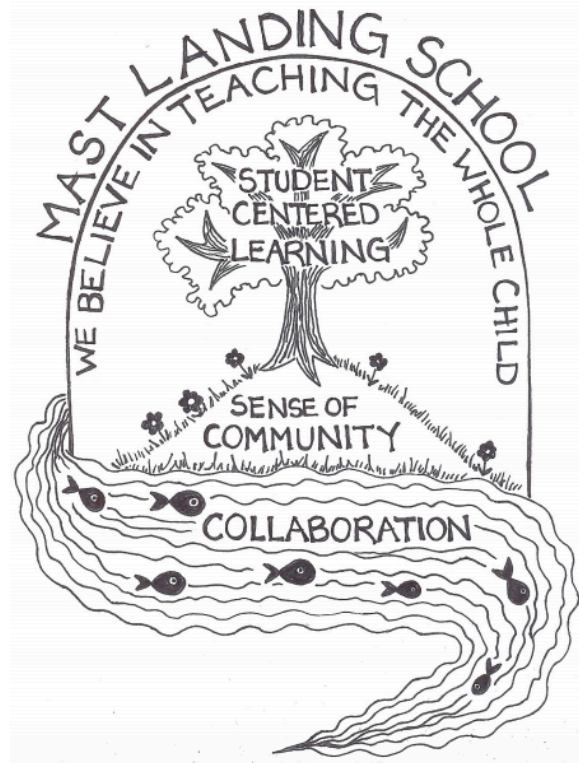


Mast Landing School

2025-2026 Family Handbook



20 Mollymauk Lane
Freeport, ME 04032
Tel: (207) 865-4561
Fax: (207) 865-2909
<http://mls.rsu5.org>



Table of Contents

1. Letter from the Principal.....	2
2. Staff Directory.....	3
3. Mast Landing School Vision Statement.....	4
4. District Calendar.....	5
5. Daily Schedule.....	6
6. Attendance.....	9
7. Curriculum.....	10
8. Student Activities.....	12
9. Assessment and Reporting.....	12
10. Student Services	13
11. Transportation.....	14
12. Student Behavior Expectations.....	15
13. Student Health and Safety.....	18
14. Student Property.....	18
15. Student Records.....	19
16. Community Involvement.....	20



Welcome to Mast Landing School!

We are a community of approximately 280 grade 3-5 students and 50 staff dedicated to providing opportunities for engaging and rigorous academics alongside opportunities for students to explore and develop their interests. Students are at the core of all that we do--from the structure of our school day (which begins with a 20-minute community meeting each day and includes two outdoor recesses) to ongoing opportunities for students' voices to be at the center of school-wide events and decision making.

This handbook was designed to serve as a guide in understanding expectations at Mast Landing School and the supporting district policies. We hope it will be a helpful resource as you navigate your child's journey with us.

If there is an inadvertent conflict between this handbook and the RSU No.5 School Department Policies, School Department Policies will prevail. Mast Landing School has the right to make changes to the student handbook at any time without prior notice. Updates will be posted in the handbook. The RSU 5 School Board conducts its regular meetings on the 2nd and 4th Wednesday of each month at the High School. Meetings convene at 6:30 P.M. and the public is cordially invited to attend. Special meetings will be announced in the school's weekly newsletter as well as local newspapers and on the local cable television channel.

This handbook is just one part of the communication between your family and our school community. In the weeks and months ahead, look to learn more about our school, events, and students' learning via bi-weekly newsletters, teacher emails, and district communication. Please do not hesitate to reach out should you have questions about our school or your child's learning.

We look forward to the year of learning ahead!

Sincerely,

Emily Grimm

Principal

Mast Landing School Staff

2025-2026

All staff may be contacted via email using last name followed by a first initial @rsu5.org (ex. grimme@rsu5.org) or by calling 865-4561 to leave a voicemail if not available.

Principal:

Emily Grimm

Assistant Principal:

Scott Emery

School Counselor:

Susan Albertini

School Nurse:

Erika Skiff

Administrative Secretary:

Sara Handspicker

Office Secretary:

Valeska Hornschild-Bear

Instructional Coach:

Danielle Gauthier

Specialists:

Gabrielle Etheridge (Literacy)

Cheryl Sleeper (Math)

3rd Grade:

Kathleen Anderson

Kate Bacon

Crystal Boucher

Bess Milligan-Johnson

Jessica Trahan

4th Grade:

Trevor Bean

Sasha Bradford

Ridgely Eckhardt

Kayla McGinley

Julia Schwarz

5th Grade:

Allison Barrett

Sasha Bradford

Shaye McHatten

Emily Robinson

Tracey Tremblay

Scott Webber

Art:

Margaret Mountcastle

Library/Media Specialist:

Patti Francis

Music:

Katie McFarland

Physical Education:

Robin O'Connor

STEM:

Holly Hinton

ELL Teacher:

Lynn Shea

Special education:

TBD

Megan Huckins

Jammie Murphy

Heather Perry

Custodians:

Debbie Francine

Renee Nason

GT:

Chelsea Cekutis

Social Workers:

Cindy Kivler

Beth Rankin

Special Ed. Coordinator:

Beth Neuts

Occupational Therapist:

Anna Brown

Physical Therapist:

Sarah Burtchell

Speech & Language Path.:

Alena Woods

School Psychologist:

Kent Gemmell

BCBA:

Alison Ginn

Ed Techs:

Eliza Bowen (Special ed.)

Amy Broadbent (Special ed.)

Kelly Brodeur (Special ed.)

Carolyn Favreau (Special ed.)

Tom Green (Special ed.)

Monica House (Special ed.)

Lauren Kallis (Special ed.)

TBD (RTI B)

Food service:

Susan Baker

Dorothy Curtiss



MAST LANDING SCHOOL VISION STATEMENT

* We believe in teaching the whole child. We value students for who they are and strive to give children different opportunities to shine. We believe the optimal learning environment is one in which parents, educators and students work together to meet each child's needs. As educators, we inspire students to reach their fullest potential by exploring multiple pathways to grow.

* We believe in student centered learning. Students have a voice and choice in their learning and take responsibility for their own learning experiences. As educators, we make this possible by providing differentiated instruction and a rigorous curriculum for the mind and body. We also provide enrichment opportunities and support services in the visual and performing arts, in reading and writing, and in mathematics and science. We listen to students and we care. Students set learning goals and develop self discipline and independence.

* We believe it is important to establish a sense of community within the school. The strengths of all are recognized, appreciated, supported and celebrated. Small learning communities are valued and are characterized by a feeling of mutual respect and trust. The environment is one that fosters and nurtures strong relationships among students and between staff and students. Celebrations are part of the school culture. Mast Landing is a joyful place for educators, students and families.

* We believe that collaboration among educators and with parents is essential. The school culture provides multiple opportunities for educators to work and learn together. Educators are encouraged to try new things, share ideas and problem solve in order to provide the best learning environment for students and to push each other to continually grow as professionals. Student focused communication among educators and with parents is essential.

CALENDAR

RSU5 School Calendar 2025-2026

AUGUST/SEPTEMBER					OCTOBER					NOVEMBER					DECEMBER					JANUARY				
M	T	W	TH	F	M	T	W	TH	F	M	T	W	TH	F	M	T	W	TH	F	M	T	W	TH	F
25	PLD	PLD	PLD	29																				
1	2	3	4	5			1	2	3	3	4	5	6	7	1	2	3	4	5				1	2
8	9	10	11	12	6	7	8	9	PLD	PLD	11	12	13	14	8	9	10	11	12	5	6	7	8	9
15	16	17	18	19	13	14	15	16	17	17	18	19	20	21	15	16	17	18	19	12	13	14	15	16
22	23	24	25	26	20	21	22	23	24	24	25	PC	27	28	22	23	24	25	26	19	20	21	22	23
29	30				27	28	29	30	31						29	30	31			26	27	28	29	30
21					21					15					15					19				
8/26,27,28 Professional Learning Days					10 Professional Learning Day					10 Professional Learning Day					22-31 Winter Vacation					1 -2 Winter Vacation				
9/1 No School (Labor Day)					13 Indigenous People's Day					11 Veterans Day										19 Martin Luther King, Jr. Day				
9/2 First Student Day PreK-9										26 Professional Compensation Day														
9/3 All PreK-12 Students										27-28 Thanksgiving Break														
FEBRUARY					MARCH					APRIL					MAY					JUNE				
M	T	W	TH	F	M	T	W	TH	F	M	T	W	TH	F	M	T	W	TH	F	M	T	W	TH	F
					2	3	4	5	6			1	2	3					1	1	2	3	4	5
2	3	ER	5	6	9	10	11	12	PLD	6	7	8	9	10	4	5	6	7	8	8	9	10	11	12
9	10	11	12	13	16	17	18	19	20	13	14	15	16	PC	11	12	ER	14	15	15	16	17*	18*	19
16	17	18	19	20	23	24	25	26	27	20	21	22	23	24	18	19	20	21	22	22*	23*	24*	25	26
23	24	25	26	27	30	31				27	28	29	30		25	26	27	28	29	29	30			
15					21					16					20					12				
4 Early Release - Half Day					13 Professional Learning Day (1/2)					17 Professional Compensation Day					13 Early Release - Half Day					14 Graduation				
16 Presidents' Day					(No School for Students)					20 Patriots' Day					25 Memorial Day					16 Last 1/2 Day If No Snow Days				
17-20 February Vacation										21-24 April Vacation										* Storm Make up Days (17-24)				
																				19 Juneteenth Natl. Independence Day				

175

	NO SCHOOL - Holiday/Vacation
	PROFESSIONAL LEARNING DAY - No Students (5 1/2)
	PROFESSIONAL COMPENSATION DAY - No Students (2)
	EARLY RELEASE FOR STUDENTS - Half Day Schedule (2)
	LAST DAY OF SCHOOL-(If no snow days) HALF DAY - Storm Make-up days if needed: 6/17-24

Date Adopted by Board of Directors: 2-12-25

DAILY SCHEDULE


OFFICE HOURS

Our school office is open from 8:00am to 4:30pm Monday through Friday during the school year. During the summer, Emily Grimm is available by appointment most weekdays and our administrative secretary is in the office on Tuesdays.

Voicemail messages may be left for staff members 24 hours a day. Staff members will return your phone call when they are not working with students. In order to keep disruption to the learning environment to a minimum, calls will not be put through to a classroom during the school day except in case of an emergency. For non-emergency matters, staff members are also available by email. Email addresses are accessible through the school's website:

<https://mls.rsu5.org/staff-directory>

SCHOOL DAY



Students may go to their classrooms at 8:35am. The instructional day begins at 8:45am. Students should not arrive or enter the building before 8:35am, as there is no supervision available before that time.

Students are dismissed at 3:25pm. Please call the school prior to 12:00pm with any changes to your child's end of day transportation or pickup needs.

ARRIVAL AND DISMISSAL

If you are dropping off your child in the morning or picking your student up at the end of the day, please use the drop-off circle by the front entrance. Students may be dropped off beginning at 8:35, unless they are required to be here earlier for an extracurricular activity. To promote efficiency and ensure the safety of our students, please follow the traffic pattern shown by driving through the back lot before entering the drop-off/pick-up circle. If your child is not present when you arrive, please circle back around to allow the flow of traffic to continue.

Any change to a student's daily after-school routine must be sent to the office in writing (paper note or email). This includes changes in bus arrangements (i.e. getting off the bus at another stop or riding on a different bus). This note should include the following information:

- the child's full name
- the drop-off location,
- a parent signature,
- and the date this change will take place.

The office will give the child a "pink note" for the bus driver. For student safety, bus drivers will not honor changes to student transportation without this note.

We urge parents to limit requests to dismiss students earlier than 3:25pm. If you must have your child dismissed before the end of the school day, please send a note to the office on the day of the dismissal indicating the time your child will be picked up, and by whom. Your or the designated adult must come to the office and sign the child out of the building.



DISMISSAL PRECAUTIONS POLICY

Students will be released only to parents, a legal guardian, and other persons specifically authorized in writing by the parents/legal guardians to pick up the student. If the building principal/designee has reason to question the authenticity of any written or verbal communication regarding the release of a student, the parents/guardians shall be contacted for confirmation. The building principal/designee has the authority to deny the release of students to unauthorized or unknown persons. A custodial parent/guardian who wishes the school to comply with provisions of a court order to restrict access to a child is responsible for providing a certified copy of such order to the school.

SCHOOL CANCELLATIONS, EARLY DISMISSAL, AND LATE START

Maine weather occasionally results in a school cancellation, delay, or early dismissal. Cancellation notices can be heard on local radio and television stations. If you have chosen to participate in the school messenger service, you will also receive an automated call from the school department informing you of the change. In the event of a delayed start to the school day, bus pick up times will be adjusted to match the delay. For example, if school start is delayed one hour, the bus pick-up times are pushed ahead exactly one hour.

In the event of a delayed start, all student activities prior to the start of the school will experience the same delay (for example, during a one-hour weather delay chorus will begin one hour later than typically scheduled). If school is dismissed early, all school-sponsored activities are canceled for the remainder of the day.

Scheduled half-day dismissals happen occasionally. Students are dismissed at 12:00pm on these days. All half days are noted on the school calendar.

SNACK

All students have an opportunity to eat snack each morning. Please send a healthy snack with your child each day. Please do not send candy or soda to school with your child in order to best set them up for stable energy and effective learning throughout the day.

BREAKFAST/LUNCH

Your child may bring lunch from home or purchase a school lunch. Both breakfast and lunch are offered at school daily at no cost to students. The RSU5 School Nutrition Program provides meals that align with the USDA Child Nutrition regulations. A breakfast and lunch menu will be included in our school newsletter and can also be accessed on the school website.



RECESS

As a critical part of students' school day, students have two recess opportunities each day to engage in unstructured play and safe risk-taking, important elements of child development. We have prioritized recess in students' daily schedules in recognition of the way in which this play supports their physical, social, and emotional development. Despite Maine's variety of weather, we aim to preserve time outside for students. Outdoor recess is available to students whenever the temperature is above 0 degrees Fahrenheit. Please make sure your child has appropriate clothing to enjoy the outdoors.



DAILY MILE

The Daily Mile is a daily opportunity for all students and staff to engage in outdoor physical activity (run, jog, walk, or roll a $\frac{1}{4}$ mile loop around the school building) that supports the health of each individual. This daily practice aims to prioritize wellness, strengthen community, and build life-long healthy habits.

ATTENDANCE


ABSENCES

It is important for students to be in school every day. Regular attendance is closely linked to academic success. Ensuring your child's regular attendance helps to communicate a strong message that education is important. **If your child will be absent, please notify the main office by phone or email by 9:00am.**

A student absence will be marked excused for the following reasons:

- personal illness
- appointment with a health professional that can only be scheduled during school hours,
- observance of a recognized religious holiday when the observance is required during the school day,
- family emergency, or
- planned absence for a personal or educational purpose.

In the event that your student must miss school for a planned absence for a personal or educational purpose, **the absence must be approved prior to the absence for the absence to be excused.** This practice aligns with State of Maine Law and our district attendance policy. Please utilize our school "[Planned Absence Request](#)" Form (both available online and in the school front office) for these requests.



If a student is out three or more consecutive days for illness, a note from a doctor is required to excuse the absence. At certain times of the year, student testing is scheduled. The dates of these tests are announced through the school newsletter. Please try to avoid absences during these times. (*See: Compulsory Attendance, Policy JEA*)

Absence for Personal Purpose

School attendance is extremely important. Classroom instruction can not be replicated during planned absences. As a result, please schedule vacations during school breaks. To ensure that teachers can invest their time in classroom instruction, we do not provide work for students during planned absences. Any assessments missed during a planned absence of more than five days will not be made up with the student to ensure teachers can maintain classroom pacing and instruction.

TARDINESS

Students who report to school after 8:45 a.m. will be considered tardy. Please be aware that frequent tardiness can have a negative impact on your child's learning and can be disruptive to the classroom environment. Students who arrive at school after 8:45 a.m. must sign in at the front office.

TRUANCY

Students who have seven or more unexcused absences, or five consecutive unexcused absences may be considered truant and their parent(s)/guardian(s) may be contacted by administration or a representative assigned by the superintendent to develop a plan to support student attendance. (*See: Truancy, Policy JHB*)

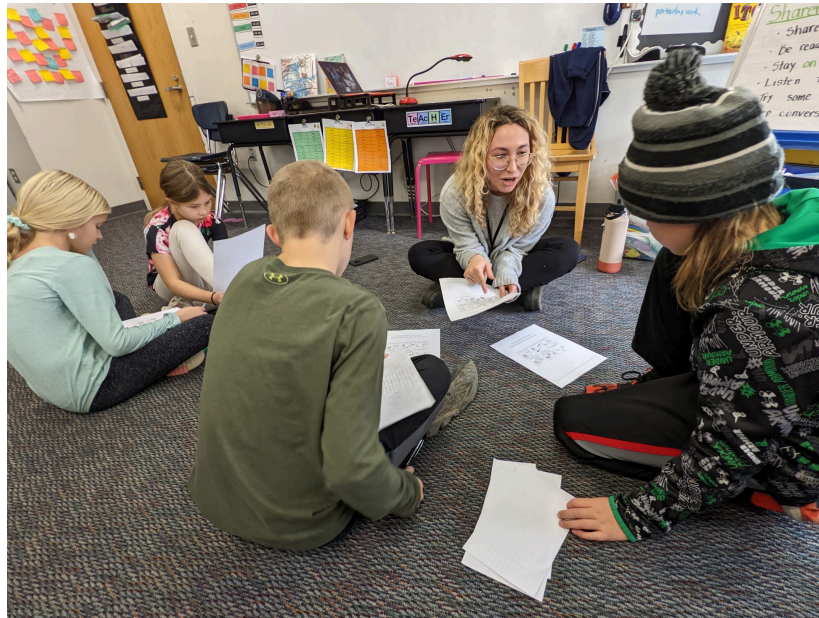
CURRICULUM

READING AND WRITING

Mast Landing School employs the Reading and Writing Project Units of Study. Students receive direct instruction, alongside opportunities for small group work and individual conferences with the teacher. This balanced model creates a predictable structure for students, enables them to have significant time each day to use their growing skill set as readers and writers, and creates opportunities for them to receive specific feedback through the responsive small-group instruction of their teachers. Additionally, students enjoy daily extended opportunities to read both fiction and nonfiction and to engage in opinion, information, and narrative writing over the course of the school year.

Collectively, these elements of instruction support students in developing comprehension and fluency that are essential to their development as readers and the skills essential to the craft of being a writer. Most importantly, the workshop model is designed to develop the habits of reading

and writing and a passion for these long beyond a student's current year in school.



MATH

Everyday Mathematics 4 is the primary source for math instruction at Mast Landing School. Students are taught mathematical content and practices through interactive and engaging routines and taught games to practice the skills and concepts taught. Everyday Mathematics 4 is a spiral curriculum that continually reinforces abstract math concepts through concrete real-world applications. Teachers plan opportunities for students to become mathematical thinkers and problem solvers by explaining their thinking and strategies.

UNIT STUDIES (SCIENCE AND SOCIAL STUDIES)

Students engage in science and social studies content through unit studies. During these hands-on rotations, students have opportunities to explore content in life, earth, physical science, and engineering. Social studies topics engage students in geography, history, and civics including units on Freeport and Maine history, colonization, and the Revolutionary War. These units provide students an opportunity to explore new topics while extending and applying their literacy skills.

SPECIALS

Students have an opportunity each school day to engage in learning in one of the specials (art, library, music, physical education, and STEM). The weekly schedule is shown below.

Art	60 minutes
Music	60 minutes weekly

Library	45 minutes
Physical Education	60 minutes weekly
Science, Technology, Engineering, and Math (STEM)	60 minutes




HOMEWORK

Homework provides opportunities for students and teachers to maximize classroom instruction, for families to become more involved with their children's education, and for students to develop self-discipline and organizational skills. Students receive regular, brief homework in math and are also expected to read for 20-30 minutes at home each day. (See: *Homework, Policy IKB*)

STUDENT ACTIVITIES

We believe it is important to provide students with a variety of ways to develop their interests, connect with peers, and extend their learning beyond the classroom. Students have a variety of opportunities to engage in student activities including Student Council, Civil Rights Team, Gaming Club, chorus, STEM Club, Drama Club, band (5th), and Math Team (5th).





We also encourage students to participate in the many Freeport Community Programs offered throughout the school year. Contact FCP at 865-6171 or visit their website at <http://www.rsu5cp.org/> for more information.

ASSESSMENT AND REPORTING

PROGRESS REPORTS

Student progress reports are printed for families three times a year at the end of each trimester.

CONFERENCES

Parent/teacher conferences are scheduled in the fall and late winter. Conferences with teachers are not limited to scheduled conference times. Parents can contact teachers at any time they would like to schedule an additional time to meet.

PROMOTION

The staff at Mast Landing School strives to provide a high level of academic support to all students. In order to be promoted to the next grade level, students must meet a minimum standard of achievement. Retention is an action of last resort. However, in some cases, promotion can place a student in a situation where even minimal success is improbable. Parents will be notified as early in the academic year as feasible regarding a student's risk of retention.

PLACEMENT


Our staff invest significant time and thought into creating balanced and cohesive learning communities. As learning needs are a priority we cannot guarantee preferred friendship groupings. Students will be placed with a familiar positive learning peer. We do not accept requests for specific teachers. However, if you have information that you would like to share about your child's learning style and any other pertinent information that you feel would be helpful to us as we try to match student needs with teacher strengths, your perspective is welcomed.

As a parent, you have the right to request the professional qualifications of your child's teachers. All teachers in Title 1 schools must meet general qualifications as well as the specific requirements of the subject they are teaching.

STUDENT SERVICES

ACADEMIC SUPPORT/RESPONSE TO INTERVENTION (RTI)

Mast Landing School has a Student Assistance Team (SAT), a collaborative team of teachers, specialists, and the principal. The team meets regularly to review student data, discuss strategies and make decisions about interventions for students who may benefit from additional support in academics, social-emotional, or behavioral expectations. Depending on an individual student's



intervention plan (SIP), a student may receive additional support within the classroom and/or through pull-out services.

HEALTH SERVICES

We have a full-time school nurse at school year day to support students' ongoing health and wellness. Vision and hearing screening tests are done yearly on all students in grades 3 and 5. Additional screenings will be done at any time if a parent, teacher, or physician has concerns. Physical exams by a physician and a health history are required for students entering kindergarten, third, sixth and ninth grades. Health records are maintained on all children. Any known health problems should be reported to the nurse. The information is handled confidentially to ensure the child's needs will be addressed or anticipated.

Parents and schools share a common goal to promote lifelong health for all children. Our support and educational efforts can help them learn to make responsible decisions and develop daily health habits for exercise, nutrition, rest, safety and personal growth. Please refrain from sending candy, soda, gum or highly sugared foods to school with your child.

COUNSELING SERVICES

School counseling is an important aspect of effective upper elementary programs. Our school counselor is available as a resource to students, teachers, and parents in addressing many of the developmental needs of upper elementary students.

INSTRUCTIONAL SUPPORT (SPECIAL EDUCATION)

Students suspected of having a disability that may require special education services are first referred to the Mast Landing Student Assistance Team (SAT). The classroom teacher completes a referral with the assistance of the SAT team, documenting interventions that have been tried. A plan will be put in place by the SAT team which may include a referral for special education evaluation if interventions are not successful. If the SAT team decides a referral is warranted, the first step is an IEP meeting, at which time the team decides if additional evaluations should be made.

Referral of a student can be made by parents, professional school staff, and/or other individuals or agency representatives knowledgeable about the child. Parent permission is required to proceed with the IEP referral process. (*See: Referral/Pre-Referral of Students with Disabilities, Policy IHBA*)

Occupational therapy, physical therapy, speech therapy, social work services and academic support are available to those students who qualify for these services.

SECTION 504/ADA PROCESS

All programs or activities offered by RSU 5 when viewed in their entirety shall be readily accessible to individuals with disabilities. Information relating to the existence and location of services, activities, and facilities that are accessible to and usable by individuals with disabilities

can be obtained by contacting the ADA/504 Compliance Coordinator: Office of the Superintendent, 17 West Street, Freeport, ME 04032 865-0928. Individuals who need auxiliary aids for effective communication in programs and services are invited to make their needs and preferences known to the ADA/504 Compliance Coordinator. This notice is available in large print and on audiotape from the ADA/504 Compliance Coordinator.

TRANSPORTATION

BUS PROCEDURES

Bus routes are posted on the RSU 5 website. Go to Departments: [Transportation](#) and select “Bus routes.”

Any change in your child’s transportation plan for the end of the day requires communication to the main office (via note, email, or phone call). Please ensure these changes are communicated to the office no later than 2pm.

Students are picked up and dropped off at assigned bus stops when they live more than one mile from the school. Children who are not riding their assigned buses or who are not getting off the bus at their assigned stop must have a “pink note” from the office (see Dismissal). Large objects may not be brought on the school buses without prior arrangement with the bus driver. Students should consult with their bus driver about the use of electronics on the bus. (*See: Student Transportation Services, Policy EEA*)

STUDENT CONDUCT ON BUSES

The law does not relieve parents of students from the responsibility of supervision before the child boards the bus in the morning and after the child leaves the bus at the end of the school day. Once a child boards the bus – and only at that time – does he/she become the responsibility of the school system. Such responsibility shall end when the child is delivered to the regular bus stop at the close of the school day.

In view of the fact that the bus is an extension of the classroom, the RSU Board requires children to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. In cases when a child does not conduct him/herself properly on a bus, such instances are to be brought to the attention of building administration by the bus driver.

Children who become a serious disciplinary problem on the bus may have their riding privileges suspended by the school administrator. In such cases, the parents of the children involved become responsible for seeing that their children get to and from school safely. (*See: Student Conduct on School Buses, Policy JICC*)

STUDENT BEHAVIOR EXPECTATIONS

The Mast Landing School staff have made a commitment to the Responsive Classroom framework, a way of teaching that emphasizes social, emotional, and academic growth in a strong and safe school community. Six principles guide the Responsive Classroom approach:

1. Teaching social and emotional skills is as important as teaching academic content.
2. How we teach is as important as what we teach.
3. Great cognitive growth occurs through social interaction.
4. What we know and believe about our students—individually, culturally, developmentally—informs our expectations, reactions, and attitudes about those students.
5. How we work together as adults to create a safe, joyful, and inclusive school environment is as important as our individual contribution or competence.
6. Partnering with families—knowing them and valuing their contributions—is as important as knowing the children we teach.


