

ROLES, FUNCTIONS AND DUTIES OF SCHOOL BOARDS
AND SCHOOL BOARD MEMBERS

The Board of Education shall have general charge of all the public schools of the South Portland School Department and shall exercise such other responsibilities as specifically provided by law.

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

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

- A. Selects, employs and evaluates the Superintendent;**
- B. Develops and Adopts Policies:** The Board is responsible for **developing and adopting policies** to guide and operate the school unit. The Board employs a Superintendent **to carry out its policies through the implementation of regulations and administrative procedures.**
- C. 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. The Board is responsible for preparing and adopting an annual budget to provide the resources needed to carry out the instructional and operational programs.
- D. Responsible for the planning, expansion, improvement, financing, construction, and maintenance** of the physical plant of the school system.
- E. Approves/disapproves personnel nominations** from the Superintendent and determines (where appropriate via collective bargaining) compensation and working conditions for all staff.
- F. Provides for the dissemination of information** relating to the schools necessary for creating a well-informed public.
- G. Responsible for adopting textbooks and courses of study** as well as for setting standards, monitoring, evaluating, and reporting the results of the educational program.
- H. Requires the establishment and maintenance of records, accounts, archives, management methods and procedures** incidental to the conduct of school business.

Communication with Public. The Board is responsible for conducting its business in a transparent manner for informing the public about the schools, and for keeping itself informed about the wishes and concerns of the community.

Quasi-Judicial Role. The Board is responsible for holding hearings on matters such as employee dismissals or student expulsions. The Board also hears appeals on issues that could not be resolved by administrators or the Superintendent (such as discrimination grievances or challenged materials).

It is important to keep six things in mind regarding responsibilities as a member of a School Board:

1. **Each local School Board is a legislative body within Maine state government** and has only those powers granted by the Legislature. **Board members are state agents.**
2. In order to fulfill the quasi-judicial role, Board members will have access to confidential information about students and staff members. It is imperative that **Board members refrain from discussing confidential matters** outside of Board meetings. Board members should ask the Superintendent if unsure about whether certain information is confidential.
3. A School Board **only has authority when it is acting together** at a meeting that has been legally called. Individual Board members have no authority, except to vote “Yes” or “No” on specific motions. A School Board is not bound in any way by any action or statement of an individual Board member except when such statement or action is specifically authorized by the Board.
4. Electronic communications cannot be utilized to conduct Board business, and that Board action can only occur during legally called meetings.
5. Each School Board functions as a legislative body, in essentially the same way as the U.S. Congress, the Maine Legislature, or a local Town Council/Board of Selectmen. The Board makes decisions and adopts policies **which have the effect of law and are just as binding.** Decisions must be made carefully and in the best interests of the school unit’s students.
6. **The Board’s role is not administrative,** and Board members are not elected to operate or micromanage the schools. Rather, **the Board employs a Superintendent and other administrators** to implement Board policies and decisions, and then evaluates the effectiveness of the school unit.

Legal Reference: 20-A MRSA § 1001
 20-A MRSA § 1476 (RSU)

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