

6:00-6:30 P.M. – Q & A

This is an opportunity for community members to ask Board members questions about the Board's FY23 Adopted Budget.

**REGULAR MEETING OF RSU NO. 5 BOARD OF DIRECTORS
WEDNESDAY– APRIL 27, 2022
DURHAM COMMUNITY SCHOOL - CAFETERIA
6:30 P.M. REGULAR SESSION
AGENDA**

1. Call to Order:
The meeting was called to order at _____ p.m. by Vice-Chair Elisabeth Munsen
2. Attendance:

<input type="checkbox"/> Colin Cheney	<input type="checkbox"/> Jill Piker
<input type="checkbox"/> Candace deCsipkes	<input type="checkbox"/> Maura Pillsbury
<input type="checkbox"/> Jennifer Galletta	<input type="checkbox"/> Michelle Ritcheson
<input type="checkbox"/> Susana Hancock	<input type="checkbox"/> Valeria Steverlynck
<input type="checkbox"/> Elisabeth Munsen	<input type="checkbox"/> Madelyn Vertenten
<input type="checkbox"/> Dung Nguyen	<input type="checkbox"/> Brady Grogan – Student Representative
	<input type="checkbox"/> Piper Williams – Student Representative
3. Pledge of Allegiance:
4. Consideration of Minutes:
NA
5. Adjustments to the Agenda:
6. Good News & Recognition:
 - A. Report from Board's Student Representative (10 Minutes)
 - B. Recognition of Odyssey of the Mind First Place Teams from Durham Community School
 - C. Good News from Durham Community School - Will Pidden (10 Minutes)
7. Public Comments: (10 Minutes)
8. Reports from Superintendent: (15 Minutes)
 - A. Items for Information
 1. District Happenings
 2. Resignations (effective at the end of the 2021-2022 school year)
-William Wall, FHS Math Teacher
9. Administrator Reports:
 - A. Finance - Peggy Brown (5 Minutes)
10. Board Comments and Committee Reports:
 - A. Board Information Exchange and Agenda Requests (10 Minutes)
 - B. Finance Committee (10 Minutes)
 - C. Policy Committee (10 Minutes)

11. Policy Review: (30 Minutes)

A. Consideration and approval of 2nd Read of the following policies:

GBGB - Workplace Bullying

BEDH - Public Participation at Board of Directors Meetings

FFA - Memorials and Remembrances

Motion: _____ 2nd: _____ Vote: _____

B. Consideration and approval of 1st Read of the following policies:

JKD - Suspension of Students

JKE - Expulsion of Students

AC - Non-Discrimination/Equal Opportunity and Affirmative Action

Motion: _____ 2nd: _____ Vote: _____

12. Unfinished Business:

NA

13. New Business:

NA

14. Personnel: (5 Minutes)

A. Consideration and approval to employ a Director of Instructional Support for the 2022-2023 school year.

Motion: _____ 2nd: _____ Vote: _____

B. Consideration and approval to employ a Social Studies Teacher at Freeport High School for the 2022-2023 school year.

Motion: _____ 2nd: _____ Vote: _____

15. Public Comments: (10 Minutes)

16. Adjournment:

Motion: _____ 2nd: _____ Vote: _____ Time: _____

Item # 9.A.

