



**TO:** Kate Brown, Candy deCsipkes, Maddy Vertenten  
**CC:** Jen Gulko, Charlie Mellon  
**FROM:** Cynthia Alexander  
**DATE:** December 19, 2019  
**RE:** Policy Review – January 3, 2020 Meeting

The Policy Sub-Committee is scheduled to meet on Friday, January 3, 2020 at 8:30 a.m. at the RSU5 Central Office.

**Agenda**

JHCA-Open/Closed Campus  
IKFC-Credit for Private Tutoring  
BDG-School Attorney/Legal Services  
BE-Board of Directors Meetings  
BEA-Board of Directors Use of Electronic Mail  
BEC-Executive Session  
BEC-E-Executive Session Law  
BEDA-Notification of Board of Directors Meetings

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**OPEN / CLOSED CAMPUS**

High School Seniors taking a minimum of five credits who maintain Responsible Student Privilege status and a good discipline record will be eligible for modified "Open Campus" daily as described in JHCA-R Freeport High School Open Campus Privilege Procedures.

Cross Reference: JHCA-R Freeport High School Open Campus Privilege Procedures

Adopted: April 28, 1997  
Revised: December 10, 2001  
Revised: November 20, 2013

## CREDIT FOR PRIVATE TUTORING

### Policy

It is the policy of RSU No. 5 to encourage all students to complete their studies in all academic subjects during the regular school year or in an approved summer school program. The use of private tutors for make-up work or for taking academic subjects for the first time is not recommended.

However, the Board understands that there are special circumstances which may require the use of private tutors. Lack of transportation may make it difficult for students to attend approved summer school programs offered in this area. Students may find it difficult to schedule make-up courses during their remaining school years. In addition, some students plan their academic programs without sufficient thought to future schooling; consequently, they arrive at their junior and/or senior years unable to meet prerequisites set for admission by post-secondary schools and colleges. Therefore, credit will be granted for private tutoring under special circumstances. Such circumstances are listed below.

### General

All private tutoring must be done by teachers certified by the Maine Department of Education in the subject areas to be taught. The tutor must plan the student's educational program in cooperation with a teacher in RSU No. 5 who regularly teaches the course to be studied. The tutoring program will follow the prescribed objectives of the course as it is offered in the regular school program.

All private tutoring must be approved in advance by the school principal or guidance counselor in order to be eligible for credit.

### Specifics

Make-up Work (Make-up Courses): Students using private tutors for make-up work must meet with the tutor for a minimum of sixteen (16) hours of instruction to complete their program. In addition to the requisites listed above, tutors working with students who failed during the regular academic year must administer some appropriate diagnostic test to identify academic deficiencies. A standardized test is preferable, however, testimony of deficiencies identified by the regular classroom teacher is acceptable. The tutor and student will concentrate on these past areas of deficiency in order to bring the skills of the student to the minimum acceptable standards. Full academic credit will be granted once a letter is received from the tutor verifying that attendance requirements have been met and that the areas of deficiencies have been addressed and that the student has passed the final exam written by the school.

New Courses: In rare instances students may find it necessary to take academic courses through private tutors for the first time. In order for credit to be granted in these instances, the student must meet with the tutor for a minimum of thirty-two (32) hours of student-teacher instruction. In addition, the program must be carefully planned at the outset between the tutor and the teacher

of the course during the academic year. All course prerequisites and procedures shall be jointly developed between the tutor and the regular teacher following the prescribed course objectives.

The student must meet the minimum level of skill development required by the school in order to receive credit. This will be determined by administering the school's final exam to the student. A letter from the private tutor certifying that the student has met with him/her for the minimum thirty-two (32) hours, has completed the course objectives and has passed the final exam must be submitted to the school before credit will be granted. Full credit will be granted if all these requirements are met.

Adopted: February 24, 2010  
Reviewed: December 12, 2012

## **SCHOOL ATTORNEY/LEGAL SERVICES**

The Board of Directors recognizes that the increasing complexity of school unit operations frequently requires procurement of professional legal services. Therefore, the Board shall designate an attorney and/or law firm to provide such services on an ongoing basis. The school attorney(s) shall be admitted to practice law in Maine. The Board of Directors reserves the right to obtain legal services outside of its designated attorney/law firm as deemed appropriate.

