Portland Board of Public Education
Resolution Affirming Employee Speech Rights

WHEREAS, freedom of speech is fundamental to a free society and is protected by the constitutions of the United States and the State of Maine; and

WHEREAS, the Portland Board of Education recognizes that the expertise of its teachers, administrators and staff is essential to debates over school policy and educational issues; and

WHEREAS, the Board supports the right of school staff to advocate for public education and public school students in a way that does not violate confidentiality laws, interfere with their work responsibilities, or violate district policy; and

WHEREAS, employees experiencing reprisal or retaliation for exercising their freedom of speech rights are protected under Board Policy GBH “Staff Participation in Community Activities” and GBI “Staff Participation in Political Activities”; and

WHEREAS, the Board endorsed the 2017-2020 Comprehensive Plan Goals that outline the district’s Theory of Action advocating for the recruitment and support of “talented and diverse people who use their strengths to achieve our goals”; and

WHEREAS, the Board is considering adopting revisions to Policy KGB “School & Family Partnerships” based on recommendations from the Parent Partnership Ad-Hoc Committee that “encourages partnerships between the district administration, schools and families in order to share the responsibility of educating our students,” which includes affirming advocacy; and

WHEREAS, the Board encourages its professional staff to provide a venue for the discussion of important issues of public policy and utilize their expertise to ensure thoughtful and informed discussion of these issues at a level that is appropriate for the age and maturity level of the students under their care without fear of reprisal, bullying or intimidation.

THEREFORE, BE IT RESOLVED THAT:

The Portland Board of Education recognizes the importance of participation by school employees in public debate over local, state and national policy and civic issues, commends our staff for its past advocacy, and encourages school staff to continue speaking out for public school students and public education in a way that is consistent with their duties as educators, federal and state law and Portland Board of Public Education policy.

Legal Effect: This resolution expresses the sentiment of the board but does not have the force of policy or rule by itself. The Superintendent will work with legal counsel to identify any new policies or rules that should be developed and existing policies or rules that should be modified based on the expressed intent of this resolution.