

2022 – 2023 MSBA RESOLUTIONS

**MAINE SCHOOL BOARDS ASSOCIATION
DELEGATE ASSEMBLY**

**MSMA FALL CONFERENCE
Virtual Delegate Assembly
Saturday, October 22, 2022**

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MAINE SCHOOL BOARDS ASSOCIATION

49 Community Drive
Augusta, Maine 04330

RESOLUTIONS

2022-2023

1. **MSBA MISSION STATEMENTS**

These resolutions address the broad mission and goals of the Association.

- 1.1. **MSBA Mission Statement** – To enhance the education of all students in Maine’s public schools by identifying and serving the needs of local school boards through board development, information and support services, and by advocating for all Maine public schools at the state and national levels. (Adopted 1995)
- 1.2. **Governance Role of the Local School Board** – The MSBA resolves herewith to adopt this mission statement as a means to guide Maine’s school boards in this era of change in the local school setting.

NSBA’s Vision for Public Education

The National School Boards Association believes local school boards are the nation’s preeminent expression of grass roots democracy and that this form of governance of the public schools is fundamental to the continued success of public education. Adequately funded, student-centered public schools will provide, in a safe and supportive environment, a comprehensive education for the whole child and will prepare all of America’s children for a lifetime of learning in a diverse, democratic society and an interdependent global economy. By focusing on raising student achievement and by actively engaging the community, school boards will provide leadership for academic success in the nation’s public schools. America’s school boards, by creating a vision of excellence and equity for every child, will provide performance-oriented schools that meet today’s problems as well as the challenges of tomorrow. (Adopted 1992 – Amended 2008)

- 1.3. **Support for Public Education** – The public education system is open to all children and provides learning opportunities and support systems to prepare them to be life-long learners, productive workers and good citizens. It also must support innovations that assure traditional public schools remain the schools of choice. This resolution officially puts Maine School Boards on the record as standing with other states to support the National School Boards Association’s “Stand Up for Public Schools” campaign. It calls for the adoption of local resolutions; better publicity around the excellent work going on in our districts; and public celebration of the educators and school leaders who support that work. (Adopted 2017)
- 1.4. **Legal Advice** – We resolve to furnish legal advice to all member school boards by making the opinions and research of the Association’s attorneys readily available. We pledge to continue our effort to inform all school boards of the latest developments in education law. (Adopted 1970 – Amended 1976 and 1982)
- 1.5. **In-Service Education Programs** – MSBA recognizes the value of continuous in-service education programs for school board members and resolves itself to encourage the development of such state-wide and regional programs as are necessary to provide the information and skills

required to assure effective local school board service by Maine's elected public school officials. (Adopted 1982)

- 1.6. **School Board Leadership** – The Maine School Boards Association is encouraged to take a leadership role in developing and directing a broad coalition of education interest groups for the purpose of supporting quality public education in the State of Maine. (Adopted 1991 – Amended 2002)

2. **POLICY STATEMENTS**

These resolutions represent the Association's views regarding substantial issues affecting a) how local school boards function and operate, and b) matters that directly relate to education.

2.A. **BOARD FUNCTIONS/OPERATIONS**

2.A.1. *Administration*

- 2.A.1.a. **Administrator Evaluation/Effectiveness** – The Maine School Boards Association urges local school boards to develop comprehensive evaluation policies designed to measure and improve the effectiveness of the superintendent and other school administrators. The development of such policies should recognize the need for constructive input from the superintendent and other administrators, thereby helping establish a commonly understood structure for the management and supervision of the schools. The evaluation procedure should address all aspects of individual administrative performance and recognize the importance of educational leadership. (Adopted 1981 – Amended 1982, 1986, 1999)

- 2.A.1.b. **Management/Administrative Teams** – The Maine School Boards Association strongly encourages local school boards to establish management/administrative teams that meet the identified needs of their school system. (Adopted 1977 – Amended 1982, 1994, 1999)

2.A.2. *Recommended Local Board Policy*

- 2.A.2.a. **Religious Interference** – In planning school events, school boards should require administrators to consider the significance of holy days of all recognized religions. (Adopted 1976 – Amended 1982)

- 2.A.2.b. **Nepotism** – The Maine School Boards Association urges local school boards to consider the adoption of employment policies that address issues of nepotism. (Adopted 1977 – Amended 1982, 1999)

- 2.A.2.c. **Child Abuse Reporting** – The Maine School Boards Association urges local school boards to adopt a policy requiring that appropriate staff be informed periodically of their responsibility to report neglect and abuse pursuant to State law. (Adopted 1984 – Amended 1999)

- 2.A.2.d. **Gender Neutral Language Policies** – The Maine School Boards Association encourages local school boards to adopt policies that would promote the use of gender-neutral language in all communications. (Adopted 1990 – Amended 1999)

- 2.A.2.e. **Advertising in the Schools** – The Maine School Boards Association encourages local school boards to adopt policies on advertising in schools, including a prohibition on advertisements for

products that do not meet minimum nutrition standards or which are otherwise incompatible with the educational mission of the schools. Boards should evaluate the advantages and disadvantages of advertising prior to entering into any contractual arrangements for enhancement of school facilities, instructional programming or extracurricular activities. (Adopted 1990 – Amended 1999, 2007)

- 2.A.2.f. **Violence in the Schools** – Recognizing that the threat of violence exists, the Maine School Boards Association urges local school boards to be increasingly vigilant in seeking to promote a safe school culture. MSBA supports the use of core values to develop and implement local codes of conduct. School boards should also consider the need for staff training. (Adopted 1993 – Amended 1999, 2002)
- 2.A.2.g. **Student Absenteeism** - The Maine School Boards Association supports the Department of Education’s goal of having all students be in attendance at least 95% of their academic year. This goal can only be achieved if there are interventions and supports for those students who are too often absent. Communication with parents/guardians around chronic absenteeism is critical as are school-based academic supports. Multiple pathway programs for at-risk students either on a local or regional level also should be supported. Should efforts not be successful through traditional communication with parents/guardians, MSBA urges proactive efforts for improved communication and supports through the Maine Department of Health and Human Services and/or other local or state agencies. (Adopted 2021)
- 2.A.2.h. **Administration of Medication** – The Maine School Boards Association urges local school boards to adopt policy governing the administration of medications to students at school. In the interest of student health and safety, MSBA opposes legislation that would limit or prohibit options available to school systems in the administering of medications to students. (Adopted 1996 – Amended 1999, 2022)
- 2.A.2.i. **Board Fiduciary Responsibility** – The Maine School Boards Association believes that every school board has a fiduciary responsibility in its oversight of the school unit’s finances. The MSBA urges local boards to adopt policies that require the Superintendent, in consultation with appropriate school unit personnel, auditor(s) and others, to develop and implement administrative procedures for internal accounting and records management; audit compliance; prevention and detection of fraud, financial irregularities or fiscal improprieties; and to provide regular and timely financial reports to the Board or its Finance Committee. MSBA also recommends that new Board member orientation include sufficient information concerning school unit finances to enable members to make informed decisions. (Adopted 2006)
- 2.A.2.j. **School Safety** – To support a public school’s responsibility to keep children and staff safe, the Maine School Boards Association advocates the following comprehensive approach: Ongoing risk assessments not only for active shooter attacks but other disruptors that could put students or staff at risk; Increased focus on social and emotional support; Training on early warning signs around student perpetrators of violence and programs like “Say Something”, which encourage students to go to an adult with their concerns about a potentially violent peer; Increased funding in the Revolving School Renovation Fund that includes school safety projects as priorities; and, Support for state and federal funding for School Resource Officers where appropriate. We also support tasking the Department’s Facilities Office to advise, collect and disseminate best practices on keeping children safe. (Adopted 2018 – Amended 2020)

