



Senator Millett, Representative Kornfield, and other esteemed members of the Education and Cultural Affairs Committee,

My name is John Kosinski and I am here on behalf of the Maine Education Association to testify in support of LD 721, An Act To Encourage Public Participation in School Board Meetings. The MEA hopes you will support this bill.

Many times, teachers, educators and representatives of the MEA come before this Committee or before the Labor Committee to address issues when we can not find a resolution locally. And oftentimes we will hear guidance for our legislators that we should take our concerns to our local school boards. We wish that process worked. We wish that teachers, educators, parents and others could take their concerns to school boards and engage in productive dialogues about solutions. We feel strongly that open and honest communication between teachers/educators, parents, administrators and school board leaders is critical to the success of our schools. But sadly, in too many cases, school board members have prevented the open and honest communication with the other critical partners in education.

Recently, a teacher in Old Orchard Beach contacted me and he was incredulous when he was interrupted during a school board meeting when trying to address the school board about critical programs in their schools, specifically issues in their elementary school. He was told the board was unable and unwilling to hear him, and the superintendent was in charge – their only job was to approve or not approve the budget, but not hear or advocate for any position. This person left the school board meeting, angry, incredulous, frustrated.

Last year in Easton, the school board refused to allow teachers to speak about conditions in their schools when they tried to bring issues to their school board. Again, shut down by the school board and prohibited from speaking. They left the meeting angry, incredulous, frustrated.

Just a few weeks ago, the teachers in Bangor tried to address their local school board about the state of their contract negotiations. Again, they were shut down and told they could not discuss negotiations at the Board meeting, although the school board chair then read her own statement about the state of negotiations. They left the meeting angry, incredulous, frustrated.

Cyndy Fish, a teacher from Bangor captured this sentiment perfectly when she told the Bangor Daily News, "It's discouraging that we weren't listened to," she said. "That's one of our concerns. We feel like we're shut down all the time."¹

I know how hard it is to be a school board member in Maine. My wife is on a school board and has been for many years. I often rush home from here to make it home in time to take over childcare

¹ Please see, Bangor Daily News, "Teachers Denied a Chance to Voice Contract Concerns at School Committee Meeting," found here: <https://bangordailynews.com/2019/03/14/news/bangor/bangor-teachers-denied-a-chance-to-voice-contract-concerns-at-school-committee-meeting/>

responsibilities, so she can make it to her 5pm Building Committee meeting, or 6pm Hiring Committee, or the 7pm Budget Committee meeting – this one always means a late night for her.

While serving on a school board is often a thankless, difficult job, we must make sure that the public is heard during proceedings. School boards should provide the opportunity for the public to share views and ideas with school boards. They should not be places where members of the public leave feeling frustrated, angry and not heard.

The importance of LD 721 has intensified since Victoria Wallach from Maine School Management presented a Fall 2005 School Law Advisory from Drummond, Woodsum and MacMahon. I found this document jaw-dropping in many respects. I have included a copy with my testimony and have highlighted some key sections.

In it, the author contends “towns and town voters have no authority over school boards.” The document clearly states, “school boards are not required to let members of the public speak at its meetings.” The document goes on to say, “that residents have no right to speak at school board meetings is often difficult for school board members and members of the public to accept.” This line certainly makes me think of the emails that we get from teachers and educators and parents, when they are denied the right to address their school board.

Page three of this document continues with a very unusual view of the role of school boards and essentially encourages school boards to limit hearing from the public. After telling school board members that poor attendance at a meeting is something they should be happy about and reflective that they are doing a great job, a notion that I hope we can all reject, the author of this training asks the following rhetorical question: “. . . one has to ask why a governing body such as a school board, whose members possess an understanding and knowledge about school matters not available to the public as a whole, would make their meetings longer and less predictable than necessary by providing for open-ended public comment and questions from the very small percentage of its voters who might attend a meeting.” I want to answer this rhetorical – because it is the right thing to do!

Simply put, while we realize the challenge this bill creates, we support it because we want to encourage more participation in our schools and the governance process. This bill is a modest proposal to begin turning the tide against the type of thinking found in this document and in this type of training.

Thank you for your time and I am happy to answer any questions.