

**REGULAR MEETING OF RSU NO. 5 BOARD OF DIRECTORS**  
**WEDNESDAY– SEPTEMBER 23, 2020**  
**MORSE STREET SCHOOL - CAFETERIA**  
**6:30 P.M. REGULAR SESSION**  
**AGENDA**

1. Call to Order:  
The meeting was called to order at \_\_\_\_\_ p.m. by Chair Michelle Ritcheson
2. Attendance:

____ Jeremy Clough	____ Elisabeth Munsen
____ Candace deCsipkes	____ Maura Pillsbury
____ Dwight Ely	____ Michelle Ritcheson
____ Lindsey Furtney	____ Valeria Steverlynck
____ Jennifer Galletta	____ Madelyn Vertenten
____ Susana Hancock	____ Liam Hornschild-Bear – Student Representative
3. Pledge of Allegiance:
4. Consideration of Minutes:
  - A. Consideration and approval of the Minutes of September 9, 2020 as presented barring any errors or omissions.

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_ Vote: \_\_\_\_\_
5. Adjustments to the Agenda:
6. Good News & Recognition:
  - A. Report from Board's Student Representative (10 Minutes)
  - B. Good News from Morse Street School – Julie Nickerson (10 Minutes)
7. Public Comments: (10 Minutes)  
*Public comment will be taken in person and via Zoom (connection information below)*  
<https://networkmaine.zoom.us/j/84897542016> Webinar ID: 848 9754 2016  
Telephone 1 301 715 8592
8. Reports from Superintendent: (10 Minutes)
  - A. Items for Information
    1. District Happenings
    2. Resignations/Summer Professional Hires
    3. September 2020 School Enrollments
    4. MSMA Fall Conference
9. Administrator Reports:
  - A. Finance - Rick Kusturin (5 Minutes)
  - B. Morse Street School Goal Review - Julie Nickerson (20 Minutes)
  - C. Freeport High School Goal Review - Jen Gulko (20 Minutes)

10. Board Comments and Committee Reports:

- A. Board Information Exchange and Agenda Requests (10 Minutes)
- B. Finance Committee (3 Minutes)
- C. Policy Committee (3 Minutes)

11. Policy Review: (15 Minutes)

- A. Consideration and approval of 1<sup>st</sup> Read of the following Policies.
  - 1. AC Nondiscrimination/Equal Opportunity and Affirmative Action
  - 2. ACAA Harassment and Sexual Harassment of Students
  - 3. ACAA-R Student Discrimination and Harassment Complaint Procedure
  - 4. ACAB Harassment and Sexual Harassment of School Employees
  - 5. ACAB-R Employee Discrimination and Harassment Complaint Procedure

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_ Vote: \_\_\_\_\_

12. Unfinished Business:

- A. Extra-Curricular Activities - Update (15 Minutes)
- B. Consideration and approval to participate in fall sports following the CDC/DOE guidelines. (15 Minutes)

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_ Vote: \_\_\_\_\_

13. New Business:

- A. Consideration and approval of a delegate and alternate to the Maine School Boards Association Annual Delegate Assembly at the Annual Fall Conference. (5 Minutes)

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_ Vote: \_\_\_\_\_

- B. Discussion of the MSBA 2020 Proposed Resolutions (20 Minutes)

- C. Consideration and approval of the charge of the Diversity, Equity, and Inclusion Advisory Committee. (10 Minutes)

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_ Vote: \_\_\_\_\_

14. Personnel:

- A. Consideration and approval to employ a .5 ESL Teacher for the 2020-2021 school year.

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_ Vote: \_\_\_\_\_

15. Public Comments: (10 Minutes)

*Public comment will be taken in person and via Zoom (connection information below)*  
<https://networkmaine.zoom.us/j/84897542016> Webinar ID: 848 9754 2016  
Telephone 1 301 715 8592

16. Adjournment:

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_ Vote: \_\_\_\_\_ Time: \_\_\_\_\_

Item #4

**RSU No. 5 Board of Directors Meeting  
Wednesday, September 9, 2020 – 6:30 p.m.  
Freeport High School - Cafeteria  
Meeting Minutes**

(NOTE: These Minutes are not official until approved by the Board of Directors. Such action, either to approve or amend and approve, is anticipated at the September 23, 2020 meeting).

**1. CALLED TO ORDER:**

Chair Michelle Ritcheson called the meeting to order at 6:30 p.m.

**2. MEMBERS PRESENT:** Jeremy Clough, Candace deCsipkes, Dwight Ely, Lindsey Furtney, Jennifer Galletta, Susana Hancock, Elisabeth Munsen, Maura Pillsbury, Michelle Ritcheson, Valeria Steverlynck, Madelyn Vertenten, Liam Hornschild-Bear, Student Representative

**MEMBERS ABSENT:**

**3. PLEDGE OF ALLEGIANCE:**

**4. CONSIDERATION OF MINUTES:**

**A. VOTED:** To approve the Minutes of July 15, 2020, August 6, 2020, August 12, 2020 and August 26, 2020. (Pillsbury - Vertenten) (11 – 0) The student representative voted with the majority.

**5. ADJUSTMENTS TO THE AGENDA:**

Item 13 Add an update on extra-curricular activities and an item on Policy JHCA - Open/Closed Campus

**6. GOOD NEWS AND RECOGNITION:**

**A.** Report from Board's Student Representative - Liam Hornschild-Bear, Student Representative

**7. PUBLIC COMMENT:**

Kate Smith, Freeport

**8. REPORTS FROM SUPERINTENDENT:**

**A.** Items for Information

1. Opening of School

**9. ADMINISTRATOR REPORTS:**

None

**10. BOARD COMMENTS AND COMMITTEE REPORTS:**

None

**11. POLICY REVIEW:**

None

**12. UNFINISHED BUSINESS:**

**A.** Board's Work Plan for 2020-2021

**B. VOTED:** To approve the RSU5 District Goals for 2020-2021.

(Steverlynck - Vertenten) (11 – 0) The student representative voted with the majority.

**C. VOTED:** To add, delete, or consolidate committees and make annual appointments.  
(Hancock – Munsen) (11 – 0) The student representative voted with the majority.

1. Negotiations (Professional) – Ely, Ritcheson, Galletta  
Negotiations (Support) – deCsipkes, Furtney
2. Strategic Communications Committee - deCsipkes, Hancock, Steverlynck
3. Policy – deCsipkes, Vertenten, Furtney
4. Finance - Munsen, Morang, Ritcheson
5. RSU5 Community Programs Advisory Committee - Clough
6. Maine Region 10 Technical High School Board – Ely, VanNostrand
7. Dropout Prevention Committee – Munsen
8. Stipend Review Committee – Galletta, Vertenten
9. Student Centered Learning Committee - Vertenten, Munsen
10. Freeport Cable TV Board - Hancock
11. Freeport Performing Arts Center Advisory Committee - Vertenten
12. Safety Committee – Clough, Pillsbury
13. Wellness Committee - Steverlynck

**13. NEW BUSINESS:**

A. FY22 Budget Timeline

B. Board Discussion on 2021-2022 School Calendar

*Adjustment to the agenda added item:*

**VOTED:** To temporarily revise policy JHCA - Open/Closed Campus to allow juniors to access open campus privileges.

(Steverlynck – Hancock) (11 – 0) The student representative voted with the majority.

C. Board Discussion on Fall Sports

*Adjustment to the agenda added item:*

D. Update on Extra-Curricular Activities

**14. PERSONNEL:**

None

**15. PUBLIC COMMENT:**

None

**16. EXECUTIVE SESSION:**

**A. VOTED:** To enter into Executive Session as outlined in 1 M.R.S.A § 405(6)(A) for the purpose of discussing the Superintendent's evaluation. (Hancock – Munsen) (11 – 0).

Time In: 9:38 p.m.

Time Out: 10:19 p.m.

**17. ACTION AS A RESULT OF EXECUTIVE SESSION:**

None

**18. ADJOURNMENT:**

**VOTED:** To adjourn at 10:20 p.m. (Steverlynck– Vertenten) (11 – 0)



Becky J. Foley, Superintendent of Schools

**Professional staff hired during the summer**

Ben Boegehold - FHS ELA

Megan Kemma - FHS Social Worker

Jacquelyn Mitchell - DCS Classroom Teacher

Aja Stephan - MSS PreK Teacher

Julia Schwarz - MLS Classroom Teacher

Susan Albertini - MLS Guidance

Erika Skiff - MLS Nurse

Bill Ridge - FMS/DCS Technology Coach

Lydia Anderson - GT

Elizabeth Ackerman - MSS Classroom Teacher

Risa Causey - PES Classroom Teacher

Alan Curtis - FHS Social Studies

Chelsea Baker - DCS PreK

Tiffany Alden - DCS Humanities

William Wall - FHS Math

Sharon Pattershall - FMS Math

**Employees who resigned after the June Board Meeting**

Sam Hopkins - DCS Ed Tech

Amy Hockridge - FMS Nutrition

Sonia McGrath - MSS Ed Tech

Lynett Larkin-Silva - MLS Nurse

Lisa Hogan - FHS Technology Teacher

Jennifer Rosado - GT

Nate Garnett - Math Strategist

Ashley Robinson - Nutrition

Michelle LaBella - DCS Ed Tech

Sarah Cass - Office Coordinator Community Programs

Danielle Folsom - Laugh and Learn

Natascha Richterich - MSS Ed Tech

Katherine Wigmore - MLS Ed Tech

Jessica Sturges - ESL Teacher

Danielle Lizotte - MLS Ed Tech

Rene Peterson - Laugh and Learn

Roz Moisan - FMS Ed Tech

Item #8A.3.

