

SCHOOL BOARD LEGAL STATUS

Recognizing 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, Regional School Unit No. 5 derives its legal authority from the State’s Constitution, state statutes and regulations of the State Board of Education, as well as Federal laws and regulations.

By custom and tradition, local School Boards have responsibilities to the local 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 11 members on the Board of Directors, 3 from Durham, 6 from Freeport, and 2 from Pownal. Each Director serves for three years and these terms overlap so that in each year three or four directorships are vacated and must be resupplied by election. As required by law, Board members will cast weighted votes as follows:

Each Director from Durham 98 votes
 Each Director from Freeport 98 votes
 Each Director from Pownal 58 votes

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

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

Legal Reference: 20-A MRSA §§ 1001, 1251 et seq.
 20-A MRSA §§ 1451; 1471 (RSU)

Cross Reference: BDB - Board Officers
 2009 Reorganization Plan

Adopted: March 24, 2010
 Reviewed: January 26, 2011
 Reviewed: December 18, 2013
 Reviewed: January 8, 2020