

§1055. Superintendent; powers and duties**(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)**

The superintendent is responsible for the ongoing administration of the school administrative unit and for ensuring that the operation of the schools conforms to policies and rules as adopted by the school board and to state laws and rules. The superintendent also is the ex officio secretary of the school board and school building committee chosen by the administrative unit and shall perform duties as the school board or school building committee direct. [PL 2001, c. 588, §14 (AMD).]

1. Records, orders, vouchers. The superintendent is responsible for:

A. Keeping a permanent record of all the votes, orders and proceedings; [PL 2001, c. 588, §15 (AMD).]

B. Placing all orders for materials and supplies purchased by vote of the school building committee or school board; [PL 2001, c. 588, §15 (AMD).]

C. Keeping all financial records and accounts; and [PL 2001, c. 588, §15 (AMD).]

D. Issuing vouchers showing the correctness of bills contracted on account of school appropriations. [PL 2001, c. 588, §15 (AMD).]

[PL 2001, c. 588, §15 (AMD).]

2. Inspect schools; annual report. The superintendent is responsible for:

A. Inspecting the schools and reviewing the operating rules, the discipline and the proficiency of the students; [PL 2001, c. 588, §16 (AMD).]

B. Visiting each school at least the minimum number of times each term required by the school board or union committee as established by the policy adopted under section 1053; and [PL 2001, c. 588, §16 (AMD).]

C. Annually, reporting to the commissioner on the progress of the comprehensive education plan required under section 4502, subsection 6. [PL 2001, c. 588, §16 (AMD).]

[PL 2001, c. 588, §16 (AMD).]

3. Financial and building report. At least annually, the superintendent shall send an accurate account of school finances and an accurate report on the condition of school facilities to each school board member.

[PL 2001, c. 588, §16 (AMD).]

4. Educational materials. The superintendent is responsible for carrying out the policies of the school board established pursuant to section 1001, subsection 10-A for the selection and purchase of all educational materials.

[PL 2001, c. 588, §16 (AMD).]

5. Distribution and accounting of supplies. The superintendent shall ensure that all necessary apparatus and supplies are distributed to each school, accurately accounted for and economically used.

[PL 2001, c. 588, §16 (AMD).]

6. Display of flags. The superintendent shall:

A. Ensure that the United States and Maine flags are displayed from public school buildings every school day and on appropriate occasions; [PL 1985, c. 103, §1 (AMD).]

A-1. Ensure that an American flag is displayed in every classroom in each public school in the unit; and [PL 1985, c. 103, §2 (NEW).]

B. Report annually to the school board the amount necessary to furnish the public schools with suitable flags and flagstaffs. The school administrative unit shall appropriate the necessary funds. [PL 1981, c. 693, §§5, 8 (NEW).]
[PL 1985, c. 103, §§1, 2 (AMD).]

7. Enforce rules of the school board. The superintendent shall enforce or cause to be enforced all rules of the school board.
[PL 1981, c. 693, §§5, 8 (NEW).]

8. Full-time employment. The entire time of a full-time superintendent shall be devoted to superintendence in the school supervisory unit which employs the superintendent. A full-time superintendent may perform educational service outside of the supervisory unit with the approval of the commissioner and with the consent of the school board.
[PL 1987, c. 330, §1 (RPR).]

8-A. Part-time employment. A superintendent who is employed as a part-time superintendent shall perform the duties agreed upon between the superintendent and the employing school board, subject to approval by the commissioner.
[PL 1987, c. 330, §2 (NEW).]

9. Report to the commissioner. The superintendent shall annually report, under oath, to the commissioner before a date established by the commissioner, concerning the operation of the school unit. The report shall contain:

A. The amount appropriated and expended on elementary and secondary education in the preceding fiscal year; [PL 1981, c. 693, §§5, 8 (NEW).]

B. The number of weeks schools were open; [PL 1981, c. 693, §§5, 8 (NEW).]

C. The number of students registered; [PL 1981, c. 693, §§5, 8 (NEW).]

D. The average attendance; [PL 1983, c. 859, §§4, 25 (AMD).]

E. The amount received for tuition; and [PL 1983, c. 859, Pt. A, §§4, 25 (AMD).]

F. Other information required by rule adopted by the commissioner to demonstrate compliance with the requirements of this Title. [PL 1983, c. 859, Pt. A, §§4, 25 (NEW).]
[PL 1983, c. 859, Pt. A, §§4, 25 (AMD).]