-Center for Responsive Schools



Aligned with this framework, we implement both proactive discipline--which helps students understand expectations and build students' skills--and reactive discipline to get back on track when they engage in misbehavior. To support this work, Mast Landing students across the grade levels collaborated to develop school-wide expectations, which are shown on the following page.

Be Fair: Making sure everyone gets what they need
Be Safe: Protecting ourselves and each other
Be Respectful: Caring about a person's feelings, learning, and ideas
Do Your Best: Choose to do your best effort, even when it is hard
Have Fun: Showing the ability and willingness to find the joy in experiences

When students engage in misbehavior, the school responds with the goals of maintaining the safety of students and structure of the learning environment, helping students to recognize and fix



their mistakes, and helping students to develop the skills to engage in expected behavior in the future. Staff will use logical consequences (practicing the expected behavior, fixing it, and/or reflection) to address minor misbehavior. A student engaging in severe or repetitive unsafe physical or emotional behavior or behavior that is significantly disruptive to the learning of others will meet with the principal or assistant principal.

District policy, including the System Wide Code of Conduct included in this handbook, will be followed at all times.

BULLYING/PEER MISTREATMENT

It is our mission to provide a safe, orderly, and respectful school environment conducive to teaching and learning for all students. No student should be afraid to go to school because of bullying, and no parent should be worried that their child may be bullied.

Any member of the school community should feel free to report bullying without fear of retaliation for reporting. An incident should be reported as soon as possible to the building principal. Bullying may be reported to the school by students, parents and staff.

The principal will ensure that all reports of bullying and retaliation are investigated promptly and that documentation of the investigation, including the substance of the complaint or report and the outcome of the investigation is prepared and forwarded to the Superintendent within a reasonable period of time. If bullying has been substantiated, the building principal or designee as appropriate under the circumstances will determine the appropriate disciplinary consequences, which may include detention, suspension or expulsion; alternative discipline; remediation; and /or other intervention. (*NEPN/NSBA Code: JICK-R*)

DRESS CODE

Students are required to dress appropriately while attending school. Appropriate attire is that which does not interfere with the instructional programs or otherwise cause disruption. Examples of attire that would be considered inappropriate include clothing that displays profane language, drugs, tobacco or alcohol advertisements, sexual innuendos and derogatory symbols such as swastikas or Confederate flags.



Students are encouraged to dress comfortably. Since outside recess is a regular part of our school day, we encourage your child to dress appropriately for the weather (e.g. warm clothing, hats, mittens and boots in cooler weather). You are encouraged to send in an extra set of dry clothing to be stored in your child's lock. Please label your children's outerwear so that we may more effectively help them keep track of their clothing.

State laws prohibit bare feet in public buildings.

CELEBRATIONS

Staff members at Mast Landing School recognize the importance of birthdays and other celebrations. In an effort to respect the diverse population at the Mast Landing School, students are not allowed to bring food and/or gifts to Mast Landing School for birthday celebrations. Classrooms will recognize/celebrate birthdays in a way determined by each teacher and class. Some examples of these celebrations may include songs, cards, crowns, cheers, favorite books, games/ activities, etc.


STUDENT HEALTH AND SAFETY

ACCIDENTS

Accidents and illnesses which occur at school or at a school function are reported to the office and recorded. Minor accidents will be handled at school. If they are considered serious, the school nurse will notify parents. If the parents cannot be contacted, the person designated as an emergency contact will be notified. The school is not liable for accidents which happen at school, on school vehicles, or at school functions.

ILLNESS

If a child is ill, he/she should stay home and/or be taken to a physician. Contagious diseases (chicken pox, conjunctivitis, impetigo, mononucleosis, lice, ringworm, scabies, strep throat, etc.)



must be reported to manage school wide infection. (See: *Communicable/Infectious Diseases, Policy JLCC*).

If your child is going to be absent, please notify the school of the absence and symptoms or disease. A message can be left at the office anytime (night or day) by calling 865-4561. We do ask that you please notify the office of a student absence by 9:00 a.m.

In the event your child becomes injured or ill during the school day, he/she will be assessed by the nurse or designated school personnel. Parents will be notified if a child requires medical attention or dismissal.

IMMUNIZATIONS

Immunizations are required according to state law. Contagious diseases (chicken pox, conjunctivitis, impetigo, mononucleosis, ringworm, scabies, strep throat, etc.) must be reported to manage school wide infection. (See: *Immunization of Students, Policy JLCB*)

MEDICATION

Students shall not be permitted to carry and self-administer medicine in school except under very special circumstances – as requested and prescribed by the student’s physician and approved by the school nurse. If, in certain instances, it is necessary for a student to have medication administered to him/her while in attendance at school, the nurse or designee will administer medication to the child. A parent must sign and provide the name and purpose of the medication, prescribed dosage, time to be administered, termination date, possible side effects, written order of the prescribing physician, and the physician’s signature. Medication cannot be sent to school with your child. Any medication must be brought to school in the original container by a parent/guardian. (See: *Administering Medication to Students, Policy JLCD*)

STUDENT PROPERTY

VALUABLES

Students are asked not to bring money and/or items of value to school, including trading (Pokemon, etc.) cards.. The school will not be responsible for items brought to school. Students are prohibited from buying, selling and trading items at school.

LOCKERS

Student use of all school storage facilities, including but not limited to, lockers, desks and parking lots used by students for the storage of their personal items are school property and shall remain at all times under the control, custody and supervision of the school authorities. Students may not use locks on their locker. School administrators/designees have the authority, at any time and without prior notice, to inspect and search storage facilities and their contents. (See: *Questioning and Searches of Students, Policy JIH*)



LOST AND FOUND

An area for lost and found items is maintained in the cubbies inside the cafeteria. Several times a year the unclaimed items are donated to Freeport Community Services. Please label your child's clothing, lunchbox, and backpack to ensure lost items make their way back to you.

ELECTRONIC DEVICES/TECHNOLOGY

In order to promote a strong learning environment in which students can maintain focus on learning and on developing strong social connections, cell phones, smart watches, music players, video equipment or other similar devices, are not permitted to be used upon entrance to the school building. We encourage students to leave these items at home. If students do choose to bring these devices to school, the devices must remain deactivated and out of sight during school hours. Students who have these items out during the day will forfeit the item for the remainder of the school day. The school is not responsible for lost, damaged or stolen items, or the misuse of the device by another person.

Mast Landing School provides computers, networks and Internet access that are used in classrooms and are for educational use only. Students who are found mistreating technology equipment or using computers for non-educational purposes will be subject to disciplinary action. (See: *Student Computer and Internet Use and Internet Safety, Policy IJNDB*; *Student Computer and Internet Use and Internet Safety Rules, IJNDB-R*)

STUDENT RECORDS

Mast Landing School may disclose directory information (name, participation and grade level of students in recognized activities and sports, height and weight of student athletes, dates of attendance in the school unit, and honors and awards received) if it has provided notice to parents and has not received timely written notice refusing permission to designate such information as directory information. Identifying information, including name, grade level, etc. will not be published on the Internet without parent/guardian prior written consent.

In a health or safety emergency, education or health records may be disclosed to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals without prior written consent.

In accordance with Maine law, Mast Landing School will send student education records to the school unit to which a student applies for transfer, including disciplinary records, attendance records, special education records and health records (except for confidential health records for which consent for dissemination has not been obtained).

The Family Educational Rights and Privacy Act ("FERPA"), provides that parents may inspect and review the student's education records within 45 days of making a request. Such requests must be submitted to the building principal or Superintendent in writing and must identify the record(s) to

be inspected. (See: *Student Education Records and Information, Policy JRA and Annual Notice of Student Education Records and Information Rights, Policy JRA-E and JRA-R*)

TRANSFER STUDENTS

Mast Landing School, in accordance with 20A M.R.S.A. 6001-B, shall request all of a transfer student's education and disciplinary records from the school from which he/she is transferring. Mast Landing School may also request oral or written reports from the previous school as to whether the student has been expelled or suspended, or withdrew from school before an expulsion hearing or suspension. In such cases, the student will not be allowed to enroll in Mast Landing School until the Superintendent has made a determination as to whether to admit the student and if so, under what condition. If an applicant is allowed to enroll in Mast Landing School pending receipt of education and disciplinary records, such enrollment shall be considered conditional until the superintendent has made a determination as to the student's disciplinary status in the previous school. (See: *Admission of Resident Students, Policy JFAA*)

COMMUNITY INVOLVEMENT

VOLUNTEER OPPORTUNITIES

There are many ways for parents and community members to become involved at the school--PTC, volunteering in the classroom or library, chaperoning field trips, etc. Classroom teachers will communicate his or her volunteer needs directly to families. In order to maximize the volunteer experience for all, please do not show up unannounced or bring siblings while volunteering. Volunteers are expected to respect the confidential nature of working in a school environment.

In order to ensure confidentiality, volunteers must complete a [brief application form](#) and clear a background check prior to volunteering. Since this process can take up to a week to clear, we recommend that potential volunteers complete these steps at the start of the school year.

VISITING THE SCHOOL

Parents are always welcome at school. If you would like to visit the classroom or meet with your child's teacher please schedule the visit in advance with the classroom teacher. Mrs. Grimm is available by appointment to provide tours of the school, discuss your child, answer questions, and receive feedback about the school. To help ensure the safety of our students, all visitors must register at the office upon entering the building and obtain a visitor pass. Visitors must return their pass when they sign out.





SECURE FIREARM NOTIFICATION

Dear RSU 5 Families, Guardians, and Caregivers,

Since 2018, there have been more than 100 school shooting incidents per year in our country and those numbers have steadily increased. In addition, nearly 20 percent of all childhood deaths are caused by firearms. Proper firearm storage is one preventative action we can take to keep members of our school community safe. When firearms are stored safely, it can help prevent them from getting into the hands of children and teens, who may use them, intentionally or unintentionally, to harm themselves or others.

On July 1, 2021 the state of Maine amended the child endangerment laws to include unauthorized access to firearms for children under 16. The intention of the law is to protect children from death and injury from loaded firearms by enforcing the use of safe storage. Individuals found in violation of the law can face criminal charges.

Effective firearm storage practices include:

- Safely storing unloaded firearms in a tamper proof locked cabinet, box, safe, firearm vault, or storage case that children or other unauthorized adults cannot access.
- Safely storing ammunition in a separate, tamper-proof locked cabinet, safe, firearm vault, or storage case that children or other unauthorized adults cannot access.
- Securing firearms using trigger locks or cable locks to prevent a firearm from firing.

Recognizing that safe firearm storage can help prevent and minimize the risk of firearm-related deaths and injuries, the RSU 5 Board of Directors adopted the Secure Storage Notification Resolution on June 15, 2022. RSU 5 remains committed to helping ensure the safety of our students and community.

Together, we can help to reduce the risk that weapons get into the wrong hands and avoid the tragedy that shootings of any kind cause in the spaces in which we live, learn, work and play.

For more information on safe gun storage, visit [Reducing Gun Violence at the U.S. Department of Justice website](#).

Sincerely,
Tom Gray, Superintendent of Schools



NOTICE OF NONDISCRIMINATION

The RSU No. 5 School Department does not discriminate on the basis of race, color, sex, sexual orientation, religion, ancestry or national origin, age, or disability in admission to, access to, treatment in or employment in its programs and activities. The following person has been designated to handle inquiries regarding the nondiscrimination policies.

Office of the Superintendent
17 West Street
Freeport, ME 04032
(207) 865-0928

Inquiries concerning the application of nondiscrimination procedures may also be referred to the Regional Director, Office of Civil Rights, U.S. Department of Education, 33 Arch Street, 9th Floor, Boston, MA 02110. (See: *Non-Discrimination/ Equal Opportunity and Affirmative Action, Policy AC; Harassment and Sexual Harassment of Students, Policy ACAA; and Student Discrimination and Harassment Complaint Procedure, Policy ACAA-R*)

RELEVANT DISTRICT POLICIES

NEPN/NSBA Code: JIC


SYSTEM-WIDE STUDENT CODE OF CONDUCT

Ethical and responsible student behavior is an essential part of the educational mission of our schools. To that end, the Board has developed this System-Wide Code of Conduct with input from school staff, students, parents and the community. The Code defines our expectations for student behavior and provides the framework for a safe, orderly and respectful learning environment.

A. Standards for Ethical and Responsible Behavior

The Code of Conduct is intended to support and encourage students to meet the following state-wide standards for ethical and responsible behavior

- Respect
- Honesty
- Compassion
- Fairness
- Responsibility
- Courage



B. Code of Conduct

All students are expected to comply with the Code of Conduct and all related Board policies and school rules. The Code applies to students:

- on school property,
- while in attendance at school or at any school-sponsored activity, or
- at any time or place that such conduct directly interferes with the operations, discipline or school environment.

C. General Behavior Expectations

The following expectations for student behavior are fundamental to a safe, orderly and respectful environment in our schools. Each student should:

1. Be courteous to fellow students, staff and visitors.
2. Respect the rights and privileges of other students and school staff.
3. Obey all Board policies and school rules governing student conduct.
4. Follow directions from school staff.
5. Cooperate with staff in maintaining school safety, order and discipline.
6. Attend school regularly.
7. Meet school standards for dress.
8. Respect the property of others, including school property and facilities.
9. Refrain from cheating or plagiarizing the work of others.
10. Refrain from vulgarity, profanity, obscenity, lewdness, and indecency

D. Discipline

Violations of the Code of Conduct may result in positive and restorative interventions and/or disciplinary action. Administrators have the discretion to tailor discipline to the facts and circumstances of the particular case. Consequences will range from a verbal warning for minor misconduct up to and including expulsion for the most serious offenses. Behavior that also violates the law may be referred to law enforcement authorities.

E. Expectations Related to Policy

The following lists Board adopted policies related to expectations for student behavior. Students, parents and others should refer to the policies and student handbooks for detailed information about the expectations and consequences.

Expectations	Related Policies
Violence and Threats	JICIA Weapons, Violence and School Safety
	JICK Bullying
	EBCC Bomb Threats
Weapons	JICIA Weapons, Violence and School Safety
	JICK Bullying
Hazing	ACAD Hazing
Discrimination and Harassment/Sexual Harassment	AC Non-Discrimination/Equal Opportunity and Affirmative Action
	ACAA Harassment and Sexual Harassment of Students
Bullying	JICIA Weapons, Violence and School Safety
	JICK Bullying
Drug and Alcohol Use	JICH Drug and Alcohol Use by Students
Tobacco Use and Vaping	ADC Tobacco Use and Possession
Conduct on School Buses	JICC Student Conduct on School Buses
Technology/Internet Use	IJNDB Student Technology, Internet Use, and Internet Safety

F. Athletic/Co-Curricular Activities

Students must follow all RSU No. 5 Board policies and school rules while participating in athletics and co-curricular activities. Students who violate policies and rules may be subject to suspension or removal from the team/activity as well as additional disciplinary action under applicable Board policies and/or school rules.

G. Removal of Disruptive/Violent/Threatening Students

1. Students who are disruptive, violent or threatening death or bodily harm to others may be removed from classrooms, school buses, or other school property when necessary to maintain order and safety. The staff member who orders the student removed should arrange to have the student escorted to the office or other designated location.
2. If a student does not comply with a staff member's order to leave, the staff member will contact an administrator, or, if not available, another trained staff member, who shall respond promptly.
3. Staff members should not use physical force or restraint, except to the minimum extent necessary to protect any person from imminent physical harm. Staff members are not required to take action that puts them at risk of serious injury.
4. The responding administrator will take appropriate action. If the student fails to obey verbal directions, force or restraint may be used only to the minimum extent necessary to protect any person from imminent physical harm or to quell a disturbance. Whenever practicable, law enforcement should be called to restrain or physically remove the non-compliant student. The administrator may invoke the school unit's crisis response plan if appropriate.

H. Special Services

1. **Referral.** In some cases, a student may be referred for a special education evaluation. The school unit has adopted policies and procedures for determining when a student shall be referred for special services.
2. **Review of Individual Educational Plan.** For students with disabilities, the school shall schedule an IEP meeting to review the IEP of a student who has been removed from class when: a) school officials and/or the parent believes the student may present a substantial likelihood of injury to himself/herself or other; b) the class removals are sufficient to constitute a change in the student's special education program; or c) school officials or the parent/guardian believes that the student's behavior may warrant a change in educational programming.

I. Referrals to Law Enforcement Authorities

The Superintendent and administrators have the authority to seek the assistance of law enforcement authorities when there is a substantial threat to the safety of the students, staff, or schools. The Superintendent/administration may also inform law enforcement authorities when they have reason to suspect that a student or staff member may have violated a local, state or federal statute. All serious offenses, as determined by the Superintendent, must be reported to law enforcement authorities.

J. Dissemination of System-Wide Student Code of Conduct

The System-Wide Student Code of Conduct shall be distributed to staff, students and parents through handbooks and/or other means selected by the Superintendent and building administrators.

Cross Reference:

AC – Nondiscrimination

ACAA – Harassment and Sexual Harassment of Students

ACAD – Hazing

ADC – Tobacco Use and Possession

EBCC – Bomb Threats

IHBAA – Referral/Pre-Referral Policy of Students with Disabilities IHBAC – Child Find

IJNDB – Student Computer and Internet Use

JICC – Student Conduct on School Buses

JICH – Drug and Alcohol Use by Students

JICIA – Weapons, Violence and School Safety

JICK – Bullying

JK – Student Discipline

JKB – Detention of Students

JKD – Suspension of Students

JKE – Expulsion of Students

JKF – Disciplinary Removals of Students with Disabilities

KLG – Relations with Law Enforcement Authorities

Legal Reference: 20-A MRSA §§ 254 (11); 1001 (15), (15-A)

Adopted: March 24, 2010, Revised: January 23, 2013, Revised: October 23, 2019

NEPN/NSBA Code: AC

NONDISCRIMINATION/EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION

RSU No. 5 does not discriminate on the basis of sex or other protected categories in its education programs and activities, as required by federal and state laws/regulations.

Discrimination against and harassment of school employees because of race, color, sex, sexual orientation, gender identity, religion, ancestry or national origin, age, familial status, disability or genetic information are prohibited.

Discrimination against and harassment of students because of race, color, sex, sexual orientation, gender identity, religion, ancestry or national origin, or disability are prohibited.

The Board directs the school administration to implement a continuing program designed to prevent discrimination against all applicants, employees, students and other individuals having access rights to school premises and activities.

RSU No. 5 has designated and authorized an Affirmative Action Officer/Title IX Coordinator who is responsible for ensuring compliance with all federal and state requirements relating to nondiscrimination, including sexual harassment. The Affirmative Action Officer/Title IX Coordinator is a person with direct access to the Superintendent.

RSU No. 5 has implemented complaint procedures for resolving complaints of discrimination/harassment and sexual harassment under this policy. RSU No. 5 provides required notices of these complaint procedures and how they can be accessed, as well as the school unit's compliance with federal and state civil rights laws and regulations to all applicants for employment, employees, students, parents and other interested parties.

Legal Reference: Equal Employment Opportunity Act of 1972 (P.L. 92-261), amending Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000 (e) et seq.)
Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.);
34 C.F.R. Part 106 (Title IX regulations)
Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d)
Age Discrimination in Employment Act of 1967 (29 U.S.C. § 621 et seq.)
Equal Pay Act of 1963 (29 U.S.C. § 206)
Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. § 794 et seq.), as amended
Americans with Disabilities Act (42 U.S.C. § 12101 et seq.), as amended
Genetic Information Nondiscrimination Act of 2008 (42 U.S.C. § 2000ff et seq.)
Maine Human Rights Act (5 MRSA § 4551 et seq.), as amended

Cross Reference: RSU5 Affirmative Action Plan
ACAA – Harassment and Sexual Harassment of Students
ACAA-R – Student Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedures
ACAB – Harassment and Sexual Harassment of School Employees NEPN/NSBA Code: AC
RSU No. 5 School Department
ACAB-R – Employee Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedures

Procedures Adopted: May 27, 2009

Revised: December 8, 2010

Revised November 20, 2013

Reviewed: June 12, 2019

Revised: October 14, 2020

Revised: May 11, 2022

Revised: December 11, 2024


Revised: February 26, 2025

NEPN/NSBA Code: ACAA

HARASSMENT AND SEXUAL HARASSMENT OF STUDENTS

Harassment of students because of race, color, sex, sexual orientation, gender identity, religion, ancestry or national origin, or disability is prohibited. Such conduct is a violation of Board policy and may constitute illegal discrimination under state and federal laws.

Race includes traits associated with race, including hair texture, Afro hairstyles, and protective hairstyles, including braids, twists, and locks.



School employees, fellow students, volunteers, visitors to the schools, and other persons with whom students may interact in order to pursue or engage in education programs and activities, are required to refrain from such conduct.

Harassment and sexual harassment of students by school employees is considered grounds for disciplinary action, up to and including discharge. Harassment and sexual harassment of students by other students is considered grounds for disciplinary action, up to and including expulsion. The Superintendent will determine appropriate sanctions for harassment of students by persons other than school employees and students.

A. Harrassment

Harassment includes, but is not limited to, verbal abuse and other offensive conduct based on race, color, sex, sexual orientation, gender identity, religion, ancestry or national origin, or disability. Harassment that rises to the level of physical assault, battery and/or abuse, and/or bullying behavior are also addressed in Board Policies JICIA – Weapons, Violence and School Safety and JICK – Bullying.

B. Sexual Harassment

Sexual harassment is addressed under federal and state laws/regulations. The scope and definitions of sexual harassment under these laws differ, as described below.

1. Title IX Sexual Harassment

Under the federal Title IX regulations, sexual harassment includes the following conduct on the basis of sex which takes place within the context of the school unit's education programs and activities:

- a. "Quid pro quo" sexual harassment by a school employee: Conditioning a school aid, benefit or service (such as a better grade or a college recommendation) on an individual's participation in unwelcome sexual conduct;
- b. "Hostile environment" sexual harassment: Unwelcome conduct based on sex that a reasonable person would determine is so severe, pervasive and objectively offensive that it effectively denies an individual's equal access to the school unit's education programs and activities; or
- c. Sexual assault, dating violence, domestic violence and stalking as these terms are defined in federal laws.

2. Sexual Harassment Under Maine Law

Under Maine law, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature in the following situations:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of a student's educational benefits;
- b. Submission to or rejection of such conduct by a student is used as the basis for decisions on educational benefits; or
- c. Such conduct has the purpose and effect of substantially interfering with a student's academic performance or creates an intimidating, hostile or offensive environment.

C. Reports and Complaints of Harassment or Sexual Harassment

All RSU No. 5 employees are required to report possible incidents of harassment or sexual harassment involving students to the Affirmative Action Officer/Title IX Coordinator or. Failure to report such incidents may result in disciplinary action.

Students, parents/legal guardians and other individuals are strongly encouraged to report possible incidents of harassment or sexual harassment involving students to the Affirmative Action Officer/Title IX Coordinator. The Affirmative Action Officer/Title IX Coordinator is also available to answer questions and provide assistance to any individual who is unsure whether harassment or sexual harassment has occurred.

All reports and complaints of harassment or sexual harassment against students shall be addressed through the Student Discrimination/Harassment and Title IX Sexual Harassment Procedures (ACAA-R).

Legal Reference:

Americans with Disabilities Act (42 U.S.C. §12101 et seq., as amended; 28 C.F.R. § 35.107)

Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. § 794 et seq., as amended; 34 C.F.R. § 104.7)

Title IX of the Education Amendments of 1972 (20 USC § 1681, et seq.); 34 C.F.R. Part 106

Clery Act (20 U.S.C. §1092(f)(6)(A)(v) - definition of sexual assault)

Violence Against Women Act (34 U.S.C. § 1092(f)(6)(A)(v) – definition of sexual assault; 34 U.S.C. § 12291(a)(10) – dating violence; 34 U.S.C. §12291(a)(3) – definition of stalking; 34 U.S.C. §12291(a)(8) – definition of domestic violence)

Title VI of the Civil Rights Act of 1964 (42 USC § 2000d)

Maine Human Rights Act, 5 MRSA § 4551 et seq. 20-A MRSA § 6553

MHRC/MDOE Joint Rule Chapter 94-348 and 05-071, ch. 4

Cross Reference:

ACAA-R – Student Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedures

AC – Nondiscrimination/Equal Opportunity and Affirmative Action

ACAD – Hazing

GBEBB – Staff Conduct with Students

JICIA – Weapons, Violence and School Safety

JICK - Bullying

Adopted: May 27, 2009

Reviewed: December 8, 2010; November 20, 2013; June 12, 2019

Revised: October 14, 2020

Revised: February 26, 2025

NEPN/NSBA: ACAA-R

STUDENT DISCRIMINATION/HARASSMENT AND TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES

The RSU No. 5 Board has adopted these student procedures in order to provide prompt and equitable resolution of reports and complaints of unlawful discrimination and harassment of students, including sexual harassment, as described in policies AC – Nondiscrimination/Equal Opportunity and Affirmative Action and ACAA – Harassment and Sexual Harassment of Students.

Complaints alleging unlawful harassment or discrimination against employees based on a protected category should be addressed through the Board's Employee Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedures (ACAB-R).

Any individual who is unsure about whether unlawful discrimination or harassment has occurred and/or or which complaint procedure applies is encouraged to contact the Affirmative Action Officer/Title IX Coordinator.

Cynthia Alexander
Assistant Superintendent
17 West Street
Freeport, ME 04032
207-865-0928
alexanderc@rsu5.org

Charlie Mellon
Assistant Principal, FHS
30 Holbrook Street
Freeport, ME 04032
207-865-4706
mellonc@rsu5.org

Section 1. Definitions

For purposes of these complaint procedures, the following definitions will be used. The Affirmative Action Officer/Title IX Coordinator shall assess all reports and complaints to ensure that they are addressed under the appropriate policy and complaint procedure.

A. Discrimination/Harassment Complaint Procedure Definitions

1. "Discrimination or harassment": Discrimination or harassment on the basis of an individual's membership in a protected category, which, for students, includes race (including traits associated with race involving hair texture, Afro hairstyles and protective hairstyles such as braids, twists and locks), color, sex, sexual orientation, gender identity, religion, ancestry, national origin or disability.