- 2.A.2.k. **Gun-Free Schools** – The Maine School Boards Association supports the current state ban on guns, loaded or unloaded, on school property and opposes any legislative attempts to amend that prohibition. The ban is both symbolic and practical. It affirms ours and the nation’s belief that schools should be safe havens and does not invite intended or unintended tragedy by allowing loaded guns on school grounds. Suggestions that schools can somehow monitor whether guns in cars are safely locked and unloaded are unworkable. (Adopted 2018)
- 2.A.2.l. **Staff Use of Social Media** - The Maine School Boards Association supports development of local board policy and guidelines around the appropriate use of social media by employees during the workday and outside of work, and expectations and consequences for staff using social media to bully or disrupt the school learning environment. Schools need to be clear about who has authorization to create and monitor school-sponsored sites on Facebook and other platforms and are encouraged to do appropriate training for staff around good digital citizenship. (Adopted 2019)
- 2.A.2.m. **School Board Use of Social Media** - In recognition that many School Board members use social media to communicate, the Maine School Boards Association would like to affirm the same standards apply to social media as other more traditional means of communicating. Those standards include making clear you are speaking as an individual and not on behalf of the full board; directing concerns or complaints about the district to the administration; conducting yourself online in a manner that reflects well on the district; using caution about inadvertently revealing confidential information; avoiding altogether conversations about contract disputes, investigations or any other matters where the board must be impartial in its deliberations; and, remembering that if a quorum of the board is discussing school business on social media or via email, it constitutes a meeting. (Adopted 2019)
- 2.A.3. *Community Relations*
- 2.A.3.a. **Citizen Involvement in the Schools** – The Maine School Boards Association urges school boards to implement programs that foster constructive parental or guardian involvement and that make use of adult volunteers as a means of enriching the learning experiences of students while building better school-community relationships. (Adopted 1979 – Amended 1982, 1999, 2020)
- 2.A.3.b. **Report Public School Education Success** – The Maine School Boards Association believes that, in order to strengthen public confidence in education, the many positive accomplishments of the public schools should be publicized. MSBA, therefore, urges school boards, superintendents and state educational leaders to actively and appropriately share the achievements of public education through media reporting, presentations to groups of parents and citizens, and other communications with the public. Local school boards are urged to produce supplementary reports highlighting the accomplishments as well as the needs of their local schools. (Adopted 1982 – Amended 1988, 1999)
- 2.A.3.c. **Shared Responsibility in Education** – The Maine School Boards Association believes that public school personnel can best meet the personal and educational needs of students where there is meaningful communication and continuous interaction between the school and parents or guardians. MSBA urges local school boards to take a leadership role in developing policies that foster communication and programs for constructive parental or guardian involvement that will help to assure all students an equal opportunity to succeed. Procedures should be developed by local boards that allow for input from individuals and parent groups with regard to policy-level decision making, yet which recognize the ultimate responsibility of the elected school board to

provide the lay governance of the schools as prescribed in law. (Adopted 1985 – Amended 1989, 1992, 1999, 2020)

- 2.A.3.d. **State Assessments** – The Maine School Boards Association believes that state assessments should include English language arts and literacy, math, science, and social studies/civics. Any state assessment selected or developed should be relevant, provide timely feedback to inform instruction, and not consume undue amounts of instructional time. The State shall maintain consistent assessment for no less than five years. (Adopted 2002 – Amended 2008, 2020, 2022)
- 2.A.3.e. **Business Employment of Students** – The Maine School Boards Association reminds local school boards of the statute which restricts employment of students during the school year, as well as limits work permits to students with appropriate attendance and grades. Moreover, boards are urged to direct the schools to work closely with parents or guardians, businesses, and potential employers of students to obtain recognition and support of the need for balance between work and schooling to enhance the development of young people. The MSBA urges the Maine Legislature to refrain from passing legislation that prescribes a date certain for the opening of Maine schools. MSBA believes that decision is best made at the local level. (Adopted 1991 – Amended 1999, 2007, 2020)
- 2.A.4. *Roles & Responsibilities of School Boards/Board Members*
 - 2.A.4.a. **Representation** – The Maine School Boards Association believes that school boards should function in a nonpartisan, broadly representative, cooperative manner. Each member of a school board should represent to the best of their ability and in an open-minded fashion, the entire unit and in consequence must let their consideration for the entire unit take precedence over every form of partisanship and special interest. (Adopted 1963 – Amended 1982, 1999, 2020)
 - 2.A.4.b. **Local Control** – The Maine School Boards Association supports efforts to strengthen the cherished concept of local control of education whereby school boards, as representatives of the best interests of the residents they represent, directly oversee the operation of their schools and cooperate fully with lay and professional groups toward the advancement of quality public education. (Adopted 1963 – Amended 1982, 1999)
 - 2.A.4.c. **Written Policies** – The Maine School Boards Association believes that policymaking is an essential part of the school board’s governance role. MSBA recommends that local school boards develop and adopt clear written policies to establish and communicate their priorities and expectations. In developing policies, boards should seek input from school administrators, staff, and groups affected by proposed policies. Boards should recognize that while they are the policy-making bodies, they need to delegate responsibility for implementation of policy and the development of appropriate regulations to the Superintendent and their designees. Boards should monitor policies to ensure that they are followed, evaluate policies to see if they are producing the intended results, and establish a process to provide for periodic comprehensive review of the board’s policy manual. (Adopted 1963 – Amended 1982, 1986, 1988, 1999, 2007, 2020)
 - 2.A.4.d. **Board-Teacher Relations** - The Maine School Boards Association is committed to providing training and support to its members on ways to validate and improve the meet-and-consult process when adopting or amending education policy. The goal is to improve communication around key policies that most directly affect teachers and review and collaborate with staff on policies that need updating. In concert with that effort, MSBA would like to encourage and help train boards in interest-based bargaining to further support collaborative relationships between school boards and

our teaching staff by welcoming their input. We also believe boards should create more avenues to provide teachers' voice. (Adopted 2019)

- 2.A.4.e. **Local Board Responsibility** – School boards are the governing bodies of school administrative units. They are locally elected public boards obligated to follow state education law in the best interest of the students they serve. They are uniquely empowered to adopt educational policies that address the content and quality of our students' educational experience and their safety and supervision during the school day. Educational policies are not negotiable within local collective bargaining. School boards should maintain a close relationship and free two-way communication with their constituencies to ease conflict and improve the probability that both board and community are pursuing similar educational objectives. (Adopted 1974 – Amended 1976, 1982, 2020)
- 2.A.4.f. **Board Member Ethics** – The Maine School Boards Association encourages each school board to adopt a locally-developed code of ethics to guide members' conduct and behavior as they relate to parents or guardians, students, school administrators and staff, the community, and to each other. (Adopted 1985 – Amended 1986, 1994, 1999, 2008, 2020)
- 2.A.4.g. **School Board Training** – The Maine School Boards Association is committed to sharing and expanding training opportunities, utilizing, in part, a regional approach and tapping local board members and others as trainers. MSBA encourages local boards to adopt policies that incorporate the local board's commitment to the education of its board members and reflect its need to annually budget the funds necessary to fulfill this important responsibility. Possible areas of discussions based on district needs may include equity of educational opportunity for all students (as defined by MSBA Resolution, 4.22 – 2020), the Freedom of Access Act (FOAA), explanation of MSBA services, school board governance, parliamentary procedures, school board self-evaluation, on-boarding of school board members, local committees' purpose and structure, or school board leadership training. (Adopted 1989 – Amended 1999, 2017, 2021)
- 2.A.4.h. **Child Advocacy** – As advocates for children, the Maine School Boards Association urges school boards to incorporate in their mission statements language which clearly establishes that the thorough and efficient education of children is their primary statutorily based responsibility. (Adopted 1993 – Amended 1999)
- 2.A.4.i. **State and Local Relations** – In an effort to keep legislators well-informed, the Maine School Boards Association urges local school boards to initiate and maintain ongoing communication with members of their local legislative delegation as to the impact of new laws and rules related to public schools. (Adopted 1985 – Amended 1999)
- 2.A.4.j. **DOE Interference with Local Authority** – The Maine School Boards Association urges the Commissioner of Education, the State Board of Education and the Department of Education to limit their exercise of state education responsibility to that permitted by state and federal law, so as not to interfere with the local responsibilities of school boards and superintendents. (Adopted 1990 – Amended 1999)
- 2.A.4.k. **Nomination and Approval of the Employment of Teachers** – The Maine School Boards Association urges local school boards and superintendents to acknowledge and support their respective responsibilities pertaining to the nomination (or non-nomination) and approval (or non-approval) of teacher employment as provided for in state law. (Adopted 1990 – Amended 1999)

- 2.A.4.l. **Support of Education as a Civic Responsibility** – The Maine School Boards Association urges local school boards to promote the need for adequate support of schools as a civic responsibility to be shared by all citizens. (Adopted 1993 – Amended 1999)
- 2.A.4.m. **Legislative Mandates** – Decisions concerning education should be made by the local school board whenever possible. The Maine School Boards Association urges the Legislature not to interfere with the decision-making responsibilities of local school boards by requiring educational programs and unfunded mandates beyond those required to maintain standards, equal rights and opportunities. (Adopted 1977 – Amended 1982, 1986, 1998, 1999, 2022)
- 2.A.4.n. **Role of Maine Department of Education** – The Maine School Boards Association believes that the major effort of the Maine Department of Education should be to provide support to local educational units. The Department should keep information gathering and regulatory functions to a minimum. MSBA believes that the Department should support local school units in implementing Maine’s System of Learning Results. MSBA strongly urges the Commissioner of the Department to thoroughly review all new state policy proposals and initiatives with local school board representatives as well as other school officials prior to their proposal. (Adopted 1979 – Amended 1988, 1998, 2002, 2008)
- 2.A.4.o. **District-sponsored Email Accounts** – The Maine School Boards Association Delegate Assembly recommends local school units establish system email accounts for use by school board members. (Adopted 2010)
- 2.A.4.p. **Preserving Local School Boards** – The Maine School Boards Association is opposed to any efforts to dilute or negate the authority of school boards by eroding local control when it comes to school budgets and policy decisions. These efforts must be opposed on the federal level, where the US DOE is imposing mandates on school boards, and on the state level, where advocates of school choice, charter schools and voucher systems want to break the bond between school boards and the people that elect them by ignoring school district boundaries. MSBA urges its local legislators and members of its congressional delegation to oppose law changes that erode local control. (Adopted 2013)
- 2.A.5. *School Business/Finance*
- 2.A.5.a. **Facilities** – The Maine School Boards Association believes that public school facilities should be used as centers for the integration of the community activities and the encouragement of family participation in wholesome character building activities conducive to good citizenship. MSBA further recommends that local school units, in conjunction with other public and private agencies, particularly when schools are closed during summer months, make every effort to provide summer educational programs, career and technical education (CTE) experiences and training, recreation and work opportunities for students. (Adopted 1963 – Amended 1968, 1982, 1999, 2020)
- 2.A.5.b. **Energy Conservation and Management** – The Maine School Boards Association supports the implementation of comprehensive energy conservation and management programs which will reduce the drain on energy supplies and minimize the cost of energy to Maine taxpayers. (Adopted 1979 – Amended 1981, 1994, 1999)
- 2.A.5.c. **Securing Liability Insurance Protection** – The Maine School Boards Association encourages local school districts to examine their insurance coverage to assure that provision is made for comprehensive liability protection due to the potential for significant financial losses to school

systems from lawsuits. Such coverage should provide that the carrier will pay, on behalf of the board and its members and all employees, monetary and non-monetary relief arising from wrongful acts. (Adopted 1982 – Amended 1997, 1999)

