

SCHOOL COMMITTEE LEGAL STATUS

State law provides that:

Every town at its annual meeting shall in every year when the term of office of any incumbent expires, and except when other provision is made by law, choose by ballot from its registered voters the following town officers for the following terms of office:

. . . Three, five, six, seven or nine members of the School Committee for terms of three years . . .

The School Committee is the governing board of the town's public school system. Although it functions as a duly elected Committee of town government, the School Committee has, unlike other town boards, autonomous and absolute authority within limitations established by the Commonwealth of Massachusetts to carry out the educational policies of the state and guide the educational process.

Established by law

SOURCE: MASC

LEGAL REFS.: M.G.L. 41:1 and 71:37 specifically, but powers and duties of School Committees are established throughout the General Laws of Massachusetts Relating to School Committees

CROSS REFS.: AA, School District Legal Status
BBA, School Committee Powers and Duties

NOTE: A statement under this code is usually statutory and informational in nature, not a "policy" in the strict sense of the word. Include under this code the number of School Committee members and the length of a regular term.

Town or city charters and ordinances often establish the composition of the School Committee and set forth provisions for the election of Committee members. Such details should be incorporated into a statement in this category. References to the pertinent section(s) of the charter or ordinances should be added to the legal references as was done with the policy above.

Regional school districts are created in accordance with state law and the regional agreement approved by the member towns. Therefore, a policy on the legal status of a regional School Committee would be different from the sample policy above. At this code, regional school districts often include the number of members elected from each town and the term of office. Pertinent sections of the regional agreement are often cited with the legal references, which, in the case of a regional school district, would include M.G.L. 71:14B and 71:16A. A policy in this area for a School Committee that is a member of a superintendency union also would vary from the above sample. A reference to M.G.L. 71:63 would be required. The cross references are to related codes in the NEPN classification system.