**Student Enrollments  
September 2020**

	<b>September 2019</b>	<b>Projected 2020 (from Budget Documents)</b>	<b>September 2020</b>
<b>Freeport High School</b>	<b>582</b>	<b>618</b>	<b>606</b>
<b>Freeport Middle School</b>	<b>348</b>	<b>321</b>	<b>314</b>
<b>Mast Landing School</b>	<b>233</b>	<b>222</b>	<b>213</b>
<b>Morse Street School</b>	<b>309</b>	<b>335</b>	<b>284</b>
<b>Pownal Elementary School</b>	<b>104</b>	<b>111</b>	<b>104</b>
<b>Durham Community School</b>	<b>441</b>	<b>454</b>	<b>433</b>
<b>Grand Total</b>	<b>2017</b>	<b>2061</b>	<b>1954</b>

**September 2020**

	<b>Morse Street School</b>	<b>Pownal Elementary School</b>	<b>Mast Landing School</b>	<b>Durham Community School</b>	<b>FMS</b>	<b>FHS</b>
<b>PK</b>	48 (4 sessions) 2 Teachers (14-15-8-11)	15 (1 session) .5 Teacher (15)		31 (3 sessions) 1.5 Teachers (10-11-10)		
<b>K</b>	83 5 Teachers (16-17)	14 1 Teacher (14)		41 3 Teachers (13-14)		
<b>1</b>	82 5 Teachers (16-17)	15 1 Teacher (15)		48 3 Teachers (16)		
<b>2</b>	71 4 Teachers (17-18)	15 1 Teacher (15)		53 3 Teachers (17-18)		
<b>3</b>		17 1 Teacher (17)	68 4 Teachers (17)	42 2 Teachers (21)		
<b>4</b>		16 1 Teacher (17)	71 4 Teachers (17-18)	41 2 Teachers (20-21)		
<b>5</b>		12 1 Teacher (12)	74 4 Teachers (18-19)	49 3 Teachers (14-15)		
<b>6</b>				44 3 Teachers (14-15)	103 5.33 Teachers (18-22)	
<b>7</b>				50 3 Teachers (16-17)	105 5.33 Teachers (18-22)	
<b>8</b>				34 2 Teachers (17)	106 5.33 Teachers (18-22)	
<b>9</b>						156
<b>10</b>						142
<b>11</b>						163
<b>12</b>						145
<b>Total</b>	<b>284</b>	<b>104</b>	<b>213</b>	<b>433</b>	<b>314</b>	<b>606</b>

Item 8.A.4

# Maine Public Education — Embracing OUR Future Together!



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and more.*

### Vendors

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learn more about their  
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prizes, etc.*

### Speakers

#### Friday Keynote Speaker

**Judge John Broderick, Jr.**  
Sr. Dir., External Affairs and  
Former Chief Justice, N.H. Supreme Court

**Keynote: Changing the Culture  
Surrounding Mental Illness:  
It's Way Past Time**

#### Saturday Endnote Speaker

**TBD**

***Registration and more  
detailed information will be  
available later in September!***

RSU 5 Budget Summary Report		9/30/2020							
Article	Description	2021 Budget	Transfers	2021 Revised Budget	September 2021 Expenses	2021 Expenses YTD	2021 Encumbrances YTD	Balances YTD	% Remaining
Article 1 Total	Regular Instruction	\$15,107,880.00	\$0.00	\$15,107,880.00	\$512,843.27	\$2,358,604.61	\$84,385.49	\$12,664,889.90	83.83%
Article 2 Total	Special Education	\$4,688,560.00	\$0.00	\$4,688,560.00	\$143,562.73	\$653,764.27	\$0.00	\$4,034,795.73	86.06%
Article 3 Total	Career & Technical Education	\$101,706.00	\$0.00	\$101,706.00	\$8,475.45	\$16,950.92	\$84,754.48	\$0.60	0.00%
Article 4 Total	Other Instruction	\$858,926.00	\$0.00	\$858,926.00	\$12,287.80	\$48,944.35	\$49,555.50	\$760,426.15	88.53%
Article 5 Total	Student & Staff Support	\$3,160,872.00	\$0.00	\$3,160,872.00	\$129,641.06	\$586,230.35	\$195,540.63	\$2,379,101.02	75.27%
Article 6 Total	System Administration	\$1,013,211.00	\$0.00	\$1,013,211.00	\$31,769.70	\$186,589.62	\$1,656.75	\$824,964.63	81.42%
Article 7 Total	School Administration	\$1,727,711.00	\$0.00	\$1,727,711.00	\$63,715.87	\$286,836.94	\$710.94	\$1,440,163.12	83.36%
Article 8 Total	Transportation & Busses	\$1,473,419.00	\$0.00	\$1,473,419.00	\$15,751.71	\$79,100.01	\$168,453.08	\$1,225,865.91	83.20%
Article 9 Total	Facilities Maintenance	\$5,028,523.00	\$0.00	\$5,028,523.00	\$112,950.10	\$564,584.38	\$829,172.62	\$3,634,766.00	72.28%
Article 10 Total	Debt Service	\$1,427,247.00	\$0.00	\$1,427,247.00	\$0.00	\$0.00	\$0.00	\$1,427,247.00	100.00%
Article 11 Total	All Other	\$294,645.00	\$0.00	\$294,645.00	\$24,437.08	\$48,874.16	\$244,370.80	\$1,400.04	0.48%
Totals		\$34,882,700.00	\$0.00	\$34,882,700.00	\$1,055,434.77	\$4,830,479.61	\$1,658,600.29	\$28,393,620.10	81.40%



**Morse Street School Goals 2019-2020**

<b>Goal Worksheet</b>				
<b>School: Morse Street School</b>				
<b>School Goal</b>	<b>Strategies and Action Steps</b>	<b>Responsibility</b>	<b>Timeline</b>	<b>Evidence of Effectiveness</b>
<p><b>RSU5 Strategic Goal 2:</b> All RSU 5 students regularly engage in meaningful student centered learning.</p> <p><b>MSS Goal 1:</b> By May/June 2020 at least 75% of students K-2 will make expected growth as measured by the F &amp; P Reading Assessment.</p> <p>June 2018 - 55% June 2019 - 65% June 2020 - 75%</p> <p>100% of students K-2 will make expected growth as measured by the Math SLO Assessment.</p> <p><b>Baseline:</b> <b>Reading</b> F &amp; P spring 2017 47% (96/205) students met or exceeded expected growth targets.</p> <p>F &amp; P spring 2018 56% (119/212) students met or exceeded expected growth targets</p> <p>F &amp; P spring 2019 67% (149/222) students met</p>	<ul style="list-style-type: none"> <li>● TC Staff Developer and Literacy Strategist provide targeted professional development in text band characteristics, reciprocity of reading and writing, and comprehension strands to ensure that all students are able to provide higher level responses to demonstrate comprehension of text. (Susan Dee)</li> <li>● All teachers K-2 Involved in Student Centred Coaching cycles to improve instruction in data driven areas of need. (Classroom Teachers and Literacy Strategist)</li> <li>● Implement Units of study in Phonics in Grade K (Year 2) and Grade 1 (Year 1).</li> <li>● Literacy and Math Strategists continue to support differentiated small group work and increased student discourse with embedded PD in their content area. (Susan Dee and Talya Edlund)</li> <li>● Use assessment data to focus differentiated small group instruction and individual conferences in both reading and math. (Classroom Teachers)</li> <li>● Grade level teams collaborate and analyze student work using protocols focused around goals and next steps for learning in both reading and math. (Grade Level Teams)</li> <li>● Conduct peer observations with a focus on student learning to provide support and insight to improve instruction. (All Teachers)</li> <li>● Provide PD to Pre-K teachers in early literacy practices that improve foundational skills in Reading and ways to embed literacy in play.</li> </ul>		<p>Ongoing 2019-2020 <b>Completed</b></p> <p>Ongoing 2019-2020 <b>Completed</b></p> <p>Ongoing 2019-2020 <b>Completed</b></p> <p>Ongoing 2019-2020 <b>Literacy focus last year</b></p> <p>Ongoing 2019-2020 <b>Yes and ongoing</b></p> <p>Ongoing 2019-2020 <b>Started</b></p> <p>Ongoing 2019-2020 <b>Worked on this during remote learning</b></p> <p>July 2019 and Ongoing 2019-2020 <b>Completed and continues</b></p>	<p>F &amp; P Assessment for reading</p> <p>Math SLO</p> <p>NWEA (Grade 2 only)</p> <p><b>Assessments not completed; data not available yet.</b></p>

<p>or exceeded expected growth targets</p> <p><b>Math</b> SLO spring 2017 93% (190/205) students met or exceeded expected growth targets.</p> <p>SLO spring 2018 96% (204/212) students met or exceeded expected growth targets.</p> <p>SLO spring 2019 99% (224/226) students met or exceeded expected growth targets</p> <p>NWEA math achievement data: 2017 77.3% students average or above 2018 79.2% students average or above 2019 74% students average or above</p>			
<p><b>RSU5 Strategic Goal 1:</b> All RSU 5 students experience a joyful learning climate that is safe, nurturing, and fosters curiosity.</p> <p><b>MSS Goal 2:</b> By May/June 2020 develop and implement a data informed RTI-B process for</p>	<ul style="list-style-type: none"> <li>Utilize SSBD (Systematic Screener for Behavioral Disorders) screening tool to identify vulnerable students early, and provide targeted intervention. (whole school team)</li> </ul>	<p>Ongoing 2019-2020 Did not complete the cycle due to COVID closure.</p>	<p>Collect and analyze data collected from SSBD.</p> <p>Data collected from PBSPs</p>