2.A.6. *Staff/Labor Relations*

- 2.A.6.a. **Staff Relationships** – The Maine School Boards Association urges school boards to set up definite policies and procedures whereby communications may be fostered between the board of the district employees. Such procedures should be publicized. School boards shall make the final decision on policy matters, but those affected by the policy should have a voice in its formulation. (Adopted 1969 – Amended 1999, 2020)
- 2.A.6.b. **Job Descriptions** – The Maine School Boards Association recommends that local school systems formulate specific job descriptions for all school personnel. The job descriptions need to be current, accurate and sufficiently detailed to identify the functions and expectations of covered positions. (Adopted 1978 – Amended 1999)
- 2.A.6.c. **Reduction in Force** – The Maine School Boards Association recognizes that there are circumstances under which local boards must reduce the number of administrative, teaching and support staff. MSBA urges its member units to develop and adopt criteria and procedures to be used in a reduction in force involving professional and support staff. Such criteria should be based on the relative qualifications of the staff members involved while keeping the overall best interest of the unit and its students uppermost in mind. (Adopted 1982 – Amended 1986, 1999)
- 2.A.6.d. **Professional Staff Recognition** – The Maine School Boards Association urges local school boards to develop and implement public information and awards programs that recognize professional staff for significant accomplishments and noteworthy community service. (Adopted 1982 – Amended 1983, 1999)
- 2.A.6.e. **Union Security** – The Maine School Boards Association urges local school boards to reject bargaining proposals on “union security” which would place them in the position of requiring membership in a union, or which would require contributions in lieu of membership by non-union employees. (Adopted 1983 – Amended 1999)
- 2.A.6.f. **Just Cause** – The Maine School Boards Association urges school boards to reject undefined “just cause” bargaining proposals presented by employee unions. In the event, however, that the board includes “just cause” language in a collective bargaining agreement, MSBA strongly urges that it be clearly defined so that both parties to the agreement have a full and common understanding of its intent and application. (Adopted 1983 – Amended 1984, 1999)
- 2.A.6.g. **Staffing and Promotions** – The Maine School Boards Association urges local school boards to adopt policies for the promotion of staff which include that when qualifications and performance support upward movement, staff members should be provided opportunities and incentives for promotion to higher levels of responsibility. (Adopted 1985 – Amended 1999)
- 2.A.6.h. **Collegial Bargaining** – The Maine School Boards Association urges local school boards to explore with their associations the possible use of non-adversarial methods of collective bargaining. (Adopted 1989 – Amended 1999, 2020)

2.A.6.i. **Negotiation of Educational Policy** – The Maine School Boards Association strongly opposes any legislative efforts to weaken the ability of local school boards to set education policy. MSBA directs its Executive Board of Directors and staff to work with other educational organizations in order to form a coalition to oppose legislation that would broaden the current negotiability of educational policy. MSBA supports the decision of the Maine Supreme Court in the MSAD #58 Board of Directors v. Mt. Abrams Teachers Association case and endorses the arbitration decisions rendered in the Lisbon School Systems v. Lisbon Teachers Association report. MSBA encourages local boards to work with their professional staff to achieve a meaningful meet and consult process on subjects of educational policy. (Adopted 1991 – Amended 1999, 2002)

2.A.6.j. **Recruitment of Staff from Other Districts** – The Maine School Boards Association urges all school boards and superintendents to be cognizant of the problems involved with personnel recruitment and to demonstrate reciprocal ethical responsibility in the recruitment of staff. (Adopted 1977 – Amended 1982, 1999, 2008)

2.A.7. *Miscellaneous*

2.A.7.a. **Social Service Links** – The Maine School Boards Association recognizes there are many social needs of children that affect learning. Therefore, local boards are encouraged to examine the role of their schools in meeting the needs of students and their families in a coordinated manner. (Adopted 1993 – Amended 1999)

2.B. **POLICY STATEMENTS - EDUCATION PROGRAM**

2.B.1. *Curriculum/Programs*

2.B.1.a. **Wellness** – The Maine School Boards Association recognizes that wellness is related to students' overall well-being and their readiness to learn. MSBA believes that local school boards should promote a school environment that supports and encourages wellness, including healthy food choices, nutrition education, regular physical activity, and an awareness of suicide prevention and the seriousness of violence and bullying within the school. MSBA urges boards to adopt a comprehensive wellness policy that sets goals for nutrition education, physical activity, and other school efforts that support a healthy lifestyle. MSBA also urges local school boards to provide for instruction to increase awareness of the threats to health associated with use of tobacco, alcohol, drugs, and performance enhancing substances. (Adopted 1976 – Amended 1982, 1987, 1998, 2007)

2.B.1.b. **Responsible Leadership in the Review of Instructional Materials** – The Maine School Boards Association believes the range of curricula, materials, and learning experiences available to students should reflect established professional criteria as well as the values and needs of the community. MSBA further believes that, while choosing what students shall read and learn can never be free from controversy, local school officials must exercise responsible leadership in assuring that the rights of freedom of appropriate expression and of free access to information are upheld. Therefore, MSBA encourages the adoption of appropriate procedures for the review of challenged educational materials. (Adopted 1982 – Amended 1986, 1999)

2.B.1.c. **Curriculum Policy** - School boards are legally responsible for adopting policies with respect to curriculum. Therefore, the Maine School Boards Association urges local school boards to recognize that it is imperative they develop and implement curriculum policies that reflect the best interests of the students and the community. These policies should, as much as possible and as

appropriate, include plans for in-person, regional collaborative, and when necessary or beneficial, remote learning opportunities, keeping in mind disabilities and health concerns of all students to ensure equity and inclusiveness of all instruction. Recognizing the importance of a rigorous core curriculum for all students, MSBA urges local school boards to establish policies which require continuous evaluation of curriculum and graduation requirements. Such policies should reflect the goal of creating and maintaining rigorous standards designed to provide students with the skills necessary for them to succeed in a global society. Furthermore, these policies should lead to curriculum designed to achieve specific learning outcomes. MSBA also encourages local school boards to regularly review and revise these policies. (Adopted 1963 – Amended 1982, 1993, 1999, 2021)

- 2.B.1.d. **School Curricula** – The Maine School Boards Association urges school boards to adopt curricula which are designed to present a realistic view of the contributions made by the various ethnic and racial groups in the development of our nation. (Adopted 1968 – Amended 1976, 1982, 1986, 1999)
- 2.B.1.e. **Bilingual Education** – In recognition of our nation’s diversified cultural heritage and some of the educational problems that have resulted from such diversity, the Maine School Boards Association urges the state to work with local units to seek ways of preserving that heritage through the development of educational programs that will ensure that non-English speaking children shall have access to quality education while not impeding their learning of the English language. (Adopted 1974 – Amended 1976, 1982, 1999)
- 2.B.1.f. **Career and Technical Education** – The Maine School Boards Association recognizes the continued importance of providing students with meaningful learning opportunities through career and technical education. MSBA urges the Maine Department of Education, through its rulemaking authority, to assure the integration of CTE within the Maine System of Learning Results. The MSBA further urges the DOE to provide adequate funding within the EPS funding formula to support CTE programs and services. (Adopted 1975 – Amended 1976, 1982, 1999, 2007)
- 2.B.1.g. **Career and Technical Education Opportunities** – With a growing demand that public schools better prepare students for work as well as college, the Maine School Boards Association supports expanded opportunities for students to participate in Career and Technical Education (CTE) classes. Early exposure to hands-on skills helps students discover interests and visualize career paths. CTE also makes traditional learning more relevant and keeps students engaged. We support efforts to make CTE classes more available, understanding it will take local coordination efforts and greater flexibility in scheduling to make it work. It also is critical that our CTE programs form alliances with local businesses to support this effort, and that the state provides adequate funding to support CTE services and programs. (Adopted 2017)
- 2.B.1.h. **Programs for Gifted Students** – The Maine School Boards Association supports the concept that it is the responsibility of educators to identify and develop the special gifts that each child may possess, whether the child be talented academically, artistically, vocationally or athletically. MSBA urges the development of the best in each child through a program of instruction that accommodates every student. MSBA strongly advocates the development of state rules that allow maximum flexibility to local school boards in the development of gifted and talented programs. (Adopted 1976 – Amended 1982, 1986, 1999, 2017)