RSU No. 5

Warrant Articles For the Period 03/01/2022 through 03/31/2022

Fiscal Year: 2021-2022

Include Pre Encumbrance

	<u>Budget</u>	<u>Range To Date</u>	<u>Year To Date</u>	<u>Balance</u>	<u>Encumbrance</u>	<u>Budget Balance</u>	
INCOME							
GENERAL FUND REVENUES							
REQUIRED LOCAL FUNDS (-)	\$19,038,605.00	\$1,755,994.46	\$14,547,781.06	\$4,490,823.94	\$0.00	\$4,490,823.94	23.6%
ADDITIONAL LOCAL FUNDS (-)	\$9,454,550.13	\$2,125,101.93	\$6,815,927.21	\$2,638,622.92	\$0.00	\$2,638,622.92	27.9%
ADDLN SHARED REVENUE (-)	\$98,835.00	\$0.00	\$0.00	\$98,835.00	\$0.00	\$98,835.00	100.0%
INTEREST REVENUE (-)	\$30,000.00	\$0.00	\$8,360.48	\$21,639.52	\$0.00	\$21,639.52	72.1%
STATE REVENUES (-)	\$6,249,855.76	\$459,443.44	\$5,084,255.91	\$1,165,599.85	\$0.00	\$1,165,599.85	18.7%
MISC REVENUES (-)	\$31,018.00	\$0.00	\$0.00	\$31,018.00	\$0.00	\$31,018.00	100.0%
FUND BALANCE (-)	\$700,000.00	\$0.00	\$0.00	\$700,000.00	\$0.00	\$700,000.00	100.0%
Sub-total : GENERAL FUND REVENUES	(\$35,602,863.89)	(\$4,340,539.83)	(\$26,456,324.66)	(\$9,146,539.23)	\$0.00	(\$9,146,539.23)	25.7%
Total : INCOME	(\$35,602,863.89)	(\$4,340,539.83)	(\$26,456,324.66)	(\$9,146,539.23)	\$0.00	(\$9,146,539.23)	25.7%
EXPENSES							
GENERAL FUND EXPENSES							
ARTICLE 1 REGULAR INSTRUCTION (+)	\$15,705,925.10	\$1,651,143.50	\$9,097,022.38	\$6,608,902.72	\$5,168,829.95	\$1,440,072.77	9.2%
ARTICLE 2 SPECIAL EDUCATION (+)	\$4,781,322.85	\$501,503.83	\$2,816,300.51	\$1,965,022.34	\$1,497,018.37	\$468,003.97	9.8%
ARTICLE 3 - CAREER & TECHNICAL CTR (+)	\$142,979.00	\$11,914.92	\$119,149.20	\$23,829.80	\$0.00	\$23,829.80	16.7%
ARTICLE 4 - OTHER INSTRUCTION (+)	\$902,450.58	\$76,649.34	\$572,776.32	\$329,674.26	\$187,643.93	\$142,030.33	15.7%
ARTICLE 5 - STUDENT & STAFF SUPPORT (+)	\$3,447,233.82	\$169,200.96	\$2,069,813.10	\$1,377,420.72	\$975,119.13	\$402,301.59	11.7%
ARTICLE 6 - SYSTEM ADMINISTRATION (+)	\$1,067,818.68	\$99,946.12	\$717,939.24	\$349,879.44	\$161,196.98	\$188,682.46	17.7%
ARTICLE 7 - SCHOOL ADMINISTRATION (+)	\$1,767,562.80	\$205,386.09	\$1,300,200.24	\$467,362.56	\$425,928.73	\$41,433.83	2.3%
ARTICLE 8 - TRANSPORTATION & BUSES (+)	\$1,187,344.61	\$146,560.63	\$985,970.42	\$201,374.19	\$214,825.79	(\$13,451.60)	-1.1%
ARTICLE 9 - FACILITIES MAINTENANCE (+)	\$5,096,632.23	\$533,290.92	\$4,019,393.16	\$1,077,239.07	\$511,852.78	\$565,386.29	11.1%
ARTICLE 10 - DEBT SERVICE & OTHER COMMITMENTS (+)	\$1,208,949.22	\$0.00	\$1,049,929.82	\$159,019.40	\$0.00	\$159,019.40	13.2%
ARTICLE 11 - ALL OTHER EXPENDITURES (+)	\$294,645.00	\$0.00	\$0.00	\$294,645.00	\$0.00	\$294,645.00	100.0%

Operating Statement with Encumbrance

RSU No. 5

Warrant Articles For the Period 03/01/2022 through 03/31/2022

Fiscal Year: 2021-2022

Include Pre Encumbrance

	<u>Budget</u>	<u>Range To Date</u>	<u>Year To Date</u>	<u>Balance</u>	<u>Encumbrance</u>	<u>Budget Balance</u>	
Sub-total : GENERAL FUND EXPENSES	\$35,602,863.89	\$3,395,596.31	\$22,748,494.39	\$12,854,369.50	\$9,142,415.66	\$3,711,953.84	10.4%
Total : EXPENSES	\$35,602,863.89	\$3,395,596.31	\$22,748,494.39	\$12,854,369.50	\$9,142,415.66	\$3,711,953.84	10.4%

End of Report



Regional School Unit 5
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Item # 10.B.