<p>supporting students with social-emotional needs, and collect baseline data to monitor the effectiveness of the system</p>	<ul style="list-style-type: none"> <li>● Grade level teams use PLC to collaborate over student social-emotional needs and suggested intervention plans. (Grade Level Teams)</li> <li>● Grade level teams, together with SAT members, collaborate and analyze student data to ensure students are being identified for intervention. (Grade Level Teams)</li> <li>● Grade level teams collaborate and analyze student data using protocols. (Grade Level Teams)</li> <li>● Implement Tier 1 intervention plans and progress monitor to determine next steps for each student. (Classroom Teachers)</li> <li>● Implement Tier 2 Positive Behavior Support Plans (PBSP) and monitor to determine next steps for each student. (Cindy Kivler and Classroom Teacher)</li> <li>● Create sensory spaces and monitor the use and effectiveness for both special ed and general ed students. (OT and RTI-B Ed-tech)</li> </ul>	<p>Discussions happen often as needs arise.</p> <p>Meetings are scheduled quarterly by grade level to discuss social emotional needs.</p> <p>In action</p> <p>Four students had intensive PBSP last year and data was gathered and behavioral change observed.</p> <p>Spaces were created - data collected.</p>	<p>(Positive Behavior Support Plans)</p> <p>Data collected from check-in and out in sensory spaces.</p> <p>Data collection incomplete</p>
<p><b>RSU5 Strategic Goal 3:</b> All RSU 5 school-parent-community partnerships are based on strong communication and active involvement to support student success.</p> <p><b>MSS Goal 3:</b> By May/June 2020 increase opportunities for students PK-2 to engage with the community for meaningful and engaging learning.</p>	<ul style="list-style-type: none"> <li>● Continue with community volunteers Lunch Buddy Program. (School Counselor)</li> <li>● Implement a mentor program for community volunteers to work one on one with students. (School Counselor)</li> <li>● Increase field trip opportunities in our local community to provide meaningful learning experiences for our PK-2 students (Grade Level Teams)</li> <li>● Partner with local groups to provide learning opportunities such as: Freeport Sustainability Committee and Freeport Historical Society. (Principal and Grade Level Teams)</li> </ul>	<p>Ongoing 2019-2020</p> <p>This work was started and is postponed for now. We will revisit when we can connect more with the community.</p>	<p>List of expanded opportunities</p>

## Morse Street School Goals 2020-2021

Goal Worksheet				
School: Morse Street School				
School Goal	Strategies and Action Steps	Responsibility	Timeline	Evidence of Effectiveness
<p><b>RSU5 Strategic Goal 2:</b> All RSU5 students regularly engage in meaningful student centered learning.</p> <p><b>MSS Goal 1:</b> By May/June 2021 at least 75% of students K-2 will make expected growth as measured by the F &amp; P Reading Assessment.</p> <p>June 2018 - 55% June 2019 - 65% June 2020 - 75%</p> <p>100% of students K-2 will make expected growth as measured by the Math SLO Assessment.</p> <p><b>Baseline:</b> <b>Reading</b> F &amp; P spring 2017 47% (96/205) students met or exceeded expected growth targets.</p> <p>F &amp; P spring 2018 56% (119/212) students met or exceeded expected growth targets</p> <p>F &amp; P spring 2019 67% (149/222) students met</p>	<ul style="list-style-type: none"> <li>● TC Staff Developer and Literacy Strategist will provide targeted professional development in text band characteristics, reciprocity of reading and writing, and comprehension strands to ensure that all students are able to provide higher level responses to demonstrate comprehension of text and the connection with becoming stronger writers. (Susan Dee)</li> <li>● All teachers K-2 will receive Student Centered Coaching Cycles to improve instruction in data driven identified areas of need. (Classroom Teachers and Literacy Strategist)</li> <li>● Implement Units of Study in phonics in Grade 1 (year 2) and Grade 2 (Year 1).</li> <li>● Literacy and Math Strategists continue to support differentiated small group work and increased student discourse with embedded PD in their content area. (Susan Dee and Talya Edlund)</li> <li>● Use assessment data to focus differentiated small group instruction and individual conferences in both reading and math. (Classroom Teachers)</li> <li>● Grade level teams collaborate and analyze student work using protocols focused around goals and next steps for learning in both reading and math. (Grade Level Teams)</li> </ul>		<p>Ongoing 2019-2020</p> <p>Ongoing 2020-2021</p> <p>Ongoing 2020-2021</p> <p>Ongoing 2020-2021</p> <p>Ongoing 2020-2021</p> <p>Ongoing 2020-2021</p>	<p>F &amp; P Reading Assessment</p> <p>Math Assessments</p> <p>NWEA (Grade 2 only)</p> <p>Pre-K Observational Assessment Tool</p> <p>Pre-K Phonics Assessment Data</p>

<p>or exceeded expected growth targets</p> <p><b>Math</b> SLO spring 2017 93% (190/205) students met or exceeded expected growth targets.</p> <p>SLO spring 2018 96% (204/212) students met or exceeded expected growth targets.</p> <p>SLO spring 2019 99% (224/226) students met or exceeded expected growth targets</p> <p>NWEA math achievement data: 2017 77.3% students average or above 2018 79.2% students average or above 2019 74% students average or above</p>	<ul style="list-style-type: none"> <li>● Grade level teams use four high leverage practices to improve student achievement: Plan Instruction, Practice Teaching, Study Student Work and Discuss Own Reading/Writing.</li> <li>● Conduct peer observations with a focus on student learning to provide support and insight to improve instruction. (All Teachers)</li> <li>● Provide PD to Pre-K teachers in early literacy practices that improve foundational skills in reading, writing and ways to embed literacy and language development in play.</li> <li>● All Pre-k teachers participate in a coaching cycle driven by a chosen area of need to improve practice.</li> </ul>	<p>Ongoing 2020-2021</p> <p>Ongoing 2020-21</p> <p>Ongoing 2020-21</p> <p>Ongoing 2020-21</p>	
<p><b>RSU5 Strategic Goal 1:</b> All RSU 5 students experience a joyful learning climate that is safe, nurturing, and fosters curiosity.</p> <p><b>MSS Goal 2:</b> By May/June 2021, implement a data informed RTI-B process for</p>	<ul style="list-style-type: none"> <li>● Utilize SSBD (Systematic Screener for Behavioral Disorders) screening tool to identify vulnerable students early, and provide targeted intervention.</li> </ul>	<p>Ongoing 2020-2021</p>	<p>Collect and analyze Data collected from SSBD</p>

<p>supporting students with social-emotional needs, and collect baseline data to monitor the effectiveness of the system.</p>	<p>(whole school team)</p> <ul style="list-style-type: none"> <li>● Grade level teams use PLC to collaborate over student social-emotional needs and suggested intervention plans (Grade Level Teams)</li> <li>● Grade level teams, together with SAT members, collaborate and analyze student data to ensure students are being identified for intervention. (Grade Level Teams)</li> <li>● Grade level teams collaborate and analyze student data using protocols. (Grade Level Teams)</li> <li>● Implement Tier 1 intervention plans and progress monitor to determine next steps for each student. (Classroom Teachers)</li> <li>● Implement Tier 2 Positive Behavior Support Plans (PBSP) and monitor to determine next steps for each student. (Cindy Kivler and Classroom Teacher)</li> </ul>		<p>Data collected from PBSPs (Positive Behavior Support Plans)</p>
<p><b>RSU5 Strategic Goal 1:</b> All RSU 5 students experience a joyful learning climate that is safe, nurturing, and fosters curiosity.</p> <p><b>MSS Goal 3:</b> By May/June 2021, identify a pathway of sustainable practice for diversity, inclusion, and equity.</p>	<ul style="list-style-type: none"> <li>● Partner with MLS to form a focus group to spearhead this work across both schools.</li> <li>● Principals of both schools participate in Maine's Cultural Competence Institute.</li> <li>● Develop an action plan based on the findings of the district audit.</li> <li>● Continue work on classroom libraries to ensure books are relevant, engaging and reflect diversity.</li> <li>● Deepen knowledge of social justice through the</li> </ul>	<p>September 2020</p> <p>Yearlong 2020-21</p> <p>December 2020</p> <p>Ongoing 2020-21</p> <p>Ongoing 2020-21</p>	<p>Action plan created and action steps started</p>