A decision to seek legal advice or assistance on behalf of the school unit shall normally be made by the Superintendent or Board Chair in accordance with Board policy and when an obvious need exists. Such services may also be obtained as a consequence of a formal vote of the Board of Directors.

Legal services required by the school unit may include, but not be limited to:

- A. Providing general legal advice to the Board of Directors and/or administration;
- B. Assisting with labor negotiations;
- C. Assisting with personnel matters;
- D. Assisting with expulsions and other student disciplinary matters;
- E. Conducting and/or assisting with pending or actual litigation involving the school unit;
- F. Providing other specialized legal services; and
- G. Attending Board of Director meetings or other activities as appropriate.

Many types of legal services are considered routine and do not require specific Board approval. However, when the Superintendent concludes that the potential for significant legal expenditure exists or under other unusual circumstances, he/she shall inform the Board at an appropriate point in the process. The Board may take action on such matters as appropriate.

Adopted: October 28, 2009  
Reviewed: February 16, 2011  
Reviewed: January 22, 2014

## **BOARD OF DIRECTORS MEETINGS**

### **Regular Meetings**

The Board of Directors will hold its regular business meetings on the 2<sup>nd</sup> and 4<sup>th</sup> Wednesday of each month unless otherwise set by action of the Board.

### **Special Meetings**

A special meeting of the Board is a meeting that is held to address important matters that arise between regular meetings and/or require Board action before the time set for the next regular meeting, or to consider a single subject in one session.

A special meeting may be called at any time at the discretion of the Chair or at the request of the Superintendent. A special meeting shall be called at the written request of a majority of the Board.

The Superintendent shall be responsible for providing notice of a special meeting to Board members and the media at least 72 hours in advance of the meeting. The notice or agenda shall indicate the subject(s) of the meeting and action to be taken.

No business other than that stated in the notice of the meeting shall be transacted unless the Board agrees by a vote to consider other business.

### **Emergency Meetings**

An emergency meeting of the Board is a meeting that is called because a matter is so urgent that it must be addressed immediately and the advance notice required for a special meeting cannot reasonably be provided.

An emergency meeting may be called by the Chair or at the request of the Superintendent.

Whenever practicable, 24 hour advance notice will be provided. The Superintendent shall notify the media of an emergency meeting by the same or faster means as used to notify Board members. The notice shall indicate the purpose of the meeting.

No business may be transacted other than that related to the purpose for which the emergency meeting is called.

### **Executive Sessions**

Executive sessions of the Board shall be called and conducted in accordance with state law. Only the matter(s) stated in the motion to enter executive session shall be considered. No final action may be taken in executive session.

Workshops and Informational Meetings

The Board, at its discretion, may schedule workshops and other meetings to discuss a particular subject or proposal or to gather input from staff, community, or other groups.

Legal References: 1 MRSA § 403 et seq.  
20-A MRSA § 1001

Cross References: BEC—Executive Sessions  
BEDA—Notification of Board Meetings  
BEDB—Agenda Preparation and Dissemination

Adopted: June 24, 2009

Reviewed: February 16, 2011

Reviewed: January 22, 2014

**BOARD OF DIRECTORS USE OF ELECTRONIC MAIL**

Use of electronic mail (e-mail) by RSU No. 5 Board members should conform to the same standards of judgment, propriety and ethics as other forms of school board-related communication. Board members shall comply with the following guidelines when using e-mail in the conduct of Board responsibilities:

- A. The RSU No. 5 Board of Directors shall not use e-mail as a substitute for deliberations at Board meetings or for other communications or business properly confined to Board meetings.
- B. Board members should be aware that e-mail and e-mail attachments received or prepared for use in Board business or containing information relating to Board business are likely to be regarded as public records which may be inspected by any person upon request, unless otherwise made confidential by law.
- C. Board members should avoid reference to confidential information about employees, students or other matters in e-mail communications because of the risk of improper disclosure. Board members should comply with the same standards as school employees with regard to confidential information.

