

## 2017 MSBA Proposed Resolutions

**2.A.4.f. Board Development School Board Training** – The Maine School Boards Association urges school boards to assess the training and education needs of their board members and to recommend participation in appropriate local, regional, state and national programs sponsored by the Maine School Boards Association, Maine School Management Association, National School Boards Association and other recognized leaders in education 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. (Adopted 1989 – Amended 1999)

### **Rationale**

The School Board's responsibility to make sure public schools are meeting the needs of all students in the community has never been more important. To do their job well, board members need to be well trained, not only in how to work together as a board, but in other critical areas. Training is the most often heard request from MSBA members. The requests range from basic training for new members to training for board chairs. MSBA wants to offer more training and will encourage boards to request it. This will include a regional approach using board members and others as trainers to keep up with the anticipated demand. MSMA staff will help develop a shared curriculum.

**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.

### **Rationale**

The national (PDK) poll that annually measures attitudes toward public education has once again found the public wants schools to help students prepare for work, including direct career training. Maine has been positioning itself for some time to offer CTE to more students. Local school boards, working with their superintendents and CTE directors, need to make that happen.

**3.A.2.3. Regionalization of Services.** The Maine School Boards Association believes initiatives to share services regionally must be locally driven and based on district needs. They must be initiated by school boards and superintendents who in their respective roles represent the best interest of students, the school community and local taxpayers. They should be measured not just on their efficiency or cost, but on whether they support educational excellence and opportunity for all students.

### **Rationale**

Legislation was passed this year to encourage regional collaboration among school districts. Both incentives and funding penalties are included in law, but finances cannot be the only reason to move these initiatives forward. Regional services will only work if they are in the best interest of our students.

**4.30. 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.

**Rationale**

Maine was a leader in integrating computer technology into the classroom with its one-to-one laptop program initiated in 2001 and needs to maintain that effort as technology plays an ever increasing role in our students' lives and future employment. Concerns have been raised about whether there is adequate state support for the Maine Learning Technology Initiative – a concern underscored this year by a change in state purchasing for schools. MSBA views state supported technology in schools as a key way to address economic disparity by providing students, regardless of their situation, with a computing device and access to a reliable computer network. We need to build on the state's successes in this area and make sure the program stays dynamic.

**4.31. Graduation Pathway for All Learners.** The first high school class that will have to meet standards under the diploma bill passed in 2016 entered its freshman year this fall. The Maine School Boards Association believes the law needs to be amended to create a clearer pathway for all learners, including students with special needs. The Maine School Boards Association will craft recommendations for legislation to be introduced in 2018 to improve the law. Areas to be explored include prioritizing our goals and making the law less prescriptive, while keeping a focus on proficiency-based learning.

**Rationale**

The Maine School Boards Association testified in support of the goals of the graduation standards bill in 2016, but raised concerns about the need to prioritize proficiency to focus on the so-called core four – English, Math, Science and Technology and Social Studies. That call for focus underscored concerns about capacity in school districts. A second significant issue is around assuring students with special needs have a pathway to graduation. We believe legislation is needed to address these issues and others we are discovering as districts work to implement the current law.

**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.

**Rationale**

Public schools are the backbone of our democracy and have educated our leaders, workers, advocates and entrepreneurs. That system is under attack by people who would like to siphon off public education money to support privatization in the form of choice and vouchers. Maine School Boards are in the best position to tell the success stories of public education. We can help the public understand our mission, which is to provide all students, regardless of their zip code, economic status or special needs, an education that prepares them to succeed. Our greatest allies in getting this message out are the vast majority of people in Maine who are products of the public schools. We need to find ways to get their stories out to the public and stand proud as a part of an education system that works.

**4.32. Funding for Proficiency Based Graduation Standards.** Legislative action during the 128<sup>th</sup> Regular Session has eliminated all state funding support for Proficiency-Based Graduation Requirements. The original law stated that if the legislature eliminated funding for this mandate the implementation timeline would be extended each year that lacked state funding. The elimination of funding for this law results in an unfunded mandate for local districts. Local districts are now required to establish and track proficiency-based standards without additional state support as provided initially within statute. MSBA requests the Maine Legislature re-establish state funding for this law.

**Rationale**

The original law provided additional state funding to support the training and program purchases districts faced in implementing Proficiency Based Graduation Standards. The 128<sup>th</sup> Legislature has removed this state funding without extending the mandated implementation date. This results in local property tax increases to support this important work.