10. Supervise school employees. The superintendent is responsible for implementing a performance evaluation and professional growth system for all teachers and principals pursuant to chapter 508 and an evaluation system for all other employees of the school administrative unit. The superintendent shall evaluate probationary teachers during, without limitation, each year of their employment as probationary teachers. The method of evaluation must be determined by the school board, be in compliance with the requirements of chapter 508 and be implemented by the superintendent.
[PL 2019, c. 132, §1 (AMD).]

11. Notification teams. Within 10 days after receiving notice from a district attorney of an alleged juvenile offense or juvenile offense, pursuant to Title 15, section 3308-B, subsection 1 or after receiving notice from a law enforcement officer of credible information that indicates an imminent danger to the safety of students or school personnel pursuant to Title 15, section 3301-A, the superintendent shall convene a notification team. The notification team must consist of the administrator of the school building or the administrator's designee, at least one classroom teacher to whom the student is assigned, a parent or guardian of the student and a guidance counselor. The notification team is entitled to receive the information described in Title 15, section 3308-B, subsection 1, paragraphs A to F and in Title 15, section 3301-A. The notification team shall also determine on the basis of need which school employees are entitled to receive that information.

Confidentiality of this criminal justice information regarding juveniles must be ensured at all times, and the information may be released only under the conditions of this subsection. The superintendent shall ensure that confidentiality training is provided to all school employees who have access to the information.

[PL 2019, c. 525, §35 (AMD).]

12. (TEXT EFFECTIVE UNTIL 1/01/22) Reintegration team. Within 10 days after receiving information from the Department of Corrections pursuant to Title 15, section 3009, the superintendent shall convene a reintegration team to carry out reintegration planning pursuant to section 254, subsection 12. The reintegration team must consist of the administrator of the school or the administrator's designee; at least one classroom teacher to whom the student will be assigned or who is involved in the school's student assistance team; a parent, guardian or custodian of the student; and a guidance counselor. The reintegration team is entitled to receive the information described in Title 15, section 3308, subsection 7, paragraph B-1, subparagraph (3) and Title 34-A, section 1216, subsection 1, paragraph F. The reintegration team shall also determine, on the basis of need, which school employees may receive that information.

Confidentiality of the criminal justice information regarding juveniles must be ensured at all times and the information may be released by a member of the reintegration team only under the conditions of this subsection. The superintendent shall ensure that confidentiality training is provided to all school employees who have access to the information.

[PL 2003, c. 205, §7 (AMD).]

12. (TEXT EFFECTIVE 1/01/22) Reintegration team. Within 10 days after receiving information from the Department of Corrections pursuant to Title 15, section 3009, the superintendent shall convene a reintegration team to carry out reintegration planning pursuant to section 254, subsection 12. The reintegration team must consist of the administrator of the school or the administrator's designee; at least one classroom teacher to whom the student will be assigned or who is involved in the school's student assistance team; a parent, guardian or custodian of the student; and a guidance counselor. The reintegration team is entitled to receive the information described in Title 15, section 3308-C, subsection 4, paragraph C, subparagraph (3) and Title 34-A, section 1216, subsection 1, paragraph F. The reintegration team shall also determine, on the basis of need, which school employees may receive that information.

Confidentiality of the information regarding juveniles received from the Department of Corrections must be ensured at all times and the information may be released by a member of the reintegration team only under the conditions of this subsection. The superintendent shall ensure that confidentiality training is provided to all school employees who have access to the information.

[PL 2021, c. 365, §27 (AMD); PL 2021, c. 365, §37 (AFF).]

SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1983, c. 422, §1 (AMD). PL 1983, c. 485, §6 (AMD). PL 1983, c. 806, §12 (AMD). PL 1983, c. 859, §§A4,A25 (AMD). PL 1985, c. 103, §§1,2 (AMD). PL 1985, c. 797, §13 (AMD). PL 1987, c. 330, §§1,2 (AMD). PL 1999, c. 345, §2 (AMD). PL 2001, c. 452, §4 (AMD). PL 2001, c. 588, §§14-17 (AMD). PL 2003, c. 190, §2 (AMD). PL 2003, c. 205, §7 (AMD). PL 2011, c. 172, §1 (AMD). PL 2011, c. 635, Pt. A, §1 (AMD). PL 2019, c. 132, §1 (AMD). PL 2019, c. 525, §35 (AMD). PL 2021, c. 365, §27 (AMD). PL 2021, c. 365, §37 (AFF).

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