"To inspire and support every learner by challenging minds, building character, sparking creativity, and nurturing passions."

Becky Foley, Ph.D., Superintendent of Schools
Peggy Brown, Interim Director of Finance & Human Resources

Cynthia Alexander, Assistant Superintendent of Schools
Bonnie Violette, Ph.D., Director of Instructional Support

Finance Committee Minutes
March 30, 2022
Central Office, 17 West Street, Freeport

In attendance:

Beth Munsen (Chair)
Michelle Ritcheson
Becky Foley
Scott Vaitones (via zoom)
Peggy Brown

Absent: Dung Nguyen (excused)

The Chair of the Finance Committee called the meeting to order at 5:01 pm.

Review/Discussion of Draft Warrant Articles drafted by Drummond Woodsum:

Superintendent Foley explained that due to an error regarding town assessments in the spring of 2019 for the 2019-2020 fiscal year, steps were created to prevent future issues.

- a) The business office will utilize a written procedure for consistent calculation of the cost sharing formula components from year to year. (*Budget Impact Summary and Summary of Total Contribution by Town – pages 13 & 14 of March 23rd Budget Handbook*).
- b) The Director of Finance will fully complete the Budget Validation Referendum questionnaire from Drummond Woodsum and collaborate with the Drummond Woodsum attorney to ensure that the total assessment ties to the total raised by the articles. (*Note: This was sent to DW on 3-21-22 and there have been several emails/phone calls to discuss/revise his draft warrant articles which resulted from the questionnaire*).
- c) The total assessment must equal the total raised in the budget meeting articles; the sum of the amounts in warrant articles 12, 13, 14, 16. (*Town Assessment Confirmation spreadsheet. Note: This has been reviewed/confirmed by Greg Im, DW attorney on 3/24/22*).
- d) Before the annual budget meeting, the Finance Committee will meet to review the proposed assessments to the towns. (*Meeting scheduled for 3/30/22*).

The Finance Committee thoroughly reviewed the draft warrant articles for FY23 which have been prepared by Greg Im of Drummond Woodsum. Dollar amounts were confirmed and agreed to. The district town assessment amount \$29,428,879.00 was reviewed and confirmed by the addition of warrant articles 12, 13, 14, and 16, and also a review of a spreadsheet created by Scott Vaitones which had previously been reviewed/confirmed by Attorney Im. The committee also reviewed Attorney Im's own spreadsheet for comparison purposes/confirmation.

The committee found the wording of Article 14 to be confusing and requested Attorney Im review/revise it. It was requested that the word 'raise' be struck from Article 18 since the money is already part of the general fund amounts in an earlier article. All other warrant articles were reviewed and agreed to. Peggy Brown will reach out to Attorney Im.

Update: Peggy Brown and Scott Vaitones discussed Article 14 with Greg Im. He created a revision which is more clear, which the committee has since reviewed. He struck the word "raise" from Article 18.

Cost Sharing Consultant Work Estimate:

Dr. Foley shared the estimate received from Suzan Beaudoin Consulting LLC. An update will be requested as Suzan Beaudoin referenced the cost sharing committee which is no longer in existence. Dr. Foley will request Suzan Beaudoin to change her proposal to provide update/presentation to the full school board. Once that is received, a contract will be issued. Suzan Beaudoin plans to do this work in January, 2023. Update: The revised proposal has been received and a contract has been issued.