*This resolution is outdated in terminology and proposing that it be presented at the Delegate Assembly to be amended.*

3.B.1.b. **Scheduling of ~~Vocational Education Programs~~. Career and Technical Education Programs (CTE)** – We believe there is a continuing need to examine ways in which the scheduling and delivery of secondary ~~vocational education~~ CTE programs can be more responsive to the needs of students, school officials, parents and other adult citizens at the local level. We feel this goal can be achieved by the advancement of legislation that would: a) allow more flexibility in the scheduling of ~~vocational~~ CTE courses; b) provide for a greater opportunity for shared funding and decision-making responsibilities within units served by vocational centers; and c) improved coordination between secondary and post-secondary ~~vocational education~~ CTE programs and facilities. (Adopted 1979 - Amended 1982)

**Rationale**

The terminology has shifted from Vocational Education to Career and Technical Education. This proposed amendment updates the resolution to utilize current terminology for these programs.

Motions for Proposed Constitutional Amendments  
*As adopted by the MSBA Constitution and Bylaws Committee*  
April 29, 2017

1. Move that the title for Article III.b. is amended from Associate Membership to Associate Memberships.
2. Move that the associate membership classification: Vocation Regions be amended to Career and Technical Regions throughout Article III.b.
3. Move to add to Article V. Section 1.a. the phrase as a voting before ex-officio.
4. Move to amend Article V. Section 2.b. add the language: with the exception of a director elected to fill the unexpired portion of a vacant (vacated) position.
5. Move to amend Article V. Section 2.c. add the language: with the exception of a director elected to fill the unexpired portion of a vacant (vacated) position.
6. Move to amend Article V. Section 5. To change the quorum from Seven (7) members to a majority of sitting directors and officers.
7. Move to add MSMA to Article VI. Section 4.
8. Move that the structure of Article VI. Section 4. change from one paragraph to bullets.
9. Move that Article VI. Section 4.a. is added and states: The MSMA Policy Committee is the governing body of Maine School Management Association.
10. Move that Article VI. Section 4.b. remove: of the Maine School Management Association.
11. Move that Article VI. Section 4.c. add the following language: for the unexpired term.
12. Move that Article VI. Section 4.d. add the word: full.
13. Move that Article VII. Section 1. be amended to include;
  - a. Add the word Delegate to line 1

- b. Add the word Delegate to line 2
- c. Add the following language defining a quorum at the end of the section: Quorum – Fifteen (15) delegates or their alternates present at any meeting of a Delegate Assembly shall constitute a quorum.

14. Move that Article VII. Section 2. be amended to add the following language defining a quorum at the end of the section: Quorum – Fifteen (15) delegates or their alternates present at any meeting of a Delegate Assembly shall constitute a quorum.

15. Move to delete Article VII. Section 3.

16. Move to combine Article VII. with Article VIII. by deleting Article VIII number and title.

17. Move to change the former Article VIII. Section 1 to Article VII. Section 3.

18. Move to change the former Article VIII. Section 2 to Article VII. Section 4.

19. Move to change the former Article VIII. Section 3 to Article VII. Section 5.

20. Move to change former Article IX to Article VIII.

MAINE SCHOOL BOARDS ASSOCIATION  
49 Community Drive, Augusta, Maine 04330

**CONSTITUTION AND BYLAWS**

**CONSTITUTION**

**- PREAMBLE -**

Recognizing that the nation's future is dependent upon the effective education of its youth; that school boards bear a significant responsibility to bring about needed improvement in public education; that an exchange of ideas is important at all times; that coordination of effort on the part of all educational interests is necessary; we believe that a strong state organization of Maine school board members will aid in accomplishing these goals.

**ARTICLE I**  
**NAME AND DEFINITION**

Section 1. Name - The name of this organization shall be the Maine School Boards Association.

Section 2. Definition - For the purposes of this Constitution and its Bylaws enacted hereunder, the term "School Board" shall be interpreted to mean School Committees, Boards of Directors, District School Committees, or any other group legally established to govern the local school administrative unit.