Legal Reference: 1 MRSA § 401 et seq.  
20-A MRSA § § 6001-6002  
20 USC § 1232g

Cross Reference: GBJ - Personnel Records and Files  
JRA - Student Educational Records

Adopted: October 28, 2009  
Reviewed: February 16, 2011  
Reviewed: January 22, 2014



## **EXECUTIVE SESSIONS**

Except as provided by law, all meetings of the School Board shall be open to the public, and all persons shall be permitted to attend the meetings. The Board may hold executive sessions upon recorded vote of 3/5 of the members present and voting. Any motion to go into executive session shall indicate the precise nature of the business of the executive session and include a citation of one or more sources of statutory or other authority that permits an executive session for that business. Deliberations may be conducted in executive sessions only on those matters defined in the law. No final action shall be taken in executive session.

By its very nature, the subject matter of executive sessions is highly confidential. It is expected that all parties to such discussions will respect the need for confidentiality.

Legal Reference: 1 MRSA § 401 et seq.

Cross Reference: BE – Board of Directors Meetings  
BEC-E - Executive Session Law

Adopted: October 28, 2009  
Reviewed: February 16, 2011  
Revised: January 22, 2014

## **EXECUTIVE SESSION LAW**

- I. **To Enter Executive Session, a Board Must:**
  - A. **Start with a public meeting;**
  - B. **Have a public recorded vote of 3/5 of members present and voting; and**
  - C. **State in a motion the precise nature of the business of the executive session and include in the motion a citation of one or more sources of statutory or other authority that permits an executive session for that business. If more than one matter is to be discussed, the nature of each matter and the source(s) of authority for each must be stated. When labor contracts are the subject of an executive session, the parties must be named.**
  
- II. **Restrictions During Executive Session**
  - A. **Only matters stated in the motion may be considered.**
  - B. **No official actions shall be finally approved.**
  - C. **No public record shall be kept.**
  
- III. **Items Which May Be Discussed In Executive Session**
  - A. **Discussion or consideration of employment, appointment, assignment, duties, compensation, evaluation, resignation, disciplining, promotion, demotion or dismissal of public officials, appointees or employees or the investigation of charges or complaints against persons, subject to the following conditions:**
    - 1. **Only when public discussion could be reasonably expected to cause damage to the reputation or violate the individual's right to privacy;**
    - 2. **Person charged or investigated has right to be present;**
    - 3. **Person charged or investigated may request in writing that the investigation be conducted in open session. Such requests must be honored; and**
    - 4. **Any person bringing charges shall be permitted to be present (does not specify participation).**

- B. Discussion or consideration of suspension or expulsion of a student, the cost of whose education is paid from public funds. The student and legal counsel (and parents or guardian if student is a minor) shall be permitted to be present if student, parents or guardian so desire.
- C. Discussion or consideration of the condition, acquisition or the use of real or personal property only if premature disclosure would prejudice the bargaining position of the body or agency.
- D. Board discussion of labor contracts and proposals and meetings may be held in executive session. (Negotiations between the representatives of a public employer and public employees are closed unless opened by agreement of both parties.)
- E. Consultations between a body or agency and its attorney concerning legal rights, pending litigation, and settlement offers, when premature public knowledge would give the Board substantial disadvantage.
- F. Discussion of records made, maintained or received by the body or agency, when access by the general public is prohibited by statute.

Legal Reference: 1 MRSA § 405

Adopted: October 28, 2009  
Reviewed: February 16, 2011  
Revised: January 22, 2014

## NOTIFICATION OF BOARD OF DIRECTORS MEETINGS

It shall be the policy of the Board of Directors to announce all meetings publicly. Except in the event of rare emergencies, such announcement will be made by the Superintendent/designee in ample time to allow public attendance and shall be disseminated in a manner reasonably calculated to notify the general public.

Whenever possible, Board members shall receive notice of special or emergency meetings at least 24 hours in advance. Such notice shall include the date, time, location and purpose of the meeting. The Superintendent/designee shall, whenever practical, notify local representatives of the media by the same or faster means as used to notify Board members.

Legal Reference: 1 MRS § 401 et seq.

Cross Reference: BE – Board of Directors Meetings

Adopted: November 18, 2009

Reviewed: February 16, 2011

Reviewed: January 22, 2014