen by the voters of the town, but after election they are public officers deriving their authority from the law and responsible to the State for the good faith and rectitude of their acts.²

What this means is that a school board is not a representative body like the State Legislature or Congress. Its members are chosen by the voters, but its primary duty is to oversee public education in the manner prescribed by state law and not solely to carry out the actual or perceived will of the local voters.

Unlike school board members, it is the primary job of state legislators and representatives in Congress to represent the interests of their constituents. And given our system of separation of powers and political parties, often our elected representatives are partisan, criticizing fellow representatives with whom they disagree, criticizing the executive branch, be it the governor and his administration or the president and his administration, and advocating for special interest. As legislators they introduce, debate, and vote on the enactment of laws. They are not responsible for enforcing those laws or for governing. That is the role of the executive branch, gubernatorial, or presidential.

School Boards as Governing Bodies

The school board, by state statute, is the *governing body* of a school administrative unit.³ Like the governor or the president, a school board's collective responsibility is to fulfill the laws enacted by the Legislature and to govern the organization for which it is responsible. For school boards this means effectuating the State's education laws and being responsible to the school board's students, employees, and residents. (It may be helpful to visualize a school board's responsibility to students, employees, and residents as a three-legged stool; if the board permits one of the legs to become too short or too long, the stool will topple over).

As discussed above, school boards were not primarily established to respond to what members of the community ask it to do. While an important aspect of locally elected school board members is guiding their school system in ways that reflect broad community values, they are not required to follow the desires of special interest in their community. This is worth remembering when a large number of residents show up at a school board meeting demanding, for example, that the board reinstate a popular coach that the superintendent did not renew. While daunting, school board members can feel secure in knowing that they are responsible to the State for carrying out state prescribed responsibilities to the school system as a whole and are not constituted to represent the specific desires of the group of voters at a particular meeting. (It may also help to remember that no matter how large a crowd, or how much media coverage the groups gets, it is very unlikely that the group represents a significant percentage of the residents of the entire school system, let alone the students or the employees). As with any governing body, a school board's decisions are not going to always please everyone. Being able to make a decision that does not please the small percentage of the community's voters who are sitting unhappily in front of a board is certainly a challenge, but it also sometimes is the duty of school board members.

Duty of Loyalty

Understanding that school boards are governing bodies and not primarily representatives has important ramifications. Unlike elected representatives who are responsible only to the people who elected them, and who have no responsibility to other elected representatives or to the executive branch, school board members do not represent the voters, they do not act on their own, they are part of a governing team, and they have duties toward and are responsible for that team: their students, employees, residents, and fellow board members. Members of an executive/governing branch of government, like the governor's or president's cabinet, do not publicly attack other cabinet officers or their employees. Similarly, school board members, as members of a governing body, should not publicly attack each other or school employees. As a member of the governing team, school board members owe a duty of loyalty to its students, employees, and fellow school board members even while working hard for change and improvements when necessary. This difference between the responsibilities of school board members and those of our elected representatives is comparable to the difference between being a member of an orchestra and being a solo performer. The role of the piccolo player in the orchestra is to play in public harmoniously with the rest of the orchestra so that the orchestra as a whole is seen and heard to the best possible advantage. The role of the solo performer – let us

say Britney Spears – is to perform in the way she thinks her public will find most appealing while at the same time drawing as much attention to herself as possible.

Public Participation

Another important result of not being solely representatives is that school boards are not required to let members of the public speak at its meetings. The Freedom of Access Act⁴ merely requires that school boards conduct the public session of their meetings in public. (In only a few instances do the education laws require that a school board seek any public input at all⁵). Stated simply, the rights of voters in a school unit are (1) to watch the school board meet when it is in public session, (2) to vote for school board members, and (3) to vote on the school budget and referenda.

That residents have no right to speak at school board meetings is often difficult for school board members and members of the public to accept. The town meeting tradition in Maine is so well established that many assume that members of the public have a right to express their views and ask questions at school board meetings. (Now that many board meetings are televised, some even think that the meetings are a forum for community members to get on camera and address the community as a whole). It is important to focus, however, on the differences between a town meeting and a school board meeting. At a town meeting, the residents of the town, the audience, actually *are* the legislative body of the town. Like legislators everywhere, they need to ask questions of their executives, the selectmen, and to argue and debate warrant articles placed before the meeting, so that the audience can make a decision on each warrant article by voting it up or down. Contrast that with a school board meeting where the members of the audience have no responsibilities and only the right to be there and watch.

Some school boards have created agenda segments for members of the public to comment on matters on the agenda, or on matters the public is permitted to place on the agenda, or on anything at all. Perhaps boards do this in part to encourage people to come to their meetings. It would be hard to imagine, however, the governor's or the president's busy cabinet members saying, "Hey, here's a good idea. Let's invite members of the public to our cabinet meetings and see what's on their minds." Pretty clearly, an elected executive's cabinet members, with their departmentalized and specialized areas of responsibility and expertise, would find more efficient ways of obtaining broad and representative input from the public at large if they wanted it. The difference for school boards is that school boards are required to conduct the public portion of their meetings in public. But unless public comment is likely to be helpful to the board, as it might when considering the adoption of controversial policies or holding budget workshops, one has to ask why a governing body such as a school board, whose members possess an understanding and knowledge about school matters not available to the public as a whole, would make their meetings longer and less predictable than necessary by providing for open-ended public comment and questions from the very small percentage of its voters who might attend a meeting. Many school boards have found that policies which allow for public comment on agenda items dealing with policy or the expenditure of funds but that do not permit comments about personnel or matters not on the agenda strike a happy balance. Such policies also give the board control over what resident-initiated issues it will place on its agenda.