	<b>partnership with Teacher’s College and Center for Responsive Schools.</b>		
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- **District Strategic Goal 2: All RSU 5 students regularly engage in meaningful student centered learning.**
- **FHS Goal: By June 2020, Freeport High School will continue to plan, implement, communicate and reflect upon proficiency-based instructional and grading practices stakeholders for the Class of 2021 and beyond. In September of 2020, students in grades 9-12 will experience standards-based instruction, grading and reporting practices. This goal will support students in reaching proficiency in their classes as well as keep parents informed about proficiency-based practices.**
  - Fall of 2020: all four grades are using the same grading system:
    - Standards-aligned curriculum
    - Common scoring criteria by course
    - Reassessment policies by course
    - Habits of Work school-wide rubric and scoring, separated from academic scores (HoW on all transcripts)
  - Teachers will continue to work on:
    - Deepening student understanding of scoring criteria for each course
    - Developing skills and understanding of strong Habits of Work
    - Providing opportunities for student self reflection tied to academic and Habits of Work rubrics
- **FHS Goal: Increase the total number of students in the 9th and 10th grade meeting their individual growth target in both math and reading as measured by the NWEA.**
  - Instructional practices tied to the goal:
    - Math teachers engaged in extensive collaborative work to enhance instructional practices in all math classes 6-12
    - FHS math teachers worked with the FHS math coach for individual professional development tied to classroom practices
    - FHS math teachers continuously collaborated to design units, lessons and assessments from the Big Ideas Curriculum for Algebra 1, Algebra 2 and Geometry
    - FHS math department meetings, PLD days and PLC meetings all worked to expand instructional strategies used in math classes, such as increasing student mathematical dialogue and increasing formative feedback given to students
    - Two ELA teachers attended the Teachers' College Conference in NYC and shared and implemented strong literacy practices with all FHS ELA teachers such as extending the use of literature circles
    - Created and utilized reports in PowerSchool to make NWEA data more easily accessible in order to help inform instruction
    - Enhance the math support and literacy intervention classes to give targeted support for 9th and 10th graders below grade level in reading and math; courses will continue this year
  - Due to Covid-19, NWEA tests were not administered in the spring of 2020, resulting in no updated data for this goal.
  - 2018-19 Goal: The total number of students in the 9th and 10th grade who meet their individual growth target on the NWEA math



test will increase from 50.8% to 56% for 9th grades and from 66.3% to 70% for 10th graders.

- Student growth data from spring 2018 to spring of 2019
  - Students meeting individual growth goal:
    - 51.0% 9th (did not meet goal)
    - 46.4% 10th (did not meet goal)
- Student growth data from spring 2017 to spring of 2018
  - Students meeting individual growth goal:
    - 50.8% of 9th
    - 66.3% of 10th
- Student growth data from fall 2016 to spring of 2017
  - Students meeting individual growth goal:
    - 36% of 9th
    - 44% of 10th
- 2018-19 Goal: The total number of students in the 9th and 10th grade who meet their individual growth target on the NWEA reading test will increase from 52.7% to 58% for 9th graders and 44.9% to 50% for 10th graders.
  - Student growth data from spring 2018 to spring of 2019
    - Students meeting individual growth goal:
      - 59.3% of 9th (exceeded goal)
      - 51.2% of 10th (exceeded goal)
  - Student growth data from spring 2017 to spring of 2018
    - Students meeting individual growth goal:
      - 52.7% of 9th
      - 44.9% of 10th
  - Student growth data from fall 2016 to spring of 2017
    - Students meeting individual growth goal:
      - 48% of 9th
      - 40% of 10th

<b>Reading NWEA</b>	<b><u>2016-17</u></b>	<b><u>2017-18</u></b>	<b><u>2018-19</u></b>		<b>Math NWEA</b>	<b><u>2016-17</u></b>	<b><u>2017-18</u></b>	<b><u>2018-19</u></b>
<b>9th:</b>	<b>48%</b>	<b>52.7%</b>	<b>59.3%</b>		<b>9th:</b>	<b>36%</b>	<b>50.8%</b>	<b>51.0%</b>
<b>10th:</b>	<b>40%</b>	<b>44.9%</b>	<b>51.2%</b>		<b>10th:</b>	<b>44%</b>	<b>66.3%</b>	<b>46.4%</b>

## FHS Goals 2020-2021

**School: Freeport High School**

**Team Name: N/A**

**Team Members: Jen Gulko, Charlie Mellon, FHS Staff**

**District Strategic Goal: All RSU 5 students experience a joyful learning climate that is safe, nurturing, and fosters curiosity.**

**FHS Goal: By June 2021, Freeport High School will identify a pathway of sustainable practices that support the implementation of thoughtful, iterative, and innovative strategies that inspire an inclusive mindset in the FHS community.**

<b>SMART Goal</b>	<b>Strategies and Action Steps</b>	<b>Responsibility</b>	<b>Timeline</b>	<b>Evidence of Effectiveness</b>
FHS will identify a pathway of sustainable practices that support the implementation of thoughtful, iterative, and innovative strategies that inspire an inclusive mindset in the FHS community.	<ul style="list-style-type: none"><li>• Develop an action plan based on the findings of the District audit.</li></ul>	<ul style="list-style-type: none"><li>• FHS Administrators</li><li>• FHS Leadership Teams</li><li>• FHS Staff Members</li></ul>	<ul style="list-style-type: none"><li>• Sept. 2020-June 2022</li></ul>	<ul style="list-style-type: none"><li>• Action plan and subsequent action steps for FHS students, staff and administrators.</li></ul>

	<ul style="list-style-type: none"> <li>• FHS administrators will participate in professional development tied to equity practices such as Maine's Cultural Competence Institute. Professional development opportunities will also be offered regularly to all staff such as webinars related to equity practices.</li> </ul>	<ul style="list-style-type: none"> <li>• FHS Administrators</li> <li>• FHS Staff Members</li> </ul>	<ul style="list-style-type: none"> <li>• Sept. 2020 to June 2021</li> </ul>	<ul style="list-style-type: none"> <li>• Administrator participation in and completion of professional development opportunities.</li> <li>• FHS staff participation in and completion of professional development opportunities.</li> <li>• Action steps related to professional development opportunities (such as strategies used in classrooms).</li> </ul>
	<ul style="list-style-type: none"> <li>• Continue to work to include and expand upon selected texts in social studies and language arts that are relevant, engaging and reflect diversity.</li> </ul>	<ul style="list-style-type: none"> <li>• FHS Administrators</li> <li>• FHS Department Chairs</li> <li>• FHS Faculty</li> </ul>	<ul style="list-style-type: none"> <li>• Sept. 2020 to June 2021</li> </ul>	<ul style="list-style-type: none"> <li>• Department meeting agendas and discussions.</li> <li>• Implementation of related texts.</li> <li>• Lessons tied to implemented texts.</li> </ul>
	<ul style="list-style-type: none"> <li>• Begin development of the RISE program, collaborating with consultants from Integrative Inquiry and area high schools to develop and promote empathy, equity, and connection among school/community members (replacing the Challenge Day Program).</li> </ul>	<ul style="list-style-type: none"> <li>• FHS Administrators</li> <li>• FHS Staff Members</li> <li>• FHS Students</li> </ul>	<ul style="list-style-type: none"> <li>• Sept. 2020-June 2022</li> </ul>	<ul style="list-style-type: none"> <li>• Program design and implementation plan created with staff from Integrative Inquiry, FHS staff and students.</li> <li>• Timeline for piloting the RISE program with FHS grade levels.</li> <li>• Implementation of the "Train the Trainers" program for RISE.</li> </ul>

**District Goal 2: All RSU 5 students regularly engage in meaningful student centered learning.**

**FHS Goal: Increase the total number of students in the 9th and 10th grade meeting their individual growth target in both math and reading as measured by the NWEA.**

SMART Goal	Strategies and Action Steps	Responsibility	Timeline	Evidence of Effectiveness
<p>The total number of students in the 9th and 10th grade who meet their individual growth target on the NWEA math test will increase from 51.0% to 57% for 9th grades and from 46.4% to 51% for 10th graders.</p> <p>Data will be measured from spring of 2019 to spring of 2021 (no data available from spring of 2020).</p> <p><u>Student growth data from fall 2016 to spring of 2017</u> Students meeting individual growth goal: 36% of 9th 44% of 10th</p> <p><u>Student growth data from spring 2017 to spring of 2018</u> Students meeting individual growth goal:</p>	<ul style="list-style-type: none"> <li>• Implement new math curriculum in Algebra 1, Algebra 2, and geometry.</li> <li>• Implement math support classes for 9th and 10th grade students scoring significantly below grade level on NWEA.</li> <li>• Providing coaching and development for FHS math teachers with new curriculum through the FHS math coach.</li> <li>• Focus on formative assessment and formative feedback with PLC teams.</li> <li>• Collaborate with the RSU5 data specialist to create</li> </ul>	<ul style="list-style-type: none"> <li>• FHS Administrators</li> <li>• FHS Faculty</li> </ul>	<ul style="list-style-type: none"> <li>• Sept. 2020 to June 2021</li> </ul>	<ul style="list-style-type: none"> <li>• Enrollment in math support classes.</li> <li>• Teacher workshops.</li> <li>• PLC and PLD agendas.</li> <li>• Spring 2021 NWEA math data:               <ul style="list-style-type: none"> <li>◦ All 9th and 10th graders</li> <li>◦ Students in math support class</li> </ul> </li> </ul>

<p>50.8% of 9th 66.3% of 10th</p> <p><u>Student growth data from spring 2018 to spring of 2019</u></p> <p>Students meeting individual growth goal: 51.0% of 9th 46.4% of 10th</p>	<p>systems that support teachers in easily accessing NWEA data.</p> <ul style="list-style-type: none"> <li>• Provide support for math teachers in analyzing NWEA data for students.</li> </ul>			
<p>The total number of students in the 9th and 10th grade who meet their individual growth target on the NWEA reading test will increase from 59.3% to 64% for 9th graders and 51.2% to 56% for 10th graders.</p>	<ul style="list-style-type: none"> <li>• Implement literacy support class for 9th and 10th grade students scoring significantly below grade level on NWEA.</li> <li>• Focus on formative assessment and formative feedback with PLC teams.</li> <li>• Collaborate with the RSU5 data specialist to create</li> </ul>	<ul style="list-style-type: none"> <li>• FHS Administrators</li> <li>• FHS Faculty</li> </ul>	<ul style="list-style-type: none"> <li>• Sept. 2020 to June 2021</li> </ul>	<ul style="list-style-type: none"> <li>• Enrollment in literacy support classes</li> <li>• Teacher workshops</li> <li>• PLC and PLD agendas</li> <li>• Spring 2021 NWEA ELA data <ul style="list-style-type: none"> <li>○ All 9th and 10th graders</li> <li>○ Students in literacy support class</li> </ul> </li> </ul>