2. "Discrimination": Treating individuals differently, or interfering with or preventing them from enjoying the advantages or privileges afforded to others because of their membership in a protected category.

3. "Harassment": Oral, written, graphic, electronic or physical conduct relating to an individual's actual or perceived membership in a protected category that is sufficiently severe, pervasive or persistent so as to interfere with or limit that individual's ability to participate in RSU No. 5's programs or activities by creating a hostile, intimidating or offensive Environment.

4. "Sexual harassment": Under Maine law, this means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature in the following situations:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of a student's educational benefits;
- b. Submission to or rejection of such conduct by a student is used as the basis for decisions on educational benefits; or
- c. Such conduct has the purpose and effect of substantially interfering with a student's academic performance or creates an intimidating, hostile or offensive environment.

5. "Sexual orientation": Under Maine law, this means a person's "actual or perceived

heterosexuality, bisexuality, homosexuality or gender identity or expression.”

6 “Gender identity”: Under Maine law, this means “the gender-related identity, appearance, mannerisms or other gender-related characteristics of an individual, regardless of the individual’s assigned sex at birth.”

7. “Complaint” is defined as an allegation that a student has been discriminated against or harassed on the basis of race, color, sex, sexual orientation, gender identity, religion, ancestry, national origin or disability (and not otherwise addressed in the Title IX regulations and Section 3 of ACAA-R).

8. Complaints of bullying not involving the protected categories or definitions described above may be addressed under Board Policy JICK – Bullying and Cyberbullying of Students.

B. Title IX Sexual Harassment Complaint Procedure Definitions

1. “Sexual Harassment”: Under the federal Title IX regulations, sexual harassment includes the following conduct on the basis of sex which takes place within the context of RSU No. 5’s education programs and activities:

a. “Quid pro quo” sexual harassment by a school employee: Conditioning a school aid, benefit or service (such as a better grade or a college recommendation) on an individual’s participation in unwelcome sexual conduct;

b. “Hostile environment” sexual harassment: Unwelcome conduct based on sex that a reasonable person would determine is so severe, pervasive and objectively offensive that it effectively denies an individual’s equal access to RSU No. 5’s education programs and activities; or

c. Sexual assault, dating violence, domestic violence and stalking as these terms are defined in federal laws.

2. “Report”: Under the Title IX regulations, any individual may make a report of sexual harassment involving a student, whether the individual is the alleged victim or not. School employees are required to report possible incidents of sexual harassment involving a student. A report must be made to the Affirmative Action Officer/Title IX Coordinator. A report triggers certain actions by the AAO/Title IX Coordinator for the alleged victim of sexual harassment, but an investigation is not conducted unless a “Formal Complaint” is filed.

3. “Formal Complaint”: Under the Title IX regulations, the alleged victim of sexual harassment can file a written complaint that triggers the complaint procedure in Section 3 of ACAA-R. Only a student and/or their parent/legal guardian (and in certain circumstances, the AAO/Title IX Coordinator) may file a formal complaint.

4. “Student”: For the purposes of this procedure, a student is an individual who is enrolled or participating in RSU No. 5’s education programs and activities, or is attempting to enroll or Participate.

Section 2. Discrimination/Harassment Complaint Procedure

This procedure should be used for any complaint of unlawful harassment or discrimination complaint based on a protected category which does not involve Title IX sexual harassment (which is addressed in Section 3).

A. How to Make A Complaint

1. School employees are required to promptly make a report to the AAO/Title IX Coordinator if they have reason to believe that a student has been discriminated against or harassed.
2. Students (and others) who believe that they, or another student has been harassed or discriminated against should report their concern promptly to the AAO/Title IX Coordinator.
3. The individual making the report must provide basic information in writing concerning the allegation of harassment or discrimination (i.e., date, time, location, individual(s) who allegedly engaged in harassment or discrimination, description of allegation) to the AAO/Title IX Coordinator.
4. If an individual is unsure as to whether unlawful discrimination or harassment has occurred, or who need assistance in preparing a written complaint, they are encouraged to discuss the matter with the AAO/Title IX Coordinator.
5. Individuals will not be retaliated against for reporting suspected discrimination or harassment, or for participating in an investigation. Retaliation is illegal under federal and state nondiscrimination laws, and any retaliation will result in disciplinary action, up to and including discharge for employees, and expulsion for students.
6. Individuals are encouraged to utilize RSU No. 5's complaint procedure. However, individuals are hereby notified that they also have the right to report incidents of discrimination or harassment to the Maine Human Rights Commission, 51 State House Station, Augusta, Maine 04333 (telephone: 207-624-6290) and/or to the federal Office for Civil Rights, U.S. Department of Education, 5 Post Office Square, 8th Floor, Boston, MA 02109-3921 (telephone: 617-289- 0111).

B. Complaint Handling and Investigation

1. The AAO/Title IX Coordinator will promptly inform the Superintendent and the person who is the subject of the complaint (respondent) that a complaint has been received.
2. The AAO/Title IX Coordinator may pursue an informal resolution of the complaint with the agreement of the parties involved. Any party to the complaint may decide to end the informal resolution process and pursue the formal process at any point. Any informal resolution is subject to the approval of the parties and the Superintendent, who shall consider whether the resolution is in the best interest of RSU No. 5 and the parties in light of the particular circumstances and applicable policies and laws.
3. The AAO/Title IX Coordinator may implement supportive measures to a student to reduce the risk of further discrimination or harassment to a student while an investigation is pending. Examples of supportive measures include, but are not limited to, ordering no contact between the

individuals involved or changing classes.

4. The complaint will be investigated by a trained internal or external individual designated by the Superintendent and the AAO/Title IX Coordinator. Any complaint about an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. Any complaint about the Superintendent should be submitted to the Chair of the Board, who should consult with legal counsel concerning the handling and investigation of the complaint.

5. The investigator shall consult with the AAO/Title IX Coordinator as agreed during the investigation process.

6. The respondent will be provided with an opportunity to be heard as part of the investigation. The complainant shall not be required to attend meetings with the respondent, but may choose to do so as part of an informal resolution process.

7. The complainant and the respondent may suggest witnesses to be interviewed and/or submit materials they believe are relevant to the complaint.

8. If the complaint is against an employee of RSU No. 5, any rights conferred under an applicable collective bargaining agreement shall be applied.

9. Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

10. The investigation shall be completed within 40 business days of receiving the complaint, if practicable. Reasonable extensions of time for good reason shall be allowed.

11. The investigator shall provide a written report and findings to the AAO/Title IX Coordinator.

C. Findings and Subsequent Actions

1. The AAO/Title IX Coordinator shall consult with the Superintendent concerning the investigation and findings.

2. If there is a finding that discrimination or harassment occurred, the AAO/Title IX Coordinator, in consultation with the Superintendent shall:

- a. Determine what remedial action, if any, is required to end the discrimination or harassment, remedy its effect and prevent recurrence; and
- b. Determine what disciplinary action should be taken against the individual(s) who engaged in discrimination or harassment, if any.

3. Inform the complainant and the respondent in writing of the results of the investigation and its resolution (in accordance with applicable state and federal privacy laws).

D. Appeals

1. After the conclusion of the investigation, the complainant or respondent may seek an appeal of the findings solely on the basis of either: (a) prejudicial procedural error or (b) the discovery of

previously unavailable relevant evidence that could significantly impact the outcome.

2. Appeals must be submitted in writing to the Superintendent within five business days after receiving notice of the resolution.

3. Upon receipt of a valid appeal, the Superintendent shall provide notice to the other party, along with an opportunity to provide a written statement within five business days.

4. The Superintendent shall review the available documentation and may conduct further investigation if deemed appropriate.

5. The Superintendent's decision on the appeal shall be provided to the parties within 10 business days, if practicable. The Superintendent's decision shall be final.

E. Records

The AAO/Title IX Coordinator shall keep a written record of the complaint process.

Section 3. Title IX Sexual Harassment Complaint Procedure

This section should be used only for complaints of Title IX sexual harassment as defined in Section 1.B.1.

A. How to Make A Report

1. School employees who have reason to believe that a student has been subjected to sexual harassment are required to promptly make a report to the AAO/Title IX Coordinator.

2. Students, parents/legal guardians or other individuals who believe a student has been sexually harassed are encouraged to make a report to the AAO/Title IX Coordinator.

3. If the individual making the report is the alleged victim, or if the alleged victim is identified by the individual making the report, the AAO/Title IX Coordinator will meet with the alleged victim to discuss supportive measures that may be appropriate in the particular circumstances and explain the process for filing a formal complaint.

a. Supportive measures are individualized measures designed to ensure the student can continue to access educational programs and activities (such as requiring no contact between individuals or changing classes).

b. Supportive measures may be continued even if the alleged victim chooses not to file a formal complaint, if appropriate under the particular circumstances.

4. RSU No. 5 cannot provide an informal resolution process for resolving a report unless a formal complaint is filed.

5. Individuals will not be retaliated against for reporting sexual harassment, or for participating in an investigation. Retaliation is illegal under federal and state nondiscrimination laws, and any retaliation will result in disciplinary actions, up to and including discharge for employees, or expulsion for students.

6. Any student (or their parent/legal guardian) who believes they have been the victim of sexual harassment is encouraged to utilize RSU No. 5's complaint procedure. However, students (and their parents/legal guardians) are hereby notified that they also have the right to report sexual harassment to the Maine Human Rights Commission, 51 State House Station, Augusta, Maine 04333 (telephone: 207-624-6290) and/or to the federal Office for Civil Rights, U.S. Department of Education, 5 Post Office Square, 8th Floor, Boston, MA 02109-3921 (telephone: 617-289- 0111).

7. The Superintendent shall be informed of all reports and formal complaints of sexual harassment.

B. How to Make A Formal Complaint

1. An alleged student victim and/or their parent/legal guardian may file a formal written complaint requesting investigation of alleged Title IX sexual harassment. The written complaint must include basic information concerning the allegation of sexual harassment (i.e., date, time, location, individual(s) who allegedly engaged in sexual harassment, description of allegation). Students who need assistance in preparing a formal written complaint, are encouraged to consult with the AAO/Title IX Coordinator.

2. In certain circumstances, the AAO/Title IX Coordinator may file a formal complaint even when the alleged victim chooses not to. Examples include if the respondent (person alleged to have engaged in sexual harassment) has been found responsible for previous sexual harassment or there is a safety threat within RSU No. 5. In such cases, the alleged victim is not a party to the case, but will receive notices as required by the Title IX regulations at specific points in the complaint process.


3. In accordance with the Title IX regulations, the AAO/Title IX Coordinator must dismiss a formal complaint under this Title IX procedure if: a) the conduct alleged in the formal complaint does not constitute sexual harassment under the Title IX regulations and this policy; or b) if the conduct alleged did not occur within the scope of RSU No. 5's education programs and activities, or c) did not occur in the United States.

4. In accordance with the Title IX regulations, the AAO/Title IX Coordinator may dismiss a formal complaint under this Title IX procedure if: a) a complainant withdraws the formal complaint, or withdraws particular allegations within the complaint; b) the respondent is no longer employed by or enrolled in RSU No. 5; or c) there are specific circumstances that prevent RSU No. 5 from gathering evidence sufficient to reach a determination regarding the formal complaint. However, if the conduct potentially violates other policies or laws, it may be addressed through the applicable Board policy/procedure.

5. If a formal complaint is dismissed under this Title IX procedure, the AAO/Title IX Coordinator will promptly and simultaneously send written notices to the parties explaining the reasons. Parties have the opportunity to appeal dismissals in accordance with subsection I below.

6. If the conduct alleged in a formal complaint potentially violates other laws, Board policies and/or professional expectations, RSU No. 5 may address the conduct under Section 2 or another applicable Board policy/procedure.

C. Emergency Removal or Administrative Leave

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1. The Superintendent may remove a student respondent from education programs and activities on an emergency basis during the complaint procedure:
 - a. If there is a determination (following an individualized safety and risk analysis) that there is an immediate threat to the physical health or safety of an individual arising from the allegations of sexual harassment. Examples of such circumstances might include, but are not limited to, a continued threat of violence against a complainant by a respondent, or a respondent's threat of self-harm due to the allegations.
 - b. The respondent (and their parent/legal guardian) will be provided notice of the emergency removal, and will be provided an opportunity to challenge the decision following the removal (this is an opportunity to be heard, not a hearing). The respondent has the burden to demonstrate why the emergency removal was unreasonable.
 2. The Superintendent may place an employee respondent on administrative leave during the complaint procedure in accordance with any applicable State laws, school policies and collective bargaining agreement provisions.
 3. Any decision to remove a respondent from education programs and activities on an emergency basis or place an employee on administrative leave shall be made in compliance with any applicable disability laws, including the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act and the Americans with Disabilities Act.

D. Notice to Parties of Formal Complaint

1. The Title IX Coordinator will provide to the parties written notice of the formal complaint and allegations of sexual harassment potentially constituting prohibited conduct under the Title IX regulations and this procedure. The notice shall include:
 - a. Notice regarding the complaint procedure and the availability of an informal resolution process;
 - b. Sufficient details known at the time (including identities of parties, if known; the conduct alleged; and the date and location of the alleged incident, if known), with sufficient time to prepare before any initial interview (not less than five business days);
 - c. As required by the Title IX regulations, a statement that the respondent is presumed not responsible for the alleged conduct and that a determination of responsibility will be made at the conclusion of the complaint); and that the parties may inspect and review evidence;
 - d. Notice that the parties may each have an advisor of their choice (who may be an attorney), and that the parties may inspect and review evidence;
 - e. Notice that knowingly making false statements or submitting false information during the complaint process is prohibited and may result in disciplinary action;
 - f. Notice of the name of the investigator, with sufficient time (no less than three business days) to raise concerns of conflict of interest or bias.
2. If additional allegations become known at a later time, notice of the additional allegations will be provided to the parties.
3. The AAO/Title IX Coordinator will discuss supportive measures with each party and implement such measures as appropriate.



E. Informal Resolution Process

After a formal complaint has been filed, and if the AAO/Title IX Coordinator believes the circumstances are appropriate, the AAO/Title IX Coordinator may offer the parties the opportunity to participate in an informal resolution process to resolve the complaint without completing the investigation and determination process. Informal resolutions cannot be used to resolve a formal complaint where a student is the complainant and the respondent is an employee.

Informal resolutions can take many forms, depending on the particular case. Examples include, but are not limited to, facilitated discussions between the parties; restorative justice; acknowledgment of responsibility by a respondent; apologies; disciplinary actions against a respondent or a requirement to engage in specific services; or supportive measures. Both parties must voluntarily agree in writing to participate in an informal resolution process, and either party can withdraw from the process at any time. The Superintendent must agree to the terms of any informal resolution reached between the parties. If an informal resolution agreement is reached, it must be signed by both parties and RSU No. 5. Any such signed agreement is final and binding according to its terms.

If an informal resolution process does not resolve the formal complaint, nothing from the informal resolution process may be considered as evidence in the subsequent investigation or determination.

F. Investigation

1. The complaint will be investigated by a trained internal or external individual designated by the Superintendent and AAO/Title IX Coordinator. Any complaint about an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. Any complaint about the Superintendent should be submitted to the Chair of the Board, who should consult with legal counsel concerning the handling and investigation of the complaint.

2. The investigator shall consult with the AAO/Title IX Coordinator as agreed during the investigation process.

3. If the complaint is against an employee of RSU No. 5, rights conferred under an applicable collective bargaining agreement shall be applied, to the extent they do not conflict with the Title IX regulatory requirements.

4. Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

5. The investigator will:

a. Meet with each party after they have received appropriate notice of any meeting and its purpose, with sufficient time to prepare.

b. Allow parties to have their advisor at all meetings related to the complaint, although advisors may not speak on behalf of a party or interfere with the process.

c. Allow parties a reasonable opportunity to identify witnesses and submit favorable and unfavorable evidence.

d. Interview witnesses and conduct such other activities that will assist in ascertaining facts (site visits, review of documents, etc.).

- e. Consider evidence that is relevant and directly related to the allegations in the formal complaint.
- f. During the course of the investigation, provide both parties with an equal opportunity to inspect and review any evidence that is obtained in the investigation that is directly related to the allegations in the formal complaint (including evidence which RSU No. 5 does not intend to rely upon in reaching a determination of responsibility), and favorable and unfavorable evidence.
- g. Prior to completion of the investigation report, provide each party and advisor (if any) the evidence subject to inspection and review, and provide the parties with ten business days to submit a written response.
- h. Consider the parties' written responses to the evidence prior to completing the investigation report.
- i. Create an investigative report that fairly summarizes relevant evidence and send the report to the parties and advisors (if any), for their review and written responses within ten business days of receipt.
- j. After receipt of the parties' written responses (if any), forward the investigation report and party responses to the assigned decision maker.

6. The investigation shall be concluded within 40 business days if practicable. Reasonable extension of time for good reason shall be allowed.

G. Determination of Responsibility

1. The decision maker shall provide the parties with the opportunity to submit written, relevant questions that the party wants asked of another party or witness within five business days of when the decision maker received the investigation report and party responses.
 - a. The decision maker shall explain to a party proposing questions if the decision maker excludes a question as not relevant.
2. Each party shall be provided the opportunity to review the responses of another party and/or witness, and to ask limited written follow-up questions within five business days of receiving the answers.
3. Each party will receive a copy of the responses to any follow-up questions.
4. The decision maker shall review the investigation report, the parties' responses and other relevant materials, applying the preponderance of the evidence standard ("more likely than not").
5. The decision maker shall issue a written determination, which shall include the following:
 - a. Identification of all the allegations potentially constituting sexual harassment as defined in the Title IX regulations and this policy;
 - b. A description of the procedural steps taken from receipt of the formal complaint through the determination, including notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and meetings held;
 - c. A determination regarding responsibility as to each allegation and findings of fact supporting the determinations;
 - d. A statement of, and rationale for, the result as to each allegation, including a

determination regarding responsibility, any disciplinary sanctions RSU No. 5 imposes on the respondent, and whether remedies designed to restore or preserve equal access to the RSU No. 5 programs and activities will be provided to the complainant;

e. RSU No. 5's appeal procedure and permissible bases for the parties to appeal the determination.

6. The written determination shall be provided to the parties simultaneously. The determination concerning responsibility becomes final either on the date that RSU No. 5 provides the parties with the written determination of the results of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which the appeal would no longer be considered timely.

H. Remedies, Discipline and Other Actions

1. Remedies

Remedies are measures used to ensure that the complainant has equal access to RSU No. 5's education programs and activities following the decision maker's determination. Such remedies may include supportive measures, and may include other appropriate measures, depending upon the determination and the needs of the complainant. The Title IX Coordinator is responsible for implementing remedies and providing any needed assistance to the Complainant.

2. Discipline and Other Actions - Students

The following are of the types of discipline and other actions that may be imposed on a student when there is a determination that they are responsible for one or more violations involving sexual harassment:

- In or out of school suspension.
- Expulsion.
- Restorative justice.
- Requirement to engage in an education or counseling program.

3. Discipline and Other Actions – Employees

The following are examples of the types of disciplinary actions that may be imposed on an employee when there is a determination that they are responsible for one or more violations involving sexual harassment:

- Written warning.
- Probation.
- Demotion.
- Suspension without pay.
- Discharge.

The following are examples of other types of actions that may be imposed on an employee when there is a determination of responsibility:

- Performance improvement plan.
- Counseling.
- Training.
- Loss of leadership/stipend position.

I. Appeals

The parties have the opportunity to appeal a determination regarding responsibility, and from dismissals of formal complaints. Under the Title IX regulations, appeals are allowed on the

following grounds:

1. A procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal of the formal complaint was made, that could affect the outcome of the matter; or
3. The Title IX Coordinator, investigator, or decision maker had a conflict of interest or bias for or against complainants or respondents generally, or the individual complainant or respondent that affected the outcome of the matter.

An appeal must be filed in writing within five business days of receiving the determination, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

1. Appeals must be filed with the Superintendent, who will consider the appeal.
2. The Superintendent shall notify the other party in writing of the appeal and will allow both parties to submit a written statement in support of or challenging the determination of the decision maker.
3. The Superintendent shall conduct an impartial review of the appeal, including consideration of the written record of the matter, and may consult with legal counsel or other RSU No. 5 officials in making their decision.
4. The Superintendent shall issue a written decision describing the result of the appeal and rationale for the result, and provide the written decision simultaneously to the parties. The decision will either deny the appeal; grant the appeal and remand to the decision maker for further consideration; or grant the appeal by revising the disciplinary or other action(s).

J. Records

Records in connection with sexual harassment reports and the complaint process shall be maintained for a minimum of seven years.

Legal Reference:

Americans with Disabilities Act (42 U.S.C. §12101 et seq., as amended; 28 C.F.R. § 35.107)

Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. § 794 et seq., as amended; 34 C.F.R. § 104.7)

Title IX of the Education Amendments of 1972 (20 USC § 1681, et seq.); 34 C.F.R. Part 106

Clery Act (20 U.S.C. §1092(f)(6)(A)(v) - definition of sexual assault)

Violence Against Women Act (34 U.S.C. § 1092(f)(6)(A)(v) – definition of sexual assault; 34 U.S.C. § 12291(a)(10) – dating violence; 34 U.S.C. §12291(a)(3) – definition of stalking; 34 U.S.C. §12291(a)(8) – definition of domestic violence)

Title VI of the Civil Rights Act of 1964 (42 USC § 2000d)

Maine Human Rights Act, 5 MRSA § 4551 et seq. 20-A MRSA § 6553
MHRC/MDOE Joint Rule Chapter 94-348 and 05-071, ch. 4

Cross Reference:

ACAA – Harassment and Sexual Harassment of Students
AC – Nondiscrimination/Equal Opportunity and Affirmative Action
ACAD – Hazing
GBEBB – Staff Conduct with Students
JICIA – Weapons, Violence and School Safety
JICK - Bullying

Adopted: May 27, 2009

Revised: December 8, 2010; November 28, 2012; November 20, 2013

Reviewed: June 12, 2019

Revised: October 14, 2020

Revised: February 26, 2025

NEPN/NSBA Code: ACAD

HAZING

Maine statute defines injurious hazing as "any action or situation, including harassing behavior, that recklessly or intentionally endangers the mental or physical health of any school personnel or a student enrolled in a public school."

It is the policy of the Board of Directors that injurious hazing activities of any type, either on or off school property, by any student, staff member, group or organization affiliated with this school unit, are inconsistent with the educational process and shall be prohibited at all times.

"Harassing behavior" includes acts of intimidation and any other conduct that recklessly or intentionally endangers the mental or physical health of a student or staff member

"Acts of intimidation" include extortion; menacing; direct or indirect threats of violence; incidents of violence; bullying; statements or taunting of a malicious and/or derogatory nature that recklessly or intentionally endanger the mental or physical health of another person; and property damage or theft.

No administrator, faculty member, or other employee of the school unit shall encourage, permit, condone, or tolerate injurious hazing activities. No student, including leaders of students organizations, shall plan, encourage, or engage in injurious hazing activities.

Students who violate this policy may be subject to disciplinary action which may include suspension, expulsion, or other appropriate measures. Administrators, professional staff, and all other employees who violate this policy may be subject to disciplinary action up to and including dismissal.

In the case of an organization affiliated with this school unit which authorizes hazing, penalties may include rescission of permission for that organization to operate on school property or to receive any other benefit of affiliation with the school unit.

Persons not associated with this school unit who fail to abide by this policy may be subject to ejection from school property and/or other measures as may be available under the law.

These penalties shall be in addition to any civil or criminal penalties to which the violator or organization may be subject.

The Superintendent/designee shall assume responsibility for administering this policy. In the event that an individual or organization disagrees with an action—or lack of action--on the part of the Superintendent as he/she carries out the provisions of this policy, that individual or organization may appeal to the Board. The ruling of the Board, with respect to the provisions of this policy, shall be final.

This right to appeal does not apply to student suspensions of 10 days or less or to matters submitted to grievance procedures under applicable collective bargaining agreements.

A copy of this policy shall be included in all school, parent, and employee handbooks or otherwise distributed to all school employees and students.

Legal Reference: 20-A MRSA § 6553

Cross Reference: ACAA - Harassment and Sexual Harassment of Students ACAB - Harassment and Sexual Harassment of Employees JICIA - Weapons, Violence and School Safety

Adopted: May 27, 2009

Revised: December 8, 2010

Reviewed: November 20, 2013

NEPN/NSBA Code: ADC

TOBACCO USE AND POSSESSION

In order to promote the health and safety of students, staff and visitors and in compliance with applicable state and federal laws, the RSU5 Board of Directors prohibits smoking and all other use of tobacco products in school buildings, and other school unit facilities, on school buses or in other school-owned vehicles, and on school grounds at all times by all persons.

In addition, students are further prohibited from possessing, selling, distributing or dispensing tobacco products in school buildings, facilities and on school grounds and buses during school-sponsored events and at all other times. Students are also prohibited from wearing and/or displaying any type of tobacco promotion materials.

Employees and all other persons are also strictly prohibited, under law and the Board of Directors' policy, from selling, distributing or in any way dispensing tobacco products to students.

Violation of this policy will be considered a serious offense. Disciplinary actions will be taken in accordance with school procedures.

All of these same prohibitions shall apply to electronic cigarettes and other devices designed to deliver nicotine through inhalation or "vaping", or used to simulate smoking.

Legal References: 22 MRSA § 1578-B, 1580(A)(3) Me. PL 470 (An Act to Reduce Tobacco Use By Minors) 20 USC 6081-6084 (Pro-Children Act of 1994)

Cross Reference: JL – Student Wellness KF – Community Use of School Facilities KHB – Advertising in the Schools

Adopted: May 27, 2009

Revised: December 8, 2010

Revised: November 30, 2011

Reviewed: November 20, 2013

Revised: October 28, 2015

NEPN/NSBA Code: EBCC

BOMB THREATS

The RSU No. 5 Board of Directors recognizes that bomb threats are a significant concern to the school unit. Whether real and carried out or intended as a prank or for some other purpose, a bomb threat represents a potential danger to the safety and welfare of students and staff and to the integrity of school property. Bomb threats disrupt the instructional program and learning environment and also place significant demands on school financial resources and public safety services. These effects occur even when such threats prove to be false.

Any bomb threat will be regarded as an extremely serious matter and treated accordingly. The Board directs the Superintendent to react promptly and appropriately to information concerning bomb threats and to initiate or recommend suitable disciplinary action.


