

**§1051. Selection of superintendents**

The following provisions shall apply to the selection of superintendents. [PL 1981, c. 693, §§ 5, 8 (NEW).]

**1. Eligibility requirements.** Only those persons who hold a state certificate of superintendence grade, issued in accordance with chapter 501 or 502, are eligible to become superintendents. Members of the school board are not eligible to become superintendent in the school administrative unit that they represent. Superintendents' certificates must be revoked in accordance with section 13020. Grounds for revocation include, but are not limited to, the employment or retention of uncertified personnel in a school administrative unit in violation of this Title or of any rules adopted pursuant to this Title. [PL 2001, c. 588, §11 (AMD).]

**2. Appointment.** The school board shall elect, by majority vote of the full membership, the superintendent. The school board, upon notification by the commissioner, shall meet no later than December 31st of the year preceding the expiration of the superintendent's contract, at a day and place determined by the chair of the school board. When a vacancy occurs, the school board shall meet as soon as possible to choose a superintendent. [PL 2001, c. 588, §12 (AMD).]

**3. Term.** The superintendent's term shall be established by the school board.

A. The term may not exceed 5 years. [PL 1981, c. 693, §§ 5, 8 (NEW).]

B. The term shall expire on June 30th of the year of expiration. [PL 1981, c. 693, §§ 5, 8 (NEW).]

[PL 1981, c. 693, §§ 5, 8 (NEW).]

**4. Failure to elect.** If the school board fails to elect a superintendent by June 30th, the school board may appoint a competent and qualified agent, with the advice and consent of the commissioner, to serve in that capacity until a superintendent is elected.

[PL 1981, c. 693, §§ 5, 8 (NEW).]

**5. Notice to the commissioner.** Annually and when a new superintendent is chosen, the chairman and secretary of the school board shall certify under oath to the commissioner, on forms provided by the commissioner, all facts relating to the unit's selection of a superintendent.

[PL 1981, c. 693, §§ 5, 8 (NEW).]

**6. Election in certain units.** The following provisions shall apply to the election of superintendents by certain units.

A. In a school union, the union committee shall perform the functions of a school board. [PL 1981, c. 693, §§ 5, 8 (NEW).]

B. In a school administrative unit governed by a private and special law that provides for the election of a superintendent, the governing board shall elect a superintendent in the manner provided in that law. [PL 1981, c. 693, §§ 5, 8 (NEW).]

C. In a community school district, the district school committee shall elect the superintendent. [PL 1981, c. 693, §§ 5, 8 (NEW).]

D. A group of school administrative units that have an interlocal agreement pursuant to Title 30-A, chapter 115 in order to establish an education service center to jointly purchase the services of a superintendent may elect the superintendent in the manner prescribed in their interlocal agreement.

[PL 2019, c. 219, §1 (AMD).]

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**SECTION HISTORY**

PL 1981, c. 693, §§5,8 (NEW). PL 1983, c. 39, §1 (AMD). PL 1983, c. 485, §5 (AMD). PL 1983, c. 816, §A10 (AMD). PL 1991, c. 655, §1 (AMD). PL 2001, c. 588, §§11,12 (AMD). PL 2017, c. 284, Pt. C, §3 (AMD). PL 2017, c. 284, Pt. VVVVV, §1 (AMD). PL 2017, c. 475, Pt. A, §23 (AMD). PL 2019, c. 219, §1 (AMD).

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