<p>Data will be measured from spring of 2019 to spring of 2021 (no data available from spring of 2020).</p> <p><u>Student growth data from fall 2016 to spring of 2017</u> Students meeting individual growth goal: 48% of 9th 40% of 10th</p> <p><u>Student growth data from spring 2017 to spring of 2018</u> Students meeting individual growth goal: 52.7% of 9th 44.9% of 10th</p> <p><u>Student growth data from spring 2018 to spring of 2019</u> Students meeting individual growth goal: 59.3% of 9th 51.2% of 10th</p>	<p>systems that support teachers in easily accessing NWEA data.</p> <ul style="list-style-type: none"> <li>● Provide support for ELA teachers in analyzing NWEA data for students.</li> </ul>			
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**Regional School Unit 5**  
**Durham • Freeport • Pownal**

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  
Rick Kusturin, Director of Finance & Human Resources

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

**Date: September 9, 2020**

**Committee: Finance**

**Chair: Michelle Ritcheson**

**In attendance: Michelle Ritcheson, Jeremy Clough, Beth Munsen, Becky Foley, Rick Kusturin.**

**Absent: Pownal Representative - Vacant**

**Meeting Date: September 3rd, 2020 via Zoom**

The Finance Committee was briefed on the particulars of a proposal from Mechanical Services Company regarding the ongoing HVAC work in the District. The individual ventilation performance of, both Morse Street School and of the Freeport Middle School was presented and discussed. Additionally, in reviewing the proposal, the Committee requested further information regarding the cost of replacing the heating coil in the HV-1 ventilation unit of Pownal Elementary School, and a detailed invoice for services provided under the proposal. The Committee was asked to approve the proposal in the amount of \$99,700.00.

**Motion: Approve work as detailed in Mechanical Services proposal – Michelle**  
**Second: Jeremy Clough**

**Vote: 2-0 in the affirmative**



***Regional School Unit 5***  
**Durham · Freeport · Pownal**

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

Becky Foley, Ph.D., Superintendent of Schools  
Rick Kusturin, Director of Finance & Human Resources

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

**Policy Subcommittee Report**

**Committee:** Policy

**Zoom Meeting date:** September 11, 2020

**Chair:** Candy deCsipkes

**Committee Members in attendance:** Candy deCsipkes, Maddy Vertenten, Lindsey Furtney,  
Cynthia Alexander

**Absent:** N/A

**Guests:** Melissa Hewey, Becky Foley

**Review/Revise Policies:**

*The following policies were revised and will be brought to the Board for 1st read on September 23, 2020. **NOTE: The language in these policies cannot be changed due to law requirements.***

AC Nondiscrimination/Equal Opportunity and Affirmative Action  
ACAA Harassment and Sexual Harassment of Students  
ACAA-R Student Discrimination and Harassment Complaint Procedures  
ACAB Harassment and Sexual Harassment of School Employees  
ACAB-R Employee Discrimination and Harassment Complaint Procedures

The next meeting will be held on October 2, 2020 at 8:30 a.m.

Submitted by: Cynthia Alexander





**Regional School Unit 5**  
**Durham • Freeport • Pownal**

Item #11

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

Becky Foley, Ph.D., Superintendent of Schools  
Rick Kusturin, Director of Finance & Human Resources

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

TO: Jeremy Clough, Candace deCsipkes, Dwight Ely, Lindsey Furtney, Jennifer Galletta, Susana Hancock, Elisabeth Munsen, Maura Pillsbury, Michelle Ritcheson, Valeria Steverlynck, Madelyn Vertenten, Liam Hornschild-Bear

CC: Julie Nickerson, Lisa Demick, Kelli Rogers, Ray Grogan, Erin Dow, Dennis Ouellette, Will Pidden, Craig Sickels, Jim Grant, Peter Wagner, Jen Gulko, Bonnie Violette, Emily Grimm, Conor Walsh, Charlie Mellon, Rick Kusturin, Anne-Marie Spizzuoco, Beth Daniels, Deanna Coro, Pauline Gillis, Shawn McBean, Dorothy Curtis, Hank Ogilby, Lisa Blier, Jennifer Winkler, Nancy Drolet, Nancy Dyer, Nancy Decker, Alicia DeRoche

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

DATE: September 15, 2020

RE: Review/Update of Policies

At the September 23, 2020 Board of Directors Meeting, the following policies will be on the agenda for 1st Read. The policies are attached.

1<sup>st</sup> Read Policies

AC Nondiscrimination/Equal Opportunity and Affirmative Action  
ACAA Harassment and Sexual Harassment of Students  
ACAA-R Student Discrimination and Harassment Complaint Procedure  
ACAB Harassment and Sexual Harassment of School Employees  
ACAB-R Employee Discrimination and Harassment Complaint Procedure

## NONDISCRIMINATION/EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION

~~The RSU No. 5 Board is committed to maintaining a workplace and learning environment that is free from illegal discrimination and harassment.~~

~~In accordance with applicable Federal and/or State laws and regulations, RSU No. 5 prohibits discrimination against and harassment of employees, candidates for employment, students and others with rights to admission or access to school programs, activities or premises on the basis of race, color, sex, sexual orientation, religion, ancestry or national origin, or disability. For the purpose of this policy, "sexual orientation" means a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression.~~

~~Further, in compliance with Federal law, RSU No. 5 prohibits discrimination against school unit employees and candidates for employment on the basis of age or genetic information.~~

~~The Board delegates to the Superintendent the responsibility for implementing this policy. The RSU No. 5 Affirmative Action Plan will include designation of an Affirmative Action Officer who will be responsible for ensuring compliance with all Federal and State requirements related to nondiscrimination. The Affirmative Action Officer will be appointed by the Superintendent and will be a person with direct access to the Superintendent.~~

~~The Superintendent/Affirmative Action Officer shall be responsible for ensuring that notice of compliance with Federal and State civil rights laws is provided to all applicants for employment, employees, students, parents and others, as appropriate.~~

~~Legal Reference: — Equal Employment Opportunities 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.)  
Title VI of the Civil Rights Act of 1964 (P.L. 88-352)  
Age Discrimination in Employment Act of 1967 (29 U.S.C. § 621 et seq.)  
Equal Pay Act of 1963 (29 U.S.C. § 206)  
Vocational Rehabilitation Act of 1973 (29 U.S.C. § 794 et seq.)  
Americans with Disabilities Act (42 U.S.C. § 12101 et seq.)  
Pregnancy Discrimination Act of 1978  
Genetic Information Nondiscrimination Act of 2008 (GINA)  
(42 U.S.C. § 2000ff et seq.)  
5 MRSA § 4551, et seq. (Maine Human Rights Act); 19301-19302~~

~~Cross Reference: — AC R RSU No. 5 Affirmative Action Plan  
ACAA Harassment and Sexual Harassment of Students  
ACAB Harassment and Sexual Harassment of School Employees~~

~~Adopted: — May 27, 2009  
Revised: — December 8, 2010; November 20, 2013  
Reviewed: — June 12, 2019~~

## **NONDISCRIMINATION/EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION**

The school unit 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, 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.

The school unit 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.

The school unit has implemented complaint procedures for resolving complaints of discrimination/harassment and sexual harassment under this policy. The school unit 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

## HARASSMENT AND SEXUAL HARASSMENT OF STUDENTS

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

### **Harassment**

~~Harassment includes but is not limited to verbal abuse based on race, color, sex, religion, ancestry or national origin, sexual orientation, or disability. Harassment that rises to the level of physical assault, battery and/or abuse is also addressed in Board policy JICIA Weapons, Violence and School Safety.~~

### **Sexual Harassment**

~~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. School employees, fellow students, volunteers and visitors to the school, and other persons with whom students may interact in order to pursue school activities are required to refrain from such conduct.~~

~~Harassment/sexual harassment of students by school employees is considered grounds for disciplinary action, up to and including discharge. Harassment/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.~~

~~The Superintendent or the employee designated as the Affirmative Action Officer will investigate complaints of harassment in accordance with the Student Harassment Complaint Procedure. School employees, students, and parents shall be informed of this policy/procedure through handbooks and/or other means selected by the school administration.~~

~~Legal Reference: Title IX of the Education Amendments of 1972 (20 USC § 1681, et seq.)  
Title VI of the Civil Rights Act of 1964 (42 USC § 2000(d))  
5 MRSA § 4602; 4681 et seq.  
20 MRSA § 6553~~

~~Cross Reference: ACAA-R Student Harassment Complaint Procedure  
AC Nondiscrimination/Equal Opportunity and Affirmative Action  
ACAD Hazing  
JICIA Weapons, Violence and School Safety~~

~~Adopted: May 27, 2009~~

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

## **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.

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. Harassment**

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 school 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