A. Conduct Prohibited

No person shall make, or communicate by any means, whether verbal or non-verbal, a threat that a bomb has been, or will be, placed on school premises. Because of the potential for evacuation of the schools and other disruption of school operations, placement of a bomb or of a "look-alike" bomb on school premises will be considered a threat for the purpose of this policy.

It is also a violation of Board policy to communicate by any means that any toxic or hazardous substance or material has been placed, or will be placed, on school premises with the intent to endanger the safety and welfare of students or staff and/or to disrupt the operations of the schools. For the purpose of this policy, "toxic or hazardous substance or material" means any material or substance, including biomedical materials or organisms, that, when placed as threatened, could be harmful to humans.

B. Definitions:

1. A "bomb" means an explosive, incendiary or poison gas bomb, grenade, rocket, missile, mine, "Molotov cocktail" or other destructive device.
2. A "look-alike bomb" means any apparatus or object that conveys the appearance of a bomb or other destructive device.

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3. A "bomb threat" is the communication, by any means, whether verbal or non-verbal, that a bomb has been, or will be, placed on school premises, including possession or placement of a bomb or look-alike bomb on school premises.
 4. "School premises" means any school property and any location where any school activities may take place.

C. Development of Bomb Threat Procedures

The Superintendent/designee shall be responsible for developing and implementing procedures specific to bomb threats as part of RSU No. 5's Comprehensive Health and Safety and Emergency Management Plan. These procedures are intended to inform administrators and staff of appropriate protocols to follow in the event that a bomb threat is received and should include provisions to address:

1. Threat assessment (for the purpose of identifying a response that is in proportion to the threat, in light of what is necessary to ensure safety);
2. Building evacuation and re-entry (including selection of potential alternative sites for those who are evacuated);
3. Incident "command and control" (who is in charge, and when);
4. Communications contacts and mandatory bomb threat reporting;
5. Parent notification process;
6. Training for staff members, and
7. Support services for students and staff.

The initial bomb threat procedure will be subject to approval by the Board of Directors. The Superintendent/designee will be responsible for overseeing a review or evaluation of bomb threat procedures prior to the Board's required annual approval of the Comprehensive Health and Safety and Emergency Management Plan, or following implementation of the procedure in response to a specific threat.

D. Reporting of Bomb Threats

A student who learns of a bomb threat or the existence of a bomb on school premises must immediately report such information to the building principal, teacher, the School Resource Officer or other employee in a position of authority.

An employee of RSU No. 5 who learns of a bomb threat shall immediately inform the building administrator. The building administrator shall immediately take appropriate steps to protect the safety of students and staff in accordance with the school unit's bomb threat procedure, as developed under Section C, and inform the Superintendent of the threat.

All bomb threats shall be reported immediately to the local law enforcement authority, as provided in the bomb threat procedures.

The Superintendent shall be responsible for reporting any bomb threat to the Department of Education within two business days of the incident. Reports will include the name of the school, the

date and time of the threat, the medium used to communicate the threat, and whether or not the perpetrators have been apprehended.

E. Student Disciplinary Consequences

Making a bomb threat is a crime under Maine law. Any student suspected of making a bomb threat shall be reported to law enforcement authorities for investigation and possible prosecution. Apart from any penalty imposed by law, and without regard to the existence or status of criminal charges, a student who makes a bomb threat shall be subject to disciplinary action by the school.

The administration may suspend and/or recommend for expulsion any student who makes a bomb threat. The making of a bomb threat will be considered deliberately disobedient and deliberately disorderly within the meaning of 20-A M.R.S.A. Section 1001(9) and will be grounds for expulsion if found necessary for the peace and usefulness of the school.

In addition, a student who is found after hearing by the Board of Directors to have brought a bomb to school shall be expelled from school for at least one year in accordance with 20-A M.R.S.A. Section 1001(9-A) and Policy JICIA, except that the Superintendent may modify the requirement for expulsion based on individual circumstances.

A student who has been identified through the IEP process as having a disability and whose conduct in violation of this policy is related to the disability shall be disciplined as provided in Policy JKF.

F. Aiding Other Students in Making Bomb Threats

A student who knowingly encourages, causes, aids or assists another student in making or communicating a bomb threat shall be subject to the disciplinary consequences described in Section E of this policy.

G. Failure to Report a Bomb Threat

A student who fails to report information or knowledge of a bomb threat or the existence of a bomb or other destructive device in a school building or on school property may be subject to disciplinary consequences, which may include suspension and/or expulsion.

H. Staff Disciplinary Consequences

A school system employee who makes or communicates a bomb threat will be reported to appropriate law enforcement authorities and will be subject to disciplinary action up to and including termination of employment. Disciplinary action taken shall be consistent with collective bargaining agreements, other employment agreements and Board policies.

A school system employee who fails to report information or knowledge of a bomb threat or the existence of a bomb on school premises will be subject to discipline up to and including termination of employment.

I. Civil Liability

The school unit reserves the right to bring suit against any individual responsible for a violation of this policy and to seek restitution and other damages as permitted by law.

J. Lost Instructional Time

Instructional time lost as a result of a bomb threat will be rescheduled at the earliest practicable opportunity, as determined by the Superintendent in consultation with the Board of Directors.

Time lost may be rescheduled on a weekend or vacation day, or after what would normally be the last day of the school year, except on days when schools must be closed as required by law.

K. Notification Through Student Handbook

All student handbooks shall address the school unit's bomb threat policy and procedures and explain the educational consequences of bomb threats. In addition, student handbooks shall notify students and parents that bomb threats violate Board policy and civil and criminal law.

Legal References:

18 U.S.C. Section 921; 8921

17-A M.R.S.A. Section 210

20-A M.R.S.A. Section 263; 1001(9); 1001(9-A); 1001(17); 1001(18)

Ch. 125 10.06 (Me. Dept. of Ed. Rules)

Cross References:

EBCA - Comprehensive Health and Safety and Emergency Management Plan

JKD - Suspension of Students

JKE - Expulsion of Students

JKF - Suspension/Expulsion of Students with Disabilities

JICIA - Weapons, Violence and School Safety Student Code of Conduct

Adopted: June 24, 2009

Reviewed: December 14, 2011

Revised: January 25, 2017

Reviewed: October 25, 2023

NEPN/NSBA Code: EEA

STUDENT TRANSPORTATION SERVICES

This policy is meant to guide the provision of student transportation to and from school via school bus or van.

It is the responsibility of the Director of Transportation to develop, implement and, as necessary, alter all routes for the transportation of students; the Director will take into consideration safety, efficiency, and effectiveness of routes, as well as driver availability and any other unpredictable circumstances.

As part of this route-creation process, bus stops will also be determined/designated by the Director of Transportation. RSU No. 5 buses do not travel down private ways/roads; for these roads, stops will be placed at the entrance of these roads.

The Board of Directors will provide transportation for all students living beyond a reasonable distance from their school or from a scheduled bus stop as the Board has determined. This distance is defined as one mile.

Distance shall be measured by the shortest publicly traveled way from the residence to the bus stop or school door. In cases questioned, distance will be measured and established by the Superintendent or their designee.

Exceptions to the above distance shall be made for the following reasons only:

A. Health

Exceptions to established walking distances may be made for students with disabilities as required by their IEP or Individual Health Plan (504 Plan). Exceptions may also be made to accommodate a student's need for transportation with written documentation for the student's physician.

B. Pre-Kindergarten and Kindergarten Students

Pre-Kindergarten and Kindergarten bus service will include pickup and delivery to the home, providing a suitable bus turn is available.

C. Hazardous Walking Conditions

Hazardous walking conditions shall be defined as those which would place a child of a given age in a situation of greater than normal or average danger. These conditions are assessed by the Director of Transportation and/or the Superintendent based on factors including, but not limited to, sidewalks, lighting, road conditions, construction, and traffic.

Authorized bus stops will be located so as to load and unload students with the most safety allowed by road conditions. The distance between stops may vary according to safety factors. If possible, students will be loaded and unloaded so that it is not necessary for them to cross a main highway to reach their homes.

Requests for bus stops, inconsistent with this regulation must be made in writing and submitted to the Superintendent/ designee.

Cross Reference: JICC – Student Conduct on School Buses

Legal Reference: Title 20A MRSA, Sec. 5401

Adopted: April 28, 2010

Revised: December 14, 2011

Revised: January 25, 2017

Revised: March 12, 2025

NEPN/NSBA Code: GBEBB

STAFF CONDUCT WITH STUDENTS

The RSU No. 5 Board expects all staff members, including teachers, coaches, counselors, administrators, and others to maintain the highest professional, moral, and ethical standards in their conduct with students. For the purposes of this policy, staff members also include school volunteers.

The interactions and relationships between staff members and students should be based upon mutual respect and trust; an understanding of the appropriate boundaries between adults and students in and outside of the educational setting; and consistency with the educational mission of the schools.

Staff members are expected to be sensitive to the appearance of impropriety in their conduct with students. Staff members are encouraged to discuss issues with their building administrator or supervisor whenever they are unsure whether particular conduct may constitute a violation of this policy.

Unacceptable Conduct

Examples of unacceptable conduct by staff members include, but are not limited to the following:

- A) Any type of sexual or inappropriate physical contact with students or any other conduct that might be considered harassment under the Board's policy on Harassment and Sexual Harassment of Students;
- B) Singling out a particular student or students for personal attention and friendship beyond the normal teacher-student relationship;
- C) Associating with students in any situation or activity that includes the presence of alcohol, drugs, or tobacco or that could be considered sexually suggestive;
- D) Prompting students to confide their personal or family problems and/or relationships without a direct connection to the student's school performance or having a direct educational purpose. If a student initiates such discussions, staff members are expected to be supportive but to refer the student to appropriate guidance/counseling staff;
- E) Sending students on personal errands;
- F) Sexual banter, allusions, jokes, or innuendos with students;
- G) Asking a student to keep a secret;
- H) Disclosing inappropriate personal, sexual, family, employment, or other private matters to one or more students;
- I) Addressing students with terms of endearment, pet names, or otherwise in an overly familiar manner;
- J) Permitting students to address you by your first name, or in an overly familiar manner;
- K) Being alone with individual students out of the view of others without a specific educational purpose;
- L) Inviting or allowing students to visit the staff member's home without prior notification to the school administration and the students' parents; (see note below)
- M) Visiting a student's home, unless on official school business; (see note below)
- N) Maintaining personal contact with a student outside of school by phone, email, texts, Instant Messenger or Internet chat rooms, social networking websites, or letters (beyond homework or other legitimate school business);
- O) Exchanging personal gifts (beyond the customary student-teacher gifts); and/or
- P) Socializing or spending time with students (including but not limited to activities such as going out for meals or movies, shopping, traveling, and recreational activities) outside of school-sponsored

events or except as participants in community activities. RSU No. 5 assumes no liability for such activities.

Note: It is understood that staff members who live in, or have friends in, the community and/or have children who have friends in the community may have reason to visit a student's home, or have a student visit at their home, without prior notice being given to school administration due to personal relationships, but no such visits or relationships should violate the spirit of this policy.

Reporting Violations

Students and/or their parents/guardians are strongly encouraged to notify the principal if they believe a teacher or other staff member may be engaging in conduct that violates this policy.

Staff members are required to notify promptly the principal or Superintendent if they become aware of a situation that may constitute a violation of this policy.

Disciplinary Action

Staff violations of this policy may result in disciplinary action up to and including dismissal. Violations involving sexual or other abuse will also result in referral to the Department of Human Services and/or law enforcement in accordance with the Board's policy on Reporting Child Abuse and Neglect.

Dissemination of Policy

This policy shall be included in all employee, student and volunteer handbooks.

Cross Reference:

ACAA - Harassment and Sexual Harassment of Students

GCSA - Staff Computer/Internet Use

JLF - Reporting Child Abuse and Neglect

Adopted: June 9, 2010

Reviewed: February 29, 2012

Revised: January 10, 2018

NEPN/NSBA Code: IHBA A

REFERRAL AND GENERAL EDUCATION INTERVENTIONS POLICY

It shall be the policy of RSU No. 5 to refer all school-age students suspected of having a disability that requires special education to the IEP Team for an evaluation in all suspected areas of disability. Referrals of students to the IEP team may be made by parents at any time, and by professional school staff regardless of the results of the initial child find activities, but after completion of the general education intervention process. Other individuals or agency representatives (including representatives of the Department of Health and Human Services) with knowledge of the child may also make referrals. Any such referral should be made in accordance with procedures that may be approved by the Superintendent of Schools.

Regardless of the source of the referral, a referral will be considered received by the school unit on the date that the written referral is received by the office of the Director of Instructional Support. It shall be signed

and dated by the Director of Instructional Support or designee, thereby indicating the date of the receipt of that referral.

The Superintendent of Schools, in consultation with the Director of Instructional Support, may develop procedures for referral and the use of general education interventions within the local school unit, and may from time to time amend those procedures as necessary.

References: Me. Dep't of Educ. Reg. ch. 101, §§ II(17), III, IV(2)(D), (E), V(4)(A) (July 2011).

Adopted: June 24, 2009

Reviewed: April 25, 2012

Revised: April 24, 2013

Reviewed: February 28, 2018

NEPN/NSBA Code: IJNDB

STUDENT TECHNOLOGY, INTERNET USE, AND INTERNET SAFETY

RSU No. 5's electronic devices, network, and Internet access are provided to support the educational mission of the schools and to enhance the curriculum and learning opportunities for students and school staff. This policy and the accompanying rules also apply to laptops and tablets issued directly to students, whether they are used at school or off school premises.

Compliance with RSU No. 5's policies and rules concerning electronic devices and Internet use is mandatory. Students who violate these policies and rules may have their device privileges limited, suspended, or revoked. The administrators are authorized to determine, after considering the circumstances involved, whether and for how long a student's technology use privileges will be altered. The administrator's decision shall be final.

Violations of this policy and RSU No. 5's technology and Internet rules may also result in disciplinary action, referral to law enforcement, and/or legal action.

RSU No. 5 and MLTI owned devices remain under the control, custody, and supervision of the school unit at all times. The school unit monitors RSU No. 5 and MLTI devices and Internet activity by students. Students have no expectation of privacy in their use of school devices, whether they are used on school property or elsewhere.

INTERNET SAFETY

RSU No. 5 uses filtering technology designed to block materials that are obscene or harmful to minors, including child pornography. Although RSU No. 5 takes precautions to supervise student use of the Internet, parents should be aware that RSU No. 5 cannot reasonably prevent all instances of inappropriate technology and Internet use by students in violation of Board policies and rules, including access to objectionable materials and communication with persons outside of the school. The school unit is not responsible for the accuracy or quality of information that students obtain through the Internet.

In the interest of student Internet safety, RSU No. 5 also educates students about online behavior, including interacting on social networking sites and chat rooms, the dangers of hacking, and issues surrounding “sexting” and cyberbullying awareness and response.

The Superintendent /designee shall be responsible for integrating Internet safety training and “digital citizenship” into the curriculum and for documenting Internet safety training.

The Superintendent shall be responsible for implementation of this policy and the accompanying “acceptable use” rules. The Superintendent/designee may implement additional administrative procedures or school rules consistent with Board policy to govern the day-to-day management and operations of the school unit’s technology system.

Students and parents shall be informed of this policy and the accompanying rules through student handbooks, the school website, and/or other means selected by the Superintendent.

Legal Reference: 20 USC § 677 (Enhancing Education through Technology Act) 47 USC § 254(h)(5) (Children’s Internet Protection Act) 47 CFR § 54.52 Federal Communications Commission Order and Report 11-125 (August 10, 2011)

Cross Reference:

EGAD - Copyright Compliance;

GCSA - Employee Computer and Internet Use

IJNDB-R - Student Technology, Internet Use, and Internet Safety Rules

IJND – Distance Learning Program

Adopted: February 24, 2010

Revised: June 13, 2012

Revised: November 20, 2013

Revised: November 14, 2018

NEPN/NSBA Code: IJNDB-R


STUDENT COMPUTER AND INTERNET USE AND INTERNET SAFETY RULES

These rules accompany Board policy IJNDB (Student Technology, Internet Use and Internet Safety). Each student is responsible for his/her actions and activities involving school unit computers, laptops, or tablets issued to students, networks, and Internet services, and for his/her computer files, passwords, and accounts.

These rules provide general guidance concerning the use of the school unit’s electronic devices and examples of prohibited uses. The rules do not attempt to describe every possible prohibited activity by students. Students, parents, and school staff who have questions about whether a particular activity is prohibited are encouraged to contact the building principal or the Technology Director.

A) **Acceptable Use**

The school unit’s electronic devices, networks, and Internet services are provided for educational purposes and research consistent with the school unit’s educational mission, curriculum, and



instructional goals. Incidental personal use is acceptable given that it does not interfere with educational activities.

All Board policies, school rules, and expectations concerning student conduct and communications apply when students are using devices, whether the use is on or off school property.

Students are also expected to comply with all specific instructions from school administrators, school staff or volunteers when using the school unit's devices.

B) Consequences for Violation of Electronic Devices Use Policy and Rules

Compliance with the school unit's policies and rules concerning technology use is mandatory. Students who violate these policies and rules may, after having been given the opportunity to respond to an alleged violation, have their device privileges limited, suspended, or revoked. Such violations may also result in disciplinary action, referral to law enforcement, and or legal action.

The building principal shall have final authority to decide whether a student's privileges will be limited, suspended or revoked based upon the circumstances of the particular case, the student's prior disciplinary record, and any other relevant factors.

C) Prohibited Uses

Examples of unacceptable use of school unit electronic devices that are expressly prohibited include, but are not limited to, the following:

1. Accessing or Posting Inappropriate Materials – Accessing, submitting, posting, publishing, forwarding, downloading, scanning or displaying defamatory, abusive, obscene, vulgar, sexually explicit, sexually suggestive, threatening, discriminatory, harassing and/or illegal materials or engaging in “cyber bullying;”

2. Illegal Activities – Using the school unit's electronic devices, networks, and Internet services for any illegal activity or in violation of any Board policy or school rules. The school unit assumes no responsibility for illegal activities of students while using school devices;

3. Violating Copyrights – Copying, downloading or sharing any type of copyrighted materials (including music or films) without the owner's permission (see Board policy/procedure EGAD – Copyright Compliance). The school unit assumes no responsibility for copyright violations by students;

4. Copying and Downloading Software – Copying or downloading software without the express authorization of the Director of Technology. Unauthorized copying of software is illegal and may subject the copier to substantial civil and criminal penalties. The school unit assumes no responsibility for illegal software copying by students;

5. Plagiarism – Representing as one's own work any materials obtained on the Internet (such as term papers, articles, music, etc.). When Internet sources are used in student work, the author,



publisher, and website must be identified;

6. Misuse of Passwords/Unauthorized Access – Sharing passwords, using other users' passwords, and accessing or using other users' accounts;

7. Malicious Use/Vandalism – Any malicious use, disruption or harm to the school unit's devices, networks, and Internet services, including but not limited to hacking activities and creation/uploading of technology viruses; and

8. Unauthorized Access to Blogs/Chat Rooms/Social Networking Sites – Accessing blogs, chat rooms or social networking sites to which student access is prohibited.

D) No Expectation of Privacy

RSU No. 5 and MLTI owned devices remain under the control, custody, and supervision of the school unit at all times. Students have no expectation of privacy in their use of school devices, including email, stored files, and Internet access logs.

E) Compensation for Losses, Costs, and/or Damages

The student and his/her parents are responsible for compensating the school unit for any losses, costs, or damages incurred by the school unit for violations of Board policies and rules while the student is using school unit devices, including the cost of investigating such violations. The school unit assumes no responsibility for any unauthorized charges or costs incurred by a student while using school unit devices.

F) Student Security


A student is not allowed to reveal his/her full name, address or telephone number, social security number, or other personal information on the Internet without prior permission from a teacher. Students should never agree to meet people they have contacted through the Internet without parental permission. Students should inform their teacher if they access information or messages that are dangerous, inappropriate, or make them uncomfortable in any way.

G) System Security

The security of the school unit's devices, networks, and Internet services is a high priority. Any student who identifies a security problem must notify his/her teacher immediately. The student shall not demonstrate the problem to others or access unauthorized material. Any user who attempts to bypass system security, causes a breach of system security, or fails to report a system security problem shall be subject to disciplinary and/or legal action in addition to having his/her device privileges limited, suspended, or revoked.

H) Additional Rules for Laptops and Tablets Issued to Students

1. Laptops and tablets are loaned to students as an educational tool and are only authorized for use in completing school assignments unless permission is given to a student by a teacher or parent to use the device for personal reasons.

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2. Before a laptop or tablet is issued to a student, the student must sign the school's "acceptable use" agreement and parents must attend an informational meeting. Attendance will be documented by means of a "sign in" sheet. The meeting will orient parents to the goals and workings of the laptop program, expectations for care of school-issued laptops, Internet safety, and the school unit's rules in regard to use of this technology.
 3. Students and their parents are responsible for the proper care of laptops and tablets at all times, whether on or off school property, including costs associated with repairing or replacing the laptop or tablet. RSU No. 5 offers a protection program for parents to cover replacement costs and/or repair costs for damages not covered by the warranty. Parents who choose not to participate in the protection program should be aware that they are responsible for any costs associated with loss, theft, or damage to a laptop or tablet issued to their child.
 4. Loss or theft of a laptop or tablet must be reported immediately to the Principal, and, if stolen, to the local law enforcement authority as well.
 5. The Board's policy and rules concerning technology and Internet use apply to use of laptops and tablets at any time or place, on or off school property. Students are responsible for obeying any additional rules concerning care of laptops and tablets issued by school staff.
 6. Violation of policies or rules governing the use of computers, or any careless use of a laptop or tablet may result in a student's device being confiscated and/or a student only being allowed to use the device under the direct supervision of school staff. The student will also be subject to disciplinary action for any violations of Board policies or school rules.
 7. Parents are responsible for supervising their child's use of the laptop or tablet and Internet access when in use at home.
 8. The laptop or tablet may only be used by the student to whom it is assigned and by family members.
 9. Laptops and tablets must be returned in acceptable working order at the end of the school year or whenever requested by school staff.

Cross Reference:

EGAD – Copyright Compliance

IJNDB – Student Technology, Internet Use, and Internet Safety

Adopted: February 24, 2010

Revised: June 13, 2012

Revised: November 20, 2013

Revised: November 14, 2018

NEPN/NSBA Code: IKB

HOMework

The RSU No. 5 Board believes that homework should be meaningful, engaging, process- oriented, and integrative, while being mindful of the diverse capacities of students.

Homework helps students apply the skills they have been taught in school. As a child advances through school, it is reasonable that the amount of homework can be expected to increase.

Schools will communicate homework expectations and supports to students and parents/guardians.

Legal Reference: CH. 125.23, B, 5, 1 (Maine Dept. of Ed. Rule)

Adopted: February 24, 2010

Reviewed: December 12, 2012

Revised: April 24, 2019

NEPN/NSBA Code: JEA

COMPULSORY ATTENDANCE

Under state law, full-time school attendance is required of all children from their 6th to their 17th birthday except:

- A. A person who graduates from high school before their 17th birthday;
- B. A person who has:
 - 1. Reached the age of 15 years or completed the 9th grade;
 - 2. Permission to leave school from that person's parent;
 - 3. Been approved by the principal for a suitable program of work and study or training;
 - 4. Permission to leave school from the Board or its designee; and
 - 5. Agreed in writing with that person's parent and the Board or its designee to meet annually until that person's 17th birthday to review that person's educational needs. When the request to be excused from school has been denied pursuant to this paragraph, the student's parent may appeal to the Commissioner; or
- C. A person who has matriculated and is attending an accredited, post-secondary, degree-granting institution as a full-time student. An exception to the attendance in public school under this paragraph must be approved by the Commissioner.

Alternatives to Attendance at Public Day School

- A. Equivalent instruction alternatives are as follows:
 - 1. A person shall be excused from attending a public day school if the person obtains equivalent instruction in:
 - a. A private school approved for attendance purposes pursuant to 20-A MRSA § 2901;
 - b. A private school recognized by the department as providing equivalent instruction;
 - c. A home instruction program that complies with the requirements of 20-A MRSA § 5001-A(3)(A)(4); or
 - d. Any other manner arranged for by the Board and approved by the Commissioner.
- B. A person may be excused from attendance at a public day school pursuant to 20-A MRSA § 5104-A (other public or private alternative programs) or § 8605 (student attendance in adult education courses).

Credit for Attendance at a Private School

A student shall be credited with attendance at a private school only if a certificate showing the name, residence and attendance of the person at the school, signed by the person or persons in charge of the school, has been filed with the school officials of the administrative unit in which the student resides.

Discontinuation of Home Instruction

If the home instruction program is discontinued, students of compulsory school age must be enrolled in a public school or an equivalent instruction alternative as provided for by law. The receiving school shall determine the placement of the student. At the secondary level, the principal of the receiving school shall determine the value of the prior educational experience toward meeting the standards of Maine's system of Learning Results.

Excusable Absence

A person's absence is excused when the absence is for the following reasons:

- A. Personal illness;
- B. An appointment with a health professional that must be made during the regular school day;
- C. Observance of a recognized religious holiday when the observance is required during the regular school day;
- D. A family emergency;
- E. A planned absence for a personal or educational purpose that has been approved;
- F. Education disruption resulting from homelessness, unplanned psychiatric hospitalization, unplanned hospitalization for a medical emergency, foster care placement, youth development placement or some other out-of-district placement that is not otherwise authorized by either any individual education plan or a superintendents' student transfer agreement. "Education disruption" does not apply to a student who is out of school for 10 or more consecutive school days as a result of a planned absence for a reason such as a family event or a medical absence for planned hospitalization or recovery.

Parents are responsible for the school attendance of students who are under 17 years of age. The Board shall work with families in an effort to ensure compliance.

Secondary school students 20 years of age or more will only be admitted to the school unit with prior Board approval.

