

**§1002. Prohibited appointments and employment****(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)**

The following provisions apply to members of a school board. [PL 1981, c. 693, §§5, 8 (NEW).]

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Employee" means a person who receives ongoing monetary payment or benefits for personal services performed for a school administrative unit. [PL 2021, c. 242, §1 (AMD).]

A-1. "Stipend employee" means a person who receives limited monetary payment or benefits, through a series of payments or in a lump sum, for personal services performed in an advisory, mentoring or coaching capacity for a school administrative unit. [PL 2021, c. 242, §2 (NEW).]

B. "Volunteer" means a person who performs personal services for a school administrative unit without monetary payment or benefits of any kind or amount. [PL 1999, c. 128, §1 (NEW).]  
[PL 2021, c. 242, §§1, 2 (AMD).]

**2. Employment by school administrative unit, school union, academy.** A member of a school board or spouse of a member may not be an employee in a public school within the jurisdiction of the school board to which the member is elected or in a contract high school or academy located within a supervisory union in which the member is a representative on the union committee.

A. **(TEXT EFFECTIVE UNTIL 7/01/24) (TEXT REPEALED 7/01/24)** A school board may, but is not required to, permit the spouse of a member of the school board to serve as a stipend employee on a contractual basis when that action is in the best interest of students and a summation of potential conflicts of interest is documented and a priori mitigations are described in the signed contract. A school board may adopt a written policy on nepotism that includes hiring practices for school-sanctioned stipend positions, discourages favoritism and political patronage, considers the needs of the school system and provides that all qualified applicants have a fair and equal opportunity to be selected on merit, with priority consideration given to the best interest of students without restrictions based solely on family association.

This paragraph is repealed July 1, 2024. [PL 2021, c. 242, §3 (NEW).]  
[PL 2021, c. 242, §3 (AMD).]

**2-A. Volunteer placement by school administrative unit, school union, academy.** A member of a school board or member's spouse may not serve as a volunteer when that volunteer has primary responsibility for a curricular, cocurricular or extracurricular program or activity and reports directly to the superintendent, principal, athletic director or other school administrator in a public school within the jurisdiction of the school board to which the member is elected or in a contract high school or academy located within a supervisory union in which the member is a representative on the school committee. Volunteer activities of a member of a school board or member's spouse, other than in roles that are prohibited by this subsection, may be prescribed by policies developed and approved by the school board of the school administrative unit.  
[PL 1999, c. 128, §3 (NEW).]

**2-B. (TEXT EFFECTIVE UNTIL 7/01/24) (TEXT REPEALED 7/01/24) Permissive volunteer placement by school administrative unit, school union, academy.** Notwithstanding subsection 2-A, a school board may, but is not required to, permit a school board member's spouse to serve as a volunteer. A school board may adopt a written policy on nepotism to discourage favoritism and political patronage, consider the needs of the school system and provide that all volunteers have a fair and equal opportunity to be selected on merit, with priority consideration given to the best interest of students without restrictions based solely on family association.

This subsection is repealed July 1, 2024.

[PL 2021, c. 242, §4 (NEW).]

**3. Appointment to civil office and other employment.** A school board member may not, during the term for which the member serves on the board and for one year after the member ceases to serve on the board, be appointed to any civil office of profit or employment position, which has been created or the compensation of which has been increased by the action of the school board during the time the member serves on the board.

[PL 1991, c. 196 (AMD).]

**4. Employees serving on school boards in school unions.** An employee or the spouse of an employee of a school administrative unit may not serve on the school board of another school administrative unit when the 2 school administrative units are members of the same school union and have the same superintendent of schools.

[PL 1995, c. 174, §1 (NEW); PL 1995, c. 174, §2 (AFF).]

#### SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1983, c. 806, §11 (AMD). PL 1991, c. 196 (AMD). PL 1995, c. 174, §1 (AMD). PL 1995, c. 174, §2 (AFF). PL 1999, c. 128, §§1-3 (AMD). PL 2021, c. 242, §§1-4 (AMD).

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