

Annual Certification of Superintendent Requirement

NOTE: Superintendents must share this information with school board chairs

To meet the requirement for annual certification of employment of superintendent of schools, school administrative units (SAUs) must do the following:

1. Superintendents must deliver this notice to the School Board Chair;
2. School boards must meet by December 31st to elect a superintendent, if their superintendent's contract expires in the following calendar year; and
3. School boards must submit a report on employment of their superintendent to the Maine Department of Education.

Election of Superintendent

[Title 20-A M.R.S.A. Section 1051 \(2\)](#) requires that school boards of school administrative units meet no later than December 31 of **the year preceding the expiration** of the superintendent's contract to elect a superintendent by majority vote of the full membership of the board.

Superintendents are elected for specific terms not to exceed 5 years. The term of office for any superintendent shall end on June 30, with the year to be specified by board vote.

The superintendent must hold a valid superintendent's certificate at the time he /she takes office.

The motion to elect the superintendent and set the superintendent's salary should specify the time frame within which the offer must be accepted by the superintendent or candidate. Non-acceptance of the offer means that a vacancy will occur at the expiration of the current contract agreement. In the event of a vacancy, you may wish to contact the Maine School Management Association to obtain a copy of "Selection Procedures for Superintendent of Schools".

Election of Agent

The employment of an Agent is possible only under specific conditions. Please refer to the statutory provisions in [Title 20-A M.R.S.A. Section 1051](#) for clarification.

Report to Department of Education

Title 20-A M.R.S.A section 1051(5) requires the chairperson and secretary of the school board to certify under oath to the Commissioner, on forms provided by the Commissioner, all facts relating to the unit's selection of a superintendent.

Pursuant to the statute, a Certification of Employment Form must be submitted (1) annually; (2) when a new superintendent is chosen; and (3) when an existing superintendent's contract is extended, or changes are made to the compensation paid to the superintendent.

You can find the [Certification of Employment Form \(EF-A-605\)](#) at the bottom of this document.

A copy of the minutes of any board action relating to the superintendent's contract, and a copy of the superintendent's contract must accompany the completed Certification of Employment form filed with the Commissioner.

If the school board has voted to elect a superintendent or otherwise change the superintendent's contract, please submit the form as soon as possible following the board action.

You can find the [Agent in Lieu of Superintendent Form](#) at the bottom of this document.

Additional School Union Requirements

Regarding school unions, it should be noted that the union committee of each school union is required by statute to meet annually in December to carry out the various duties set forth in 20-A M.R.S.A. Section 1902. This obligation exists whether or not a superintendent is being selected.

Also pertaining to school unions, in supervisory units where more than one administrative unit employs the superintendent, voting at the December meeting must be done on a weighted basis pursuant to Section 1902. A complete list of votes by unit using the 2016 estimated census counts is available at: http://www.maine.gov/doe/sites/maine.gov.do/files/inline-files/UnionCommitteesandCombinedBoards_forFY19.pdf

If you notice any errors in the number of school board members in any of your units, please contact us as soon as possible.

A copy of the completed Certification of Employment form must be filed with the treasurer of each member town of a school union. Forms may be reproduced locally to meet needs.

Superintendents of schools are responsible for delivering this notice and appropriate materials to the chairperson of each board. If you have any questions regarding this letter, please call the Maine Department of Education at 624-6663.

State of Maine
DEPARTMENT OF EDUCATION
23 State House Station
Augusta ME 04333-0023

2019-2020

**CERTIFICATION OF EMPLOYMENT OF A SUPERINTENDENT OF SCHOOLS AND REPORT OF
ACTIONS OF JOINT COMMITTEE, S.A.D., C.S.D., MUNICIPAL UNIT OR OTHER SCHOOL ADMINISTRATIVE UNIT
(R.S.U., A.O.S.) TO SUPPORT SUPERINTENDENT'S OFFICE AND OFFICE STAFF**

Name of Supervisory Unit: _____

Name of Superintendent Elected by the Board
Including Full or Part-time or Interim

Social Security No.

RESULTS OF MEETING:

Name

Address

1. Chairperson: _____
2. Secretary (if elected): _____
3. **TO BE COMPLETED BY SUPERVISORY UNITS ONLY:** (Units combining for the purpose of employing a Superintendent):

Number of Board members present at the meeting from each member unit of the supervisory unit:

Unit	No. of Board Members	Percentage of Salary	Percentage of Service
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

4. Salary paid the Superintendent in the current year ending June 30, 2019 \$ _____
5. Salary authorized for the year ending June 30, 2020 \$ _____
6. Have you made provisions for an office for the Superintendent of Schools, office assistants and other office expenses? **YES** []
NO []
7. We certify that the above information and actions of the Board, pursuant to [Title 20-A, M.R.S. Section 1051](#), are in accordance with its votes taken _____.
(date)

(Attach copy of minutes and copy of Superintendent's contract)

Signed _____, Chairperson _____
(date)

Signed _____, Secretary _____
(date)

8. I, _____, hold a valid Superintendent's certificate for the State of
(name of Superintendent)

Maine which expires _____ and I accept the position of Superintendent of Schools for
(date)

_____ for the period beginning _____ and ending
(unit or units) (date)

June 30, _____. I do faithfully declare that I will uphold the laws of this State and that I will
(year)

faithfully perform the duties of Superintendent of Schools as required by law and as set forth by the Board(s)

which employ(s) me.

SIGNED _____ DATE _____
Superintendent

9. SIGNED _____ DATE _____
Commissioner of Education

For information call: 624-6663

Return original and one (1) copy to:

Deputy Commissioner
Maine Department of Education
23 State House Station
Augusta, Maine 04333-0023

State of Maine
DEPARTMENT OF EDUCATION
23 State House Station
Augusta, ME 04333-0023

APPOINTMENT OF STATE AGENT IN LIEU OF SUPERINTENDENT

The employment of an Agent is possible only under specific conditions. Please refer to the statutory provisions in Title 20-A, MRSA §1051 for clarification

Name of Supervisory Unit: _____
For the Period Beginning _____ and Ending _____

In accordance with the provisions of Title 20-A, MRSA §1051, _____
Social Security Number _____, _____ (name of Agent)

has been appointed by the Commissioner of Education as Agent for _____
(school administrative unit)
for the period beginning _____ and ending, _____.
(date) (date)

Said _____ shall have the powers and duties of a superintendent under
(name of Agent)

Title 20-A, MRSA, Chapter 101, subchapter 2, §1055 and shall be paid pursuant to a contracted sum agreed upon by the Agent and that unit. The appointment may be terminated either by appointment of a subsequent agent, election of a superintendent, or automatically when the town or plantation becomes a part of a larger supervisory unit.

SIGNED _____ DATE _____
(Commissioner of Education)

I, _____, agree to serve as School Agent for
_____. Reimbursement shall be \$ _____, and the amount of
(school administrative unit)
time expended in the unit shall be _____.

The minutes of the board meeting dated _____ verify the agreement as set forth above.
(date)

(Attach copy of minutes and copy of agent's contract)

SIGNED _____ DATE _____
School Committee Chair

SIGNED _____ DATE _____
School Agent

If the Agent appointed is regularly employed as a superintendent of schools in a supervisory unit, the chairperson of the board of <u>THAT</u> unit must agree to the appointment before it can become effective.	
The supervisory unit which employs the superintendent on a regular basis approves this appointment and agrees that said superintendent may serve as Agent for _____. (school administrative unit)	
SIGNED _____ Chairperson	DATE _____
Administrative Unit	