Legal Reference: 20-A MRSA § 5001-A; 5003; 5201 Ch. 125 § 8.06 (Maine Dept. of Ed. Rules)

Cross Reference: IHBG - Home Schooling JFC - Student Withdrawal From School/Dropout Prevention Committee JHB - Truancy

Adopted: July 8, 2009

Reviewed: January 23, 2013

NEPN/NSBA Code: JHB

TRUANCY

1. TRUANCY DEFINED

A student is truant if they are required to attend school or alternative instruction under Maine compulsory attendance law (20-A MRSA § 5001-A) and:

A. Have completed grade 6 and have the equivalent of 10 full days of unexcused absences or 7 consecutive school days of unexcused absences during a school year; or

B. Are at least 6 years of age and have not completed grade 6 and have the equivalent of 7 full days of unexcused absences or 5 consecutive school days of unexcused absences during a school year. Truancy under this paragraph is considered “child abuse and neglect” under Maine law and is reportable to the Department of Health and Human Services (DHHS) when the truancy is the result of neglect by a person responsible for the child; or

C. Are at least 5 years of age and have been voluntarily enrolled in school; have not completed grade 6. Such a child will be considered truant if they have the equivalent of 7 full days of unexcused absences or 5 consecutive school days of unexcused absences during a school year. Truancy under this paragraph is considered “child abuse and neglect” under Maine law and is reportable to the Department of Health and Human Services (DHHS) when the truancy is the result of neglect by a person responsible for the child.

2. ATTENDANCE COORDINATORS

In accordance with Maine law, the Superintendent shall appoint one or more attendance coordinators.

3. TRUANCY PROCEDURES

As required by law, the following procedure shall be followed when a student is truant.

A. The principal, upon determining that a student is truant under Section 1, shall notify the Superintendent of the student’s truancy within five school days of the last unexcused absence.

B. Within five school days of notification, the Superintendent/designee will refer the student who has been determined to be truant to the school’s student assistance team.

C. The student assistance team will meet to determine the cause of the truancy and assess the effect of the student’s absences, as well as any future absences for the student. If it is determined that a negative effect exists, the student assistance team shall develop an intervention plan to address the student’s absences and the negative effect of these absences.

An intervention plan may include, but is not limited to:

1. Frequent communication between the teacher and the family;
2. Changes in the learning environment;
3. Mentoring;
4. Student counseling;
5. Tutoring, including peer tutoring;
6. Placement into different classes;
7. Evaluation for alternative education programs;
8. Attendance contracts;

- 9. Referral to other agencies for family services; and
- 10. Other interventions including but are not limited to referral to the school attendance coordinator, student assistance team, or dropout prevention committee.

The plan should also address how future absences of the student will be dealt with; the timeline for particular activities; and periodic reports to the Superintendent on the student's progress in complying with the plan.

D. The student and their parents/guardians shall be invited to attend any meetings scheduled to discuss the student's truancy and the intervention plan. Failure of the student and/or their parents/legal guardians to attend any scheduled meetings shall not preclude the school from implementing an intervention plan.

E. If the Superintendent/designee is unable to correct the student's truancy, the Superintendent/designee shall send written notice to the parent that the student's attendance is required by law. The Superintendent may make 2 documented attempts to serve (or cause to be served) the notice by certified mail. The notice shall:

1. State that the student is required to attend school pursuant to 20-A MRSA §5001-A (the compulsory attendance law);
2. Explain the parent/guardian's right to inspect the student's attendance records, attendance coordinator's reports, and principal's reports;
3. Explain that the failure to send the student to school and maintain the student in regular attendance is a civil violation in accordance with 20-A MRSA § 5053-A and will jeopardize the student's status and current grade;
4. State that the Superintendent/designee may notify local law enforcement authorities of a violation of 20-A MRSA § 5053-A and, if the violation falls under Section 1.B.2 or B.3, must notify the Department of Health and Human Services; and
5. Outline the plan developed to address the student's truancy and the steps that have been taken to implement that plan.

F. Prior to notifying local law enforcement authorities, the Superintendent/ designee shall schedule at least one meeting of the student assistance team as required by law and Section 3.C above and may invite a local prosecutor.

G. If after three school days after the 2nd attempted service of the notice described in Section 3.E of this policy the student remains truant and the parent/guardian(s) and student refuse to attend the meeting referred to in Section 3.D, the Superintendent/designee shall report the facts of the unlawful absence to local law enforcement authorities. Local law enforcement may proceed with enforcement action against the parent unless the student is at once placed in an appropriate school or otherwise meets the requirements of the compulsory attendance law.

ANNUAL REPORTS

The Superintendent shall submit an annual report regarding truancy to the Board by October 1. The report will identify the number of students who are truant in the school administrative unit in the preceding school year, efforts currently underway to address truancy, and any other information requested by the Board. The Superintendent shall submit an annual report regarding truancy to the Commissioner of Education by October 1. The report must identify the number of students who are truant in the school administrative unit

in the preceding school year; describe the school unit's efforts to deal with truancy; account for actions brought to enforce the truancy law; and include any other information on truancy requested by the Commissioner.

Legal Reference: 20-A MRSA §§ 5001-A; 5051-A-5054-A 22 MRSA § 4002

Cross Reference:

JEA – Compulsory Attendance

JFC – Dropout Prevention—Student Withdrawal from School

JLF – Reporting Child Abuse and Neglect

Adopted: November 18, 2009

Revised: January 23, 2013

Revised: March 26, 2014

Revised: April 24, 2024

NEPN/NSBA Code: JFAA

ADMISSION OF RESIDENT STUDENTS

The RSU No. 5 School Department shall admit as students those of legal school age whose parents or guardians legally reside within the unit. Adequate proof of residence shall be required. The Board reserves the right to verify residency through appropriate means for any enrolled student or any family applying for enrollment.

“Residence” means bona fide residence—one’s actual residence maintained in good faith—and does not include a temporary or superficial residence established for the purpose of free school attendance in this system. It shall be considered the place where important family activity takes place—the place where the family eats, sleeps, relaxes and plays. It is a place which can be called a “home.” While it is possible for an individual to maintain property and pay taxes in more than one location or community, for purposes of student eligibility for school attendance, “residence” shall mean where the parent maintains a home.

Guardianship shall be substantiated by a copy of a court order or probated will appointing the resident as guardian of the student. No student shall be accepted for enrollment or allowed to continue in enrollment on the basis of guardianship established by a power of attorney.

Resident students entering school for the first time shall be admitted upon presentation of an original birth certificate to the Principal, along with a record of required immunizations and pertinent health records. Photocopies shall be made and retained in the student’s file.

New resident students who are transferring into the school system shall be admitted on the basis of age, health, behavior and academic records received from the previous school. However, original documentation may be required if deemed necessary to appropriately determine a student’s eligibility for enrollment and assignment.

Legal Reference: 18-A MRSA § 5201, et seq. 20-A MRSA §§ 5202 et seq., 6002 Maine Commissioner of Ed. Administrative Letter No. 13, 10/9/97

Cross Reference: JFAB – Admission of Non-Resident Students

Adopted: March 24, 2010

Reviewed: January 23, 2013

NEPN/NSBA Code: JICC

STUDENT CONDUCT ON SCHOOL BUSES

The law does not relieve parents of students from the responsibility of supervision before the child boards the bus in the morning and after the child leaves the bus at the end of the school day.

Once a child boards the bus-and only at that time-does he/she become the responsibility of the school system. Such responsibility shall end when the child is delivered to an established bus stop at the close of the school day.

In view of the fact that a bus is an extension of the classroom, the Board requires children to conduct themselves in the bus in a manner consistent with established standards for classroom behavior.

In cases when a child does not conduct him/herself properly on a bus, such instances are to be brought to the attention of the building Principal by the bus driver. The building Principal will inform the parents immediately of the misconduct and request their cooperation in checking the child's behavior.

Children who become a serious disciplinary problem on the school bus may have their riding privileges suspended by the Principal. In such cases, the parents of the children involved become responsible for seeing that their children get to and from school safely.

Legal Reference: 20-A MRSA Section 5401

Cross Reference: EEA - Student Transportation Services

Adopted: April 28, 2010

Reviewed: January 25, 2012

Reviewed: April 12, 2017

NEPN/NSBA Code: JICH

DRUG AND ALCOHOL USE BY STUDENTS

The RSU No. 5 Board of Directors and staff of the RSU No. 5 School Department support a safe and healthy learning environment for students which is free of the detrimental effects of drugs and alcohol. Accomplishing this goal requires a cooperative effort among school staff, students, parents, law enforcement and organizations concerned with the use of drugs and alcohol by school-aged youth.

In order to promote the safety, health and well-being of students, the Board of Directors endorses a three-pronged approach to address the issue of drug and alcohol use; prevention/education; intervention and discipline. The Superintendent is responsible for developing appropriate administrative procedures, curricula and programs to implement this policy.

A. Prohibited Conduct

No student shall distribute, dispense, possess, use or be under the influence of any alcoholic beverage, malt beverage, fortified wine or other intoxicating liquor. Nor shall a student manufacture, distribute, dispense, possess, use or be under the influence of “bath salts”, any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, anabolic steroid, any other controlled substance defined in federal and state laws/regulations, any look-alike substance, or any substance that is represented to be a controlled substance.

These prohibitions apply to any student who is on school property, who is in attendance at school or at any school-sponsored activity, or whose conduct at any time or place directly interferes with the operations, discipline or general welfare of the school.

B. Disciplinary Action

Principals may suspend and/or recommend expulsion of students who violate this policy, based upon the facts of each case and in accordance with established disciplinary procedures. Students may also be referred to law enforcement authorities for investigation and/or prosecution.

C. Prevention/Education

The school unit will provide students with appropriate information and activities focused on educating students about drugs and alcohol and preventing their use. Programs shall teach students that the use of drugs and alcohol is wrong and harmful; how to resist peer pressure; and address the legal, social and health consequences of drug and alcohol abuse.

D. Intervention

The school unit will establish a team approach to intervene with students with drug/alcohol problems. Students will be assisted in addressing their drug/alcohol problems and in continuing their educational program. Students will be provided with information and referral, if necessary, to aid them in obtaining assistance from appropriate community organizations. Student records concerning such interventions shall be kept confidential as required by state and federal laws.

E. Policy Communication

The school unit shall distribute this policy and appropriate related information to staff, students and parents on an annual basis through handbooks and/or other means selected by the Superintendent and building administrators.

Legal Reference: 21 USC § 812 (Controlled Substances Act) 21 CFR Part 1300.11-15 Pub.L.No. 101-226 (Drug-Free Schools and Communities Act Amendments of 1989) 17-A MRSA § 1101 42 USC § 290dd-2 42 CFR § 2.1 et seq. 20-A MRSA §§ 1001 (9); 4008

Cross Reference: GBEC-Drug-Free Workplace JICIA-Weapons, Violence and School Safety JKD-Suspension of Students JKE-Expulsion of Students JLCD-Administering Medication to Students JRA-Student Records

Adopted: July 8, 2009

Revised: December 14, 2011

BULLYING

The Board believes that bullying, including cyberbullying, is detrimental to student well-being and to student learning and achievement. It interferes with the mission of the schools to educate their students and disrupts the operations of the schools. Bullying affects not only students who are targets but also those who participate in and witness such behavior.

Bullying Prohibited

Bullying, including “cyberbullying,” harassment and sexual harassment is not acceptable conduct in RSU5 and is prohibited.

Retaliation for the reporting of incidents of such behavior is also prohibited.

In adopting this policy, it is not the Board’s intent to prohibit students from expressing their ideas, including religious, political and philosophical views that may offend the sensibilities of others, or from engaging in civil debate. However, the Board does not condone and will take action in response to conduct that directly interferes with students’ rights at school under applicable laws or with the educational mission, operations, discipline or general welfare of the schools.

Definition of Bullying

“Bullying” and “cyberbullying” have the same meaning in this policy as in Maine law:

Bullying

“Bullying” includes, but is not limited to a written, oral or electronic expression or a physical act or gesture or any combination thereof directed at a student or students that:

- A. Has, or a reasonable person would expect it to have, the effect of:
 - 1. Physically harming a student or damaging a student’s property; or
 - 2. Placing a student in reasonable fear of physical harm or damage to his/her property;
- B. Interferes with the rights of a student by:
 - 1. Creating an intimidating or hostile educational environment for the student; or
 - 2. Interfering with the student’s academic performance or ability to participate in or benefit from the services, activities or privileges provided by the school; or
- C. Is based on:
 - a. student’s actual or perceived characteristics identified in 5 MRSA § 4602 or 4684-A (including race; color; ancestry; national origin; sex; sexual orientation; gender identity or expression; religion; physical or mental disability) or other distinguishing personal characteristics (such as socioeconomic status; age; physical appearance; weight; or family status); or

- b. A student's association with a person with one or more of these actual or perceived characteristics or any other distinguishing characteristics; and that has the effect described in subparagraph A. or B. above.

Under Maine law:

"Sexual orientation" means a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression.

"Gender Identity" means gender-related identity, appearance, mannerisms, or other genderrelated characteristics of an individual, regardless of the individual's assigned sex at birth.

Cyberbullying

"Cyberbullying" means bullying through the use of technology or any electronic communication, including but not limited to, a transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted by the use of any electronic device including, but not limited to, a computer, telephone, cellular telephone, text messaging device or personal digital assistant.

Definition of Harassment and Sexual Harassment

Harassment includes but is not limited to verbal abuse based on race, color, sex, religion, ancestry or national origin, sexual orientation, disability (or other protected class.)

Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors or pressure to engage in sexual activity, physical contact of a sexual nature, gestures, comments, or other physical, written or verbal conduct that is gender-based that interferes with a student's education.

Definition of Retaliation

Retaliation means an act or gesture against a student for asserting or alleging an act of bullying. Retaliation also includes reporting that is not made in good faith on an act of bullying.


Application of Policy

This policy applies to bullying that:

- A. Takes place at school or on school grounds, at any school-sponsored or school-related activity or event or while students are being transported to or from school or school sponsored activities or events; or
- B. Takes place elsewhere or through the use of technology, but only if the bullying also infringes on the rights of the student at school as set forth in the definition of "bullying."

Consequences for Policy Violations

Students



Students who violate this policy may be subject to disciplinary action which may include suspension, expulsion or a series of graduated consequences including alternative discipline or other behavioral interventions.

The Board retains the right to impose disciplinary consequences for bullying and other conduct that occurs at any time or place that substantially disrupts the instructional program, operations of the schools or welfare of students.

Any student violating this policy may also be subject to civil or criminal penalties.

School Employees and Others

Administrators, professional staff and all other employees who violate this policy may be subject to disciplinary action up to and including dismissal, and in accordance with any applicable collective bargaining agreements.

Volunteers, contractors and visitors who violate this policy will be barred from school property until the Superintendent is satisfied that the person will comply with Maine's bullying law and this policy.

Any person violating this policy may also be subject to civil or criminal penalties.

Any school-affiliated organization that authorizes or engages in bullying or retaliation is subject to forfeiture of Board approval/sanctioning and/or suspension or revocation of its permission to operate on school grounds.

Staff Training

RSU5 will provide professional development and staff training in bullying prevention and response.

Delegation of Responsibility

The Superintendent will designate the school principal and/or other school personnel to be responsible for implementation/enforcement of this policy and associated procedures on the school level. The Superintendent/designee will be responsible for developing and implementing procedures in accordance with applicable law to implement this policy.

Dissemination of Policy

This policy, any associated administrative procedures and the names of the person(s) responsible for implementing the policy/procedure at the school level will be provided, in writing to students, parents, school employees and volunteers in handbooks, and on the school unit's website and by such other means (if any) as may be determined by the Superintendent.

Legal Reference: 20-A M.R.S.A. § 1001(15), 6554

Cross Reference: AC - Nondiscrimination, Equal Opportunity AD - Educational Mission and Vision ADAA - School System Commitment to Standards for Ethical and Responsible Behavior ACAA-R - Harassment and Sexual Harassment of Students ACAD - Hazing ADF - School District Commitment to Learning Results CHCAA - Student Handbooks GCI - Professional Staff Development Opportunities IJNDB-R - Student Technology, Internet Use, and Internet Safety Rules JI - Student Rights and Responsibilities JIC - Student

Code of Conduct JICC - Student Conduct on Buses JICIA - Weapons, Violence and School Safety JK - Student Discipline JKD - Suspension of Students JKE - Expulsion of Students KLG - Relations with Law Enforcement Authorities

Adopted: July 8, 2009
Revised: March 27, 2013
Revised: April 29, 2020

NEPN/NSBA Code: JICK-R

BULLYING – ADMINISTRATIVE PROCEDURE

This procedure is intended as guidance for school administrators in carrying out their responsibilities when bullying is alleged to have occurred. It provides important definitions as well as steps for reporting, investigating and responding to allegations of bullying.

Bullying behavior alleged to be based on race, color, ancestry, national origin, sex, sexual orientation, religion or disability should be addressed under the procedures set forth in the Student Harassment and Sexual Harassment procedure, ACAA-R, rather than under this procedure.

Bullying Reports

Students and Parents/Guardians

Students who believe they have been bullied, or who have witnessed or learned about an act of bullying should report this behavior to the building principal.

Parents/guardians may report bullying on behalf of their children or when they have witnessed or are aware of the occurrence of bullying.

Reports of bullying may be made anonymously.

Any student who has been determined to have knowingly made a false report of bullying will be subject to disciplinary consequences.

No disciplinary action shall be taken against a student unless the report has been substantiated.

School Employees

For the purposes of this procedure, “school employees” includes coaches, advisors for co-curricular or extracurricular activities and volunteers.

All school employees are expected to intervene when they see acts of bullying in progress and are required to report incidents of bullying they have witnessed or become aware of to the building principal as soon as practicable.

School employees who fail to report bullying or who have made a false report of bullying will be subject to disciplinary consequences up to and including termination, in accordance with any applicable collective bargaining agreement.



Others

Contractors, service providers, visitors or community members who have witnessed or become aware of bullying are encouraged to report such incidents to the building principal.

Form of Reports

Complaints or reports of bullying may be made orally or in writing, but all reports will be recorded in writing by school personnel authorized to receive complaints or reports, using the school unit's reporting form (JICK-E1).

School employees are required to make reports of bullying to the principal in writing. Although students, parents and others, as identified above, may make bullying reports anonymously, all persons reporting incidents of bullying are encouraged to identify themselves.

The building principal will forward a copy of the report to the Superintendent by the end of the next school day.

Interim Measures

The building principal may take such interim measures as they deem appropriate to ensure the safety of the targeted student and prevent further bullying and will inform the parents of the targeted student of measures taken.

Investigation

The principal will ensure that all reports of bullying and retaliation are investigated promptly and that documentation of the investigation, including the substance of the complaint or report and the outcome of the investigation is prepared and forwarded to the Superintendent within a reasonable period of time.

The determination of whether particular conduct constitutes bullying requires reasonable consideration of the circumstances, which include the frequency of the behavior at issue, the location in which the behavior occurs, the ages and maturity of the students involved, the activity or context in which the conduct occurs, and the nature and severity of the conduct.

Response to Bullying by Students

If bullying has been substantiated, the building principal or designee as appropriate under the circumstances will determine the appropriate disciplinary consequences, which may include detention, suspension or expulsion; alternative discipline; remediation; and/or other intervention.

In order to remediate any substantiated incident of bullying to counter the negative impact of the bullying and reduce the risk of future bullying incidents, the principal may consider the following alternatives, which include but are not limited to:

- A. Meeting with the student and the student's parents/guardians;
- B. Reflective activities, such as requiring the student to write an essay about the student's misbehavior;
- C. Mediation when there is mutual conflict between peers, rather than one-way negative behavior, and when both parties freely choose to meet;
- D. Counseling;

- E. Anger management;
- F. Health counseling or intervention;
- G. Mental health counseling;
- H. Participation in appropriate social emotional cognitive skill building and resolution and restorative conferencing;
- I. Community service; and
- J. In-school detention or suspension, which may take place during lunchtime, after school or on weekends.

If the bullying behavior appears to be a criminal violation, the building principal will notify local law enforcement authorities.

If bullying has been substantiated, the building principal will provide written notification to:

- A. The parents/guardians of the targeted student, including the measures being taken to ensure the student's safety; and to
- B. The parents/guardians of the student found to have engaged in bullying, including the process for appeal.

All communications to parents must respect the confidentiality of student and employee information as provided by federal and Maine law and regulations.

Appeals

Any appeal of the building principal's decisions in regard to consequences for bullying must be submitted, in writing, within 14 calendar days of the parental notification. The Superintendent will review the investigation report and actions taken and decide whether to sustain or deny the appeal. The Superintendent's decision shall be final.

Cross Reference: ACAA-R – Student Harassment and Sexual Harassment Procedure JICK – Bullying JRA-R – Student Education Records and Student Information

Adopted: March 27, 2013

Revised: April 29, 2020

NEPN/NSBA Code: JICIA

WEAPONS, VIOLENCE AND SCHOOL SAFETY

The RSU No. 5 Board of Directors believes that students and staff are entitled to learn and work in a school environment free of violence, threats and disruptive behavior. Students are expected to conduct themselves with respect for others and in accordance with Board policies, school rules, reasonable unwritten behavior expectations, and applicable state and federal laws.

School staff are required to report immediately incidents of prohibited conduct by students to the building administrator/designee for investigation and appropriate action.

Prohibited Conduct

Students are prohibited from engaging in the following conduct on school property, while in attendance at school or at any school-sponsored activity, or at any time or place that such conduct directly interferes with the operations, discipline or general welfare of the school:

- A. Possession and/or use of articles commonly used or designed to inflict bodily harm and/or to threaten, intimidate, coerce or harass another person. Examples of such articles include but are not limited to firearms, BB guns, pellet guns, any other kind of gun, ammunition, explosives, cross-bows, brass knuckles, switchblades, knives, chains, clubs, Kung Fu stars and numchucks;
- B. Use of any object, although not necessarily designed to be a weapon, to inflict bodily harm and/or to threaten, intimidate, coerce or harass another person. Examples of such articles include but are not limited to bats, belts, picks, pencils, compasses, objects capable of ignition (e.g., matches, lighters), files, tools of any sort and replicas of weapons (including toys);
- C. Violent or threatening behavior, including but not limited to fighting, assault and/or battery, taking hostages, threats to commit violence against persons or property (e.g., verbal or written death threats, threats of bodily harm, bomb threats);
- D. Verbal or written statements (including those made on or through a computer) which threaten, intimidate, or harass others, which tend to incite violence and/or disrupt the school program;
- E. Willful and malicious damage to school or personal property;
- F. Stealing or attempting to steal school or personal property;
- G. Lewd, indecent or obscene acts or expressions of any kind;
- H. Violations of the school unit's drug/alcohol and tobacco policies;
- I. Violations of state or federal laws; and
- J. Any other conduct that may be harmful to persons or property.

Disciplinary Action

Principals may suspend and/or recommend expulsion of students who violate this policy based upon the facts of each case and in accordance with applicable state and federal laws. Conduct which violates this policy is deliberately disobedient and deliberately disorderly within the meaning of 20-A MRSA § 1001 (9) and will be grounds for expulsion if found necessary for the peace and usefulness of the school. Such conduct may also be grounds for expulsion under other provisions of 20-A MRSA § 1001 (9 and 9-A) that specifically prohibit the use and possession of weapons, infractions of violence, and possession, furnishing and trafficking of scheduled drugs.

Students who are found to have brought a firearm to school (as defined by federal law), shall be expelled for a period of not less than one year, unless this requirement is modified by the Superintendent on a case-by-case basis.

All firearms violations shall be referred to law enforcement authorities as required by law. Other violations of this policy shall be referred to law enforcement authorities at the discretion of the Superintendent.

Students with disabilities shall be disciplined in accordance with applicable federal and state laws/regulations and School Committee Policy JKF

The School Committee authorized the Superintendent to request an immediate psychological evaluation of a student who violates this policy when, in his/her opinion, such an evaluation will assist in assessing the risk the student poses to school safety if the student were to remain in school.

The Superintendent is also authorized to request psychological evaluations of students who have been identified as posing a substantial risk of violent behavior.

All such evaluations shall be performed at the school unit's expense.

If the parents/guardians and/or student refuse to permit a requested psychological evaluation, the Superintendent and the School Committee may draw any reasonable inferences from the student's behavior concerning the risk the student poses to school safety for purposes of determining appropriate action.

Legal References: 20 USCA § 8921 (Gun-Free Schools Act of 1994) 20-A MRSA §§ 1001 (9); 1001 (9-A); 6552 17-A MRSA §§ 2(9); 2(12-A) NEPN/NSBA Code: JICIA RSU No. 5 School Department Page 3 of 3

Cross Reference: ACAA-Harassment and Sexual Harassment of Students, ADC-Tobacco Use and Possession, EBCA-Crisis Response Plan, JICH-Drug and Alcohol Use by Students, JK-Student Discipline JKD-Suspension of Students
JKE-Expulsion of Students
JKF-Disciplinary/Removal of Students with Disabilities
JIH-Questioning and Searches of Students
KLG-Relations with Law Enforcement Authorities

Adopted: July 8, 2009

Reviewed: January 23, 2013

NEPN/NSBA Code: JIH

QUESTIONING AND SEARCHES OF STUDENTS

The Board seeks to maintain a safe and orderly environment in the schools. School administrators may question and/or search students in accordance with this policy and accompanying administrative procedure.

Students, their personal property, and their vehicles may be searched upon reasonable suspicion that they possess any items or substances which are prohibited by law, Board policies and/or school rules, or which interfere with the operations, discipline or general welfare of the school.

When special circumstances exist, including but not limited to a suspected ongoing violation of the Board's drug/alcohol or weapons policies, or when a potential threat to safety is identified, school administrators may search groups of students or the entire student body without individualized suspicion.

Student use of all school storage facilities, including but not limited to lockers, desks, and parking lots, is a privilege granted by the school. All storage facilities are school property and remain under the control, custody, and supervision of the school. Only locks provided by RSU5 may be used to secure student lockers.

Students have no expectation of privacy in school storage facilities or for any items placed in such storage facilities. School administrators have the authority to inspect and search storage facilities and their contents on a random basis, with or without reasonable suspicion, and without notice or consent. Canine patrols may be used.

If a search produces evidence that a student has violated or is violating the law, Board policies and/or school rules, such evidence may be seized and impounded by school administrators and appropriate disciplinary

action may be taken. Evidence may be forwarded to law enforcement authorities as required by law or as deemed appropriate by school administrators.

The Superintendent is authorized to develop and implement, with input from legal counsel, administrators, and/or other appropriate persons, any administrative procedure necessary to carry out this policy.

This policy and the accompanying procedure will be included in student/parent handbooks. Such administrative procedures shall be subject to Board approval.

