



***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

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**TO:** Candy deCsipkes, Lindsey Furtney, Maddy Vertenten  
**CC:** Bonnie Violette  
**FROM:** Cynthia Alexander  
**DATE:** September 7, 2021  
**RE:** Policy Meeting – September 10, 2021

The Policy Sub-Committee is scheduled to meet on Friday, September 10, 2021 at 8:45 a.m. in the conference room at Central Office.

**Agenda**

1. BEDH - Public Participation at Board of Directors Meetings
2. New Policy: BED - Remote Participation in School Board Meetings
3. JLCB - Immunization of Students
4. JLCC - Communicable/Infectious Diseases

## **PUBLIC PARTICIPATION AT BOARD OF DIRECTORS MEETINGS**

Board of Director meetings are conducted for the purpose of carrying on the official business of the school system. All regular, special and emergency meetings of the Board are open to the public. The public is cordially invited to attend and participate in Board meetings as provided in this policy.

Although Board of Director meetings are not public forums, the Board will provide appropriate opportunities for citizens to express opinions and concerns related to the matters under consideration by the Board. The intent is to allow a fair and adequate opportunity for the public to be heard and to provide adequate time for the Board to obtain information and opinion on subjects before it, while ensuring that the time allowed for public discussion does not interfere with the fulfillment of the scheduled agenda.

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

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

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

- A. Citizens and employees of the school unit are welcome to participate as provided in this policy. Others may be recognized to speak at the Chair's discretion. Individual employees and/or employee groups will not be permitted to discuss matters for which complaint or grievance procedures are provided.
- B. The Chair may limit the time allotted for comments on a particular topic as well as the time each individual may speak.
- C. In the event of a sizeable audience, the Chair may require persons interested in speaking to sign up so they may be called on in a fair and efficient manner.
- D. During the time set aside for public participation, the Chair will be responsible for recognizing all speakers, who must identify themselves as they begin talking. Speakers will be encouraged to disclose whether or not they will personally have a financial impact as a result of the budget item they address.
- E. Speakers are not permitted to share gossip, make defamatory comments, or use abusive or vulgar language.
- F. All speakers are to address the Chair and direct questions or comments to particular Board members or the Superintendent only with approval of the Chair. Requests for information or questions may be answered by the Board Chair. If

further research is needed, the Board Chair may defer to the Superintendent for follow-up.

- G. Members of the Board of Directors and the Superintendent may ask clarifying questions of any person who addresses the Board but are expected to refrain from arguing or debating issues. Questions must be addressed through the Chair.
- H. No complaints or allegations will be allowed at Board meetings concerning any person employed by the school system or against particular students.  
  
Personal matters or complaints concerning student or staff issues will not be considered in a public meeting but will be referred through established policies and procedures.
- I. In order to make efficient use of meeting time, the Board discourages duplication or repetition of comments to the Board. The Board requests that groups or organizations be represented by designated spokespersons.
- J. The Chair has the authority to stop any presentation that violates these guidelines or the privacy rights of others.
- K. Persons who disrupt the meeting may be asked to leave, and the Chair may request law enforcement assistance as necessary to restore order.

An agenda shall be published in advance of each meeting in accordance with Board policy. Copies will be posted and/or available prior to regular meetings, at the Superintendent's Office, in each school, town hall, and is sent to local publications. Anyone desiring additional information about an agenda item should direct such inquiries to the Office of the Superintendent.

Legal Reference: 1 MRSA § 401 et seq.

Cross Reference: BEC – Executive Session  
BEDA – Notification of Board of Directors Meetings  
BEDB – Agenda  
BEDD – Rules of Order  
KE – Public Concerns and Complaints

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

## **REMOTE PARTICIPATION IN SCHOOL BOARD MEETINGS**

The **[School Board Name]** allows members of the Board to participate in a public meeting of the Board by remote methods in limited circumstances as provided in 1 MRS §403-B.

For the purpose of this policy, “remote methods” means telephonic or video technology allowing simultaneous reception of information and may also include other means necessary to provide reasonable accommodations to individuals with disabilities. Remote participation by board members cannot be by text-only means such as email, text messages, or chat functions.

Members of the Board are expected to be physically present for board meetings except when being physically present is not practicable.

Circumstances in which physical presence for public meetings is not practicable include:

1. The existence of an emergency or other issue that requires the Board itself to meet by remote methods.

An emergency may be a State-declared emergency, where there has been a declaration of a state of emergency by the Governor that applies to the school unit, or a local emergency (e.g., adverse weather conditions) or urgent issue requiring Board action.

The Board Chair, in consultation with the Superintendent, will determine whether there is a local emergency or urgent issue that requires a remote meeting of the Board.

2. Illness, or other physical condition, or temporary absence from the area governed by the Board that causes a Board member to face significant difficulties traveling to and attending in person at the designated physical location of the Board meeting.

Prior notice of the Board member’s absence and the reason for it, with indication that the Board member plans to participate remotely, should be communicated to the Board Chair as far in advance of the meeting as practicable.