Other:

a) Audit:

Peggy Brown reported that Auditor Marge Hall submitted the audit report to the DOE today, within the deadline. The deadline of the audit extension was 3/31/22. She will meet with Peggy on 3/31/22 for the certification of the additional single audit report, submitting it to the clearinghouse. Superintendent Foley informed the committee that Marge Hall did determine material deficits did exist for the FY21 audit. She has met with Dr. Foley, Peggy Brown, and the incoming Superintendent to explain and offer suggestions for the future to prevent these issues. She also plans to meet with Peggy to go over the numerous correcting entries which were needed to correct issues/items of the fiscal year 21 which occurred prior to Peggy stepping into this role.

b) Committee members signed the most recent Accounts Payable warrant items.

Adjournment:

The meeting was adjourned at 7:04 pm.

Respectfully submitted by Peggy Brown



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Cynthia Alexander, Assistant Superintendent of Schools
Bonnie Violette, Ph.D., Director of Instructional Support

Policy Committee Report

Committee: Policy

Meeting date: April 1, 2022

Chair: Candy deCsipkes

Committee Members in attendance: Candy deCsipkes, Colin Cheney, Cynthia Alexander

Absent: Maddy Vertenten

Guests:

Review/Revise Policies:

The following policy was reviewed after 1st read and will be brought to the Board for 2nd read on April 27, 2022.

BEDH Public Participation At Board Meetings

The following policies were revised and will be brought to the Board for 1st read on April 27, 2022.

JKD Suspension of Students

JKE Expulsion of Students

AC Non-Discrimination Equal Opportunity and Affirmative Action

The next Policy Committee meeting will be held on *April 29, 2022 at 8:45 a.m.*

Submitted by: Cynthia Alexander



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Item # 11.A.&B.

"To inspire and support every learner by challenging minds, building character, sparking creativity, and nurturing passions."

Becky Foley, Ph.D., Superintendent of Schools
Peggy Brown, Interim Director of Finance & Human Resources

Cynthia Alexander, Assistant Superintendent of Schools
Bonnie Violette, Ph.D., Director of Instructional Support

TO: Colin Cheney, Candace deCsipkes, Jennifer Galletta, Susana Hancock, Elisabeth Munsen, Dung Nguyen, Jill Piker, Maura Pillsbury, Michelle Ritcheson, Valeria Steverlynck, Madelyn Vertenten, Brady Grogan, Piper Williams

CC: Julie Nickerson, Lisa Demick, Kelli Rogers, Ray Grogan, Erin Dow, Dennis Ouellette, Will Pidden, Craig Sickels, Peter Wagner, Jen Gulko, Bonnie Violette, Emily Grimm, Conor Walsh, Charlie Mellon, Peggy Brown, Gayle Wolotsky, Anne-Marie Spizzuoco, Jen Winkler, Nancy Dyer, Lisa Blier, Tim Grivois, Nancy Doherty, Kristy Johnson, Shawn McBean, Alicia Deroche, Jill Hooper, Dorothy Curtis, Lynn Shea

FROM: Cynthia Alexander, Assistant Superintendent of Curriculum, Instruction, and Assessment

DATE: April 13, 2022

RE: Review/Update of Policies

At the April 27, 2022 Board of Directors Meeting, the following policies will be on the agenda:

2nd Read

GBGB - Workplace Bullying

BEDH - Public Participation at Board of Directors Meetings

FFA - Memorials and Remembrances

1st Read

JKD - Suspension of Students

JKE - Expulsion of Students

AC - Non-Discrimination/Equal Opportunity and Affirmative Action

WORKPLACE BULLYING

The RSU No. 5 Board is committed to providing a respectful, safe, and inclusive workplace for employees, one that is free from bullying conduct. All employees and students in the school unit, as well as parents, community members, and others involved with the schools are prohibited from engaging in workplace bullying as defined in this policy.

DEFINITION

For the purposes of this policy, “workplace bullying” means intentional behavior that a reasonable person would expect to interfere with an employee’s work performance or ability to work. Generally, workplace bullying will involve repeated conduct. However, a single incident of egregious conduct could constitute workplace bullying.