Cross Reference: JICH – Drug and Alcohol Use by Students JICIA – Weapons, Violence, and School Safety
JK – Student Discipline KLG – Relations with Law Enforcement Authorities

Adopted: March 24, 2010

Reviewed: March 13, 2013

Revised: November 20, 2013

Reviewed: April 29, 2020

NEPN/NSBA Code: JIH-R

QUESTIONING AND SEARCHES OF STUDENTS ADMINISTRATIVE PROCEDURE

The purpose of this administrative rule is to provide guidelines for the conduct of student questioning and searches by authorized school administrators. These are guidelines only and may be adjusted within reasonable and lawful limits on a case-by-case basis. School administrators have the discretion to request the assistance of law enforcement authorities as they deem necessary and in accordance with Board policy.

During a search, any illegal item(s) found that violates Board policies or school rules, or which in the reasonable judgment of school administrators represents a threat to the safety and welfare of the school population will be seized. Illegal item(s) shall be turned over to the law enforcement authorities. Other item(s) will be stored in a secure location until a determination is made regarding appropriate disposition.

School administrators are required to document all searches and items seized or impounded. The Superintendent and the parents of students involved will be provided with a copy of such reports.


Questioning by School Administrators

1. School administrators are under no obligation to notify a student's parents/guardians prior to questioning a student regarding alleged violations of Board policies, school rules, and/or federal/state laws.

2. School administrators will inform the student of the reasons for the questioning and provide an opportunity for the student to respond to any allegations. School administrators will make a reasonable effort to question the student in a location out of the sight and hearing of other students.

3. If a student fails to cooperate, lies, misleads, or threatens any person during questioning, they may be subject to additional disciplinary action.

Searches of Students, Personal Property in Student's Immediate Possession



1. School administrators are authorized to search students and/or personal property in student' immediate possession, when, in their judgment, there are reasonable grounds to suspect that a student has violated or is violating Board policies, school rules, federal/state laws, or is interfering with operations, discipline or general welfare of the school.

2. All searches of students and/or their personal property, will be authorized and conducted by a school administrator in the presence of a witness, except where the circumstances render the presence of a witness impractical. A reasonable effort will be made to conduct searches out of sight and hearing of other students.

3. Searches should be reasonably related to the suspected violation and no more intrusive than necessary to discover the evidence for which the search was instigated. Searches may include pat downs and searches of the student's outer clothes (e.g., pockets, jacket, shoes, hat) and personal belongings (e.g., purse, backpack, gym bag, lunch bag). The student may be given the opportunity to open any closed items and items that are not easily accessible to visual search. If the student refuses, the administrator will open and search the items. If the search produces a reasonable suspicion of the presence of evidence, a broader search may be justified. If a strip search appears to be necessary law enforcement authorities will be contacted.

4. Searches which disclose evidence that a student has violated Board policies or school rules will be addressed through school disciplinary procedures. Evidence of violation of federal/state laws may result in school disciplinary action and/or be forwarded to law enforcement authorities for possible investigation/prosecution.

Searches of Lockers, Desks, and Other School Storage Facilities

1. School administrators will consult with the Superintendent prior to conducting random searches. Students have no expectation of privacy in school storage facilities or for any items placed in such storage facilities. School administrators have the authority to inspect and search storage facilities and their contents on a random basis, with or without reasonable suspicion, and without notice or consent.

2. Searches of individual student lockers, desks, or other storage facilities and their contents based upon reasonable suspicion will be conducted in the presence of the student and a witness, if practical under the circumstances of the search. A reasonable effort will be made to conduct searches out of the sight and hearing of other students. The student may be given the opportunity to open any closed items or items that are not easily accessible to visual search. If the student refuses, the administrator will open and search the items.

3. Any searches that disclose evidence that a student has violated Board policies or school rules will be addressed through school disciplinary procedures. Evidence of violation of federal/state laws may result in school disciplinary action and/or be forwarded to law enforcement authorities for possible investigation/prosecution.

Patrolling of Parking Lots and Searching Vehicles

1. Students may drive vehicles to school and park in designated areas in accordance with school rules. School administrators retain the authority to patrol parking lots.

2. If school administrators have a reasonable suspicion that a vehicle which a student has parked at school contains evidence that the student has or is violating Board policies or school rules, or federal/state laws, and/or there is a substantial threat to the welfare and safety of the schools, a school administrator will search the vehicle in the presence of a witness, except where the circumstances make the presence of a witness impractical.

3. If practical, the student should be present during the search. A reasonable effort will be made to conduct searches out of the sight and hearing of other students. The student may be given the opportunity

to open any closed items or items that are not easily accessible to visual search. If the student refuses, the administrator will open and search the items.

Canine Patrols

1. The Superintendent may authorize canine patrols to take place anywhere on school property if they deem it advisable to maintain school safety or if there is a reasonable suspicion that drugs, weapons, and/or other illegal substances or items will be found. Canine patrols may include school lockers and/or student vehicles in school parking lots.

2. The Superintendent must make requests for canine patrols in writing to the appropriate law enforcement authorities. Only certified dogs and handlers may be used.

3. Whenever possible, canine patrols will be scheduled to minimize disruption of the academic program and risk of contact with students.

4. Teachers will be notified prior to the initiation of a canine patrol to keep students in their classroom during the patrol. Any students in the parking lot, or anywhere outside of a classroom, prior to a canine patrol will be instructed to report to the school office or appropriate classroom.

5. Any locker and/or vehicle identified by the canine patrol will be noted by the school administrators accompanying the patrol.

6. Immediately following removal of the dogs, each area noted during the canine patrol will be searched. Each search will be conducted by a school administrator in the presence of a witness, except where the circumstances make the presence of a witness impractical.

7. If practical, the student should be present during a search of his/her locker or vehicle. A reasonable effort may be made to conduct the search out of the sight and hearing of other students. The student may be given the opportunity to open any closed items or items that are not easily accessible to visual search. If the student refuses, the administrator will open and search the items.

Cross Reference:

JIH – Questioning and Searches of Students

KLG – Relations with Law Enforcement Authorities

Administrative Procedure Adopted: February 9, 2010

Board of Directors Adopted: March 13, 2013

Revised: November 20, 2013

Reviewed: April 29, 2020

NEPN/NSBA Code: JJE

STUDENT FUNDRAISING ACTIVITIES

The Board recognizes that it is responsible for providing through the budget process the resources necessary to support the school unit's instructional programming. However, the Board acknowledges that schools and student organizations may wish to engage in fundraising in order to support their activities, to provide funding for social events and/or student travel, to benefit the school or community, or for humanitarian purposes.

It is the purpose of this policy to provide guidelines for student participation in fundraising activities. This policy only allows fundraising by students for the purposes set forth in the following Sections (A, B, and C):

A. Fundraising Guidelines for Students and Student Organizations

The following general guidelines apply to fundraising by students and student organizations. These guidelines and the additional considerations in Section B and C of this Policy shall apply to student participation in fundraising conducted for other purposes.

1. All student fundraising activities shall be approved in advance by the building principal, who will be responsible for determining whether the educational or financial benefit provided is sufficiently balanced with fostering a sense of community within the school and/or district, and that the activity complies with Section D of this policy.

2. The principal/designee will determine the amount of involvement outside sales representatives will have in presenting their products, distributing promotional materials, and providing sales incentives to students.

3. The fundraising activity, including any presentation by outside sales representatives, demonstration and distribution of products or promotional materials, solicitation of sales, or collection or recording of monies, shall have minimal impact on instructional time and not be unduly demanding of student or staff time or work.

4. Under no circumstances will any student be compelled to participate or donate; or be penalized for not participating or donating. There shall be no mandatory quotas for product sales.

5. Student fundraising activities shall be supervised by a building administrator, teacher, or activity advisor.

6. The activity shall be one in which schools and students may appropriately engage, and shall not subject the schools, students, or their families to unnecessary risk or responsibility. In the event there is a question regarding the appropriateness of a proposed activity, or the proposed fundraising activity is one that is new to the school system, the building principal shall consult with the Superintendent.

7. The following shall be communicated to students and parents/guardians at the start of the fundraising activity:

- a. The reason for the fundraising activity;
- b. A description of the fundraising activity, including the names of any participating for-profit organizations, any anticipated presentations by outside sales representatives, and the approximate percentage of total sales expected to be kept by the school for the benefit of students;
- c. That soliciting donations or sales is voluntary; and
- d. The option for students and parents/guardians to make a voluntary direct donation towards the activity/program benefiting from the fundraising activity, if preferred.

8. Students participating in fundraising activities are expected to conduct themselves in accordance with Board policies, school rules and the student code of conduct.

9. In the interest of student safety, activities involving door-to-door solicitation by elementary level students are prohibited.

10. Club and class dues shall be determined by the club or class officers in consultation with the club or activity advisor. The building principal shall have final authority over the setting of club and class dues. To the greatest extent possible, scholarship funds will be made available to qualifying students.

11. The building administrator, teachers, or advisors supervising fundraising activities will be responsible for the collection, monitoring, deposit into student activity accounts, and disbursement of funds raised in accordance with the Board's policy DFF, Student Activities Funds Management.

12. Student organizations will be encouraged to engage in fundraising projects that support student wellness or student wellness activities.

B. Fundraising Guidelines for Humanitarian or Charitable Purposes

Students may participate in charitable drives or fundraising activities to benefit humanitarian or charitable causes provided that the activity is conducted in accordance with the guidelines in Section A of this policy and is sponsored by a recognized student organization.

C. Guidelines for Student Participation in Parent Group Fundraising Activities

The Board recognizes that PTCs and other parent groups (e.g., Boosters) may wish to involve students in their fundraising activities. Student participation in fundraising activities to benefit parent groups where the funds raised by the activity will be deposited into the parent group account(s) shall be in accordance with Section A and this Section.

1. Notwithstanding Section A.3, instructional time shall not be used for PTO/Parent Group fundraising activities, including any presentation by outside sales representatives, demonstration and distribution of products or promotional materials, solicitation of sales, or collection or recording of monies.

D. Coordination of Fundraising Activities

1. All fundraising activities in RSU No. 5 shall be coordinated in order to avoid burdening local businesses and the community.

2. Request forms (JJE-E) should be submitted to both the building principal and Superintendent for approval. The district office will coordinate requests to avoid duplication of fundraising activities.

Cross Reference: DFF-Student Activities Funds Management

EFE-Competitive Food Sales

JL - Student Wellness

Adopted: March 24, 2010

Reviewed: March 13, 2013

Revised: June 12, 2019

NEPN/NSBA Code: JKAA

USE OF PHYSICAL RESTRAINT AND SECLUSION

The Board has adopted this policy and the accompanying procedures to implement the standards for use of physical restraint and seclusion with students, as required by state law and regulations, and to support a safe school environment. Physical restraint and seclusion, as defined by this policy, may only be used as an emergency intervention when the behavior of a student presents an imminent risk of serious physical injury to the student or others, and less intrusive interventions have failed or been deemed inappropriate.

State law and MDOE Rule Chapter 33 do not restrict or limit the protections available to school officials under 20-A M.R.S.A. § 4009, but those protections do not relieve school officials from complying with this policy/procedure.

The Superintendent has overall responsibility for implementing this policy and the accompanying procedure, but may delegate specific responsibilities as they deem appropriate.

I. DEFINITIONS.

The following definitions apply to this policy and accompanying procedure:

A.

1. Physical restraint: A personal restriction that immobilizes or reduces the ability of a student to move their arms, legs, or head freely.

2. Physical restraint does not include any of the following:

a. Physical escort: A temporary voluntary touching or holding of the hand, wrist, arm, shoulder or back to induce a student to walk to a safe location.

b. Physical prompt: A teaching technique that involves physical contact with the student and that enables the student to learn or model the physical movement necessary for the development of the desired competency.

c. Protective Physical Interventions: Brief physical contact with a student in response to potentially harmful student action that serves to deflect, block, or redirect the student's actions or disengage from a student's inappropriate grip, but from which the student could freely move away.

d. The use of vehicle safety restraints when used as intended during the transport of a student in a moving vehicle.

e. The use of adaptive devices or mechanical supports to achieve proper body position, balance or alignment to allow greater freedom of movement than would be possible without the use of such devices or supports.

B.

1. Seclusion: The involuntary isolation or confinement of a student alone in a room or clearly defined area from which the student does not feel free to go or is physically denied exit.

2. Seclusion does not include: Timeout: A timeout, which is an intervention where a student requests, or complies with an adult request for a break.

C.

1. Serious physical injury: Any impairment of the physical condition of a person, whether self-inflicted or inflicted on someone else, that is beyond the care of routine first aid, and if the injury had occurred, would require a medical practitioner to evaluate and/or treat the victim.

2. Voluntary: Voluntary means that a student cooperates with a request, independent of staff using physical force for the purpose of overcoming a student's resistance.

3. Emergency: A sudden, urgent occurrence, usually unexpected, but sometimes anticipated, that requires immediate action.

II. PROCEDURES FOR IMPLEMENTING PHYSICAL RESTRAINT AND SECLUSION.

The requirements for implementing physical restraint and seclusion, as well as incident notices, documentation and reporting are included in the accompanying procedure, JKAA-R.

III. ANNUAL NOTICE OF POLICY/PROCEDURE.

RSU No. 5 shall provide annual notice to parents/legal guardians of this policy/procedure by means determined by the Superintendent/designee.

IV. TRAINING REQUIREMENTS.

A. All school staff and contracted providers shall receive an annual overview of this policy/procedure.

B. RSU No. 5 will ensure that there are a sufficient number of administrators/designees, special education and other staff who maintain certification in a restraint and seclusion training program approved by the Maine Department of Education. A list of certified staff shall be updated annually and maintained in the Superintendent's Office, in each school office and in the school unit's Comprehensive Health and Emergency Management Plan.

V. PARENT/LEGAL GUARDIAN COMPLAINT PROCEDURE.

A parent/legal guardian who has a complaint concerning the implementation of this NEPN/NSBA Code: JKAA RSU No. 5 School Department Page 3 of 3 policy/procedure must submit it in writing to the Superintendent as soon as possible. The Superintendent/designee shall investigate the complaint and provide written findings to the parent/legal guardian within twenty (20) business days of receiving the complaint, if practicable.

A parent/legal guardian who is dissatisfied with the result of the local complaint process may file a complaint with the Maine Department of Education. The Department of Education will review the results of the local complaint process and may initiate its own investigation at its sole discretion. The Department shall issue a written report with specific findings to the parent/legal guardian and the school unit within 60 calendar days of receiving the complaint.

Legal Reference:

20-A M.R.S.A. §§ 4502(5) (M); 4009

Chapter 33 (Maine Department of Education Rules)

Cross Reference:

EBCA – Comprehensive Health and Emergency Management Plan

JKAA-R – Procedures of Physical Restraint and Seclusion

JK – Student Discipline

KLG/KLG-R – Relations with Law Enforcement

Adopted: June 24, 2009

Reviewed: March 24, 2010

Revised: January 26, 2011

Revised: November 28, 2012

Revised: June 12, 2013

Reviewed: January 24, 2018

Revised: February 7, 2024

NEPN/NSBA Code: JKAA-R

PROCEDURES ON PHYSICAL RESTRAINT AND SECLUSION

These procedures are established for the purpose of meeting the obligations of RSU No. 5 under state law/regulations and Board Policy JKAA governing the use of physical restraint and seclusion. These procedures shall be interpreted in a manner consistent with state law and regulations.

I. DEFINITIONS.

For purposes of these procedures, the terms “physical restraint” and “seclusion” shall have the meanings defined in Policy JKAA. Definitions for other important terms in this procedure include:

- A. Emergency: A sudden, urgent occurrence, usually unexpected, but sometimes anticipated, that requires immediate action.
- B. Risk of injury or harm: A situation in which a student has the means to cause physical harm or injury to him/herself or others and such injury or harm is likely to occur, such that a reasonable and prudent person would take steps to protect the student and others against the risk of such injury or harm.
- C. Dangerous behavior: Behavior that presents a risk of injury or harm to a student or others.
- D. Serious bodily injury: Any bodily injury that involves: (1) A substantial risk of death; (2) Extreme physical pain; (3) Protracted and obvious disfigurement; or (4) Protracted loss or impairment of the function of a bodily member, organ or mental faculty.

II. PHYSICAL RESTRAINT .

To the extent possible, physical restraint will be implemented by staff certified in a training program approved by the Maine Department of Education. If untrained staff have intervened and initiated a physical restraint in an emergency, trained staff must be summoned to the scene to assume control of the situation if the emergency continues.

This procedure does not preclude law enforcement personnel from implementing physical restraints in carrying out their professional responsibilities.

A. Permitted Uses of Physical Restraint

1. Physical restraint may be used only as an emergency intervention when the behavior of a student presents a risk of injury or harm to the student or others, and only after other less intrusive interventions have failed or been deemed inappropriate.
2. Physical restraint may be used to move a student only if the need for movement outweighs the risk involved in such movement.
3. Prescribed medications, harnesses, and other assistive or protective devices may be used as permitted by Rule Chapter 33.
4. Parents may be requested to provide assistance at any time.

B. Prohibited Forms and Uses of Physical Restraint

1. Physical restraint used for punitive purposes; as a therapeutic or educational intervention; for staff convenience; or to control challenging behavior.
2. Physical restraint used to prevent property destruction or disruption of the environment in the absence of a risk of injury or harm.
3. Physical restraint that restricts the free movement of a student’s diaphragm or chest, or that restricts the airway so as to interrupt normal breathing or speech (restraint-related asphyxia).

4. Physical restraint that relies on pain for control, including but not limited to joint hyperextension, excessive force, unsupported take-downs (e.g., tackles), the use of any physical structure (e.g., wall, railing or post), punching and hitting.

5. Aversive procedures and mechanical and chemical restraints.

a. Aversive procedures are defined as the use of a substance or stimulus, intended to modify behavior, which the person administering it knows or should know is likely to cause physical and/or emotional trauma to a student, even when the substance or stimulus appears to be pleasant or neutral to others. Such substances and stimuli include but are not limited to infliction of bodily pain (e.g., hitting, pinching, slapping); water spray; noxious fumes; extreme physical exercise; costumes or signs.

b. Mechanical restraints are defined as any item worn by or placed on the student to limit behavior or movement and which cannot be removed by the student. Prescribed assistive devices are not considered mechanical restraints when used as prescribed and their use is supervised by qualified and trained individuals in accordance with professional standards.

c. Chemical restraints are defined as the use of medication, including those administered PRN (as needed), given involuntarily to control student behavior. Prescribed medications are not considered chemical restraints when administered by a health care provider in accordance with a student's health care plan.

C. Monitoring Students in Physical Restraint

1. At least two adults must be present at all times when physical restraint is used except when, for safety reasons, waiting for a second adult to arrive is precluded by the particular circumstances.

2. The student must be continuously monitored until he/she no longer presents a risk of injury or harm to him/herself or others.

3. If an injury occurs, applicable school policies and procedures should be followed.

D. Termination of Physical Restraint

1. The staff involved in the use of physical restraint must continually assess for signs that the student is no longer presenting a risk of injury or harm to him/herself or others, and the emergency intervention must be discontinued as soon as possible.

a. The time a student is in physical restraint must be monitored and recorded.

b. If physical restraint continues for more than ten (10) minutes, an administrator/designee shall determine whether continued physical restraint is warranted, and shall continue to monitor the status of the physical restraint every ten (10) minutes until the restraint is terminated.

c. If attempts to release a student from physical restraint have been unsuccessful and the student continues to present behaviors that create a risk of injury or harm to him/herself or others, then staff may request additional assistance from other school staff, parents, medical providers, or other appropriate persons or organizations.

III. SECLUSION.

To the extent possible, seclusion will be implemented by staff certified in a training program approved by the Maine Department of Education. If untrained staff have intervened and initiated seclusion in an emergency, trained staff must be summoned to the scene as soon as possible.

A “timeout” where a student requests, or complies with an adult request for, a break is not considered seclusion under this procedure. Seclusion also does not include any situation where others are present in the room or defined area with the student (including but not limited to classrooms, offices and other school locations).

A. Permitted Uses and Location of Seclusion

1. Seclusion may be used only as an emergency intervention when the behavior of a student presents a risk of injury or harm to the student or others, and only after other less intrusive interventions have failed or been deemed inappropriate.

2. Seclusion may be achieved in any part of a school building with adequate light, heat, ventilation and of normal room height.

a. Seclusion may not take place in a locked room.

b. If a specific room is designated as a seclusion room, it must be a minimum of sixty (60) square feet; have adequate light, heat and ventilation; be of normal room height; contain an unbreakable observation window in a wall or door; and must be free of hazardous materials and objects which the student could use to self-inflict bodily injury.

3. Parents may be requested to provide assistance at any time.

B. Prohibited Uses of Seclusion

1. Seclusion used for punitive purposes; as a therapeutic or educational intervention; for staff convenience; or to control challenging behavior.

2. Seclusion used to prevent property destruction or disruption of the environment in the absence of risk of injury or harm.

C. Monitoring Students in Seclusion

1. At least one adult must be physically present at all times to continuously monitor a student in seclusion. The adult, while not present in the room or defined area, must be situated so that the student is visible at all times.

2. The student must be continuously monitored until he/she no longer presents a risk of injury or harm to him/herself or others.

3. If an injury occurs, applicable school policies and procedures should be followed.

D. Termination of Seclusion

1. The staff involved in the seclusion must continually assess for signs that the student is no longer presenting a risk of injury or harm to him/herself or others, and the emergency intervention must be discontinued as soon as possible.

a. The time a student is in seclusion must be monitored and recorded.

b. If seclusion continues for more than ten (10) minutes, an administrator/designee shall determine whether continued seclusion is warranted, and shall continue to monitor the status of the seclusion every ten (10) minutes until the restraint is terminated.

c. If attempts to release a student from seclusion have been unsuccessful and the student continues to present behaviors that create an imminent risk of injury or harm to him/herself or

others, then staff may request additional assistance from other school staff, parents, medical providers, or other appropriate persons or organizations.

IV. NOTIFICATION AND REPORTS OF PHYSICAL RESTRAINT AND SECLUSION INCIDENTS.

For the purposes of this procedure, an “incident” consists of all actions between the time a student begins to create a risk of harm and the time the student ceases to pose a risk of harm and returns to his/her regular programming.

A. Notice Requirements

After each incident of physical restraint or seclusion:

1. A staff member involved in the incident shall make an oral notification to the administrator/designee as soon as possible, but no later than the end of the school day.
2. An administrator/designee shall notify the parent/legal guardian about the physical restraint or seclusion (and any related first aid provided) as soon as practical, but within the school day in which the incident occurred. The administrator/designee must utilize all available phone number or other available contact information to reach the parent/legal guardian. If the parent/legal guardian is unavailable, the administrator/designee must leave a message (if the parent/legal guardian has a phone and message capability) to contact the school as soon as possible. The parent/legal guardian must be informed that written documentation will be provided within seven (7) calendar days.
3. If the physical restraint or seclusion incident occurred outside the school day, the notifications must be made as soon as possible and in accordance with RSU5 usual emergency notification procedures.
4. If serious bodily injury or death of a student occurs during the implementation of physical restraint or seclusion, the RSU5 emergency NEPN/NSBA Code: JKAA-R notification procedures shall be followed and an administrator/designee shall notify the Maine Department of Education within twenty-four (24) hours or the next business day.


B. Incident Reports

Each use of physical restraint or seclusion must be documented in an incident report. The incident report must be completed and provided to an administrator/designee as soon as practical, and in all cases within two (2) school days of the incident.

The parent/legal guardian must be provided a copy of the incident report within seven (7) calendar days of the incident.

The incident report must include the following elements:

1. Student name;
2. Age, gender and grade;
3. Location of the incident;
4. Date of the incident;
5. Date of report;
6. Person completing the report;
7. Beginning and ending time of each physical restraint and/or seclusion;
8. Total time of incident;
9. Description of prior events and circumstances;

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10. Less restrictive interventions tried prior to the use of physical restraint and/or seclusion and, if none were used, the reasons why;
 11. The student behavior justifying the use of physical restraint or seclusion;
 12. A detailed description of the physical restraint or seclusion used;
 13. The staff person(s) involved, their role in the physical restraint or seclusion, and whether each person is certified in an approved training program;
 14. Description of the incident, including the resolution and process of returning the student to his/her program, if appropriate;
 15. Whether the student has an IEP, 504 Plan, behavior plan, IHP (individual health plan) or any other plan;
 16. If a student and/or staff sustained bodily injury, the date and time of nurse or other response personnel notification and any treatment administered;
 17. The date, time and method of parent/legal guardian notification;
 18. The date and time of administrator/designee notification; and
 19. Date and time of staff debriefing.

Copies of the incident reports shall be maintained in the student's file and in the school office.

V. SCHOOL UNIT RESPONSE FOLLOWING THE USE OF PHYSICAL RESTRAINT OR SECLUSION.

A. Following each incident of physical restraint or seclusion, an administrator/designee shall take these steps within two (2) school days (unless serious bodily injury requiring emergency medical treatment occurred, in which case these steps must take place as soon as possible, but no later than the next school day):

1. Review the incident with all staff persons involved to discuss: (a) whether the use of physical restraint or seclusion complied with state and school board requirements and (b) how to prevent or reduce the need for physical restraint and/or seclusion in the future.
2. Meet with the student who was physically restrained or secluded to discuss: (a) what triggered the student's escalation and (b) what the student and staff can do to reduce the need for physical restraint and/or seclusion in the future.

B. Following the meetings, staff must develop and implement a written plan for response and de-escalation for the student. If a plan already exists, staff must review it and make revisions, if appropriate. For the purposes of this procedure, "de-escalation" is the use of behavior management techniques intended to cause a situation involving problem behavior of a student to become more controlled, calm and less dangerous, thus reducing the risk of injury or harm.


VI. PROCEDURE FOR STUDENTS WITH THREE INCIDENTS IN A SCHOOL YEAR.

The school unit will make reasonable, documented efforts to encourage parent/legal guardian participation in the meetings required in this section, and to schedule meetings at times convenient for parents/legal guardians to attend.

A. **Special Education/504 Students**

1. After the third incident of physical restraint and/or seclusion in one school year, the student's IEP or 504 Team shall meet within ten (10) school days of the third incident to discuss the incident and consider the need to conduct an FBA (functional behavioral assessment) and/or develop a BIP (behavior intervention plan), or amend an existing one.