3. **[For bodies with statewide membership only]** Significant distance a member must travel to be physically present at the designated meeting location.
4. The area of the Board’s jurisdiction includes geographic characteristics that impede or slow travel, including but not limited to islands not connected by bridges.

The opportunity for the public to comment at Board meetings (20-A MRSA §1002(20)) applies to remote public meetings. If the Board allows or is required to provide an opportunity for public participation/public input during the meeting, an effective means of communication between the members of the Board and the public must be provided (e.g., submitting comments or questions by chat, raising hand on Zoom, submitting written comments to the Superintendent's office at least 24 hours in advance). Individuals with disabilities seeking a reasonable accommodation should contact the Board Chair [OR: \_\_\_\_] as far in advance of the Board meeting as practicable.

Members of the public participating in public meetings of the board are expected to comply with the guidelines for public participation provided in the Board's policy BEDH, or in such rules as the Board may develop specifically for remote meetings.

Notice of all Board meetings is required (1 MRSA § 406). When the public may attend by remote methods, notice must include the means by which members of the public may access the meeting using remote methods. The notice must also identify a location for members of the public to attend in person. The Board may not determine that public attendance at a meeting will be limited solely to remote methods except under the conditions in subparagraph 1 above (emergency or urgent issue meetings).

A member of the Board who participates remotely in a public meeting of the Board is considered present for purposes of a quorum and voting.

All votes taken during a public meeting of the Board using remote methods must be taken by roll call vote that can be seen and heard if using video technology, and heard if using only audio technology, by the other members of the board and the public.

The Board will make all documents and other materials to be considered by the Board available, electronically or otherwise, to members of the public who attend remotely to the same extent customarily available to members of the public who attend public meetings of the Board in person, as long as additional costs are not incurred by the Board.

Remote participation is not permitted for meetings where voters of the School Administrative Unit meet to vote as a legislative body, such as budget meetings.

**[NOTE: We caution Boards to ensure that appropriate measures are taken to secure the confidentiality of executive sessions when the board is meeting remotely as a whole or when one or more members of the Board are participating remotely, especially when the Board is expected to return to public session to vote on a matter discussed in executive session.]**

Legal Reference: 1 MRSA § 403-B, 406  
20 MRSA §1001(20)

Cross Reference: BEC – Executive Session  
BE – Board Meetings  
BEDA – Notification of Board Meetings  
BEDB – Agenda  
BEDD – Rules of Order  
BEDH – Public Participation at Board Meetings  
*Dis* ~~BIC~~ – Board Member Compensation  
KE – Public Concerns and Complaints

Adopted: \_\_\_\_\_

**PLEASE NOTE** MSMA sample policies and other resource materials do not necessarily reflect official Association policy. They are not intended for verbatim replication. Sample policies should be used as a starting point for a board's policy development on specific topics. Rarely does one board's policy serve exactly to address the concerns and needs of all other school units. MSMA recommends a careful analysis of the need and purpose of any policy and a thorough consideration of the application and suitability to the individual school system.

MSMA sample policies and other resource materials may not be considered as legal advice and are not intended as a substitute for the advice of a board's own legal counsel.

## IMMUNIZATION OF STUDENTS

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

Pre-Kindergarten students must have a certificate of immunization or evidence of immunization against IPV, MMR, Varicella, and polio

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

- A. The parents/guardians provide to the school written assurance that the child will be immunized within 90 days of enrolling in school or his/her first attendance in classes, whichever date is earlier. This option is available only once to each student during their school career; or
- B. The parents/guardians provide a physician's written statement each year that immunization against one or more diseases may be medically inadvisable (as defined by law/regulation); or
- C. The parents/guardians state in writing each year that immunization is contrary to their sincere religious or philosophical beliefs.

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

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

Legal Reference: 20-A MRSA § 6352-6359  
Chapter 126 (Me. Dept. of Ed. Rules)

Cross Reference: JLCC – Communicable/Infectious Diseases  
JRA – Student Educational Records

Adopted: July 8, 2009  
Reviewed: October 26, 2016

## **COMMUNICABLE/INFECTIOUS DISEASES**

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

All students under quarantine shall be excluded from school and school activities. Quarantine regulations established by the Bureau of Health shall be observed. The school nurse shall be responsible for notifying the local health department of all students having a communicable disease as required by law and Department of Education rules. The building principal shall be notified of all communicable disease cases and contacts in the school.

Students who have other types of communicable diseases shall be excluded from school as prescribed by law, or shall observe other protective procedures according to recommendations issued by the Maine Center for Disease Control and Prevention and in accordance with laws of confidentiality.

When a student returns to school after having had a communicable disease, a certificate from the attending physician may be required. The building principal and/or the school nurse must give permission before the student is readmitted to class.

Legal Reference:     5 MRSA § 19201 ets.eq.  
                          20-A MRSA §§ -1001.1 I-A~ 6301  
                          22 MRSA § § 8-0 1, \_ 80211, 806, 823, 824

Adopted:     July 8, 2009  
Revised:     March 24, 2010  
Reviewed:    October 26, 2016