

An Ordinance to Establish The Lamoine Local School Advisory Committee

Approved by the Lamoine Town Meeting June 24, 2009

Section I – Authority, Formation & Purpose

Pursuant to 20-A M.R.S.A. Chapter 103-A which authorizes Regional School Units to be formed and in accordance with RSU # 24 Reorganization Plan, Appendix 4-A approved on December 9, 2008, the Town of Lamoine hereby forms a Local School Advisory Committee, effective July 1, 2009.

The purpose of the Local School Advisory Committee is to:

- Provide advice to the building administrator of the Lamoine Consolidated School
- Provide advice and receive information from the Board of Directors of RSU #24
- Develop, if needed, a budget for additional education funding
- Receive and distribute information and advice to and from the community as it pertains to Lamoine as a part of RSU # 24.

The working address of the Local School Advisory Committee shall be:

Lamoine Consolidated School
53 Lamoine Beach Road
Lamoine, ME 04605

(RSU #24 Plan, Appendix 4-A #2)

Section II – Committee Size, Appointing Authority, Terms of Office

The Local School Advisory Committee shall be made up of 5 voting members. One shall be the duly elected and sworn RSU director from the Town of Lamoine who shall also serve as the chair. (RSU #24 Plan, Appendix 4-A #4, #5 & #6)

The Lamoine Board of Selectmen shall make appointments to the committee.

Upon passage of this ordinance, there shall be four members appointed, two for one-year, and two for two years. Upon expiration of the appointments, committee members will be appointed to three-year terms. The terms shall commence on July 1 during the calendar year of appointment, and expire on June 30 of expiring year term. For illustration the initial terms shall be:

RSU Director (elected) – Term expires June 30, 2012
Two Committee members (appointed) – Terms expire June 30, 2010
Two Committee members (appointed) – Terms expire June 30, 2011

Section III – Qualifications for Office

An appointee to the Local School Advisory Committee must:

- Be a resident of the Town of Lamoine, and registered to vote in Lamoine
- Not be directly employed by any school under the jurisdiction of RSU #24; by the RSU central office; an officer with any contractor doing business with RSU #24 or its member schools; or have a direct relative (spouse, child, parent) employed in such a capacity. (RSU # 24 Plan, Appendix 4-A #9)
- Be appointed, in writing, by a majority of the Board of Selectmen
- Sworn into office using a standard oath administered by the town clerk or other appropriate official (i.e. Notary Public, Judge, Dedimus)

Section IV – Committee Support, Subcommittees

The building administrator or their designee for the Lamoine Consolidated School shall serve as the Secretary for the Local School Advisory Committee. (RSU Plan, Appendix 4-A #7)

The Superintendent of Schools shall be a non-voting ex-officio member of the Local School Advisory Committee (RSU Plan, Appendix 4-A #8)

The Local School Advisory Committee may form subcommittees as deemed necessary to carry out its functions. The formation of such sub-committees shall be made at an open meeting, and the members appointed by an open, majority vote. The Secretary shall maintain a list of active subcommittees and members.

Section V – Duties of the Local School Advisory Committee

The Local School Advisory Committee Shall:

- Meet in public session on at least a quarterly basis
- Develop a budget in accordance with the procedures outlined in section VII to present to the Town Meeting
- Advise the building administrator in regard to hiring procedures
- Annually prepare a written report to the community for publication in the Lamoine Town Report. This report may include a recommendation to the Lamoine Town meeting whether or not to repeal this ordinance (i.e. discontinue the Local School Advisory Committee) (RSU #24 Plan, Appendix 4-A #11)

Section VI – Meetings

Public Meetings - All meetings shall be held in a publicly accessible location, and shall be conducted in accordance with the Maine Freedom of Access Act (1 MRSA § 401 et seq)

Quorum – A quorum shall consist of at least 3-committee members. In the absence of the chair, a meeting chair shall be selected from the quorum members present. In the absence of a Secretary, the quorum members shall designate a secretary. In the absence of a quorum, no official business of the committee may be conducted, as the meeting cannot come to order.

Agendas - Agendas or meeting announcements shall be posted at the Lamoine Consolidated School at least 3-business days prior to the regular meeting. The agenda or meeting announcement shall also be provided to the Lamoine Town Office for physical posting at the town office and potential posting on the town's website

Rules of Order - Meetings shall operate under the same rules and procedures adopted by the RSU #24 Board. (RSU #24 Plan Appendix 4-A # 10)

Minutes - The Secretary, or a designee of the Local School Advisory Committee shall keep minutes of meetings, recording, at the least, the date and location of the meeting, the committee members and support staff present, all motions, all votes, and other pertinent historic information as may be desired by the committee. The minutes, once approved, shall be maintained by the Secretary with copies to the RSU Central Office and the Lamoine Town Office.