B. **All Other Students**

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1. A team consisting of the parent/legal guardian, administrator/designee, a teacher for the student, a staff member involved in the incident (if not the administrator/designee or teacher already invited), and other appropriate staff shall meet within ten (10) school days to discuss the incidents.
 2. The team shall consider the appropriateness of a referral to special education and, regardless of whether a referral to special education is made, the need to conduct an FBA (functional behavior assessment) and/or develop a BIP (behavior intervention plan).

VII. CUMULATIVE REPORTING REQUIREMENTS

A. Reports within the School Unit

1. Each building administrator must report the following data on a quarterly and annual basis:
 - a. Aggregate number of uses of physical restraint;
 - b. Aggregate number of students placed in physical restraint;
 - c. Aggregate number of uses of seclusion;
 - d. Aggregate number of students placed in seclusion;
 - e. Aggregate number of serious bodily injuries to students related to the use of physical restraints and seclusions; and
 - f. Aggregate number of serious bodily injuries to staff related to physical restraint and seclusion.

2. The Superintendent shall review the cumulative reports and identify any areas that could be addressed to reduce the future use of physical restraint and seclusion.

B. Reports to Maine Department of Education

1. The Superintendent shall submit an annual report to the Maine Department of Education on an annual basis that includes the information required in Section 7.A.1 above.

Legal Reference: Me. DOE Rule Ch. 33

Cross Reference:

JKAA – Use of Physical Restraint and Seclusion

Administrative Procedure Adopted: March 16, 2010

Administrative Procedure Revised: December 14, 2010

Board of Directors Adopted: November 28, 2012

Revised: June 12, 2013

Revised: January 24, 2018

Revised: February 7, 2024

NEPN/NSBA Code: JKF

DISCIPLINARY REMOVAL OF STUDENTS WITH DISABILITIES

When removing students with disabilities from their regular school programs, whether as a result of a suspension, an expulsion, or any other removal covered by state and federal special education laws, it shall be the policy of RSU No. 5 to comply fully with all applicable state and federal special education laws that govern such removals.

The Superintendent of Schools, in consultation with the Director of Instructional Support and other school administrators, shall develop and promulgate procedures for implementing this policy, and may from time to time amend those procedures as necessary, and shall fully advise all students and parents/guardians of these procedures.

Legal Reference:

Me. Dept. of Educ. Rule Ch. 101 § XVII (2017)

34 C.F.R. § 300.101, .530 -.536

Adopted: June 24, 2009

Reviewed: March 24, 2010

Reviewed: March 13, 2013

Reviewed: September 26, 2018

Revised: June 9, 2021

NEPN/NSBA Code: JL

STUDENT WELLNESS

The Board recognizes that student wellness and good nutrition are related to students' physical and social-emotional well-being and their readiness to learn. The Board is committed to providing a school environment that supports student wellness, healthy food choices, nutrition education, and regular physical activity. The Board believes that students who learn and practice healthy lifestyles in their formative years may be more likely to be conscious of the importance of good nutrition and exercise as adults, practice healthy habits, and reduce their risk of illness and/or other chronic diseases.

Nutrition Standards

The school unit will ensure that meals provided by its Food Services Program meets or exceeds the nutrition standards established by the National School Lunch Program, the School Breakfast Program, and other applicable federal child nutrition programs.

Other foods and beverages sold or available to students during the school day ("competitive foods") will meet or exceed the federal Smart Snacks guidelines.

Water

To promote hydration: free, safe, unflavored drinking water will be available to students throughout the school day, including mealtimes, at every school.


Nutrition Education

Nutrition education will be integrated into the instructional program through the health education program and/or the curriculum as aligned with the content standards of Maine's system of Learning Results. Nutrition education should focus on necessary skills to adopt and maintain healthy eating behaviors. Students should receive consistent nutrition messages throughout the schools, including classrooms, cafeteria, and school-home communications.

Nutrition Promotion

Schools will support healthful eating by students and encourage parents/guardians to provide healthy meals for their children by providing consistent nutrition messages and information and by cooperation with other agencies and organizations.

Staff Qualifications and Professional Development



All school nutrition program directors, managers, and staff will meet or exceed hiring and annual continuing education/training requirements in the USDA standards for school nutrition professionals.

Physical Activity

The school unit will strive to provide all students developmentally appropriate opportunities for physical activity through physical education classes, recess periods for elementary school students, and extracurricular activities (clubs, intramural and interscholastic athletics). School programs are intended to promote healthy lifestyles. The schools will provide opportunities for parents/guardians to support student participation in physical activities, including available before- and after-school programs.

Social and Emotional Wellness

Programs and services that support student social and emotional competence create an environment most conducive to a student's ability to learn and thrive.

The school unit will identify, operationalize and integrate social emotional learning priorities in each school using age and grade-appropriate methods, as determined by each school's leadership. Collaboration among students, families, schools, communities, and outside agencies, as well as integration with academic learning, will be encouraged.

Other School-Based Wellness Activities

The schools, with prior approval of the Superintendent/designee, may implement other appropriate programs that support consistent wellness messages and promote healthy eating and physical activity.

Leadership

The Superintendent/designee shall be responsible for the oversight of development and implementation of the wellness policy in the schools. This includes ensuring that the school unit evaluates its schools' compliance with the wellness policy and progress in attaining wellness goals and making required information available to the public.

The evaluation process must include a comparison of the wellness plan with model wellness policies (e.g. MSMA), and it may include surveys or solicitation of input from students, parents/guardians, staff, and school administrators, including suggestions for improvement in specific areas.

Annual Notification of Policy

The school unit will annually inform families and the public of basic information about the wellness policy, including its content, any updates, and implementation status. This information will be made available on the school unit's website. It will include the contact information for the person coordinating the wellness committee, as well as information about opportunities for the public to get involved with the wellness committee.

Triennial Progress Assessments

Every three years, the Director of School Nutrition will:

Assess the extent to which the school unit's schools are in compliance with the wellness policy;

Assess the extent to which the school unit's wellness policy (e.g. MSMA) compares to model wellness policies; and

Provide a description of the progress made in attaining the goals of the school unit's wellness policy.

The school unit's wellness committee will update the wellness policy based on the results of the triennial assessment and/or as:

The school unit's priorities change;

Community needs change;

Wellness goals are met;

New evidence-based health science emerges; or

New or updated federal or State regulations are issued.

Parent/Guardian Communications

The school unit will inform parents/guardians of improvements that have been made to school meal standards; availability of child nutrition programs and how to apply; the school unit's meal charging policy; and a list of healthy celebration party ideas (including a list of foods and beverages that meet the Smart Snacks standards).

Food and Beverage Marketing in School

Any foods and beverages marketed or promoted to students on the school campus during the school day will meet or exceed the USDA Smart Snacks standards. Food and beverage marketing includes, but is not limited to:

Brand names, logos or tags, except those that are present as labels on the food or beverage product or its container;

Displays, such as vending machine exteriors;

Corporate brands' logos, names, or trademarks on school equipment such as message boards or scoreboards;

Corporate brands' logos, names, or trademarks on cups used for beverage dispensing, menu boards, coolers, trash cans, and other food service equipment;


Corporate brands' logos, names, or trademarks on posters, book covers, or school supplies distributed or offered by the school unit; or

Advertisements in school publications or school mailings; or on product coupons or free samples.

Corporate brand names, logos, and trademarks for companies that market products that comply with the USDA Smart Snacks in School nutrition standards will not be prohibited solely because they offer some noncompliant food or beverage items in their product line.

Appointment and Role of the Wellness Committee

The Board shall appoint a district-wide Wellness Committee comprised of at least one of each of the following:

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- A. Board member;
 - B. School administrator;
 - C. Food Services Director/designee;
 - D. Student representative;
 - E. Parent/guardian representative and/or community representative;
 - F. School nurse and/or other school health professional.

The Wellness Committee may also include:

- A. Physical education teacher;
- B. School counselor;
- C. Social worker;
- D. Other staff, as designated by the Board; and/or
- E. Other persons, as designated by the Board.

The Wellness Committee shall serve as a committee in regard to student wellness issues and will be responsible for making recommendations related to the wellness policy, wellness goals, administrative or school regulations and practices, and raising awareness of student health issues.

With the prior approval of the Superintendent/designee, the Wellness Committee may survey parents/guardians, students, and the community and/or conduct focus groups or community forums.

The Wellness Committee shall provide periodic reports to the Superintendent/ designee and, as requested, to the Board.

Wellness Goals

The Board has identified the following goals associated with student wellness:

Goals for Nutrition Education

The schools will provide nutrition education that focuses on the skills students need to adopt and maintain healthy eating behaviors.

The schools' nutrition education will be provided in a sequential, comprehensive health education program aligned with the content standards of the Maine system of Learning Results.


Nutrition education will be integrated into other subjects as appropriate to complement, not replace, the health education program.

The school unit will provide foods that meet or exceed the federal nutrition standards, adequate time for students to obtain food and eat, lunch scheduled at appropriate hours of the day, adequate space to eat, and a clean and safe meal environment.

Appropriate professional development will be provided for food services staff.

Goals for Nutrition Promotion

School unit staff will cooperate with agencies and community organizations to provide opportunities for nutrition-related student projects and learning experiences.



Consistent nutrition messages will be disseminated throughout the school unit in the classroom, the cafeteria, and school-home communications.

Administrators and staff will be encouraged to model nutritious food choices and eating habits.

Schools will encourage parents/guardians to provide healthy meals and snacks for their children through take-home materials or other means.

Students will have access to clean and safe drinking water throughout the school day and during school activities.

Schools will promote consumption of water as an essential element in maintaining overall health and wellness.

Goals for Physical Activity

The physical education program will provide students with the knowledge and skills needed to optimize their physical health.

Students will have the opportunity to develop motor skills and apply them to enhance their coordination and physical performance.

The physical education curriculum will be aligned with the content standards of the Maine system of Learning Results.

Physical education classes will keep all students involved in purposeful activity for a majority of the class period.

Physical education classes will provide opportunities to learn for students of all abilities.

The schools will provide a physical and social environment that encourages safe and enjoyable physical activity and fosters the development of a positive attitude toward health and fitness.


The schools will provide facilities adequate to implement the physical education curriculum for the number of students served.

Schools will provide opportunities for students to engage in age-appropriate activities on most days of the week in both school and community settings.

The schools will provide opportunities for physical activity through a variety of before- and/or after-school programs including, but not limited to, intramural sports, interscholastic athletics, and physical activity clubs.

Appropriate professional development will be provided for physical education staff and other staff involved in the delivery of such programs.

Goals for Social and Emotional Well-Being



PLAN: Each school will respond to the social and emotional needs of students and provide tiered support as needed. RSU No. 5 will recognize students' individual and collective social and emotional needs to inform programming, scheduling, and other opportunities.

TRAIN: Licensed and trained professionals, as well as mental health support staff within RSU No. 5, will help to implement programming and train staff on ways to support all students' social and emotional wellness with a lens of understanding of individual needs and perspectives.

SUPPORT: Social and emotional learning will promote student self-awareness, self-advocacy, social awareness, self-regulation, and support life-long healthy lifestyles.

CONNECT: RSU No. 5 staff will connect students and families to resources and supports in school and in the community as appropriate.

Goals for Other School-Based Activities

Goals of the wellness policy will be considered when planning school or classroom parties, celebrations, or events.

Parents/guardians will be encouraged to provide nutritionally sound snacks from home and food for classroom parties or events.

Schools will encourage maximum participation in school meal programs.

Schools will encourage parents/guardians and students to take advantage of developmentally appropriate community-based after-school programs.

Fundraising projects will be supportive of healthy eating and student wellness.

School-based marketing of foods and beverages, such as through advertisements in school publications, school buildings, athletic fields, and other areas accessible to students should support the goals of the wellness policy.

The schools are encouraged to cooperate with agencies and community organizations to support programs that contribute to good nutrition and physical activity.

Legal Reference: 42 U.S.C. § 1751 (Healthy, Hunger-Free Kids Act)
 7 CFR Parts 210 and 220
 20-A MRSA § 6662

Adopted: July 8, 2009

Revised: November 28, 2012

Revised: June 13, 2018

Revised: December 8, 2021

Revised: March 23, 2022

NEPN/NSBA Code: JLCB

IMMUNIZATION OF STUDENTS

All students who enroll in the RSU No. 5 schools are required by Maine law to present a certificate of immunization or evidence of immunization or immunity against poliomyelitis, diphtheria, pertussis (whooping cough), tetanus, measles, mumps, rubella and varicella (chicken pox).

One dose of Tetanus/Diphtheria/Pertussis (Tdap) is required for students entering 7th grade.

Immunization against meningococcal disease is required as follows:

- A. One dose of meningococcal vaccine MCV4 is required for students entering 7th grade.
- B. Students entering 12th grade are required to have received two doses of MCV4. The first dose shall have been received on or after the 11th birthday, and the second dose shall have been received on or after the 16th birthday, at least eight weeks after the first dose. Only one dose is required if the first dose is administered when the student is 16 years of age or older.

Non-immunized students shall not be permitted to attend school unless one of the following conditions is met:

- A. The student's parent/guardian provides to the school written assurance that the child will be immunized within 90 days of enrolling in school or their first attendance in classes, whichever date is earlier. This option is available only once to each student during their school career; or
- B. The parent/guardian provides a written statement each year from a State of Maine licensed physician, nurse practitioner or physician assistant that, in their professional judgment, immunization against one or more of the diseases may be medically inadvisable (as defined by law/regulation).

Effective September 1, 2021, there are no longer immunization exemptions for religious or philosophical beliefs.

The Superintendent shall exclude from school any non-immunized student when there is a clear danger to the health of others as provided by law.

The Superintendent/designee is directed to develop such administrative procedures as are necessary to carry out this policy and comply with statutory requirements.

Legal Reference: 20-A MRSA § 6352-6359

Me. Dept. of Education Rule Ch. 126 (May 10, 2018)

Cross Reference: JLCC – Communicable/Infectious Diseases

JRA – Student Educational Records

Adopted: July 8, 2009

Reviewed: October 26, 2016

Revised: October 27, 2021

NEPN/NSBA Code: JLCC

COMMUNICABLE/INFECTIOUS DISEASES



Teachers should be alert to signs of illness and communicable disease and refer students who show such symptoms to the school nurse.

The Superintendent/school nurse shall be responsible for notifying the Maine Center for Disease Control and Prevention (CDC) of any student suspected of having a communicable disease, the occurrence of which is required to be reported pursuant to law and/or Maine Department of Health and Human Services (DHHS) rules.

The building principal will be notified when a report of communicable disease has been made.

Any student for whom the CDC has prescribed isolation or quarantine shall be excluded from school and school activities. Students who have other types of communicable diseases shall be excluded from school and school activities as prescribed by law, or shall observe other protective procedures according to recommendations issued by the school physician/school nurse.

The Superintendent is encouraged to consult with the school nurse if a teacher informs the Superintendent that they have reason to believe that a student is a public health threat due to a communicable disease.

A certificate from the student's health care provider shall be required before a student who has had a "notifiable" communicable disease may return to school or participate in school activities. The building principal and/or school nurse must give permission before the student is readmitted to class.

Legal Reference: 5 MRSA § 19201 et.seq.

20-A MRSA §§ 1001(11)(A), 6301

22 MRSA §§ 801, 802, 806, 823, 824

Maine Dept. of Health and Human Services Rule Ch. 258(2015)

Adopted: July 8, 2009

Revised: March 24, 2010

Reviewed: October 26, 2016

Revised: October 27, 2021

NEPN/NSBA Code: JLCD

ADMINISTRATION OF MEDICATION TO STUDENTS

The intent of this policy is to promote the safe administration of medications to students by trained school personnel. The Board discourages the administration of medication to students during the school day when other options exist, but recognizes that in some instances it may be necessary for a student to have medication administered to them while the student is in attendance at school. The school will not deny educational opportunities to students requiring the administration of medication in order to remain in attendance and participate in the educational program.

Medications will only be administered to students by trained school personnel. This policy provides exceptions for authorization of student emergency self-administration of medication.

This policy does not apply to medical marijuana, which is addressed in RSU No. 5 Board's policy JLCDA, Medical Marijuana in Schools.

The Board encourages collaboration between parents/guardians and the schools in matters involving student medication.

The Board disclaims any and all responsibility for the diagnosis, prescription of treatment, and administration of medication for any student, and for any injury arising from a student's self-administration of medication.

I. DEFINITIONS

"Administration" means the provision of prescribed medication to a student according to the orders of a health care provider.

"Collaborative practice agreement" means a written and signed agreement between a physician licensed in Maine or a school health advisor, as defined in 20-A MRSA §6402- A, and a school nurse. Such an agreement can provide for the prescription of epinephrine autoinjectors by the physician or school health advisor and administration of epinephrine injectors by the school nurse or designated school personnel to students during school or a school-sponsored activity under emergency circumstances involving anaphylaxis, or and, as defined in 20-A MRSA §6307, provide for the prescription of naloxone by the physician or school health advisor and the administration of naloxone by the school nurse or designated school personnel to students, staff, or visitors during school or a schoolsponsored activity or otherwise on school grounds under emergency circumstances involving an opioid overdose or apparent opioid overdose.

"Designated school personnel" are unlicensed school personnel who have completed training in administration of medication as may be required by Maine statutes or DOE rules, and who have been authorized by the school nurse to administer medication.

"Health care provider" means a medical/health practitioner who has a current license in the State of Maine with a scope of practice that includes prescribing medication.

"Indirect supervision" means the supervision of an unlicensed school staff member when the school nurse or other health care provider is not physically available on site, but immediately available by telephone.

"Individual Health Plan" means a plan developed by the school nurse, student and family to provide care coordination and facilitate the management of the student's health condition in the school setting and to inform school educational plans.

"Medication" means prescribed drugs and medical devices that are controlled by the U.S. Food and Drug Administration and are ordered by a health care provider. It includes over-the-counter medications prescribed through a standing order by the school physician or prescribed by the student's health care provider. For the purpose of this policy, "medication" includes asthma inhalers, epinephrine autoinjectors, naloxone hydrochloride, and medication related to the management of insulin dependent diabetes, but does not include medical marijuana.

“Parent” means a natural or adoptive parent, a guardian, or a person acting as a parent of a child with legal responsibility for the child’s welfare.

“School nurse” means a registered professional nurse with Maine Department of Education certification for school nursing.

“Self-administration” is when the student administers medication independently to himself/themselves under indirect supervision of the school nurse.

“Unlicensed school personnel” are persons who do not have a professional license that allows them, within the scope of that license, to administer medication.

II. ADMINISTRATION OF MEDICATION BY SCHOOL PERSONNEL

A. Parental Request

In the event that no reasonable alternative exists, the parent may request in writing that medication be administered to the student during the school day. The written request must include an acknowledgement and agreement that unlicensed personnel may administer the medication as per the health care provider’s instructions. In addition, the request shall indicate that information regarding the student’s medication may be shared with appropriate school personnel. Parents may provide the reason (diagnosis) requiring the administration of medication.

Requests shall be valid for the current school year only.

B. Health Care Provider’s Order

All parental requests must be accompanied by a written order from the student’s health care provider substantiating the fact that the administration of a particular medication during the school day is necessary for the student’s health and attendance in school. Such order must include the:

1. Student’s name
2. Name of the medication
3. Dose
4. Route of administration (e.g., tablets, liquid, drops)
5. Time intervals for administration (e.g., every four hours, before meals)
6. Special instructions; and
7. Name of the prescribing health care provider

It is the responsibility of the school nurse to clarify any medication order that they believe to be inappropriate or ambiguous. In accordance with Department of Education Rule Chapter 40 § 2(B), the school nurse may decline to administer a medication if they believe such administration would jeopardize student safety. In this case, the school nurse must notify the parent, the student’s health care provider and the school administrator (i.e., building principal or designated administrator).

If the student’s parent or health care provider indicates that they do not want a medication administered by unlicensed personnel, a meeting or telephone conference will be held involving the

school nurse, the building administrator, the parent(s), and appropriate professionals to discuss alternative options for administration of medication to the student.

C. Renewal of Parent Permission Requests/Forms and Health Care Provider Orders

Written parental permission requests/forms and health care provider orders must be renewed at least annually. Health care provider orders must be renewed whenever there are changes in the order.

D. Delivery and Storage of Medication

The student's parents shall deliver any medication to be administered by school personnel to the school in its original container and properly labeled. In the event that this is not practical, the parent must contact the school to make alternate arrangements. The parent is responsible for the replenishment of medication kept at school.

The school nurse or authorized designee is responsible for accepting and properly storing all medications. No more than a 20-day (one month) supply of medication shall be kept at school, excluding inhalers and epinephrine autoinjectors. The parent is responsible for the replenishment of medication kept at school.

Scheduled medications (regulated by the Federal Narcotics Act) will not be accepted at school unless it is part of a student's Individual Health Plan agreed upon by the physician, parent, school nurse and administrator.

The parent is responsible for notifying the school of any changes in or discontinuation of a prescribed medication that is being administered to the student at school. The parent must remove any medication no longer required or that remains at the end of the school year. Any medication remaining will be appropriately discarded by the school nurse.


The school nurse in conjunction with principal and/or designated school official, shall be responsible for developing and implementing procedures for the appropriate and secure storage of medications kept at school, and all medications shall be stored in accordance with this procedure.

E. Recordkeeping

School personnel and the student's parent shall account for all medication brought to school. The number of capsules, pills, tablets, and/or volume of scheduled medications brought to school shall be recorded.

School staff administering medication shall document each instance the medication is administered including the date, time, and dosage given.

The school nurse shall maintain a record including the parent's request, physician's order, details of the specific medications (including dosage and timing of medication), and documentation of each instance the medication is administered.



Records shall be retained according to the current State of Maine schedules pertaining to student health records.

F. Confidentiality

To the extent legally permissible, staff members may be provided with such information regarding medication and its administration as may be in the best interest of the student.

G. Administration of Medication

Medication may be administered during the school day by licensed medical personnel acting within the scope of their licenses.

The school nurse, under the administrative supervision of the Superintendent, will provide direction and oversight for the administration of medication to students.

All unlicensed personnel (principals, teachers, education technicians, school secretaries, coaches, bus drivers, etc.) who administer medication must receive training before being authorized to do so.

Based upon the documentation of training and competency in the administration of medication, the school nurse will communicate to the Superintendent/designee pertaining to authorization of unlicensed persons to administer medication. Training that shall be acceptable for the purpose of authorization of unlicensed personnel is addressed under the section of this policy titled “Required Training of Unlicensed Personnel to Administer Medication.”

H. Administration of Medication During Off-Campus Field Trips and School Sponsored Events

The school will accommodate students requiring administration of medication during field trips or school-sponsored events as follows:

The school nurse, principal, and, as appropriate, the school unit’s Section 504 Coordinator and/or IEP, will determine whether an individual student’s participation is contraindicated due to the unstable/fragile nature of his/her health condition, the distance from emergency care that may be required, and/or other extraordinary circumstances. The student’s parent and primary care provider will be consulted in making this determination. The decision will be made in compliance with applicable laws, including the IDEA, § 504 and the Americans with Disabilities Act (ADA).

The parent must provide the appropriate number of doses needed for the duration of the field trip or school-sponsored event.

When there are no contraindications to student participation, an appropriately trained staff member will be assigned to administer medication. The parent will be encouraged to accompany the student, if possible, to care for the student and administer medication.

All provisions of this policy shall apply to medications to be administered during off-campus field trips and school-sponsored events. As practicable, the DOE’s “Procedure for Medication Administration on School Field Trips” will be followed.

I. Student Self-Administration of Emergency Medications for Asthma Inhalers, Epinephrine Autoinjectors and Medication Related to the Care of Insulin Dependent Diabetes.

Students with allergies, or asthma, or type one diabetes may be authorized by the building principal, in consultation with the school nurse, to possess and self administer emergency medication from an epinephrine autoinjector or asthma inhaler during the school day, during field trips, school-sponsored events, or while on a school bus. The student shall be authorized to possess and self-administer medication from an epinephrine autoinjector, asthma inhaler or medication related to the care of their insulin dependent diabetes if the following conditions have been met:

1. The parent (or student, if 18 years of age or older) provides a written request for the student to possess and self-administer emergency medication.
2. The student must have the prior written approval from their primary health care provider and, if the student is under the age of 18, the prior written approval of their parent. The written notice from the student's primary care provider must specify the name and dosage of the medication, frequency with which it may be administered, and the circumstances that may warrant its use.
3. The student's parent must submit written verification to the school from the student's primary care health provider confirming that the student has the knowledge and the skills to safely possess and use an epinephrine auto-injector or asthma inhaler.
4. The school nurse shall evaluate the student's technique to ensure proper and effective use of an epinephrine auto-injector or asthma inhaler, taking into account the maturity and capability of the student and the circumstances under which the student will or may have to self-administer the medication.
5. The parent will be informed that the school cannot accurately monitor the frequency and appropriateness of use when the student self-administers medication, and that the school unit will not be responsible for any injury arising from the student's self-medication.

Authorization granted to a student to possess and self-administer emergency medication for asthma, anaphylaxis, or diabetes shall be valid for the current school year only and must be renewed annually.

A student's authorization to possess and self-administer these medications may be limited or revoked by the building principal after consultation with the school nurse and the student's parents if the student demonstrates inability to responsibly possess and self-administer such medication.

To the extent legally permissible, staff members may be provided with such information regarding the student's medication and the student's self-administration as may be in the best interest of the student.

Sharing, borrowing, or distribution of medication is prohibited. The student's authorization to self-administer medication may be revoked and the student may be subject to disciplinary consequences for violation of this policy.

J. Administration of Over-the-Counter Medications

With prior written parent permission, students may receive certain over the counter medications at school, e.g., Tylenol, Ibuprofen, Tums, cough drops, etc. pursuant to a standing order from the school physician/school health advisor.

K. Required Training of Unlicensed Personnel to Administer Medication

Unlicensed school personnel who administer medication to students in a school setting (at school, on school transportation to or from school, on field trips, or during school-sponsored events) must be trained in the administration of medication before being authorized to carry out this responsibility. Such training must be provided by a registered professional nurse or physician and include the components specified in Department of Education Rules Chapter 40 and other applicable Department of Education standards, recommendations, programs, and/or methodologies.

The trainer shall document the training and competency of unlicensed school personnel to administer medication. Based upon a review of the documentation of training and competency in the administration of medication, the school nurse will communicate recommendations to the Superintendent/designee pertaining to authorization of such unlicensed personnel pertaining to authorization to administer medication.