GBEB – Staff Conduct with Students

JICIA – Weapons, Violence and School Safety

JICK - Bullying



## STUDENT DISCRIMINATION AND HARASSMENT COMPLAINT PROCEDURE

~~This procedure has been adopted by the RSU No. 5 Board of Directors in order to provide a method of prompt and equitable resolution of student complaints of discrimination or discriminatory harassment as described in policies AC—Nondiscrimination/Equal Opportunity and Affirmative Action and ACAA—Harassment and Sexual Harassment of Students.~~

### Definitions

~~For purposes of this procedure:~~

- ~~\_\_\_\_\_ A. A “Complaint” is defined as an allegation that a student has been discriminated against or harassed on the basis of race, color, sex, religion, ancestry, national origin, sexual orientation, or disability; and~~
- ~~\_\_\_\_\_ B. “Discrimination or harassment” means discrimination or harassment on the basis of race, color, sex, religion, ancestry, national origin, sexual orientation, or disability.~~

### How to Make a Complaint

- ~~\_\_\_\_\_ A. Any student who believes he/she has been discriminated against or harassed should report his/her concern promptly to the Administrator and/or Affirmative Action Officer. Students who are unsure whether discrimination or harassment has occurred are encouraged to discuss the situation with the Affirmative Action Officer.~~
- ~~\_\_\_\_\_ B. School staff is expected to report possible incidents of discrimination or harassment of students to the building administrator/designee. Parents/guardian and other adults are also encouraged to report any concerns about possible discrimination or harassment of students.~~
- ~~\_\_\_\_\_ C. Students and others will not be retaliated against for making a complaint. Any retaliation by students or school staff will result in disciplinary measures, up to and including expulsion or dismissal.~~
- ~~\_\_\_\_\_ D. Students are encouraged to utilize the school unit’s complaint procedure. However, students are hereby notified that they also have the right to report complaints to the Maine Human Rights Commission, 51 State House Station, Augusta, ME 04333 (telephone: 207-624-6050) and/or to the U.S. Department of Education, Office for Civil Rights, 5 Post Office Square, Suite 900, Boston, MA 02109-3921 (Telephone: 617-223-9622; TDD 877-521-2172; Fax 617-289-0150).~~

### **Complaint Handling and Investigation**

- ~~\_\_\_\_\_ A. Affirmative Action Officer shall promptly inform the Superintendent and the person(s) who is the subject of the complaint that a complaint has been received.~~
- ~~\_\_\_\_\_ B. Affirmative Action Officer may pursue an informal resolution of the complaint with the agreement of the parties involved. The informal resolution is subject to the approval of the Superintendent, who shall consider whether the informal resolution is in the best interest of the school unit in light of the particular circumstances and applicable policies and laws.~~
- ~~\_\_\_\_\_ C. The complaint will be investigated by Affirmative Action Officer, unless the Superintendent chooses to investigate the complaint or designates another person to investigate it on his/her behalf. 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 of Directors, who should consult with legal counsel concerning the handling and investigation of the complaint.~~
  - ~~\_\_\_\_\_ 1. The person who is the subject of the complaint will be provided with an opportunity to be heard as part of the investigation.~~
  - ~~\_\_\_\_\_ 2. If the complaint is against an employee of the school unit, any applicable individual or collective bargaining contract provisions shall be followed.~~
  - ~~\_\_\_\_\_ 3. Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.~~
  - ~~\_\_\_\_\_ 4. Affirmative Action Officer shall keep a written record of the investigation process.~~
  - ~~\_\_\_\_\_ 5. Affirmative Action Officer may take interim remedial measures to reduce the risk of further discrimination or harassment while the investigation is pending.~~
  - ~~\_\_\_\_\_ 6. Affirmative Action Officer shall consult with the Superintendent concerning the investigation, conclusions, and any remedial and/or disciplinary actions.~~
  - ~~\_\_\_\_\_ 7. The investigation shall be completed within 21 business days of receiving the complaint, if practicable.~~
- ~~\_\_\_\_\_ D. If the Affirmative Action Officer determines that discrimination or harassment occurred, he/she shall, in consultation with the Superintendent:~~
  - ~~\_\_\_\_\_ 1. Determine what remedial action is required, if any;~~

- ~~2. Determine what disciplinary action should be taken against the person(s) who engaged in discrimination or harassment, if any; and~~
- ~~3. Inform the student who made the complaint in writing of the results of the investigation and its resolution (in accordance with applicable state and federal privacy laws).~~
- ~~E. If the student's parents/legal guardians are dissatisfied with the resolution, an appeal may be made in writing to the Superintendent within 14 business days after receiving notice of the resolution. The Superintendent shall review the investigation report and may conduct further investigation if deemed appropriate. The Superintendent's decision shall be final.~~

~~Legal Reference: Americans with Disabilities Act (28 CFR § 35.07)~~  
~~Section 504 of the Vocational Rehabilitation Act (34 CFR § 104.7)~~  
~~Title IX of the Education Amendments of 1972 (20 SC § 1681 et seq.)~~  
~~Title VI of the Civil Rights Act of 1964 (PL 88 352)~~  
~~20 USC § 1232g;~~  
~~34 CFR Part 99~~  
~~5 MRSA §§ 4571; 4602; 4681 et seq.~~  
~~20-A MRSA §§ 6001 et seq.~~

~~Cross Reference: AC Nondiscrimination/Equal Opportunity and Affirmative Action~~  
~~ACAA Harassment and Sexual Harassment of Students~~

~~Adopted: May 27, 2009~~  
~~Revised: December 8, 2010~~  
~~Revised: November 28, 2012~~  
~~Revised: November 20, 2013~~  
~~Reviewed: June 12, 2019~~

**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, AAO/Title IX Coordinator**  
**17 West Street**  
**Freeport, ME 04032**  
**207 852-2024**  
[alexanderc@rsu5.org](mailto:alexanderc@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, 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 the school unit'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 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. **“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 the school unit’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 the school unit'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, 8<sup>th</sup> 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 the school unit 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 the school unit, 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. The school unit 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 the school unit'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, 8<sup>th</sup> 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 the school unit). 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 the school unit'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 the school unit; or c) there are specific circumstances that prevent the school unit 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, the school unit may address the conduct under Section 2 or another applicable Board policy/procedure.

### **C. Emergency Removal or Administrative Leave**

The Superintendent may remove a student from education programs and activities on an emergency basis, or place an employee on administrative leave during the complaint procedure:

1. 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.
2. The respondent (and in the case of a student, their parent/legal guardian will be provided notice of the emergency removal or administrative leave, 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 or administrative leave was unreasonable.
3. Any such decision 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 calendar [or 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 the school unit. 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 the school unit, 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 the school unit 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 the school unit imposes on the respondent, and whether remedies designed to restore or preserve equal access to the school unit's programs and activities will be provided to the complainant;**
- e. The school unit'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 the school unit 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 the school unit'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 school unit 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  
GBBEB – Staff Conduct with Students  
JICIA – Weapons, Violence and School Safety  
JICK - Bullying

## **HARASSMENT AND SEXUAL HARASSMENT OF SCHOOL EMPLOYEES**

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

### **Harassment**

~~Harassment includes but is not limited to verbal abuse, threats, physical assault and/or battery based on race, color, sex, religion, ancestry or national origin, age, sexual orientation, or disability. Under the Maine Civil Rights Act, violence or threats of violence against a person or their property based on sexual orientation are also illegal.~~

### **Sexual Harassment**

~~Unwelcome sexual advances, suggestive or lewd remarks, requests for sexual favors, and other verbal and physical conduct of a sexual nature constitute sexual harassment when:~~

- ~~A. Submission to such conduct is made either explicitly or implicitly a term or condition of an employee's work environment or employee benefits;~~
- ~~B. Submission to or rejection of such conduct by an employee is used as the basis for decisions on employment benefits; and/or~~
- ~~C. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.~~

~~Any employee who engages in harassment or sexual harassment will be subject to disciplinary action, up to and including discharge.~~

~~All complaints of harassment will be investigated in accordance with the School Employee Discrimination and Harassment Complaint Procedure.~~

### **Notice and Training**

~~Annually, each employee shall receive a copy of the policy and the School Employee Discrimination and Harassment Complaint Procedure. This may be accomplished by including the policy/procedure with employee paychecks or by using other appropriate means to ensure that each employee receives a copy. All newly hired employees shall be provided training about sexual harassment in accordance with Maine law.~~

~~The Superintendent is responsible for ensuring that the school unit complies with all legal requirements for posting, notification and training of employees regarding harassment and sexual harassment.~~

~~Legal Reference: Title IX of the Education Amendments of 1972  
(20 USC § 1681 et seq.)  
Title VI of the Civil Rights Act of 1964 (42 USC § 2000d)  
Americans with Disabilities Act (42 U.S.C. § 12101 et seq.)  
Section 504 of the Vocational Rehabilitation Act of 1973  
(29 USC § 794 et seq.)  
Title VII (42 USC § 2000e 2; 29 CFR § 1604.11)  
Age Discrimination in Employment Act (29 U.S.C. § 623)  
Genetic Information Nondiscrimination Act (29 USC § 623)  
Maine Human Rights Act  
5 MRSA §§ 4602; 4681 ET SEQ.  
20-A MRSA § 6553  
26 MRSA §§ 806-807~~

~~Cross Reference: ACAB R School Employee Discrimination and Harassment  
Complaint Procedure  
AC Nondiscrimination/Equal Opportunity and Affirmative Action  
ACAD Hazing~~

~~Adopted: May 27, 2009  
Reviewed: December 8, 2010  
Reviewed: November 20, 2013; June 12, 2019~~

## **HARASSMENT AND SEXUAL HARASSMENT OF SCHOOL EMPLOYEES**

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

Any employee who engages in harassment or sexual harassment shall be subject to disciplinary action, up to and including discharge.