**ARTICLE II**  
**PURPOSES**

Purposes - The purposes of this Association shall be:

- (a) to serve and represent the School Boards comprising the Association,
- (b) to promote and maintain local control of public schools,
- (c) to promote closer cooperation among the individual School Boards,
- (d) to represent the combined interests of School Boards in the legislative process,
- (e) to cooperate with other agencies in the State interested in the improvement of public education,
- (f) to provide information for School Boards and the general public about the needs and the accomplishments of the public schools, and
- (g) to sponsor, develop, and encourage those projects and programs that promote better public education in Maine.

**ARTICLE III**  
**MEMBERSHIP**

Classes: There shall be four classes of membership in the Association:

- (a) Active Regular Membership - All School Boards in Maine are eligible, and shall be considered active regular members upon payment of dues as required by the Bylaws. This membership allows voting privileges and formal involvement in the Association's policy development and adoption process.
- (b) Associate Memberships  
Vocational Regions Career and Technical Regions Any cooperative board of a vocational Career and Technical region shall be considered an associate member upon payment of dues as required by the Bylaws. This membership, although not considered a School Board as defined in Article I, Section 2, allows voting privileges at the Annual Delegate Assembly.  
  
State and Private Schools - State operated schools, private schools, or other formally organized school supervisory entities not considered School Boards as defined in Article I, Section 2, shall be considered associate members upon payment of dues as required by the Bylaws. This membership shall not allow voting rights, nor shall it entitle the member to labor relations and legal services.  
  
Municipalities - Municipalities or quasi-municipal corporations shall be considered associate members upon payment of dues as required by the Bylaws. This membership shall not allow voting rights, nor shall it entitle the member to labor relations and legal services.
- (c) Individual Membership - Any individual School Board person shall be considered an individual member, without voting privileges, upon payment of dues as required by the Bylaws.
- (d) Honorary Individual Membership - This honor may be conferred by the Delegate Assembly, when so recommended by the Executive Board of Directors, upon individuals who have rendered outstanding service to public education.

ARTICLE IV  
OFFICERS

Section 1. Officers - The officers of the Association shall be a President, President-Elect, and Vice President.

- a) President-Elect. The President-Elect shall automatically assume the office of the President for the year following his/her term as President-Elect.

Section 2. Elections – President-Elect and Vice President shall be elected at the annual meeting of the Delegate Assembly for a term of one year. In the absence of a President-Elect, the President shall be elected at the annual meeting of the Delegate Assembly for a term of one year.

- ~~a) Commencing on October 27, 2016, and for a period of one year, the 2015-2016 President, President Elect and the Vice President will serve a second term in their respective offices. Upon adjournment of the 2017 MSBA Delegate Assembly this subsection is repealed.~~

Section 3. Duties

- (a) The President shall preside at all meetings of the Executive Board of Directors and of the Association. The President shall perform all duties specified in this Constitution, as well as such duties as usually pertain to the office of President.
- (b) The President-Elect and the Vice President shall render the President assistance as needed in carrying out the work of the Association. In cases of absence or disability of the President, the President-Elect shall serve in that capacity, and in cases of absence or disability of the President-Elect, the Vice President shall serve in that capacity.

ARTICLE V  
EXECUTIVE BOARD OF DIRECTORS

Section 1. Members

- (a) The Executive Board of Directors shall consist of the three (3) officers of the Association, one member from each of the nine (9) regions selected according to Section 2 (a) under this Article, six (6) members-at-large and, as a voting ex officio, the immediate Past President of this Association.
- (b) Not more than three officers and/or directors shall be members of School Boards in any one MSBA region, and only one member of an active regular member School Board shall be eligible to serve on the Board of Directors.
- (c) The term of office shall be for three (3) years except in the case of the election to fill a vacancy in which case the term shall be for the unexpired portion of the term to be filled.
- (d) If, during the term of his/her office, a Director ceases to be a member of his/her School Board, or his/her School Board ceases to be a member of the Maine School Boards Association, he/she may serve until the next annual meeting of the Delegate Assembly, at which time a replacement shall be elected.
- (e) A Director who is absent for two (2) consecutive Executive Board meetings without cause or reason as determined by the Executive Board of Directors, shall be considered disinterested in the work of the Association, whereupon the Executive Board of Directors shall declare that a vacancy exists and notify that Director.