Following the initial training, a training review and information update must be held at least annually for those unlicensed school personnel authorized to administer medication.

L. Delegation and Implementation

The Superintendent/designee shall be responsible for developing administrative procedures and/or protocols to implement or supplement this policy.

Such procedures/protocols shall include direction regarding:

1. Safe transport of medication to and from school;
2. Administration of medication during field trips and school-sponsored events;
3. Accountability for medications, particularly those regulated by Schedule II of the Controlled Substances Act;
4. Proper storage of medication at school;
5. Training of appropriate staff on administration of emergency medications including the standards for the signs and symptoms of anaphylaxis and the use of epinephrine auto-injectors for students with known anaphylaxis allergies.
6. The procedure to follow in the event of a medication reaction;
7. Access to medications in case of a disaster;
8. The process for documenting medications given and medication errors; and
9. The proper disposal of medications not retrieved by parents.

Legal Reference: 20-A M.R.S.A. §§ 254(5); 4009(4); 4502 (5)(N); 6305
Me. Dept. of Ed. Rule Ch. 40 (2016)
21 USC §801 et.seq. (Controlled Substances Act)
28 C.F.R. Part 35 (Americans with Disabilities Act of 1990)

34 C.F.R. Part 104 (Section 504 of the Rehabilitation Act of 1973)
34 C.F.R. Part 300 (Individuals with Disabilities Education Act)

Cross Reference: JLCD-E – Medication Administration on School Field Trips (Me. DOE),
JLCDA – Medical Marijuana in Schools

Adopted: July 8, 2009

Revised: December 8, 2010

Revised: May 24, 2017

Revised: November 30, 2022

Revised: December 14, 2022

NEPN/NSBA Code: JLF

REPORTING CHILD ABUSE AND NEGLECT

I. DEFINITIONS

- A. Child abuse or neglect. Child abuse or neglect is defined by Maine law as “a threat to a child’s health or welfare by physical, mental or emotional injury or impairment, sexual abuse or exploitation, deprivation of essential needs or lack of protection from these, or failure to ensure compliance with school attendance requirements under Title 20-A (specifically when a child who is at least seven years of age and has not completed grade six, has the equivalent of seven full days of unexcused absences or five consecutive school days of unexcused absences during a school year).
- B. Person responsible for the child. A “person responsible for the child” means a person with responsibility for a child’s health or welfare, whether in the child’s home or another home or a facility which, as part of its function, provides for the care of the child. It includes the child’s parent, guardian or other custodian. II.

II. EMPLOYEES’ DUTY TO REPORT

- A. Any employee of the school unit who has reason to suspect that a child has been or is likely to be abused or neglected must immediately notify the building administrator or other designated agent.
 - 1. In addition to notifying the building administrator or other designated agent, the employee may also make a report directly to the Department of Health and Human Services (DHHS) or the District Attorney (See also Section III.B which provides further information about reporting to DHHS and/or the District Attorney).
- B. If the reporting employee does not receive written confirmation from the building administrator or other designated agent within 24 hours of his/her report that a report has been made to DHHS and/or District Attorney, the employee shall make an immediate report directly to DHHS and, if the person suspected is not a person responsible for the child, to the District Attorney. In such cases, the employee shall then complete a copy of the Suspected Child Abuse and Neglect Reporting Form (JLF-E).
- C. If the reporting employee does receive written confirmation from the building administrator or other designated agent within 24 hours of his/her report (which is a copy of the Suspected Child Abuse and Neglect Reporting Form (JLF-E), he/she shall sign the form as acknowledgement that the report was made and return it to the building administrator.

III. ADMINISTRATOR REPORTING AND CONFIRMATION DUTIES

All building administrators, other building designee, and the Superintendent are designated agents to make child abuse and neglect reports.

- A. If a building administrator/other building designee receives the report, he/she shall notify the Superintendent immediately.
- B. The building administrator/other building designee shall then make a verbal and written report(s) of suspected abuse or neglect to DHHS. In addition, if the person suspected is not the parent, guardian or other custodian of the child, the building administrator/other building designee shall also make a report to the District Attorney.
 1. The law requires the reporting employee to make his/her own report to DHHS and/or the District Attorney if he/she has not received confirmation within 24 hours that such a report has been made by the building administrator/other building designee.
- C. The person making the report to DHHS and/or the District Attorney shall complete the Suspected Child Abuse or Neglect Form (JLF-E).
- D. The building administrator/other building designee shall provide a copy of the Suspected Child Abuse or Neglect Form to the reporting employee within 24 hours of the employee's initial report. The reporting employee shall sign the report and return it to the building administrator.
- E. The form will be forwarded to DHHS and/or the District Attorney, and shall be retained by the school unit for ten years, as specified in the Maine Archives Rules, along with any other information relevant to the case.

IV. INTERNAL INVESTIGATIONS AND DISCIPLINE

- A. Employees. If the person suspected of abuse or neglect is an employee, the Superintendent/designee shall investigate and take appropriate action, in accordance with applicable Board policies, collective bargaining contracts, and federal and state laws.
- B. Students. If the person suspected of abuse or neglect is a student, and the abuse or neglect occurred on school premises, during a school activity, or is otherwise related to the school, the Superintendent/designee shall investigate and take appropriate action, in accordance with applicable Board policies and federal and state laws.

V. INTERVIEWS OF CHILD AND SCHOOL PERSONNEL

DHHS personnel shall be permitted to meet with and interview the child named in the report when the child is present at the school as provided in this section. The building administrator or designee shall:

- A. Require the DHHS employee requesting to interview the child to provide written certification that in the Department's judgment, the interview is necessary to carry out its duties;
- B. Require the DHHS caseworker to discuss the circumstances of the interview and any relevant information regarding the alleged abuse or neglect with the child's teacher or guidance counselor or the school nurse, social worker or building administrator, as the caseworker determines is necessary to provide needed emotional support to the child prior to and following the interview;
- C. Not place conditions on how the interview is conducted, including, but not necessarily limited to requiring that certain persons be present during the interview; prohibiting certain persons from being present during the interview; and requiring notice to or consent from a parent or guardian.

- D. Provide an appropriate, quiet and private place for the interview; and
- E. Not disclose any information about DHHS's intention to interview the child except to school officials or the school's attorney who need the information to comply with the interview request.

VI. CONFIDENTIALITY OF INFORMATION AND RECORDS

All records, reports and information concerning alleged cases of child abuse and neglect shall be kept confidential to the extent required by Board policies and applicable law. The building administrator/designee is permitted to release a child's school records without prior consent of the parent/guardian to DHHS or law enforcement officials as necessary to protect the health or safety of the child or other individuals under federal law.

VII. GOOD FAITH IMMUNITY FROM LIABILITY

Any person who in good faith reports, assists DHHS in making the child available for an interview, or participates in the investigation or proceedings of a child protection investigation is immune from any criminal or civil liability for the act of reporting or participating in the investigation or proceeding. Good faith does not include instances when a false report is made and the person knows the report is false.

VIII. Any RSU No. 5 employee who is required to make a report shall, at least once every four years, complete mandated training approved by the Department of Health and Human Services (DHHS). The Superintendent/designee will be responsible for documenting employee training.

Legal Reference: L.D. 622, P.L. Ch.407, "An Act to Require Training of Mandated Reporters under the Child Abuse Laws" 22 MRSA Chap. 1071, Child and Family Services and Child Protection Act 20 USC § 1232g, Family Educational Rights and Privacy Act 20-A M.R.S.A. § 5051-A(1)(C); 5051-A(2)(C)

Cross Reference: ACA – Harassment and Sexual Harassment of Students JLF-E – Suspected Child Abuse and Neglect Report Form JRA – Student Records

Adopted: March 24, 2010

Reviewed: March 27, 2013

Revised: November 18, 2015

Revised: November 30, 2016

NEPN/NSBA CODE: JRA

STUDENT EDUCATION RECORDS AND INFORMATION

RSU No. 5 shall comply with the Family Educational Rights and Privacy Act ("FERPA") and all other federal and state laws and regulations concerning confidentiality and maintenance of student records and student information.

A. Directory Information

RSU No. 5 designates the following student information as directory information: name, participation and grade level of students in recognized activities and sports, height and weight of student athletes, dates of attendance in the school unit, and honors and awards received. RSU No. 5 may disclose directory

information if it has provided notice to parents (and eligible students over 18) and has not received timely written notice refusing permission to designate such information as directory information.

B. Military Recruiters/Higher Education Access to Information

Under federal law, military recruiters and institutions of higher education are entitled to receive the names, addresses and telephone numbers of secondary students and RSU No. 5 must comply with any such request, provided that parents have been notified of their right to request that this information not be released without their prior written consent.

C. Information on the Internet

Under Maine law, RSU No. 5 shall not publish on the Internet any information that identifies a student, including but not limited to the student's full name, photograph, personal biography, e-mail address, home address, date of birth, social security number and parents' names, without written parental consent.

D. Transfer of Student Records

As required by Maine law, RSU No. 5 sends student education records to a school unit to which a student applies for transfer, including disciplinary records, attendance records, special education records and health records (except for confidential health records for which consent for dissemination has not been obtained).

E. Designation of Law Enforcement Unit

School units may disclose student education records without parental consent to personnel of its law enforcement unit, provided that they have been designated as school officials with legitimate educational interests for the purpose of compliance with FERPA.

The Board hereby designates its School Resource Officer, Freeport Police Department, Cumberland County Sheriff's Department and the Androscoggin Sheriff's Department as RSU No. 5's law enforcement unit for the purpose of disclosure of student education records under FERPA.

F Health or Safety Emergency Emergencies

As permitted by FERPA, the school unit may disclose personally identifiable information from a student's educational record to appropriate parties, including parents of an eligible student, if taking into account the totality of the circumstances, it determines that there is an articulable and significant threat to the health or safety of the student or other individuals and that knowledge of the information is necessary to protect the health or safety of the student or other individuals. In the event of disclosure, the school unit will record the articulable and significant threat that formed the basis for the disclosure and the parties to whom the school unit has disclosed and maintain such record with the student's educational record.

G. Administrative Procedures and Notices

The Superintendent is responsible for developing and implementing any administrative procedures and parent notices necessary to comply with the applicable laws and regulations concerning student education records and information. Notices shall be distributed annually to parents and eligible students concerning their rights under these laws and regulations. A copy of this policy shall be posted in each school.

Legal Reference: 20 U.S.C. § 1232g; 34 C.F.R. Part 99 20 U.S.C. § 7908 20-A M.R.S.A. §§ 6001, 6001-B Ch. 101, 125 (Me. Dept. of Ed. Rules)

Cross Reference: JRA-E – Annual Notice of Student Education Records and Information Rights, JRA-R – Education Records and Information Administrative Procedure, ILD – Student Surveys

Adopted: July 8, 2009

Revised: November 30, 2011

Reviewed: November 30, 2016

NEPN/NSBA Code: JRA-E

RSU NO. 5 SCHOOL DEPARTMENT
17 WEST STREET
FREEPORT, ME 04032

ANNUAL NOTICE OF STUDENT EDUCATION RECORDS AND INFORMATION RIGHTS

The Family Educational Rights and Privacy Act ("FERPA") provides certain rights to parents and eligible students (18 years of age or older) with respect to the student's education records.

A. Inspection of Records

Parents/eligible students may inspect and review the student's education records within 45 days of making a request. Such requests must be submitted to the Superintendent or building administrator in writing and must identify the record(s) to be inspected. The Superintendent or building administrator will notify the parent/eligible student of the time and place where the record(s) may be inspected. Parents/eligible students may obtain copies of education records at a cost of \$.20 per page.

B. Amendment of Records

Parents/eligible students may ask RSU No. 5 to amend education records they believe are inaccurate, misleading or in violation of the student's right to privacy. Such requests must be submitted to the Superintendent or building administrator in writing, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the Superintendent or building administrator decides not to amend the record as requested, the parent/eligible student will be notified of the decision, their right to request a hearing, and information about the hearing procedure.

C. Disclosure of Records

RSU No. 5 must obtain a parent/eligible student's written consent prior to disclosure of personally identifiable information in education records except in circumstances as permitted by law.

1. Directory Information

RSU No. 5 designates the following student information as directory information that may be made public at its discretion: name, participation and grade level of students in officially recognized activities and sports, height and weight of student athletes, dates of attendance in the school unit, and honors and awards received. Parents/eligible students who do not want RSU No. 5 to disclose directory information must notify the Superintendent in writing by September 15th or within thirty (30) days of enrollment, whichever is later.

2. Military Recruiters/Institutions of Higher Education

Military recruiters and institutions of higher education are entitled to receive the names, addresses and telephone numbers of secondary students and RSU No. 5 must comply with any such request, provided that parents have been notified of their right to request that this information not be released without their prior

written consent. Parents/eligible students who do not want RSU No. 5 to disclose this information must notify the Superintendent in writing by September 15th or within thirty (30) days of enrollment, whichever is later.

3. School Officials with Legitimate Educational Interests

Education records may be disclosed to school officials with a “legitimate educational interest.” A school official has a legitimate educational interest if he/she needs to review an education record in order to fulfill his/her professional responsibility. School officials include persons employed by RSU No. 5 as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); members of the Board of Education; persons or companies with whom RSU No. 5 has contracted to provide specific services (such as attorneys, auditors, medical consultants, evaluators, or therapists); and parents, students and volunteers serving on an official committee (such as a disciplinary or grievance committee) or assisting a school official in performing his/her professional responsibilities.

4. Other School Units

As required by Maine law, RSU No. 5 sends student education records to a school unit to which a student applies for transfer, including disciplinary records, attendance records, special education records and health records (except for confidential health records for which consent for dissemination has not been obtained).

5. Health or Safety Emergencies

In accordance with federal regulations, RSU No. 5 may disclose education records without prior written consent in a health and safety emergency to any person whose knowledge or the information is necessary to protect the health or safety of the student or other individuals.

6. Other Entities/Individuals

Education records may be disclosed to other entities and individuals as specifically permitted by law. Parents/eligible students may obtain information about other exceptions to the written consent requirement by request to the Superintendent or building administrator.

D. Complaints Regarding School Department Compliance with FERPA

Parents/eligible students who believe that RSU No. 5 has not complied with the requirements of FERPA have the right to file a complaint with the U.S. Department of Education. The office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Adopted: July 8, 2009

Revised: December 8, 2010;

November 30, 2011

December 14, 2016

NEPN/NSBA Code: JRA-R

STUDENT EDUCATION RECORDS AND INFORMATION ADMINISTRATIVE PROCEDURE

This administrative procedure is intended to assist administrators and school staff in complying with the requirements of federal and state statutes and regulations concerning student education records and information, including special education requirements.

A. Definitions

The following definitions apply to terms used in this procedure.

1. "Act" means the federal Family Educational Rights and Privacy Act (20 U.S.C. §1232g).
2. "Directory information" means the following information contained in an education record of a student: name, participation and grade level of students in officially recognized activities and sports, height and weight of student athletes, dates of attendance in the school unit, and honors and awards received.
3. "Eligible student" means a student who has attained 18 years of age who has not been judged by a court of competent jurisdiction to be so severely impaired that the student is unable to make decisions or exercise judgment on his/her own behalf. When a student attains the age of 18, all rights accorded to parents concerning education records transfer to the eligible student.
4. "Parent" means parent, regardless of divorce or separation, a legal guardian, or individual acting as a parent or guardian provided that there shall be a presumption that a parent has the authority to exercise the rights governing such matters as divorce, separation or custody or a legally binding instrument that specifically revokes such rights.
5. "Education Record" means information or data that directly relates to a student and is maintained by the school unit in any medium, including but not limited to handwriting, print, computer media, video or audio tape, microfilm and microfiche. Records of instructional, supervisory and administrative personnel and personnel who support these individuals, which are in the sole possession of the maker thereof and which are not accessible or revealed to any other person except a temporary substitute for the person who made the record are excluded from this definition.
6. "Student" includes any individual with respect to whom the school unit maintains education records.

B. Notification

Parents and eligible students shall be provided with notice of their rights under FERPA and other applicable federal and state laws and regulations concerning education records at the beginning of each school year or upon enrollment if a student enrolls after the start of the school year. RSU No. 5 may provide notice through any of the following means:

1. Mailing to students' homes;
2. Distribution to students to take home;
3. Publication in student handbooks; and
4. Publication in newsletters or other materials distributed to each parent/ eligible student.

C. Access to Policy and Administrative Procedures

RSU No. 5's policy on Student Education Records and Student Information shall be posted in each school. In addition, school administrators shall provide copies of this administrative procedure to parents/eligible students upon request.

D. Inspection and Review of Education Records

Parents/eligible students may review and inspect their educational records by the following procedure:

1. The parent/eligible student must make a written request to the Superintendent or building administrator to review the records.

2. The Superintendent or building administrator will comply with the request without unnecessary delay and in a reasonable period of time, but in no case more than 45 days after it received the request, and will comply before any IEP Team meeting regarding an Individualized Education Program or any due process hearing relating to the identification, evaluation, or placement of the student.

3. The Superintendent or building administrator may deny a request for access to or copies of the student's education records if there is reasonable doubt as to the legality of the parent-child relationship. Access will be withheld until a determination of legal right to access can be established.

Parents/eligible students may also request to review the following:

1. RSU No. 5's list of types and locations of all records and titles of officials responsible for the records; and
2. RSU No. 5's record of disclosures of personally identifiable information (see following section).

E. Requests to Amend Education Records

Parents/eligible students may ask RSU No. 5 to amend education records they believe are inaccurate, misleading or in violation of the student's privacy rights as follows:

1. The parent/eligible student must make a written request to the Superintendent or building administrator to amend the education record. The request must clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

2. The Superintendent or building administrator shall, within a reasonable period of time after receipt of the request, either amend the record in accordance with the request or inform the parent/eligible student of its refusal to amend the record and inform the parent/eligible student of their right to request a hearing.

3. If the parent/eligible student requests a hearing, it shall be held within a reasonable period of time from RSU No. 5's receipt of the written request. The parent/eligible student shall be given advance notice of the date, place, and time of the hearing. The Superintendent shall designate an individual to conduct the hearing. This individual may be an employee of RSU No. 5 so long as he/she does not have a direct interest in the outcome of the hearing. The parent/eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised and may be assisted or represented by individuals of his/her choice at his/her own expense, including an attorney.

4. RSU No. 5 shall make its decision in writing within a reasonable period of time. The decision of the school shall include a summary of the evidence and the reasons for the decision.

5. If, as a result of the hearing, RSU No. 5 decides that the information is inaccurate, misleading or otherwise in violation of the privacy rights of the student, it shall amend the education records of the student accordingly and so inform the parent/eligible student in writing.

6. If, as a result of the hearing, RSU No. 5 decides that the information is not inaccurate, misleading or otherwise in violation of the privacy rights of the student, it shall inform the parent/eligible student of their right to include a statement in the student's education record about the contested information and/or setting forth any reasons for disagreeing with the decision of RSU No. 5

7. Any statement placed in the student's education record under the preceding paragraph shall be maintained as long as the record or contested portion is maintained by RSU No. 5. If the education records of the student or the contested portion is disclosed by the School Department to any party, the explanation shall also be disclosed.

F. Disclosure of Education Records

All disclosures of education records will be made in compliance with federal and state statutes and regulations. The School Department will maintain a record of disclosures of personally identifiable

information from the education records of a student. Such records do not include disclosures to the parents/eligible student, disclosures made pursuant to written consent of the parents/eligible student, disclosures to school officials or disclosures of directory information. The School Department will not disclose any personally identifiable information from the education records of a student without the prior written consent of the parent/eligible student. The written consent shall include a specification of the records that may be disclosed, the purpose(s) of the disclosure(s), and the identity of the party or parties to whom the disclosure(s) may be made.

There are several exceptions to the requirement to obtain prior written consent before disclosing education records as follows:

1. Directory Information. RSU No. 5 may make directory information (as described in the Definitions section) public at its discretion unless a parent/eligible student has notified the Superintendent in writing by September 15 or within thirty (30) days of enrollment, whichever is later.

RSU No. 5 may disclose directory information about former students without the consent of the parent/eligible student.

2. Military Recruiters/Institutions of Higher Education. Military recruiters and institutions of higher education are entitled to receive the names, addresses and telephone numbers of secondary students and RSU No. 5 must comply with any such request, provided that parents have been notified of their right to request that this information not be released without their prior written consent. Parents/eligible students who do not want RSU No. 5 to disclose this information must notify the Superintendent in writing by September 15th or within thirty (30) days of enrollment, whichever is later.

3. School Officials with Legitimate Educational Interests. Education records may be disclosed to school officials with a "legitimate educational interest." A school official has a legitimate educational interest if he/she needs to review an education record in order to fulfill his/her professional responsibility. School officials include persons employed by RSU No. 5 as an administrator, supervisor, instructor, or support staff member (including health or medical staff and the school unit's designated law enforcement unit personnel, if any); members of the Board of Education; persons or companies with whom RSU No. 5 has contracted to provide specific services (such as attorneys, auditors, medical consultants, evaluators or therapists); and parents, students or volunteers serving on an official committee (such as a disciplinary or grievance committee) or assisting a school official in performing his/her professional responsibilities.

4. Other School Units. Under Maine law (20-A M.R.S.A. § 6001-B), RSU No. 5 is required to send a student's education records to a school unit to which a student applies for transfer, including disciplinary records, attendance records, special education records and health records. Consent is not required for the transfer of these records, except for confidential health records.

At the request of the Superintendent of the school unit where a student seeks admission, the student's current or former school administrators shall provide, in a timely fashion, an oral or written report to the Superintendent indicating whether the student has been expelled or suspended or is the subject of an expulsion or suspension proceeding.

5. Other Entities/Individuals. Education records may be disclosed to other governmental entities, agencies and individuals as specifically permitted by FERPA and the accompanying regulations.

6. Information on the Internet. Under Maine law (20-A M.R.S.A. § 6001), the School Department shall not publish on the Internet any information that identifies a student, including but not limited to the student's full name, photograph, personal biography, e-mail address, home address, date of birth, social security number and parents' names, without written parental consent.

G. Waiver of Confidentiality Rights

A parent/eligible student may waive any of his/her rights regarding confidentiality of educational records, but any such a waiver must be in writing and signed by the parent/eligible student. The school may not require that a parent/eligible student waive his or her rights. Any waiver may be revoked with respect to actions occurring after the revocation. If a parent executes a waiver, that waiver may be revoked by the student any time after he/she becomes an eligible student.

H. Fees for Copying Records

There shall be no charge to search for or retrieve education records of a student. RSU No. 5 shall provide copies of education records to parents/eligible students upon request. The cost of producing copies of the record to parents/eligible student will be \$.20 per page copied, plus postage. Parents/eligible students who are unable to pay such fees will not be denied access to education records. This fee, however, will not prohibit a parent's or eligible student's opportunity for access to the records if they are unable to pay for such copies. There will be no charge to search for or to retrieve the education records of a student.

I. Maintenance and Destruction of Education Records

RSU No. 5 shall maintain accurate and up-to-date education records as required by federal and state statutes and regulations.

1. Records shall be maintained by personnel who are knowledgeable about the applicable confidentiality. All records shall be safeguarded from unauthorized access. Student records must be kept in fireproof storage at the school or a duplicate set kept off-site.

2. The high school transcripts of all former students shall be kept in perpetuity by RSU No. 5. A permanent record of a special education student's name, address, phone number, grades, attendance record, classes attended, and grade and year completed shall be maintained without time limitations. All other records will be maintained in accordance with Maine State Rules for Disposition of Local Governmental Records (Schedule L).

3. RSU No. 5 shall not destroy any education record if there is any outstanding request to inspect or review such records.

4. Records of access to education records shall be retained as long as the records themselves.

5. RSU No. 5 shall inform parents of students with disabilities when education records are no longer needed to provide educational services to the student or to demonstrate that the school has provided the student with a free appropriate public education as required by law. At that point, the records may be turned over to parents/eligible student upon their request, or destroyed in accordance with the parent's request or school unit procedures.

J. Complaints

The United States Department of Education maintains an office that handles complaints about alleged violations of FERPA by local school units. Complaints regarding violations of rights accorded parents/eligible students may be submitted in writing to:

Family Policy Compliance Office Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Legal Reference:

20 U.S.C. § 1232g; 34 C.F.R. Part 99

20 U.S.C. § 7908 20-A M.R.S.A. § 6001, 6001-B

Me. Dept. of Ed. Rules, Ch. 101, 125

Maine State Archives, Rules for Disposition of Local

Governmental Records (Schedule L)

Administrative Procedure Adopted: 11/10/09

Administrative Procedure Revised: 11/22/11

Administrative Procedure Revised: 12/20/16

NEPN/NSBA Code: KLG

RELATIONS WITH LAW ENFORCEMENT AUTHORITIES

The Board of Directors recognizes that a cooperative relationship with law enforcement authorities is desirable for the protection of students and staff, maintaining a safe school environment, and safeguarding school property.

School administrators and staff shall have the primary responsibility for maintaining proper order in the school and for disciplining students for violations of Board policies and school rules. However, the Board authorizes the Superintendent/administration to seek the assistance of law enforcement authorities when they believe there is a substantial threat to the welfare and safety of the students, staff and schools. The Superintendent/administration shall also inform law enforcement authorities when they have reason to suspect that a student or staff member may have violated a local, state or federal law.

The Board strongly discourages law enforcement authorities from using the schools as a venue to arrest and/or interrogate students for activities not related to or affecting the schools. The Superintendent/administration retains the authority to deny law enforcement access to students for non-school-related investigations.

The Board authorizes the Superintendent and administration to work with local law enforcement authorities to develop administrative procedures to guide interactions between the schools and law enforcement. Such procedures should safeguard the rights of students and parents, be consistent with Board policies, and minimize disruptions to the instructional program. These administrative procedures are subject to the approval of the Board.

The Superintendent shall include law enforcement authorities in the development and implementation of the school unit's crisis response plan. The Board also encourages the Superintendent/administration to include law enforcement authorities in the development and/or implementation of instructional programs/activities related to student safety.

Cross Reference:

KLG-R - Relations with Law Enforcement Authorities Administrative Procedure

EBCA - Crisis Response Plan

JICIA - Weapons, Violence and School Safety

JIH - Questioning and Searches of Students

JRA - Student Records

Adopted: August 25, 2010

Reviewed: April 24, 2013

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