### **A. Harassment**

Harassment includes, but is not limited to, verbal abuse, threats, physical assault and/or battery based on race, color, sex, sexual orientation, gender identity, religion, ancestry or national origin, age, genetic information or disability. Under the Maine Civil Rights Act, violence or threats of violence against a person or their property based on their sexual orientation are also illegal.

### **B. Sexual Harassment**

Sexual harassment is addressed under federal and state laws and 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 promotion or favorable evaluation) 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 Title VII and Maine Law**

Under another federal law, Title VII, and under Maine law/regulations, sexual harassment is defined differently. Maine Human Rights Commission regulations define sexual harassment as conduct on the basis of sex which satisfies one or more of the following:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- b. Submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting the employee; or
- c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

## **C. Reports and Complaints of Harassment or Sexual Harassment**

Any employee who believes they have been harassed or sexually harassed is encouraged to make a report 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 regarding harassment or sexual harassment of employees shall be addressed through the Employee & Third-Party Unlawful Discrimination/ Harassment and Title IX Sexual Harassment Complaint Procedures (ACAB-R).

## **Legal References:**

Title IX of the Education Amendments of 1972 (20 U.S.C. § 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 U.S.C. § 2000d)  
Americans with Disabilities Act (42 U.S.C § 12101 et seq.), as amended  
Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. § 794 et seq.),  
as amended  
Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e, et. seq.; 29 C.F.R. §  
1604.11)  
Age Discrimination in Employment Act (29 U.S.C. § 623 et seq.)  
Genetic Information Nondiscrimination Act of 2008 (42 U.S.C. § 2000ff et seq.)  
5 MRSA § 4551 et seq.  
MHRC Rule Chapter 94-348, ch. 3  
26 MRSA §§ 806-807

**Cross Reference:**

ACAB-R- Employee Discrimination/Harassment and Title IX Sexual Harassment  
Complaint Procedure  
AC - Nondiscrimination/Equal Opportunity and Affirmative Action  
ACAD - Hazing

## **EMPLOYEE DISCRIMINATION AND HARASSMENT COMPLAINT PROCEDURE**

~~The Board of Directors has adopted this procedure in order to provide a method of prompt and equitable resolution of employee complaints of discrimination and harassment as described in policies AC—Nondiscrimination/Equal Opportunity and Affirmative Action and ACAB—Harassment and Sexual Harassment of School Employees.~~

### **Definitions**

~~For purposes of this procedure:~~

- ~~\_\_\_\_\_ A. “Complaint” is defined as an allegation that an employee has been discriminated against or harassed on the basis of race, color, sex, age, religion, ancestry, national origin, sexual orientation or disability; and~~
- ~~\_\_\_\_\_ B. “Discrimination or harassment” means discrimination or harassment on the basis of race, color, sex, age, religion, ancestry, national origin, sexual orientation or disability.~~

### **How to Make a Complaint**

- ~~A. Any employee who believes he/she has been harassed or discriminated against is encouraged to try to resolve the problem by informing the individual(s) that the behavior is unwelcome or offensive and by requesting that the behavior stop. This shall not prevent the employee, however, from making an immediate formal complaint.~~
- ~~B. Any employee who believes he/she has been discriminated against or harassed should report their concern promptly to the Curriculum Director/Affirmative Action Officer. If the employee is uncomfortable reporting concerns to the Affirmative Action Officer, he/she may report the concern to the building principal/assistant principal. The employee may give the initial report verbally but is expected to follow that with a written report.~~

~~Employees who are unsure as to whether unlawful discrimination or harassment has occurred are encouraged to discuss their concerns with the Affirmative Action Officer. Employees will not be retaliated against for reporting suspected discrimination or harassment.~~

- ~~C. Any employee who believes he/she has been discriminated against or harassed is encouraged to utilize the school unit’s complaint procedure. However, employees are hereby notified that they also have the right to report incidents of discrimination or harassment to the Maine Human Rights~~

~~Commission, State House Station 51, Augusta, ME 04333 (telephone: 207-624-6050) and/or to the U.S. Department of Education, Office for Civil Rights, 5 Post Office Square, Suite 900, Boston, MA 02109-3921 (telephone: 617-223-9622; TDD 877-521-2172; fax 617-289-0150).~~

### **Complaint Handling and Investigation**

- ~~A. The Affirmative Action Officer will promptly inform the Superintendent and the person who is the subject of the complaint that a complaint has been received.~~
- ~~B. The Affirmative Action Officer may pursue an informal resolution of the complaint with the agreement of the complainant and the person against whom the complaint is made. The informal resolution is subject to the approval of the Superintendent, who shall consider whether the informal resolution is in the best interest of the school unit in light of applicable policies and law.~~
- ~~C. If there is no agreement to pursue informal resolution, the complaint will be investigated by the Affirmative Action Officer, unless the Superintendent chooses to investigate the complaint or designates another person to investigate it on his/her behalf. 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 of Directors, who should consult with legal counsel concerning the handling and investigation of the complaint.~~
  - ~~1. The person who is the subject of the complaint will be provided with an opportunity to be heard as part of the investigation.~~
  - ~~2. If the complaint is against an employee of the school unit, any rights conferred under an applicable collective bargaining agreement shall be applied.~~
  - ~~3. Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.~~
  - ~~4. The Affirmative Action Officer shall keep a written record of the investigation process.~~
  - ~~5. The Affirmative Action Officer and/or the Superintendent may take interim remedial measures (consistent with any applicable collective bargaining agreement provisions) to reduce the risk of further harassment while the investigation is pending.~~

~~6. The Affirmative Action Officer shall consult with the Superintendent concerning the investigation, conclusions, and any remedial and/or disciplinary actions.~~

~~7. The investigation shall be completed within 21 working days of receiving the complaint, if practicable.~~

~~D. If the Affirmative Action Officer determines that discrimination or harassment occurred, he/she shall, in consultation with the Superintendent:~~

~~1. Determine what remedial action is required, if any;~~

~~2. Determine what disciplinary action should be taken against the person(s) who engaged in harassment, if any, and~~

~~3. Inform the employee who made the complaint in writing of the results of the investigation and its resolution (in accordance with applicable state and federal privacy laws).~~

~~E. If the employee who made the complaint is dissatisfied with the resolution, he/she may appeal to the Superintendent within 14 working days after receiving notice of the resolution. The Superintendent shall review the investigation report and may conduct further investigation if deemed appropriate. The Superintendent's decision shall be final.~~

~~Legal Reference: Americans with Disabilities Act (28 CFR § 35.07)  
Section 504 of the Vocational Rehabilitation Act (34 CFR § 104.7)  
Title IX of the Educational Amendments of 1972  
(34 CFR § 106.8(b))  
Age Discrimination in Employment Act (34 CFR § 110.25)~~

~~Cross Reference: AC Nondiscrimination/Equal Opportunity and Affirmative Action  
ACAB Harassment and Sexual Harassment of School Employees~~

~~Adopted: May 27, 2009~~

~~Revised: December 8, 2010~~

~~Revised: April 25, 2012~~

~~Reviewed: November 20, 2013~~

**EMPLOYEE DISCRIMINATION/HARASSMENT AND TITLE IX SEXUAL  
HARASSMENT COMPLAINT PROCEDURES**

The Board has adopted these employee procedures in order to provide prompt and equitable resolution of employee complaints of discrimination and harassment, including sexual harassment, as described in policies AC – Nondiscrimination/Equal Opportunity and Affirmative Action and ACAB – Harassment and Sexual Harassment of School Employees.

The complaint procedure in Section 2 may also be used, to the extent applicable, by visitors, including parents, volunteers and others having lawful access to the schools who wish to make a complaint of discrimination or harassment.

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

Any individual who is unsure about whether 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, AAO/Title IX Coordinator**  
**17 West Street**  
**Freeport, ME 04032**  
**207 852-2024**  
[alexanderc@rsu5.org](mailto:alexanderc@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 employees, includes race, color, sex, sexual orientation, gender identity, age, religion, ancestry, national origin, genetic information 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 the school unit's programs or activities by creating a hostile, intimidating or offensive environment.
4. Under Title VII and under Maine law/regulations, sexual harassment is defined differently than under Title IX. Maine Human Rights Commission regulations define sexual harassment as conduct on the basis of sex which satisfies one or more of the following:
  - a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
  - b. Submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting the employee; or
  - c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working 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 an employee or other third party has been discriminated against or harassed on the basis of race, color, sex, sexual orientation, gender identity, age, religion, ancestry, national origin, genetic information or disability (and in regard to sex, conduct not otherwise addressed in the Title IX regulations and Section 3 of ACAB-R).

8. **"Employee":** Whenever the term "employee" is used in Section 2, it includes visitors or others who have a lawful basis to make a complaint of discrimination or harassment.

## **B. Title IX Sexual Harassment Complaint Procedure Definitions**

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 promotion or favorable evaluation) 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. **"Report":** Under the Title IX regulations, any individual may make a report of sexual harassment involving an employee, whether the individual is the alleged victim or not. 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 Title IX, the alleged victim of sexual harassment can file a written complaint that triggers the complaint procedure in Section 3 of ACAB-R. Only a school employee (and in certain circumstances, the AAO/Title IX Coordinator) may file a formal complaint.
4. **"Employee":** For the purpose of this procedure, "employee" means an applicant for employment or a current employee of the school unit.