- 2.B.1.i. **Foreign Languages/International Studies** – The Maine School Boards Association urges local school boards to consider the integration of foreign languages and international studies in local curriculum programs at all grade levels. (Adopted 1981 – Amended 1983, 1999)
- 2.B.1.j. **Values Education** – The Maine School Boards Association encourages local school boards to promote high standards of human behavior within the educational community. As a vital link between communities and their schools, school boards must help create an environment in which values that are central to a democratic society can be discussed and nurtured among students in order to help them develop and clarify their own values. MSBA supports activities that facilitate the study of U.S. foundation documents and broader efforts to identify a common set of values to be discussed and fostered among Maine public school students. (Adopted 1987 – Amended 1990, 1999)
- 2.B.1.k. **AIDS And Other Infectious Disease Education and Prevention** – The Maine School Boards Association urges local school boards to adopt a policy which includes guidelines to provide instruction to students and staff about AIDS and other infectious diseases, which gives them factual information about its infectious risks and which will help dispel unfounded fears and misconceptions about the disease. (Adopted 1987 – Amended 1999, 2008)
- 2.B.1.l. **Multiple Pathways** - The Maine School Boards Association urges local school boards to approve educational programs that interest, engage, and motivate each student to realize their potential and result in successful completion of their high school experience by earning a high school diploma or its equivalent. (Adopted 2021)
- 2.B.1.m. **Dropout Prevention** - The Maine School Boards Association supports the Maine Department of Education’s goal of a 90 percent or better graduation rate. MSBA recognizes there are many factors that can lead to a student dropping out of school. There need to be early interventions for at risk students and support both at the state and local level for multiple pathways, such as credit recovery and adult education, to earn a diploma. This is an imperative not only for our students but for our society, which needs an educated and engaged workforce and citizenry. MSBA additionally and proactively urges the Maine Department of Education and US Department of Education to redefine high school dropouts so that high school graduates include students who attain that achievement within 6 years of initiating grade 9 and those who have utilized one or more of the multiple pathways within the 6-year timeline. (Adopted 2021)
- 2.B.1.n. **Instructional Time Policy** – The Maine School Boards Association believes that school boards should develop and review policies regarding optimum instructional time, recognizing that ideally the school calendar should not be measured in number of days, but by the number of instructional hours per year. Instructional time, moreover, should be distinguished from other uses of time spent in school (recess, passing between classes, clubs, etc.). This is a matter of major impact on educational policy and effectiveness, and it should be a preeminent concern of school boards. (Adopted 1992 – Amended 1999)
- 2.B.1.o. **Instructional Time** – The Maine School Boards Association encourages local school boards to reexamine and study current school day schedules in an effort to find ways to increase and make better use of the instructional time available to students in order to assure that they more nearly fulfill their learning potential. In such a study of instructional time schedules, MSBA encourages boards to consider the effects that the scheduling and rescheduling of regular and post-season interscholastic athletic activities might have on the proper education of its student athletes. (Adopted 1983 – Amended 1984, 1999)

- 2.B.1.p. **Parenting Education** – The Maine School Boards Association urges school boards to collaborate with other community organizations to provide parenting programs in their communities. (Adopted 1993 – Amended 1999)
- 2.B.1.q. **Striving for Excellence** – The Maine School Boards Association believes that school boards must strive to provide excellence in education and hold themselves accountable to the community for their efforts. Board policies should be adopted that assure the greatest possible use of the most effective techniques and results of education research, evaluation and development. (Adopted 1982 – Amended 1999)
- 2.B.1.r. **Scheduling of Students** – The Maine School Boards Association urges school units in each of the state’s career and technical and centers regions to coordinate their daily schedules and annual calendars to assure that all students are able to benefit equitably from the educational program offerings. (Adopted 1986 – Amended 1999, 2020)
- 2.B.1.s. **Study of Secondary Scheduling** – The Maine School Boards Association urges the Department of Education, in partnership with educational associations, to gather appropriate research data on scheduling and adolescent learning to study the feasibility of changes to the scheduled school day for secondary students in light of this data and propose actions based on that research. Any changes to the schedule are and should remain the purview of the local school board. (Adopted 1997 – Amended 1999, 2008, 2020)
- 2.B.2. *School Business/Finance*
- 2.B.2.a. **Accountability** – The Maine School Boards Association endorses the concept that school boards, in order to manage their schools more effectively, must adopt criteria and standards by which to measure the results of the educational process. MSBA encourages local boards to include a self-assessment of the board in these criteria. Such criteria and standards should be adopted in board policy. (Adopted 1976 – Amended 1999)
- 2.B.3. *Staff/Labor Relations*
- 2.B.3.a. **Improvement of Personnel** – The Maine School Boards Association urges the better preparation of teachers and administrators through: a) development of in-service programs related to the specific needs of their school systems; b) encouragement of full utilization of such programs; c) compensation for additional credits if such additional training is in the area of competency of the individual administrator and teacher, or as otherwise deemed appropriate by the school board; and d) encouraging colleges and universities to revise programs of instruction to be more responsive to the needs of the public school system. (Adopted 1972 – Amended 1982, 1983, 1999)
- 2.B.3.b. **Professional Status** – The Maine School Boards Association urges local school boards to maintain and improve the professional status of the teaching profession, and to encourage potential candidates for teaching those persons who will exemplify the highest ideals. School boards should work to provide maximum opportunities for teachers at all levels of training and experience to grow in service so that year by year their effectiveness increases as teachers and as leaders in the community. (Adopted 1963 – Amended 1982, 1999)

- 2.B.3.c. **Teacher Evaluation** - The Maine School Boards Association urges local school boards to develop a comprehensive systematic teacher evaluation policy designed to measure and improve the effectiveness of instruction on a continuous basis. Feedback is critical for all teachers regardless of where they are in their career. Evaluation systems need to be based on high performance standards and supported by ongoing professional development and mentorship. The process should address all aspects of teaching performance and recognize the fulfillment of student needs and achievement of educational outcomes are of primary importance. (Adopted 1979 – Amended 1983, 1999, 2021)
- 2.B.3.d. **Improvement of Teaching Skills** – The Maine School Boards Association believes that school boards should work with teacher preparation institutions and the State Board of Education to improve the quality of teaching through improved teacher preparation and more productive certification procedures and requirements with input from the Maine Department of Education. (Adopted 1982 – Amended 1999, 2020)
- 2.B.3.e. **Professional Staff Development** – The Maine School Boards Association urges local school boards to assess the continuing professional development needs of the education professionals with whom they share the responsibility for school improvement. It is generally recognized that the Maine Learning Results will only be attainable with sustained devotion of time, effort and financial resources to the continuing education of the instructional and administrative staff. (Adopted 1992 – Amended 1999)
- 2.B.3.f. **Labor Relations Legislation** – The Maine School Boards Association through its Executive Board of Directors should constantly review existing collective bargaining legislation and evaluate proposed labor relations legislation with the aim of retaining the authority and responsibility of school boards in all aspects of the management of Maine’s public schools. (Adopted 1970 – Amended 1976, 1999)
- 2.B.4. *Students*
- 2.B.4.a. **Freedom of Expression (Students and Teachers)** – The Maine School Boards Association promotes the principles that: a) freedom of speech is a constitutional right guaranteed to all citizens and that the school must make every effort consistent with the good of the school to provide for the free expression of ideas; b) students have the right to hear different points of view consistent with their maturity and teachers have the obligation to present contrasting views with objectivity and impartiality; and c) students must be free to express their points of view while respecting the rights of others to agree or to disagree without interference. (Adopted 1971 – Amended 1982, 1999)
- 2.B.4.b. **Students' Rights/Conduct** – The Maine School Boards Association urges school boards to ensure that a student code of conduct and a student handbook are developed and distributed each school year so that students understand their right and responsibilities, the types of conduct that are expected, those that are unacceptable, and the consequences for each. MSBA encourages boards to adopt policies that set high standards for acceptable student conduct in order to maintain a respectful and supportive learning environment in every school and to support school administrators in their implementation of such policies. Policies that are adopted after the issuance of the student handbook should be disseminated to students and parents during the school year. (Adopted 1978 – Amended 1982, 1987, 1989, 1999, 2002, 2007)
- 2.B.4.c. **Equal Educational Opportunity** – The Maine School Boards Association recognizes that students differ in interests, motivation, and ability, yet MSBA is committed to providing equal but

not identical opportunities in education for all students and urge that local boards follow through on that commitment. In order to develop the best possible educational program for all students, MSBA urges school boards to evaluate educational philosophies, policies and programs periodically in order to make the greatest possible use of new research and techniques in education, teaching and management. Local boards are encouraged to consider statewide assessment program test results in their ongoing evaluations of educational programs. By involving parents and other citizens in this process when appropriate, local boards can use test results in positive, constructive ways. (Adopted 1975 – Amended 1976, 1982, 1985, 1999)