Examples of workplace bullying include, but may not be limited to:

1. Humiliating, mocking, name-calling, insulting, maligning, or spreading rumors about an employee,
2. Shunning or isolating an employee and/or encouraging others to do so,
3. Screaming or swearing at an employee, slamming doors or tables, aggressively invading an employee’s personal space; placing an employee in reasonable fear or physical harm; or other types of aggressive or intimidating behavior,
4. Targeted unwanted practical jokes,
5. Damaging or stealing an employee’s property,
6. Sabotaging an employee’s work or purposely misleading an employee about work duties (e.g., giving incorrect deadlines or intentionally destroying an employee’s work,)
7. Harassing and/or retaliating against an employee for reporting workplace bullying,
8. Cyberbullying, which is defined in Maine law as bullying occurring 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.

EXCLUSIONS

Workplace bullying does not include the following:

1. When supervisors set reasonable performance goals or provide verbal or written counseling, direction, feedback, or discipline to employees in the workplace when the intent is to address unsatisfactory work performance or violations of law or school policy,
2. When supervisors make personnel decisions designed to meet the operational or financial needs of the school unit or the needs of students. Examples include, but are not limited to changing shifts, reassigning work responsibilities, taking steps to reduce overtime costs, transferring or reassigning employees to another building or position,
3. Discrimination or harassment based on protected characteristics (race, color, sex, sexual orientation, gender identity, religion, ancestry or national origin, age, familial status,

disability, or genetic information). Such conduct is prohibited under separate policies and complaints shall be addressed under ACAB-R – Employee Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedure,

4. Disrespectful conduct by students directed at school employees that can be addressed through enforcement of classroom rules, school rules, and applicable Board policies.

REPORTS AND INVESTIGATIONS

Employees who believe they have been bullied in the workplace, and other persons who believe they have witnessed an incident of an employee being bullied in the workplace, are expected to report the issue to the building administrator.

If the report is about the building administrator, the report should be made to the Superintendent/designee.

The building administrator shall promptly notify the superintendent of all workplace bullying reports.

Any workplace bullying report about the Superintendent should be made to the Board Chair.

All reports of workplace bullying shall be investigated promptly and documented in writing. The person who was the subject of the alleged workplace bullying and the person alleged to have engaged in workplace bullying will be notified of the outcome of the investigation, consistent with confidentiality and privacy laws.

DISCIPLINARY ACTION

Any employee who is found to have engaged in workplace bullying will be subject to disciplinary action up to and including termination of employment.

Students who are found to have engaged in bullying of an employee will be subject to disciplinary action in accordance with applicable student discipline procedures.

Parents and others who are found to have engaged in bullying of an employee will be dealt with in a manner appropriate to the particular circumstances.

APPEALS

If dissatisfied with the resolution of the matter, and such person not covered by a collective bargaining agreement to which the school department is a party, the subject of the alleged workplace bullying or the person alleged to have engaged in workplace bullying may file a written appeal within five (5) business days with the superintendent stating the reason for the appeal. The superintendent will review the matter and issue a written decision within ten (10) business days. The Superintendent's decision shall be final.

If the matter involves an employee or employees covered by a collective bargaining agreement, any disagreement with the results of the investigation may be resolved through the agreement's dispute resolution process.

RETALIATION PROHIBITED

Retaliation for reporting workplace bullying is prohibited. Employees and students found to have engaged in retaliation shall be subject to disciplinary action.

SUPERINTENDENT'S RESPONSIBILITY

The Superintendent shall be responsible for implementing this policy and for the development of any necessary procedures to enforce it.

Legal References: 20-A MRSA §1001(21); 6544(2)(C)

Cross References: AC – Nondiscrimination, Equal Opportunity and Affirmative Action
ACAB – Harassment/Sexual Harassment of School Employees
ACAB-R – Discrimination/Harassment and title IX /Sexual
Harassment of School Employees

Adopted: _____

PUBLIC PARTICIPATION AT BOARD OF DIRECTORS MEETINGS

Board of Director meetings are conducted for the purpose of carrying on the official business of the school system. All ~~regular, special and emergency~~ meetings of the RSU No. 5 Board are open to the public. The public is cordially invited to attend and participate in Board meetings as provided in this policy. This policy applies only to meetings of the full Board, not to meetings of Board subcommittees.