## **Section 2. Discrimination/Harassment Complaint Procedure**

This procedure should be used for any complaint of unlawful harassment or discrimination based on a protected category which does not involve Title IX sexual harassment.

### **A. How to Make A Complaint**

1. An employee who believes they have been unlawfully harassed or discriminated against (as such terms are defined in Section 1.A.1-3) is encouraged to try to resolve the problem by informing the individual(s) that the behavior is unwelcome or offensive, and requesting that the behavior stop. This shall not prevent the employee from making an immediate complaint to the AAO/Title IX Coordinator.
2. Any employee who believes they have been harassed or discriminated against should report their concern promptly to the AAO/Title IX Coordinator. A written complaint must include basic information concerning the allegation of harassment or discrimination (i.e., date, time, location, individual(s) who alleged engaged in harassment or discrimination, description of allegation).
3. Employees who are unsure as to whether unlawful discrimination or harassment has occurred, or who need assistance in preparing a written complaint, are encouraged to discuss the matter with the AAO/Title IX Coordinator.
4. Employees 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 measures, up to and including discharge.
5. Any employee who believes they have been discriminated against or harassed is encouraged to utilize the school unit's complaint procedure. However, employees 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, 8<sup>th</sup> 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 the school unit and the parties in light of the particular circumstances and applicable policies and laws.
3. The AAO/Title IX Coordinator may implement supportive measures (consistent with any applicable collective bargaining agreement provisions) to reduce the risk of further discrimination or harassment while an investigation is pending. Examples of supportive measures include, but are not limited to, ordering no contact between the individuals involved; changing a work location or changing a work schedule.
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 and/or submit materials they believe are relevant to the complaint.
8. If the complaint is against an employee of the school unit, 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:
  - a. Shall 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. Any individual who believes an employee has been sexually harassed (as this term is defined in Section 1.B.1) may make a report to the AAO/Title IX Coordinator.
2. 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 employee can continue to access and perform their work (such as requiring no contact between individuals, temporarily moving work locations or changing schedules, etc.).
- b. Supportive measures may be continued even if the alleged victim chooses not to file a formal complaint, if appropriate under the particular circumstances.

3. The school unit cannot provide an informal resolution process for resolving a report until a formal complaint is filed.

4. Employees 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.

5. Any employee who believes they have been the victim of sexual harassment is encouraged to utilize the school unit's complaint procedures. However, employees 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, 8<sup>th</sup> Floor, Boston, MA 02109-3921 (telephone: 617-289-0111).

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

## **B. How to Make A Formal Complaint**

1. An alleged victim 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 alleged engaged in sexual harassment, description of allegation).

Employees 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 the school unit). 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; b) if the conduct alleged did not occur within the scope of the school unit'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 the school unit; or c) there are specific circumstances that prevent the school unit from gathering evidence sufficient to reach a determination regarding the formal complaint.

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 potentially violates other laws, Board policies and/or professional expectations, the school unit may address the conduct under Section 2 or another applicable policy/procedure.

### **C. Administrative Leave**

The Superintendent may place a respondent on administrative leave during the complaint procedure:

1. 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.
2. The respondent will be provided notice of the administrative leave, 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 leave was unreasonable.
3. Any such decision to place an employee on administrative leave shall be made in compliance with any applicable disability laws, including 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 will 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 procedure is prohibited and may result in disciplinary action; and
  - 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 the school unit. 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 the school unit, 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 the school unit



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 the school unit imposes on the respondent, and whether remedies designed to restore or preserve equal access to the school unit's programs and activities will be provided to the complainant;**
- e. The school unit'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 the school unit 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 the school unit'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**

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 conduct an impartial review of the appeal, including consideration of the written record of the matter, and may consult with legal counsel or other school unit officials in making their decision.
3. 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 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 References:**

Title IX of the Education Amendments of 1972 (20 U.S.C. § 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 U.S.C. § 2000d)

Americans with Disabilities Act (42 U.S.C § 12101 et seq.), as amended

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

Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e, et. seq.; 29 C.F.R. § 1604.11)

Age Discrimination in Employment Act (29 U.S.C. § 623 et seq.)

Genetic Information Nondiscrimination Act of 2008 (42 U.S.C. § 2000ff et seq.)

**Cross Reference:**

AC – Nondiscrimination/Equal Opportunity and Affirmative Action

ACAB – Harassment and Sexual Harassment of School Employees



Item# 13.A.

Ginny McManus <mcmanusg@rsu5.org>

## Local Delegate to MSBA Annual Delegate Assembly

1 message

MSBA <msba@msmaweb.com>  
Reply-To: msma@msmaweb.com  
To: mcmanusg@rsu5.org

Fri, Sep 11, 2020 at 5:56 PM



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September 11, 2020

### Local Delegate to MSBA Annual Delegate Assembly

The Constitution of the Maine School Boards Association provides that each Active Regular Member Board of MSBA and each Career and Technical Regional Board Associate Member is entitled to elect a voting delegate to participate in the Association's Annual Delegate Assembly. Below is a copy of the Purpose of the MSBA Delegate Assembly. Since the Delegate Assembly is responsible for proposed Constitution and Bylaws changes and considers resolutions of the Association, your election of a local delegate is strongly encouraged. **This year's Delegate Assembly is scheduled virtually for 2:30 p.m., Friday, October 30, the first day of the MSMA Annual Fall Conference.**

Please elect your delegate as well as an alternate should your Board's delegate be unable to attend. **Return the form listing the delegate and alternate to MSMA by October 23, 2020. Submission of your delegate's name does not automatically register them for the Fall Conference. Therefore, please be sure to register your delegate for the Fall Conference through your superintendent's office on the appropriate form. (Registration materials coming soon.)**

Confirmation of registered delegates will be emailed to Superintendents and Delegates by October 26, 2020.

Superintendents with more than one school board are asked to reproduce the attached form for each of their boards. Thank you!

[Certification of School Board Representative Form](#)

[Purpose of the MSBA Delegate Assembly](#)



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# **Purpose of the MSBA Delegate Assembly**

Governance and policy decisions affecting MSBA are dealt with at the Delegate Assembly. The importance of each School Board being represented at the Delegate Assembly cannot be overstated. The following information about the Delegate Assembly is to inform your School Board of the importance of electing a delegate.

According to Article VIII of the Constitution, the Delegate Assembly is the policy making body of the Association. The Delegate Assembly has four specific powers.

1. It adopts resolutions that express the beliefs and purposes of the Association.
2. It transacts such other business as presented to it prior to the opening of the Delegate Assembly by any delegation or the Executive Board of Directors.
3. It elects the Officers and Executive Board of Directors.
4. It may adopt amendments to the Constitution.

According to Article V of the Constitution, the Association is governed by the Executive Board of Directors. The Board is comprised of Regional Directors and At-Large Directors.

The Delegate Assembly consists of one voting delegate for each member district. In order to be an official delegate the member School Board must report the name of the elected delegate and alternate prior to the Assembly. (See Delegate Form for actual date.)

The resolutions adopted at the Delegate Assembly are an expression of the Assembly's views regarding various issues and define the Association's position on legislative proposals.

As the Officers and Board of Directors approach any legislative session, it is crucial that they represent the Association's members. Make your local Board's voice heard and send a delegate to the MSBA Delegate Assembly held virtually this year, during the MSMA Annual Fall Conference on October 30, 2020.

**RSU5 Board of Directors  
DEI Advisory Committee**

**Committee Charge:**

Whereas the RSU5 Board of Directors recognizes the importance of promoting practices that strengthen diversity, equity, and inclusion within RSU 5, we hereby charge the RSU5 Diversity, Equity, and Inclusion Advisory Committee (DEI) with creating a culture in RSU 5 where diversity, equity, and inclusion are respected and celebrated through the implementation of thoughtful, iterative, and innovative strategies that inspire an inclusive mindset in RSU5 employees, students, and community members. RSU 5 will strive to transform our community into a place where each individual will thrive and grow as they are recognized for their inherent value in an evolving world.

The DEI Committee will reference a multitude of resources to influence their decision-making. These include but are not limited to the following:

- Results from the equity audit,
- RSU5 Mission and Vision documents, and
- Other related materials.

**Committee Membership:**

The DEI will consist of stakeholders representing staff, students and the community. The committee will be composed of representatives from the three towns and the following stakeholder groups.

- Teachers (2)
- Building Administrators (2)
- Parents/Community Members, one from each town (3)
- Students (2)
- Board of Directors representative (2)
- Superintendent of Schools (1)
- Assistant Superintendent of Curriculum, Instruction, and Assessment (1)

**Decision-Making Considerations:**

The DEI will strive to build consensus among committee members when making recommendations to the RSU5 Board of Directors. Final authority for all decisions relating to the equity plan rests with the RSU5 Board of Directors.



**Meetings:**

Monthly meetings of the DEI will be held the second Tuesday of each month from 7:00 a.m. to 8:00 a.m. The initial meeting will be held after the committee is selected. Regular meetings will begin when the equity audit findings are final. Additional meetings may be scheduled as needed.

Individuals who wish to be considered for membership on the DEI should submit a letter indicating what strengths you would bring to the committee to Ginny McManus, Assistant to the Superintendent, by **October 1**. The letter can be e-mailed to [mcmanusg@rsu5.org](mailto:mcmanusg@rsu5.org).

The RSU5 Board will appoint individuals to the DEI at the October 28 Board of Directors' meeting.