VII – Budget Development

The Local School Advisory Committee shall advise the RSU Board of Directors, through the elected RSU representative, with respect to any additional expense to be borne by the Town of Lamoine pursuant to 20-A MRSA §1479 (5) in regard to potential additional costs to educate students choosing not to attend a secondary school within RSU #24. Additionally, the Committee may develop a budget necessary to carry out committee functions, and, subject to approval by RSU #24, to locally fund programming and other matters at the Lamoine Consolidated School not funded by RSU #24. The Committee shall follow a process developed by the Board of Selectmen similar to the following:

1. Gather information from the building administrator and other sources to draft a preliminary budget of expenses and revenues (if any).
2. Obtain approval from the RSU board of directors for programming to be conducted at the Lamoine Consolidated School, not funded by RSU #24.
3. Approve, at open meeting, a budget to be presented to the Lamoine Budget Committee.
4. Meet with the Lamoine Budget Committee at least once to explain the budget, take recommendations, and possibly reformulate the budget.
5. Once a budget has received a recommendation from the Lamoine Budget Committee, present the budget and appropriate warrant language to the Lamoine Board of Selectmen for inclusion in the town meeting warrant (either annual or special town meeting).

6. Be present at the town meeting and prepared to explain the budget to be presented.
7. Prepare the language to the Lamoine Town Clerk's office for ballots on a budget validation referendum, pursuant to 20-A MRSA §1486.

VIII – Attendance, Removal of Committee Members, Vacancies on Committee

1. Attendance - A Committee member shall attend all meetings unless contacting the Secretary or Chair ahead of time, giving an excuse for an absence.
2. Excused Absence - At the beginning of each meeting, the Committee shall declare whether a member's absence shall be considered excused
3. Vacancy - The Committee may declare a vacancy by majority vote if a committee member fails to attend without being declared "absent with an excuse" for three consecutive meetings. The declaration shall first be transmitted by the Secretary to the affected board member. Barring an appeal within 10-business days, the declaration shall then be transmitted to the Town Clerk and the Board of Selectmen. The Board of Selectmen shall appoint a replacement to the remainder of the vacant term.
4. Removal For Other Reason - The Committee may, by majority vote, recommend that a member be removed for a reason other than non-attendance in accordance with town policies and applicable law. Such vote, barring an appeal within 10-business days, shall be transmitted to the Town Clerk and the Board of Selectmen. The Board of Selectmen shall make findings and in a public vote decide whether the member shall be removed for cause. If the member is removed, the Board of Selectmen shall appoint a replacement to the remainder of the removed member's term.
5. Resignation – A member who chooses to resign prior to the expiration of their term shall make such a resignation to the Secretary or the Chairman in writing. Upon acceptance by the Committee, such resignation shall be transmitted to the Town Clerk and the Board of Selectmen. The Board of Selectmen shall appoint a replacement to the remainder of the resigned member's term.
6. Appeals – Within 10-business days of a Committee vote to remove a member for cause or to declare a vacancy, the affected member may appeal in writing to the Board of Selectmen for a hearing. The Selectmen shall schedule such a hearing within 30-days of the receipt of the appeal request and shall make a decision on the removal or vacancy vote. The appeal shall be heard by the Board of Selectmen and a vote taken to either uphold or overturn the decision. The decision of the Board of Selectmen shall be final.

IX – Key Definitions

Directly Employed – A person who is employed by contract or other agreement as:

- A subordinate to the building administrator
- A subordinate to a direct subordinate of the building administrator
- A subordinate to the Superintendent of RSU #24
- A subordinate to a direct subordinate to the Superintendent of RSU #24

Building Administrator – The person reporting directly to the Superintendent of RSU #24 and responsible for the day to day operations of the Lamoine Consolidated School. This may or may not be the principal of the school.

Budget – A listing of expenses and revenues needed for the maintenance of secondary school choice; operation of the Local School Advisory Committee; and funding of programming and other matters at the Lamoine Consolidated school not funded by RSU #24.

X- Severence - Nothing in this ordinance shall be construed to conflict with or usurp any duties, powers or functions of any existing Town committee or official. If any section of this ordinance is found to be illegal or unconstitutional, it shall be considered separate from the other sections of the ordinance.

XI – Amendments – This ordinance may be amended at any regular or special town meeting by a majority vote, either by referendum or by open town meeting votes pursuant to 30-A MRSA § 2521 et seq

XII – Signature Page – We, the undersigned majority of the Lamoine Board of Selectmen hereby certify this ordinance was approved by a majority vote at a special town meeting on June 24, 2009 and declare it in effect.

Signed this 2nd day of July, 2009 by:

_____, Cynthia Donaldson, Selectman

_____, S. Josephine Cooper, Selectman

_____, Richard Fennell, Jr. Selectman

_____, Gary McFarland, Selectman

_____, Kermit Theall, Selectman

Attest: A True Copy: _____
Stuart Marckoon, Deputy Town Clerk