2.B.4.d. **Student Aspirations** – The Maine School Boards Association believes that raising the aspirations of Maine youth requires that attention be paid to several fundamental aspects of the home, school and community environment. Central to any such effort is the recognition that in order for students to aspire to greater achievements they be given opportunities to experience meaningful successes which can foster a sense of self-worth and belonging. These fundamental qualities must be consistently nurtured by caring adults in school, at home, and in the community and by well-conceived school programs implemented within a supportive climate. MSBA urges all school officials, all school staff members, parents/guardians, and citizens to carefully examine their respective roles and contributions to the statewide effort focused on student aspirations. MSBA supports efforts by the Department of Education to identify related research and offers its assistance toward the sharing of such information with local units. (Adopted 1988 – Amended 1993, 1999, 2008)

2.B.4.e. **Gender Equity** – The Maine School Boards Association believes that local school boards have the obligation to recognize and acknowledge gender inequities in their school systems, and to work for prevention and correction as needed. School boards need to stand strongly against discrimination of any kind, including unintentional gender bias, and to work to increase sensitivity so that all students may have equal educational opportunities. (Adopted 1992 – Amended 1999)

2.B.5. *Miscellaneous*

2.B.5.a. **Educational Planning** – The Maine School Boards Association believes that each school board should develop a comprehensive educational plan reflective of long-term and short-term goals in order to meet the educational needs of its pupils. Each school board should consider the value of a self-evaluation process to determine the school system's goals. MSBA urges local school boards to recognize the contributions to overall educational planning that come from the knowledge and experience of staff members. In developing plans and general policies relating to the operation of the schools, each local school board should set up and publicize procedures, which enable staff members to present their ideas and recommendations. (Adopted 1967 – Amended 1982, 1986, 1988, 1999, 2008)

2.B.5.b. **Learning Support** – Efforts should be made to support learning opportunities affected by summer vacation, prolonged student absence or the disruption caused by the pandemic. The Maine School Boards Association believes a student-centered approach, which looks at individual academic achievement and informs what support systems are needed and for whom, is a more effective approach. Strategies should replicate those within Multiple Tiers of Student Support (MTSS) utilized by school units. The Department of Education needs to be involved in this work by identifying existing resources, developing additional appropriate measurement tools and sharing effective interventions developed by their curriculum experts. Consideration of appropriate funding provided by the Maine Department of Education also is recommended. (Adopted 2021)

- 2.B.5.c. **Pledge of Allegiance** – The Maine School Boards Association encourages school boards to incorporate the Pledge of Allegiance to our nation’s flag as a regular part of each morning’s opening classroom exercises. MSBA further urges that every effort be made to inform students of the true meaning of this pledge. (Adopted 1978 – Amended 1986, 1999)
- 2.B.5.d. **School Choice** – The Maine School Boards Association applauds the efforts of many local school boards to establish programs that allow students options to learn in a manner that is most productive to them. Therefore, MSBA encourages and supports continuation of efforts to provide intra-district choices for school programs and voluntary efforts among school units to establish and maintain regional programs for the benefit of their students. MSBA opposes mandated inter-district choice. (Adopted 1989 – Amended 1991, 1999)
- 2.B.5.e. **Vouchers and Education Savings Accounts** - The Maine School Boards Association opposes the use of vouchers, including their latest iteration known as Education Savings Accounts (ESAs). These vouchers and ESAs erode financial support for public schools and disenfranchise local taxpayers by taking away their voice and vote on how education tax dollars are spent. We urge the Legislature to oppose any attempts to allow a publicly funded voucher or ESA program to be established in the state of Maine. (Adopted 2015)

3. **POSITION STATEMENTS**

These resolutions convey the Association’s stance on specific issues. They either direct specific, immediate action be taken by the Association, staff, or others, or 2) set forth the Association’s position on questions of public policy, i.e., statutory or administrative law.

3.A. **DIRECTIVES**

- 3.A.1. **Essential Programs and Services** – The Maine School Boards Association (MSBA) has historically been supportive of the development of the Essential Programs and Services (EPS) school funding model since work commenced on that model by the State Board of Education in 1996. MSBA’s support came from the belief that EPS would offer a rational vehicle to ensure equitable funding so that all Maine public school students would have equal access to quality education programs to help them meet the standards of Maine’s system of Learning Results.

MSBA is convinced that this school funding model is being used for cost containment rather than directed toward providing adequate educational program offerings. In this application the EPS model no longer reflects a fair and reasonable funding protocol for an adequate education program, but instead reflects the funds available for state subsidy.

MSBA calls on the Governor, Commissioner, State Board of Education, and Legislature, to work with all deliberate speed, to complete the EPS model and ensure that the original ends of adequacy, predictability, and sustainability are achieved. Having a completed comprehensive EPS model more accurately shows communities the bare minimum required funding of our public schools.

MSBA directs its officers and staff to work through the Legislative process to secure an EPS School Funding Formula that honors EPS’ original intent. (Adopted 1995 – Amended 1998, 2003, 2004, 2008)

3.A.2. **Consolidation/Unification** – The Maine School Boards Association has historically supported voluntary school unit consolidation, regionalization and collaboration among and between school administrative units. MSBA supports the recent efforts of the Governor and Legislature to explore these issues.

Maine has had a successful experience with consolidation through the school administrative district and community school district unit structures. These early consolidations were successful because of the financial incentives provided to local communities, and the improvement in program offerings for students. There are many examples across the state of voluntary regional collaboratives that have enhanced effectiveness and efficiency in the delivery of educational programs.

MSBA believes that:

- Student achievement is of primary importance and should be the first priority in any regionalization/consolidation plan;
- All of the options associated with consolidation, regionalization, and collaboration must be fully developed and based on a balanced research review;
- The Governor and Legislature must provide financial incentives to encourage such consolidation/unification activities;
- Current laws and rules should be examined and, if necessary, amended to make it easier to develop and maintain regional program delivery models;
- Flexibility and creativity must be encouraged; and
- The MSBA opposes the mandating of any plans for school unit consolidation that does not require local voter approval of any proposed consolidated units.

MSBA is opposed to the mandatory merger of school units, but is supportive of and recognizes the value of voluntary consolidation, regionalization and collaboration. MSBA also opposes financial penalties for units that choose not to voluntarily consolidate, regionalize or collaborate. MSBA believes that our students, local communities, taxpayers, and all citizens can benefit from any such cooperative efforts. (Adopted 1995 – Amended 1998, 2003, 2005)

3.A.3. **Administrator Shortage** – The Maine School Boards Association recognizes the significant decline in the number of qualified candidates for administrative positions at all levels, but particularly in the areas of school superintendency and the high school principalship. MSBA believes that the urgency of this matter should be addressed jointly by the Department of Education, the State Board of Education, the University of Maine System and other higher education institutions and the Maine Legislature. It also recommends the support and establishment of Leadership Academies to enhance this effort, as provided within Maine statute, Title 20-A, Ch. 502-C. (Adopted 1996 – Amended 2002, 2008, 2021)

3.B. **PUBLIC POLICY**

3.B.1. *Curriculum/Instruction*

- 3.B.1.a. **Citizen Literacy** – The Maine School Boards Association supports the nationwide efforts to erase functional illiteracy in the United States, and MSBA urges that all teacher-preparation institutions provide adequate instruction in reading and appreciation for the importance of students attaining the ability to read on grade level by grade 3. (Adopted 1972 – Amended 1976, 1998)
- 3.B.1.b. **Scheduling of Career and Technical Education Programs (CTE)** – The Maine School Boards Association believes there is a continuing need to examine ways in which the scheduling and delivery of CTE programs can be more responsive to the needs of students, school officials, parents/guardians and other adult citizens at the local level. We feel this goal can be achieved by the advancement of legislation that would: a) provide for a greater opportunity for shared funding and decision-making responsibilities within units served by career and technical centers and regions; b) improve coordination between secondary and post-secondary CTE programs and facilities, and c) expand business internships and apprenticeships. (Adopted 1979 – Amended 1982, 2017, 2022)
- 3.B.1.c. **Respect for Law** – We urge all Maine educators to foster respect and appreciation for the system of laws by which our nation strives to ensure justice and domestic tranquility, and also to educate students about the legislative and electoral processes. (Adopted 1976)
- 3.B.1.d. **Addressing the Shortage of Staff in Critical Areas** – The Maine School Boards Association urges business, industry, the Maine Department of Education and the State Board of Education to participate in public school programs in a wide variety of ways including addressing the critical shortages of staff, providing high technology equipment, cooperating in career and technical education, and other cooperative activities that will allow for the shared use of persons trained in technical and scientific areas. (Adopted 1982 – Amended 2000, 2008, 2020)
- 3.B.1.e. **Copyright** – The Maine School Boards Association supports the right of educators to the fair use of copyrighted instructional materials without permission of the copyright holder. MSBA supports the continued guarantee of such rights and believes that fair use rights extend beyond printed material to include off-the-air tapes, live performances and electronic media. (Adopted 1982 – Amended 1998)
- 3.B.1.f. **DOE Workshops Scheduling** – The Maine School Boards Association encourages staff development workshops sponsored by the Department of Education should be conducted at other times than during school hours in order to avoid any adverse impact on students and on budgets. Technology should be utilized as much as possible in the delivery of these workshops. The DOE should also provide realistic advance notice for these events. (Adopted 1990 – Amended 2008)
- 3.B.1.g. **Constitutional Amendment** – MSBA urges the Legislature and Governor to support passage of an amendment to the Constitution of the State of Maine that would require the State to assure educational equity for all Maine public school students and to provide the resources necessary to meet this requirement. (Adopted 1997)
- 3.B.2. *School Operations/Facilities*
- 3.B.2.a. **Siting of School Construction Projects** – The Maine School Boards Association opposes the passage of any legislation that unreasonably restricts the choice of school sites by local school units and/or prevents the State Board of Education from granting approval to proposed sites that

do not take into account the wishes of local communities, transportation considerations, or other elements that may be factors in the siting decision. (Adopted 2005)