Although Board of Director meetings are not public forums, the Board will provide appropriate opportunities at its meetings for citizens members of the public to express opinions and concerns related to the matters ~~under consideration by the Board~~ concerning education and the RSU No. 5 schools. The intent is to allow a fair and adequate opportunity for the public to be heard ~~and to provide adequate time for the Board to obtain information and opinion on subjects before it~~, while ensuring that the time allowed for public discussion does not interfere with the fulfillment of the scheduled agenda.

The Board will designate a portion of its agenda as an opportunity for public participation. During the time allotted for public participation, the public may speak on any subject directly related to the operations of the schools, except for personal matters or complaints concerning specific employees or students, which shall be addressed through established policies and procedures.

Members of the public may address the Board within the guidelines provided in this policy. The Chair shall be responsible for maintaining proper order and compliance with these guidelines.

~~Time permitting, members of the community may comment on other school related matters.~~

The following guidelines shall apply to public participation at Board meetings.

- A. Citizens Members of the public and employees of the school unit are welcome to participate as provided in this policy. Others may be recognized to speak at the Chair's discretion. Individual employees and/or employee groups will not be permitted to discuss matters for which complaint or grievance procedures are provided.
- B. The Chair may limit the time allotted for comments on a particular topic as well as the time each individual may speak.
- C. In the event of a sizeable audience, the Chair may require persons interested in speaking to sign up so they may be called on in a fair and efficient manner.

- D. During the time set aside for public participation, the Chair will be responsible for recognizing all speakers, who must identify themselves as they begin talking. Speakers will be encouraged to disclose whether or not they will personally have a financial impact as a result of the budget item they address.
- E. Speakers are not permitted to share gossip, make defamatory comments, or use abusive or vulgar language.
- F. All speakers are to address the Chair and direct questions or comments to particular Board members or the Superintendent only with approval of the Chair. Requests for information or questions may be answered by the Board Chair. If further research is needed, the Board Chair may defer to the Superintendent for follow-up.
- G. Members of the Board of Directors and the Superintendent may ask clarifying questions of any person who addresses the Board, but are expected to refrain from arguing or debating issues. Questions must be addressed through the Chair.
- H. No complaints or allegations will be allowed at Board meetings concerning any person employed by the school system or against particular students.

Personal matters or complaints concerning student or staff issues will not be considered in a public meeting, but will be referred through established policies and procedures.
- I. In order to make efficient use of meeting time, the Board discourages duplication or repetition of comments to the Board. The Board requests that groups or organizations be represented by designated spokespersons.
- J. The Chair has the authority to stop any presentation that violates these guidelines or the privacy rights of others.
- K. Persons who disrupt the meeting may be asked to leave, and the Chair may request law enforcement assistance, as necessary, to restore order.
- L. In the event of an emergency or substantial disruption, the Chair may declare a recess to restore order or may declare the meeting adjourned or to be continued to a designated time and place or at the call of the Chair.

An agenda shall be published in advance of each meeting in accordance with Board policy. Copies will be posted and/or available prior to regular meetings, at the Superintendent's Office, in each school, town hall, and is sent to local publications. It is also posted on the RSU No. 5 website. Anyone desiring additional information about an agenda item should direct such inquiries to the Office of the Superintendent.

Opportunity for public participation at standing committee meetings of the Board is not required, but may be permitted at the discretion of the standing committee chair.

Legal Reference: 1 MRSA § 401 et seq.
20 MRSA § 1001 (20)
Cross Reference: BEC – Executive Session
BEDA – Notification of Board of Directors Meetings
BEDB – Agenda
BEDD – Rules of Order
KE – Public Concerns and Complaints

Adopted: November 18, 2009
Revised: March 23, 2011
Reviewed: February 26, 2014
Revised: November 14, 2018

MEMORIALS AND REMEMBRANCES

PURPOSE

The RSU No. 5 Board recognizes that when a school community experiences the death of a student or staff member, it is important to the school community and to those who are personally affected to acknowledge the event.