It is very important to remember that a loosely defined public comment policy that works all right when only a few people are in attendance, one day may be used by an organized special-interest group (with enthusiastic media coverage) to monopolize school board meetings and put board members under extreme and inappropriate pressure.

Conclusion

Meetings that run too long, that subject administrators to unanticipated questions and sometimes abuse, and that permit unpredictable audience participation are not the hallmark of well-run, efficient governing boards, do not present school board governance in the best possible light, and may be one of the reasons why many talented, young administrators are not choosing to become superintendents and why many qualified community members do not choose to serve on school boards. Thinking as a member of a governing board and not a representative, an argument can be made that the happiness level of each board member ought to be inversely related to the number of people at its meetings. If few to none are there, the message can be seen as the majority of the community being content with the informed decisions board members are making. And when a large number of people do show up, a board member, thinking as a member of the governing board, will recognize that the crowd probably does not reflect a sudden upswing in appreciation for the hard work that the school board members are doing; it more likely reflects a group with a single interest that may well be asking the board to do something contrary to its duties under state law and its responsibilities to the school community as a whole.

I am hopeful that understanding the unique statutory role of school boards as governing bodies will make school board members more comfortable and confident in fulfilling their important and complex responsibilities to each other and to their school systems as a whole.

Source: *School Law Advisory* (Winter 2005), reprinted with permission from Drummond Woodsum.

Endnotes

1. *Churchill v. S.A.D. #49 Teachers Association*, 380 A.2d 186, 192 (Me. 1977); see generally, Pringle & Tchao, *Maine School Law* 13 (2nd ed. 2001).
2. *Shaw v. Small*, 124 Me. 36, 41 (1924).
3. 20-A M.R.S.A. § 1 (28)
4. 1 M.R.S.A. §§ 401 et. seq.
5. In a few areas, school boards are required by law to seek public input or hold a public hearing before making a policy or decision. Examples include budget meetings, adoption of the system wide student code of conduct, and Title I parent participation policies.

Ten ways that superintendents and school boards can undermine each other

By Harry R. Pringle, Esq.

Earlier this year, I was asked to give a presentation to a school board on the roles and responsibilities of school board members. It is a presentation I always enjoy giving because of my interest in what produces a high performing organization. When school boards and superintendents work together in a respectful fashion, great things can happen. When they do not, however, it is hard for a school district to move forward at all.

At this particular workshop, what was unique was that the superintendent had taken the time to put down, in writing, some ways in which board members could, by their conduct, unknowingly undermine a superintendent. Struck by the universality of that list, I asked for and received permission to reprint it here, without attribution.

Thinking that the superintendent's list might be nicely complimented by a similar list prepared by a school board member, I then contacted a highly respected former school committee chair. The chair agreed to prepare a list from the perspective of school board members, and it is reprinted below as well.

Here are those lists.

Ten ways a board member might *unknowingly* undermine a superintendent

1. By soliciting parent complaints – because it bypasses the chain of command and ignores the critical role teachers and administrators play in resolving school issues;
2. By emailing an entire board about an upcoming issue, thereby encouraging decision making outside of a board meeting and undercutting the board's responsibility to do its business in public;
3. By raising unscheduled agenda items at board meetings without prior notice to the superintendent or chair, thereby depriving the board of the opportunity to be appropriately prepared for a healthy discussion on a particular issue;
4. By meeting with school staff about an issue without first consulting the superintendent, because this undermines the supervisory authority of the superintendent;
5. By allowing board members to criticize the superintendent in public, thereby creating the impression that the superintendent lacks the confidence of the board;
6. By allowing individuals to demand that the superintendent research issues of particular interest to that board member, thereby reducing the time the superintendent has to focus on issues of concern to the entire board;

7. By not respecting the role of the board chair in working closely with the superintendent, which is necessary for effective board governance;
8. By using his or her position on the board to promote issues which directly affect that board member's children, since it undermines the need for the board to work for the best interests of all students;
9. By being absent from a critical board or committee meeting and not respecting the decisions made by the board or the committee at that meeting; and
10. By working towards individual goals rather than those agreed upon by the entire board and the superintendent, thereby limiting the board's ability to improve education for all students.

Ten ways a superintendent might *unknowingly* undermine a Board

1. By openly criticizing the board, or individual members of the board, either in public or in discussions with school staff or local officials;
2. By not providing prior notice to board members of sensitive issues that will appear in the media, or that will be raised at board meetings by parents, staff or other community members;
3. By communicating new initiatives through the media before informing the board members;
4. By not providing timely, clear and complete documentation supporting agenda items brought before the board;
5. By not making honest and complete responses to questions which involve controversial or difficult issues facing the board;
6. By not taking responsibility for the actions of other district administrators and staff;
7. By assuming that the board chair is prepared to speak for the board on issues that have not been the subject of prior discussion and deliberation;
8. By spending time and resources on addressing the requests of individual board members, without obtaining approval by a majority of the board;
9. By not clearly communicating constraints, tradeoffs and alternatives to critical issues which come before the board; and
10. By emailing staff, local officials or community members on issues raised by board members and others, and including the text of all prior communications.

What is striking about these two lists is that, while they are by no means mirror images of each other, they contain the same themes: taking responsibility for one's actions; acting for the good of the school rather than individual interests; demonstrating leadership; and maintaining good communications. As Don Kopp pointed out in his excellent article about why Maine school boards are so unique,¹ what school boards must remember is that they are part of a *governing team* – and that they have duties towards and responsibilities for that *entire* team. Conversely, what superintendents must remember is that they are the chief executive officers supporting their respective governing teams, with a responsibility to work with and lead those teams forward. When these important and complementary roles are both understood and adhered to, school districts can become exciting and high performing organizations indeed. ■

Endnote

1. "Maine School Boards are Unique: Understanding that Uniqueness is Important," School Law Advisory, Fall 2005.