- 3.B.2.b. **Funding of the Universal School Meals Act of 2021** – The Maine School Boards Association calls upon Congress to pass the Universal School Meals Program Act of 2021 which would amend the Child Nutrition Act of 1966 and the Richard B. Russell National School Lunch Act to make breakfasts and lunches free for all children, without adversely affecting federal funding formula that may use free and reduced lunch rates. (Adopted 2022)
- 3.B.2.c. **Free-Reduced Lunch Qualification** – The Maine School Boards Association urges Congress and the Administration to define poverty level requirements for the Free and Reduced Lunch Program by utilizing Area Median Income as used by the Department of Housing and Urban Development or the national federal poverty level, whichever is higher. MSBA believes these are initiatives that should be established federally while in no way being confused with Maine’s meal program. (Adopted 2022)
- 3.B.2.d. **Property/Casualty Insurance** – The Maine School Boards Association opposes the concept of state involvement in providing property and casualty insurance for local schools. MSBA believes that any statewide insurance trusts established for this purpose be governed by representatives of local school boards and subject to oversight by the State Bureau of Insurance. (Adopted 1991)
- 3.B.2.e. **Health Insurance Policy Requirements** – The Maine legislature in the past decade has mandated benefits for all health insurance policies marketed in the state. The legislature has also removed “community rating” as a means of determining premium structure (price) by competing insurance companies. The results of these legislative efforts are that, while there are several hundred legitimate health insurance companies in the United States, there are currently three insurance companies offering health insurance products to Maine consumers. The strictures of policy design and the limited number of companies offering health insurance products have resulted in a non-competitive market for health insurance policies sold in Maine. School boards across the state are confronted with the rising cost of health insurance in offering coverage to their employees. In some instances, the price of health insurance premiums is an issue in the successful resolution of contract negotiations between school boards and employee bargaining units.

The MSBA believes that health insurance policies marketed in Maine are excessively and needlessly expensive because of legislative activity and because of subsequent lack of competition in the marketplace. The MSBA supports the legislative removal of mandated benefits in health insurance products marketed in Maine and supports the legislative removal of the prohibition of “community rating” in determining premium structure for policies marketed in Maine. The MSBA believes that significant savings of scarcer tax dollars at both the local and state levels can be realized by such actions. (Adopted 2004)

3.B.3. *School Finance*

- 3.B.3.a. **Alternatives to Property Tax** – The Maine School Boards Association strongly advocates that the Legislature act to create alternatives to the property tax to adequately fund education. (Adopted 1998)
- 3.B.3.b. **Tuition Tax Credits and Vouchers** – The Maine School Boards Association opposes any proposal to provide federal funds (such as vouchers, tuition tax credits, etc.) to the parents or

guardians of children who are enrolled in elementary or secondary private schools. (Adopted 1981 – Amended 1986, 1998)

- 3.B.3.c. **Funding of Mandatory Programs** – The Maine School Boards Association supports the inclusion of geographically diverse citizen input in the development of mandatory programs proposed by the Maine Legislature or Congress. MSBA supports full funding of mandated programs. (Adopted 1986 – Amended 1988, 1998, 2008)
- 3.B.3.d. **School Board Responsibility for Development of Budgets** – State law clearly establishes budget development as a primary responsibility of locally elected school boards. The Maine School Boards Association opposes any attempt to limit this responsibility. The MSBA leadership is encouraged to initiate and support legislation that will reaffirm and clarify this important duty. (Adopted 1991 – Amended 2000, 2008)
- 3.B.3.e. **Funding of Services to Students with Severe Disabilities** – The Maine School Boards Association strongly urges the Commissioner of Education, the State Board of Education, and other commissioners in the Children’s Cabinet to maintain the mechanism for increased financial assistance to schools faced with high costs for students with severe disabilities and/or students who may need out-of-district placements. Furthermore, the Governor and Legislature are urged to provide full funding on an annual basis, and to add a provision to the law which would allow these reimbursable costs to be excluded from local school budgets. (Adopted 1988 – Amended 1989, 1992, 1998, 2021)
- 3.B.3.f. **Student Equity in School Finance** – The Maine School Boards Association is committed to the principle of equal access to education for all students regardless of the wealth of the school unit in which they reside. This principle should be addressed at both the state and federal levels. As the State of Maine represents a diverse geographic and economic environment, it is only through a broad-based state educational subsidy program that this can be achieved. MSBA urges the Legislature to address the need for reliably consistent levels of annual general purpose aid (GPA) which will assure that statewide student equity is not jeopardized during periods of economic instability. While advocating for higher levels of GPA, the Association does not take positions relative to its distribution. (Adopted 1991 – Amended 1998, 2000, 2002, 2008)
- 3.B.3.g. **Tax Caps** – The Maine School Boards Association opposes any attempt to place a limit on the responsibilities of legislative bodies, state and local, to determine the amount of tax monies to be raised to meet the legitimate needs of those who are served by government services. (Adopted 1994 – Amended 1998)
- 3.B.3.h **Federal Special Education Program Funding** – The Maine School Boards Association urges members of the Maine Congressional Delegation to continue to give their strongest support to current efforts at the national level to move federal funding for special education programs towards achieving the original goal of 40% of those costs being supported through federal funding sources.

MSBA recommends that the legislature requires that the Commissioner of Education prepare annual impact reports relative to the benefits that the increased federal share would have on state and local budgets, as well as the positive effect on local and state efforts to achieve Maine’s Learning Results. (Adopted 2000 – Amended 2008)

- 3.B.3.i. **Taxpayer Dollars Support Public Education** - The Maine School Boards Association believes taxpayer dollars should support public schools that are open to all and regulated by the state and opposes siphoning off public resources to support religious education. If parents wish to send their children to private religious schools, it is their choice, but it is not an option that should come at taxpayer expense. We also believe it is not appropriate to use public dollars to advance any particular religion or dogma. (Adopted 2019)
- 3.B.3.j. **CTE Funding Restoration** - This resolution calls for the state to fund CTE using an equitable and transparent formula and to increase funding for this program important to our schools and economy. (Adopted 2019)
- 3.B.4. *Special Education*
- 3.B.4.a. **Court-ordered Placements of Students with Disabilities** – The Maine School Boards Association believes that locally developed Individualized Educational Plans (I.E.P.) should be the basis for educational placements of students with disabilities. Court-ordered placements that conflict with the local recommendations should be the financial responsibility of the state if the local unit could have provided an appropriate placement within the public school program. (Adopted 1982 – Amended 1998)
- 3.B.5. *Staff/Labor Relations*
- 3.B.5.a. **Binding Arbitration** – The Maine School Boards Association opposes any legislation that would allow binding arbitration on salaries, pensions, and insurance because the fiscal impact of these significant cost drivers in the school budget should be decided by locally elected School Boards, not outside arbitrators who have no stake in the community. (Adopted 2021)
- 3.B.5.b. **Right to Strike** – The Maine School Boards Association opposes any legislation that would give school personnel the right to strike. Strikes severely disrupt the education of children and the lives of their families. Even a short strike could upend an academic year, breaking educational continuity for students and throwing off school calendars for instruction and in-school and after-school activities. Strikes also could put our students at risk if they are in unsupervised settings at home, remove their safety net experience at school, and remove food security by eliminating opportunities for scheduled meals. (Adopted 2021)
- 3.B.5.c. **Teachers as Legislators** – The Maine School Boards Association urges the Legislature to amend the statute regarding teacher "leave of absence as legislators". (Title 20-A MRSA Section 13602) by establishing a limit on the number of terms that teachers may serve as legislators under this provision. (Adopted 1982 – Amended 1986)
- 3.B.5.d. **Probationary Employment Period** – The Maine School Boards Association supports changes in current Maine law to better meet the personnel needs of Maine schools and to provide more fairness to teachers and students when determining whether or not to place teachers on continuing contract. MSBA proposes that individuals employed as teachers in Maine schools, who have less than three years teaching experience, be given the opportunity to have up to three one-year probationary contracts prior to the making of a determination on granting continuing contract status. Teachers who have more than three years of teaching experience would be eligible for continuing contract consideration after completing two years as probationary teachers. (Adopted 1983 – Amended 1984, 1998)

