

ELLSWORTH SCHOOL DEPARTMENT**SCHOOL BOARD LEGAL STATUS**

In recognition that “a general diffusion of the advantages of education [is] essential to the preservation of rights and liberties of the people,” the Constitution of the State of Maine declares that the Legislature has the duty to require communities to provide for the support and maintenance of public schools in order to further this objective. Maine law establishes a State Department of Education to supervise a coordinated system of public education, a Commissioner to enforce regulatory requirements and to provide technical assistance and educational leadership, and a State Board of Education to act as a body with certain policy making, administrative, and advisory functions, but places the responsibility for control and management of public schools with locally elected school boards or boards of directors. Thus, the Ellsworth School Board derives its legal authority from the State’s Constitution, state statutes, and regulations of the State Board of Education, as well as Federal laws and regulations, and the Charter of the City of Ellsworth.

By custom and tradition, local school boards have responsibilities to the local citizens they serve and that elect them to office. Recognizing this parallel concept of authority and responsibility, the school board becomes a policy making body for the school district serving within the framework provided by law and responding to the will of the local citizenry.

There shall be five members on the Ellsworth School Board. Each member serves for three years and these terms overlap, so that in each year a certain number of seats (either one or two, depending on the year) will be vacated. These vacated seats must be resupplied by election, except that at the first election to re-establish the School Board (in special election February 2014), the two Board candidates receiving the first and second greatest number of votes will be elected to a term of three years plus nine months, the two Board candidates receiving the third and fourth greatest number of votes will be elected to a term of two years plus nine months, and the one Board candidate receiving the fifth greatest number of votes will be elected to a term of one year plus nine months.

Each year as a part of the School Board’s reorganization procedure, the Board will elect by majority vote from among its members a Chairperson (Chair) and Vice-Chairperson (Vice-Chair) for the ensuing year. The Chair will preside at all meetings of the Board and will have a vote as other members of said Board. The Vice-Chair will act as Chair during the absence or disability of the Chair.

Legal Reference: 20-A MRSA §§ 1001
Charter of the City of Ellsworth Article IX §§9.02, 9.04, 9.05

Cross Reference: BDB – School Board Officers

Adopted: April 8, 2014
Reviewed: November 13, 2017