

CHAPTER 111

MUNICIPAL SCHOOLS

SUBCHAPTER 1

SCHOOL COMMITTEE

§2301. Applicability of provisions to certain towns or cities

Sections 2302, 2303 and 2305 do not apply to municipalities whose charters specify the methods of selection, recall and term of office of a school committee, nor to municipalities who revise their charters or adopt new charters under the "home rule" provisions of Title 30-A, chapter 111, with specifications for method of selection, recall and term of office of a school committee, nor to municipalities authorized by private and special laws to otherwise choose a school committee. [PL 1987, c. 737, Pt. C, §§51, 106 (AMD); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1983, c. 315 (AMD). PL 1983, c. 422, §13 (AMD). PL 1983, c. 816, §A12 (RP). PL 1985, c. 506, §A29 (RPR). PL 1987, c. 737, §§C51,C106 (AMD). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,C10 (AMD).

§2302. Election of school committee members

A municipality, not included in a school administrative district or a community school district which operates grades one to 12, shall elect at its annual meeting a school committee of 3 to hold office as provided in section 2305. The municipality shall fill vacancies in that committee at each subsequent annual meeting. [PL 1983, c. 422, §14 (AMD).]

SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1983, c. 422, §14 (AMD).

§2303. Additional school committee members

Notwithstanding section 2302, a municipality may vote at its annual meeting to have up to 7 members on the school committee. [PL 2007, c. 668, §27 (AMD).]

1. Vote. The municipality may vote to expand its school committee at:

A. Its annual meeting; or [PL 1981, c. 693, §§ 5, 8 (NEW).]

B. A special town meeting held at least 30 days before the annual meeting, if a municipality has accepted Title 30-A, section 2528, relative to secret ballot. [PL 2007, c. 668, §27 (AMD).]

[PL 2007, c. 668, §27 (AMD).]

2. Election of additional members. The municipality may, at its annual meeting, elect by ballot additional school committee members to serve with the members whose terms have not expired.

[PL 2007, c. 668, §27 (AMD).]

SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1987, c. 737, §§C52,C106 (AMD). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,C10 (AMD). PL 2007, c. 668, §27 (AMD).

§2304. Neglect to choose committee

A municipality failing to elect members of the school committee shall forfeit not less than \$30 nor more than \$200. [PL 1981, c. 693, §§ 5, 8 (NEW).]

SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW).

§2305. Terms; vacancies; restrictions

1. Length of term. School committee members shall be elected for staggered 3-year terms or, in municipalities with biennial elections, 4-year terms.
[PL 1981, c. 693, §§5, 8 (NEW).]

2. Commencement of term. The term of newly elected school board members shall start as determined under section 1003.
[PL 1981, c. 693, §§5, 8 (NEW).]

3. Vacancy. A vacancy on a school committee shall be declared:

A. When the term of office of a member expires; [PL 1981, c. 693, §§5, 8 (NEW).]

B. When a member changes residency from the municipality or subdistrict from which elected. Evidence that an individual is registered to vote in a municipality is prima facie evidence of that individual's residency; [PL 1981, c. 693, §§5, 8 (NEW).]

C. On the death of a member; [PL 1987, c. 866, §4 (AMD).]

D. When a member resigns; or [PL 1987, c. 866, §4 (AMD).]

E. Except in municipalities having a municipal charter, when a member is absent without excuse from 3 consecutive regular committee meetings, the committee may declare that a vacancy exists.
[PL 1987, c. 866, §5 (NEW).]

[PL 1987, c. 866, §§4, 5 (AMD).]

4. Filling a vacancy. A vacancy may be filled:

A. By the school committee within 30 days. The term of a member appointed by the school committee to fill a vacancy shall expire at the next annual meeting; or [PL 1983, c. 485, §19 (AMD).]

B. Whenever the remaining members of the school committee fail to appoint a person to fill a vacancy, by election at a town meeting called for the purpose. [PL 1983, c. 806, §25 (AMD).]

[PL 1983, c. 806, §25 (AMD).]

SECTION HISTORY

PL 1981, c. 693, §§5, 8 (NEW). PL 1983, c. 485, §19 (AMD). PL 1983, c. 806, §25 (AMD). PL 1987, c. 866, §§4, 5 (AMD).

§2306. Service without pay

School committee members shall serve without pay, unless otherwise voted by the town. [PL 1981, c. 693, §§ 5, 8 (NEW).]

SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW).

§2307. School budgets

Notwithstanding any other law, municipal school budgets developed after January 1, 2008 must follow the same school budget requirements as regional school units pursuant to chapter 103-A, except as described in subsections 1 and 2. A municipal school unit is deemed to be a regional school unit

solely for the purpose of developing a budget pursuant to chapter 103-A. A municipality has the same authority to commit property taxes as provided in section 1487. [PL 2011, c. 655, Pt. E, §1 (AMD).]

1. Budget meeting. In charter municipalities the budget meeting required by section 1485, subsection 3 must be a meeting of the municipal council or other municipal legislative body established by the charter with authority to approve the budget.
[PL 2007, c. 668, §28 (NEW); PL 2007, c. 668, §55 (AFF).]

2. Municipal charter. In charter municipalities where the municipal charter confers upon a municipal council or other municipal legislative body the authority to determine the total amount of the school budget and confers upon the school committee or school board the authority to direct the expenditure of those funds for school purposes, the municipal council or other municipal legislative body shall determine the total amount of the school budget to be submitted to a budget validation referendum and the school committee or school board shall determine the allocation of the approved school budget among the cost centers of the cost center summary budget format.
[PL 2007, c. 668, §28 (NEW); PL 2007, c. 668, §55 (AFF).]

SECTION HISTORY

PL 2007, c. 240, Pt. XXXX, §21 (NEW). PL 2007, c. 668, §28 (AMD). PL 2007, c. 668, §55 (AFF). PL 2011, c. 655, Pt. E, §1 (AMD).

SUBCHAPTER 2

INCORPORATED SCHOOL DISTRICT

§2351. School district meetings

1. District meetings. Where the inhabitants and territory of a single municipality constitute an incorporated school district, and the charter of the district contains no provisions for the calling and holding of meetings of the district, meetings of the school district shall be called by the municipal officers, in the manner provided by law for the calling of town meetings, on written request signed by trustees or other executive officers of the district.
[PL 1981, c. 693, §§ 5, 8 (NEW).]

2. Municipal meetings. A lawfully called meeting of the inhabitants of the municipality shall be a lawful meeting of the school district for the transaction of school district business. If the business of the school district has been transacted at a lawfully called meeting of the inhabitants, the meeting is declared to be a legal and valid meeting of the school district, and all votes passed and all actions taken at that meeting which would have been legal had the meeting been a lawfully called meeting of the school district, are ratified and declared legal.
[PL 1981, c. 693, §§ 5, 8 (NEW).]

SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW).

§2352. School money paid by municipalities

(REPEALED)

SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1983, c. 422, §15 (AMD). PL 1983, c. 806, §26 (RP).

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