

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

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Legislative Document

No. 227

H. P. 186

House of Representatives, January 16, 1975

Referred to Committee on Legal Affairs. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Hinds of South Portland.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FIVE

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**RESOLVE, to Reimburse Kenneth I. Coombs for Legal Fees Caused by Unwarranted Action of the State Board of Education.**

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**Kenneth I. Coombs; reimbursed. Resolved:** That there is appropriated from the General Fund the sum of \$12,047 to be paid to Kenneth I. Coombs of Portland as a full and final settlement of his claim against the State for legal fees incurred while resisting the unwarranted action of the State Board of Education in summarily discharging him from his position as Assistant Director at the Southern Maine Vocational-Technical Institute.

STATEMENT OF FACT

Mr. Coombs was an unclassified employee whose employment began in August of 1965 at Southern Maine Vocational-Technical Institute as Dean of Men. He was serving as Assistant Director at Southern Maine Vocational-Technical Institute when, on Friday, February 26, 1971 he was summarily asked to resign by the State Board of Education, without any valid reason therefor.

The only reason given to Mr. Coombs at the time of the request for his resignation was that "the Board (State Board of Education) has lost confidence in his ability to serve as Assistant Director at Southern Maine Vocational-Technical Institute."

(It is noted that Mr. Coombs had been employed at Southern Maine Vocational-Technical Institute for five and one-half (5½) years and enjoyed

recognition and State Department acclaim as well as tenure in his position as Assistant Director. In light of this, and the subsequent release of blatantly condemning articles for broad public consumption, Coombs was morally and ethically imposed upon to secure legal counsel.)

Mr. Coombs, realizing that his professional career had been put in jeopardy, stood individually to contest the action of the State Board of Education.

The basis of Mr. Coombs' position was :

- (1) **His contract had been terminated illegally** by the State Board of Education. The action taken by the Board was beyond its power and contradictory to its own policies.
- (2) The reckless and arbitrary action in terminating Mr. Coombs' employment **deprived him of Constitutional due process**. It is obvious that this action seriously damaged Mr. Coombs without providing him any proper safeguards.
- (3) Any and all charges against Mr. Coombs were **without merit, unsupported, uncorroborated** and did not warrant the action taken by the Board of Education.

Litigation in this matter commenced in March of 1971 and was finally concluded two and one-half (2½) years later in August of 1973.

The Maine State Employees Appeals Board, the Kennebec Superior Court and the State Supreme Court all ruled in favor of Mr. Coombs. Mr. Coombs incurred legal fees of \$12,046.61 to show that the State Board of Education was wrong in its action and to preserve some aspect of his professional career and personal reputation.