Section 2. Elections and Vacancies

- (a) Directors shall be elected according to (b), (c) and (e) of this Section.
- (b) Three of the nine regional Directors shall be elected for terms of three (3) years each with the exception of a director elected to fill the unexpired portion of a vacant position, either at regional meetings held prior to the annual meeting, or at the annual meeting.
- (c) Two of the six Directors, who are members-at-large, shall be elected at the annual meeting for terms of three (3) years each with the exception of a director elected to fill the unexpired portion of a vacant position



- (d) Vacancies on the Executive Board of Directors shall be filled by the President, with the approval of the Executive Board of Directors. Those Directors appointed by the President shall serve until the next annual meeting of the Delegate Assembly at which time new Directors shall be elected to fill the unexpired terms.
- (e) At-large Directors, and those regional Directors not elected at regional meetings at least thirty (30) days prior to the annual meeting, shall be elected by ballot at the annual meeting.

Section 3. Duties - The Executive Board of Directors is the governing body of this Association and all voting power is reserved to it except as otherwise provided in this Constitution. The Executive Board of Directors shall:

- (a) meet at least six (6) times annually at the call of the President and at such other times as may be designated by the President or requested in writing by three Directors,
- (b) propose and initiate programs and activities that are in harmony with the adopted policies of the Association,
- (c) transact business of the Association between meetings of the Assembly,
- (d) act as the policy-making body of the Association,
- (e) in the event of dissolution of the Maine School Management Association, appoint and set the salary of the Executive Director, and receive, disburse, and account for all funds of the Association through the Executive Director, and
- (f) assign the duties of the Executive Director which include the keeping of the records of the Association and of the Executive Board of Directors, and direct the activities of the Association according to adopted Association policies.

Section 4. Voting - Each member of the Executive Board of Directors shall be eligible to vote.

Section 5. Quorum - At any meeting of the Executive Board of Directors, the attendance of ~~seven~~ (7) members a majority of sitting directors and officers shall constitute a quorum.

## ARTICLE VI COMMITTEES

Section 1. Standing - The Constitution and Bylaws, Nominating, and Resolutions Committees, and the MSMA Policy Committee shall be the standing committees of this Association.

Section 2. Ad Hoc - Special committees may be authorized by the Executive Board of Directors for specific purposes.

Section 3. Membership - Members of committees shall be nominated by the President and approved by the Executive Board of Directors, with the exception of the Nominating Committee and the MSMA Policy Committee which will be chosen by the Executive Board of Directors.

Section 4. MSMA Policy Committee –

- a. The MSMA Policy Committee is the governing body of Maine School Management Association.
- b. The five-member Policy Committee ~~of the Maine School Management Association~~ shall consist of the President and President-Elect of the Maine School Boards Association, and three members nominated and elected by and from the Executive Board of Directors.
- c. The Executive Board of Directors of the Maine School Boards Association shall be empowered to fill any and all vacancies of the Policy Committee of the Maine School Management Association for the unexpired term.
- d. The full term of a Policy Committee member will begin immediately following the MSBA Annual Meeting and will expire at the conclusion of the MSBA Annual Meeting in the third year thereafter.
- e. The MSMA Policy Committee shall elect and set the salary of the Executive Director of the Maine School Management Association who shall also serve as the Executive Director of the Maine School Boards Association.
- f. In the eventuality of the dissolution of the Maine School Management Association, the Policy Committee shall cease to exist.

Section 5. Nominating Committee/Nominations

- (a) The Nominating Committee shall solicit nominations for Director vacancies to be filled at the annual meeting from member School Boards. The Committee shall prepare a written ballot containing nominations for the Officers and Directors to be elected at the annual meeting. In the case of regional Director nominations, the member School Boards filing such nominations shall be located within the region in question. The Nominating Committee shall make provision in the ballot for write-in voting for Directors and shall oversee the voting at the annual meeting.
- (b) Director Nominations - Nominations for regional and at-large Directors may be made in advance of the annual meeting by the filing of written statements by at least two member School Boards submitted at least thirty (30) days prior to the annual meeting. Nominations from the floor may be made and seconded by member School Board delegates in accordance with the requirements of this Section.
- (c) Officer Nominations
  - 1) Officer candidates must have completed at least one year on the MSBA Executive Board of Directors by the time of their election.
  - 2) Candidates who wish to be nominated by the Nominating Committee must submit an application by the deadline set by the Committee.
  - 3) Persons not nominated by the Committee, who wish to be candidates, must submit an official, written endorsement of their candidacy from two MSBA-member boards by the deadline set by the Nominating Committee.
  - 4) All officer candidates will be permitted to submit a written statement of no more than 150 words, to be circulated prior to the Delegate Assembly. The

format/content of the statement is to be outlined by the Nominating Committee.