- 3.B.5.e. **Unemployment Compensation** – We strongly urge the Legislature to continue to exempt from unemployment compensation coverage public school employees who are temporarily employed and/or temporarily away from official duties either during a school recess or during a vacation. (Adopted 1977 – Amended 1982)
- 3.B.6. *Staff Preparation/Certification*
- 3.B.6.a. **Teacher Certification** – MSBA urges local boards to keep themselves apprised of developments in the area of teacher certification. Any changes in the certification law should consider the need to protect the interests of students and should carefully consider the acceptance of associated costs by the state. (Adopted 1986 – Amended 1994)
- 3.B.6.b. **Administrative Skills** – The Maine School Boards Association believes that the demands on the schools have changed and that school administrators often need new skills to effectively perform school leadership tasks. Therefore, MSBA strongly supports efforts to update and strengthen administrator certification requirements. In addition, MSBA encourages local boards to ensure that their administrators are provided with opportunities to develop and improve their administrative and leadership skills. (Adopted 1985)
- 3.B.6.c. **Professional Standards Board for Certification** – The MSBA opposes the transfer of authority for determining Teacher/Administrator certification standards and issuance of certificates from the State Board of Education and the Commissioner to a Professional Standards Board. (Adopted 1991)
- 3.B.6.d. **Alternative Certification** – The Maine School Boards Association recognizes in order to address challenges during school restructuring and staffing shortages districts may wish to recruit and hire professional staff that possess appropriate skills often found in other employment sectors. MSBA therefore, pledges its support for the continuation of the effort to study and initiate legislation that will create alternative routes to certification for teachers and administrators that maintain high standards and rigor. (Adopted 1991 – Amended 1994, 1998, 2022)
- 3.B.6.e. **Professional Development to Support Learning Results** – The Maine School Boards Association urges the Legislature and Governor to appropriate funds, in addition to General Purpose Aid, to develop and sustain a system of comprehensive staff development to support the implementation of the Learning Results for Maine students. Such an important undertaking must be accompanied by the training support necessary to assist teachers to meet the diverse learning needs of all Maine students. (Adopted 1996)
- 3.B.7. *State Governance*
- 3.B.7.a. **Legislative Policy Making** – It is the position of the Maine School Boards Association that all education policy decisions which the Legislature might consider should be preceded by appropriate hearings and/or consultations. Adequate opportunity should be provided for all interested parties to participate and contribute input for legislative review and consideration. In order for sound education policy to be developed, such a process is not only desirable but essential. (Adopted 1991)
- 3.B.7.b. **Comprehensive State and Community Planning** – We recommend that federal, state and municipal planning bodies and their respective agencies consult local school boards in the development of any projected plans affecting the education system within a particular area; and

local school boards should make every effort to cooperate and communicate with these governmental bodies. (Adopted 1968 – Amended 1976, 1982)

3.B.8. *Students*

3.B.9. *Miscellaneous*

3.B.9.a. **State Sponsored Sports Betting** – MSBA strongly opposes any legislation that would legalize betting on athletic contests, and supports legislation banning any kind of state-sponsored sports betting. (Adopted 1991)

3.B.9.b. **Voluntary Board Development** – The Maine School Boards Association endorses the time-proven concept of lay governance of schools by elected local citizens who provide policy-level direction and guidance for the superintendent as the school board's chief executive officer and staff. While it is incumbent upon school board members to avail themselves of opportunities to learn more about how to carry out their responsibilities on a continuing basis, legislative or other mandating of any such training is neither warranted nor advisable. MSBA opposes any additional qualification(s) for school board membership, or any specific training course work, and any form of state certification of board members. (Adopted 1992 – Amended 1998, 2008)

3.B.9.c. **Child Care** – MSBA recognizes the need for quality childcare services in the State of Maine. We urge cooperation among local municipalities and school administrative units, state agencies, service organizations, and parents in working together to insure the delivery of safe, reliable, and educationally-sound childcare services. (Adopted 1986)

3.B.9.d. **Research Institute** – The Maine School Boards Association supports the goals embodied in the Research Institute, statutorily created to collect and analyze data about the condition of local schools. The MSBA particularly endorses the use of such data by the Legislature and others to guide them toward the goal of equal educational opportunity for all of Maine's public school students. Such research should always be performed by neutral parties who have no connection to the policy process. (Adopted 1995 – Amended 2008)

4. **SPECIAL RESOLUTIONS**

These resolutions are short-term, special legislative directives.

4.1 **Issuance of School Administrative Unit GPA Printouts** – The Maine School Boards Association urges the Legislature to adopt legislation that requires the Commissioner of Education to release individual SAU printouts based on the funding level proposed in the Governor's Budget and issue updated printouts based on any final recommendations made by the Education or Appropriations Committee within ten days after such recommendations are released. (Adopted 2007)

4.2 **Affordable Health Insurance Through Competition** – The Maine School Boards Association supports all necessary legislative and administrative action that would enable school districts to have the ability to: (1) pursue all health insurance options existing in the marketplace; (2) conduct the purchase of health insurance through a competitive bid process; and/or (3) join the Maine state employee group health insurance plan. The MSBA believes that having all of these options is necessary to bring down the cost of health insurance for teachers, school employees, and school districts. In addition, the MSBA supports a requirement that any health insurer that is providing (or has provided) health insurance to teachers, school employees, and/or school districts, share

with all other health insurers such information as may be reasonably necessary (including but not limited to utilization data) to enable such other insurers to be able to bid and/or offer health insurance to school districts and its employees. (Adopted 2010)

- 4.3 **Student Visas for Public Schools** – It is the position of the Maine School Boards Association that the present federal system, INA Section 214 (m) (1) (A) (B) (i), that allows 4-year visas in private schools but only a 1-year visa in public schools is discriminatory and inequitable. Furthermore, the current practice adversely impacts a public school’s ability to raise additional revenue to lower local taxes. MSBA requests an immediate change in this unfair system, thus permitting all eligible international students to acquire 4-year visas. (Adopted 2010)
- 4.4 **Charter School Law Implementation** – The Maine School Boards Association believes the law passed in 2011 to allow charter schools in Maine lacks clarity in several critical areas and needs to be amended through legislation or rule-making. Specifically, the MSBA urges the state to:
- Require the State Charter School Commission to go through the major and substantive rule-making process for adoption of all the rules guiding its operation. These should include, but are not limited to the rules determining what criteria it will use to evaluate applications; the academic, operational and financial performance measures and expectations it will include in charter contracts; its renewal criteria; and what constitutes an educational need by which the need for a charter school in a given area will be determined.
 - Stipulate that authorizers have to submit annual reports on the charter schools under their purview to the State Board of Education and the Legislature’s Education Committee to assure there is transparency and public review of the reports. Current law only requires the reports to go to the Commissioner of Education.
 - Strengthen the required audit language to include: A) Accountability of all revenues and expenditures; B) A determination of whether or not proper budget controls are in place; C) A determination of whether or not the annual financial data submitted to the department is correct; and, D) An audit of all federal programs in accordance with applicable federal law.
 - Spell out the responsibilities a charter school authorized by the State Charter School Commission has in regard to students with special needs and in providing transportation services to students. (Adopted 2011)
- 4.5 **Social Security: Repeal of Government Pension Offset and Windfall Elimination Provision** – The Maine School Boards Association urges Congress to repeal the Windfall Elimination Provision and the Government Pension Offset to the Social Security Act to ensure that a quality pool of teacher candidates are available to be hired so as to meet the needs of students. (Adopted 2022)
- 4.6 **Shifting Retirement Costs** – The Maine School Boards Association remains opposed to any legislation that shifts additional costs of retirement benefits from the state to the local school district, and by extension local property taxpayers.

MSBA is concerned about two possible cost-shifting scenarios.

One involves shifting onto local districts the unfunded liability portion of retirement costs for those enrolled in the state’s teacher retirement plan. We see this scenario as possible given the

cost-shift that was enacted in 2013, where legislation made school administrative units responsible for paying normal retirement costs. The obligation to pay off the unfunded liability – estimated at \$142 million in 2013 – is and should remain with the state.

The second scenario involves the proposed creation of a new state retirement plan that would be a supplement to Social Security. Legislation has been drafted to do just that, but was not introduced in 2013. MSBA opposes any move to ask school districts to pick up the employer share of Social Security costs if this legislation is introduced in the future. (Adopted 2011 – Amended 2013)

- 4.7 **Professional Development** – In view of the ever-increasing expectations of all educators, but particularly teachers and principals, the Maine School Boards Association (MSBA) urges the Maine Department of Education, in consultation with the major education organizations, colleges and universities, and other groups and individuals as appropriate, to develop a plan of state financial assistance to support the professional development of our teachers and principals on a local, regional/state basis.

MSBA regards such an investment in professional development as critical to our students being given the opportunity to meet the expectations that we have developed for them. (Adopted 2012)

- 4.8 **Teacher Preparation Programs** – The Maine School Boards Association recommends the convening of a special collaborative to examine the current state of approved teacher preparation programs to determine if they are appropriately preparing teachers with best practices to help all students achieve the standards within the Maine System of Learning Results.

Additionally, MSBA recommends that approved teacher preparation programs include best practice training to help teachers assist in the identification of students who may have behavioral health (substance use of mental health) or academic issues.