The social and emotional well-being of the staff and student body is important. With an understanding that our responsibility is to serve all students, our intention is to create an environment where losses are treated equitably.

Schools are designed primarily to support learning. The purpose of this policy is to set forth guidelines for responding to the death of a student or staff member.

GUIDELINES

These guidelines allow for the expression of grief in the school community which is caring and respectful, yet minimizes disruption to learning. They show how the school may provide an opportunity to mourn the loss of students or staff equitably and appropriately.

School Response

Following the death(s) of a student or staff member, the principal is responsible for determining the school response in consultation with the Superintendent, and, as appropriate, the family of those affected.

The principal shall consider questions of student equity and discretion in consideration of the social and emotional well-being of the student body when determining approved activities. Care should be taken not to detract from regularly scheduled classroom or school programs. Rescheduling or canceling events, will only occur with prior Superintendent approval.

The following guidelines shall be used by the principal to determine appropriate response(s):

Allowable

- Additional district counseling services may be made available to provide support.
- Schools may observe a moment of silence.
- Remembrances of flowers, personal messages and mementoes may be allowed near lockers, parking spaces, and other areas on district property. The display of all remembrances shall be temporary in nature, removed after an appropriate period of time, and may be offered to the family.
- School yearbooks, graduation ceremonies, and other district activities may memorialize an individual.

- Contributions in memory of members of the school community may be made to a general scholarship fund established by the school unit.
- Contributions (such as money, plants, and service) may be made to existing memorial gardens for all district RSU loss, without particularly naming the lost individual.

Not Allowable

- Classes will not be dismissed early or canceled on the day of a memorial or funeral service.
- Flags may be lowered only in accordance with state and federal law.
- School properties should not serve as the primary venue for memorializing a student or staff member.
- The school unit will not install permanent memorials, such as trees, in memory of an individual or event.
- District property (e.g., buildings, rooms, fields, gymnasiums, etc.) must comply with Board policy *FF – Naming Facilities*.
- The Board regards the use of district property for memorial services as generally inappropriate. Any such request will be considered in accordance with Board policy *KF – Community Use of School Facilities* and applicable administrative procedures.

Grandfathering

Memorials that are currently in existence, shall remain, although relocated if necessary.

Cross Reference: EBCA – Emergency Management Plan
 FF – Naming Facilities
 KF – Community Use of School Facilities

Adopted: _____

SUSPENSION OF STUDENTS

The Board delegates to the principals the authority to suspend disobedient and disorderly students for a period not to exceed ten (10) school days. Suspensions may be in-school or out-of-school at the discretion of the principal. The Board may impose suspensions longer than 10 days.

Students in grade five or below may not be given an out-of-school suspension except when a student has violated the federal Gun-Free Schools Act or presents an imminent danger of serious physical injury to the student or others, and it is determined that less restrictive interventions would be ineffective. Any suspension of a student in grade five or below cannot be longer than three school days.

Prior to the suspension, except as hereinafter provided:

- A. The student shall be given oral or written notice of the charge(s) against them;
- B. The student shall be given an explanation of the evidence forming the basis for the charge(s); and
- C. The student shall be given an opportunity to present their version of the incident.

However, students whose presence poses a continuing danger to persons or property or an ongoing threat of disrupting the instructional process may be immediately removed from school. In such cases, the notice of charges, explanation of evidence, and the student's opportunity to present their version of the incident shall be arranged as soon as practicable, not to exceed five student days, after removal of the student from school.

The student's parents/guardians shall be notified of any in-school or out-of-school suspension as soon as practicable by telephone (if possible) and by written notice sent by mail and by email, if possible. In the event a parent/guardian is not available, the student will not be released until an emergency contact or suitable adult is notified. A copy of the notice shall also be sent to the Superintendent.

Students are not allowed on school property during any out-of-school suspension except with the prior authorization of the principal or Superintendent. Students serving out-of-school suspensions shall not be permitted to participate in extracurricular activities.

Students shall be responsible for any schoolwork missed during their suspension. After readmittance, they shall be permitted to take tests, quizzes or any other form of evaluation affecting their grades.