- 5) No nominations from the floor or write-in candidates will be permitted for officer positions.

## ARTICLE VII MEETINGS OF ASSOCIATION

Section 1. Annual - There shall be an annual meeting of the Delegate Assembly. All plans and arrangements for the meeting of the Delegate Assembly shall be the responsibility of the Executive Board of Directors. Quorum - Fifteen (15) delegates or their alternates present at any meeting of the Delegate Assembly shall constitute a quorum.

Section 2. Special - Special meetings of the Delegate Assembly may be called by the President, and shall be called by the President upon the written request of six (6) members of the Executive Board of Directors. Quorum - Fifteen (15) delegates or their alternates present at any meeting of the Delegate Assembly shall constitute a quorum.

~~Section 34. Quorum - Fifteen (15) delegates or their alternates present at the Delegate Assembly shall constitute a quorum.~~

## ARTICLE VIII THE DELEGATE ASSEMBLY

~~Section 13~~ Members - Each member School Board shall be entitled to be represented by a voting delegate. An alternate may be elected to serve in the absence of the delegate. The delegate and alternate shall continue in office during membership on the School Board or until replaced by that School Board.

~~Section 24~~ Duties - The Assembly shall:

- (a) develop and adopt policies and resolutions that express the beliefs and purposes of the Association, and
- (b) transact such other business as presented to it prior to the opening of the Delegate Assembly by any delegation or the Executive Board of Directors.

~~Section 35~~ Voting - Adoption of policies and resolutions shall require a two-thirds majority of those voting. All other business shall be by simple majority vote.

## ARTICLE IX AMENDMENTS

Section 1. Procedure - Any proposed amendment to this Constitution shall be presented to the Executive Board of Directors at least thirty (30) days prior to the meeting of the Delegate Assembly. Such proposed amendment shall be circulated with the agenda prior to the assembly together with the recommendations of the Executive Board of Directors.

Section 2. Vote - This Constitution may be amended by a two-thirds majority of those voting at the Assembly.

Section 3. Emergency - In case of emergency, so declared by the Executive Board of Directors, this Constitution may be amended by a two-thirds vote of the School Board memberships, said vote to be taken by mailed ballots.

## **BYLAWS**

### **ARTICLE I FISCAL YEAR**

The fiscal year of the Association shall run from July 1 to June 30.

### **ARTICLE II ASSOCIATION PROPERTY**

The real and personal property of the Association shall be managed by the Policy Committee of the Maine School Management Association.

### **ARTICLE III DUES**

Dues for all classes of membership shall be fixed by the Executive Board of Directors on the recommendation of the MSMA Policy Committee, at least ten days before the annual meeting of the Delegate Assembly. However, the annual meeting of the Delegate Assembly may disapprove the action of the Executive Board of Directors and fix the annual dues in a different amount or amounts. Dues for any class of membership may be waived by the Executive Board of Directors subject to the same approval or disapproval action by the annual meeting of the Assembly.

### **ARTICLE IV MSBA REGIONS**

Section 1. Organization - The Association shall be divided into MSBA regions as determined by the Executive Board of Directors in each of which regions there may be formed a regional association. Any change in the number of regions shall be approved by the annual meeting of the Delegate Assembly.

Section 2. Purpose - The purpose of the MSBA regions shall be to further the purposes of the Association through local meetings and conferences for discussion, study and interpretation of educational problems of common interest to School Boards and members in their region, and to promote additional opportunities for School Board member participation in the activities of the Association.

Section 3. Constitution and Bylaws - Regional associations shall adopt a Constitution and Bylaws not inconsistent with the Constitution and Bylaws of this Association.

### **ARTICLE V AMENDMENTS TO BYLAWS**

These Bylaws may be amended by a two-thirds vote of those voting at any meeting of the Assembly or the Executive Board of Directors.

### **ARTICLE VI PARLIAMENTARY AUTHORITY**

The rules contained in Robert's Rules of Order shall govern the proceedings of the Association, except in such cases as are governed by the Constitution and Bylaws.