MSBA believes that such a collaborative should include membership from the State Board of Education, Maine Department of Education, the MSBA, Maine School Superintendents Association, Maine Principals' Association, Maine Education Association, and Maine Administrators of Services for Children with Disabilities, Maine School Counselors Association, Maine Association of School Psychologists, the National Association of Social Workers – Maine Chapter, as well as representation from the colleges and universities. (Adopted 2012 – Amended 2022)

- 4.9 **Sequestration** – The Maine School Boards Association (MSBA) is opposed to the pending federal government budget sequestration action. Federal Impact Aid cuts would become effective during this school year. Other federally funded education programs budget cuts are scheduled to take place during 2013-14 school year. School districts will see a reduction in Title I grants for disadvantaged students, a reduction in special education grants, a reduction in English Language Acquisition grants and a reduction in federal subsidy payments on certain school bond programs.

The sequestration budget cuts to education programs would likely mean increased class sizes and less access to programs for children with special needs, summer school, college counselors, early childhood education and after-school programming. (Adopted 2012)

- 4.10 **Enhanced Circuit Breaker** – In light of evidence that there is a correlation between the amount districts can spend on education and student achievement, the Maine School Boards Association supports the use of additional state funding for an enhanced circuit breaker program in Maine that

would give tax relief to low-income homeowners, while maintaining appropriate levels of local property tax support for schools. (Adopted 2013)

- 4.11 **Local Control of Student Transfers** – The Maine School Boards Association would like to reconfirm our position that a student transfer should be a local decision made by the two superintendents involved in a request. We see three steps in this process to pass such legislation.
- There should be a legislative review that examines the current criteria used by the Department of Education and the State Board of Education to make their decision in an appeal of a local decision.
 - A commission should be created composed of stakeholders to review that information and develop criteria that would then be subject to substantive rulemaking that would be used to guide superintendents in their decision-making.
 - If both superintendents agree on a transfer request, it should be enshrined in statute that their decision is binding and should only be appealed within the scope of bullets one and two. (Adopted 2014) (Revised 2016)
- 4.12 **Standardized Testing Benchmarks** – The Maine School Boards Association is committed to raising student achievement in all districts and believes statewide standardized tests, used appropriately, have to be one of the multiple measures of progress toward that goal. To be of value, the same standardized tests have to be in place long enough to establish a base year and reliable year-over-year growth measurements. MSBA is calling on the Department of Education to give adequate time to allow a rigorous review of potential vendors before a contract is awarded for new state assessments. Time spent now will help assure the successful implementation of the tests and their use over time to produce comparable achievement data. (Adopted 2015)
- 4.13 **Teacher Retirement Costs** – The Maine School Boards Association strongly reiterates its opposition to rising teacher retirement costs that were shifted onto school districts by the state in 2013 – costs which continue to grow. Those costs went from \$30 million a year in fiscal year 2015 to \$50 million in 2020. While the Maine Public Employees Retirement System has become more transparent in what drives these costs, they are an increasing burden on local property taxpayers. We urge the Legislature to consider reinstating a state share that reduces the statewide local liability. (Adopted 2015) (Revised 2016, 2020)
- 4.14 **Department of Education Leadership** – In recognition of the important relationship between school districts and the state Department of Education, the Maine School Boards Association is calling on the governor’s office to outline the process and qualifications it wants in a permanent commissioner and to nominate a candidate for legislative approval in the upcoming session. The absence of a permanent commissioner has left the state without an official leader to articulate education policy and direction and has caused disruption and turnover among DOE staff, whom districts rely on for information and guidance. If the governor’s office does not put forth a permanent commissioner nominee, the next Legislature needs to express and advance viable options for filling this key position. (Adopted 2016)
- 4.15 **Continuation of Maine Learning Technology Initiative (MLTI)** – The Maine School Boards Association reaffirms its support for the Maine Learning Technology Initiative (MLTI) that provides computers to seventh- and eighth-graders and teachers, and facilitates the purchase of

them by school districts for other grades, including the state's high schools. Funding for MLTI must be continued as more options are explored for using computers as teaching tools and relevant data on impacting student learning is documented. (Adopted 2016)

4.16 **Technology in the Classroom** – The Maine School Boards Association reaffirms its support of technology in schools and asks the Legislature to pass legislation to provide broadband internet connections to all parts of the state. A state plan also is needed for the future of technology in schools that takes into account the dynamic nature of the computer industry and addresses how best to use technology to enhance teaching and learning. (Adopted 2017)

4.17 **CDS Move to Public Schools** – The Maine School Boards Association supports the eventual move of programs for 3-to-5-year-olds into public schools, but only if it is well planned and continually, fully funded by the state as a separate line item independent from the EPS funding formula.

We call on the 129th Legislature to convene a task force to inform that plan. Public school staff must be involved, as well as current staff of Child Development Services, DOE leadership, and other appropriate stakeholders. State funding must be adequate to hire staff and provide appropriate services to all eligible children to avoid the kind of shortages documented under the current system. One of the task force's goals will be to develop a detailed funding plan. The goal must be to take the current program and improve it where necessary, so our youngest students receive the services and interventions they need to be successful as they move through the public school system. (Adopted 2018)

4.18 **Special Education Reform** – The Maine School Boards Association believes the special education system created by Congress more than 40 years ago needs to be reviewed and amended on the federal and state level to assure all student needs are being met. A task force created as a result of an MSBA resolution in 2016 has made reasonable proposals for change at the state level. Legislation should be introduced in the first session of the 129th Legislature to implement those changes. This resolution also directs the MSBA officers to urge Maine's congressional delegation to support reforms recommended by the National School Boards Association when the Individuals with Disabilities Education Act (IDEA) is brought up for reauthorization and to fully fund the promised federal share of costs. (Adopted 2018)

4.19 **Individuals with Disabilities Education Act (IDEA)** – The Maine School Boards Association urges Congress to reauthorize and fully fund the Individuals with Disabilities Education Act providing 40% reimbursement for locally expended funds for special education costs, compared to the 14% currently received from the federal government. (Adopted 2022)

4.20 **Funding to support rebuilding infrastructure of local schools** – The Maine School Boards Association supports action by the Legislature that would provide \$30 million from the state's Rainy Day fund to begin the process of rebuilding the infrastructure of our local public schools. This money would support small maintenance and construction projects with a fund separate from the major construction fund. Funding for small projects has been cut in recent years and it is estimated there are \$1 billion in deferred maintenance and facility improvements in Maine schools – a situation that will continue to affect the quality of education if not addressed. (Adopted 2018)

4.21 **Legislative Focus on Students** - The Maine School Boards Association would like to stipulate that Legislators and our own legislative review committee view every legislative proposal affecting public education through the lens of whether or not it is in the best interest of the

students we serve. The impact on children should be spelled out in both the language of the proposed law and in the testimony we present. If the legislation does not have the students' best interest as its focus, legislators should require it to be clearly explained, redrafted, rejected or sent back with an amendment. This proposal should be in the form of a resolve voted on in the second session of the 129th Legislature. (Adopted 2019)

- 4.22 **Development of Distance-Learning Plan** – The coronavirus pandemic upended classroom instruction in school districts and revealed both positives and shortcomings in our ability to do distance learning. What was implemented by necessity should now be improved by design. Distance learning should not just be the fallback in a crisis, but rather used to provide equitable learning opportunities to all Maine students regardless of their location. The Maine School Boards Association calls for a plan that addresses professional development for teachers; assessment of devices; high-quality connectivity in all parts of the state; development of online curriculum appropriate to age groups; and, intentional use of online learning to enhance curriculum and expand learning opportunities for all students. Funding for online learning should be part of the school funding formula. MSBA will actively participate in the development and implementation of such a plan. (Adopted 2020)
- 4.23 **Building Stronger Family Support for Education** – The Maine School Boards Association believes greater involvement by parents or guardians in their child's education is essential to assure better outcomes for students. Parents or guardians who are not engaged in their child's early learning at home are less likely to be engaged when their child goes to school. Outreach to and support of those who care for children in the home are essential first steps in creating a successful partnership between caregivers and schools. The ultimate goal is to identify the needs of both adults and children in the household and connect them to appropriate services and learning opportunities. (Adopted 2020)
- 4.24 **Equity in Education** – All students, regardless of their race, color, sex, sexual orientation, gender identity, religion, ancestry, national origin, disability, age or economic status deserve equitable opportunities and support to learn in Maine's public schools. The Maine School Boards Association believes all district leaders should facilitate a self-examination and discussion around recognizing bias and stereotyping and adopt policies and practices that eliminate them, and that the Maine DOE should provide support for this purpose. (Adopted 2020)
- 4.25 **Board Meeting Remote Participation** – The Maine School Boards Association believes what we have learned about remote participation in board meetings during the coronavirus pandemic supports a law change allowing such participation absent a health emergency. The technology is available to allow robust discussion on issues and real-time face-to-face deliberations not only with fellow board members, but with the public. MSBA supports introducing legislation in the 130th Legislature that would allow such meetings under the public records law if the local School Board votes to adopt the practice. (Adopted 2020)

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