Students assigned to in-school suspensions are expected to work on assignments from classroom teachers, remain in the in-school suspension location throughout the school day, and follow school expectations for conduct. Students serving in-school suspension shall not be permitted to participate in extracurricular activities.

Legal Reference: 20-A MRSA §§ 1001(9), (15-A)(D)

Cross Reference: JIC – Student Code of Conduct
JICIA – Weapons, Violence and School Safety
JICK - Bullying
JK - Student Discipline
JKE - Expulsion of Students
JKF – Suspension/Expulsion of Students with Disabilities

Adopted: March 24, 2010
Revised: March 13, 2013
Reviewed: January 23, 2019
Revised: June 9, 2021

EXPULSION OF STUDENTS

No student shall be expelled from school except by action of the Board. Following a proper investigation of a student's behavior and due process proceedings conducted in accordance with 20-A MRSA § 1001(8)(A), the Board shall expel the student, if found necessary for the "peace and usefulness of the school", as provided in 20-A MRSA § 1001(9) and (9A).

Students in grade five or below cannot be expelled, except for violations of the Gun-Free Schools Act, as provided in 20-A MRSA 20-A MRSA § 1001(9-A).

The Superintendent has the discretion under Maine law to provide an alternative to expulsion on a case-by-case basis. Such determination must be made in writing.

The Board also has the authority to readmit an expelled student on satisfactory evidence that the behavior which was the cause of the student being expelled will not likely recur.

Notice of Expulsion Hearing

Before any expulsion hearing, the Superintendent shall:

- A. Attempt to communicate with the parents/guardians by phone.
- B. Provide written notice in the parent/guardian's first language, by regular and certified mail, and e-mail to the parents/guardians and the student informing them of:
 1. The date, time and location of the hearing;
 2. A description of the incident(s) that resulted in the expulsion hearing;
 3. The student's and parents/guardians' right to review the school's records prior to the hearing;
 4. A description of the hearing process, including the student's right to present and cross-examine witnesses and their right to an attorney or other representation; and
 5. An explanation of the consequences of an expulsion.
- C. Invite the parents/guardians and the student to a meeting prior to the expulsion hearing to discuss the procedures of the hearing.

Expulsion Hearing

The hearing shall be in a properly called executive session and may also be attended by persons designated by the Superintendent to present information in the case. The Board shall reference

the AC – Nondiscrimination: Equal Opportunity and Affirmative Action policy throughout the hearing and while considering the case.

Upon making a decision to expel a student, the Board may:

- A. Expel the student for a specific period of time not to exceed the total number of instructional days approved by the Board for the current year; or
- B. Expel the student for an unspecified period of time and authorize the Superintendent to provide the expelled student with a reentry plan, to be developed in accordance with 20-A MRSA § 1001(9-C), specifying the conditions that must be met in order for the student to be readmitted to school after the expulsion.

The Board has adopted guideless (JKE-R) that outline the procedure for conducting an expulsion hearing and for developing a reentry plan, if applicable.

After the expulsion hearing, the Board shall provide written notice in the parent/guardian's first language of its decision to the parents/guardians and the student by certified mail.

Nothing in this policy shall prevent the Board from providing educational services in an alternative setting to a student who has been expelled.

Legal Reference: 20-A MRSA § 1001 (8-A), (9), (9A-9D)
1 MRSA § 405(6)(B)

Cross Reference: AC – Nondiscrimination: Equal Opportunity and Affirmative Action
JKE-R – Expulsion of Students - Guidelines
JICIA – Weapons, Violence, and School Safety
JK – Student Discipline
JKD – Suspension of Students
JKF – Disciplinary Removal of Students with Disabilities

Adopted: March 24, 2010
Revised: November 28, 2012
Reviewed: September 27, 2017
Revised: May 26, 2021

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

ACAB-R – Employee Discrimination/Harassment and Title IX Sexual
Harassment Complaint Procedures

Adopted: May 27, 2009
Revised: December 8, 2010; November 20, 2013
Reviewed: June 12, 2019
Revised: October 14, 2020