



TO: Kate Brown, Candy deCsipkes, Maddy Vertenten

FROM: Cynthia Alexander

DATE: November 22, 2019

RE: Policy Review – December 6, 2019 Meeting

The Policy Sub-Committee is scheduled to meet on Friday, December 6, 2019 at 8:30 a.m. at the RSU5 Central Office.

Agenda

1. AEC – Accountability – Reporting to the Public
2. BB – School Board Legal Status
3. BCB – Board of Directors Conflict of Interest
4. BCC – Nepotism
5. BCE – Board Committees (Finance)
6. BCF – Advisory Committees to the Board
7. BDB – Board of Directors Officers
8. BDD – Board of Directors – Superintendent Relationship
9. BDF – Board of Directors Advisory Committees
10. GCG – Teacher and Educational Technician Substitute Policy

Regional School Unit No. 5

17 West St., Freeport, ME 04032

Telephone: 865-0928x5

E-mail: mcmanusg@rsu5.org

ACCOUNTABILITY – REPORTING TO THE PUBLIC

The Board is conscious of its responsibility for making informed decisions that will impact student learning and school system operations. As an elected body, the Board recognizes that it is accountable to the citizens of the school unit for its decisions and the educational achievement of its students. Basic to accountability is the reporting of data concerning student achievement and, in general, the operations of the schools.

The Board directs the Superintendent to prepare appropriate reports that will provide the Board with the information it needs to make appropriate policy and planning decisions and to keep the public informed regarding the academic progress of its students, the effectiveness of school programs, and the needs of the school system. As practicable, the Superintendent may combine such reports into a single document and/or presentation or use multiple reporting processes, depending upon the nature of the information. Such reports shall be made available to the public.

The Superintendent shall also be responsible for gathering and submitting data to the Maine Department of Education (DOE) and other agencies as required by law and/or regulations and for preparing and disseminating reports to the Board and the public in compliance with applicable laws and/or regulations. Data collated by the State shall be incorporated into reports to the Board and/or public as mandated by law and/or regulations.

A. District Annual Report

Each year the Superintendent shall prepare and present to the Board an annual report addressing the activities of the school unit and his/her recommendation(s) for improving student learning and school system operations. The report shall be made available to the public as a means of informing parents and citizens of the school system's goals, plans, programs, and operations.

B. Comprehensive Plan Report

Each school unit must develop and implement a Comprehensive Education Plan that is aligned with Maine's system of Learning Results, focused on the learning of all students, and oriented to continuous improvement and includes the elements listed in Chapter 125, Section 4.02, of the Department of Education Rules. The Superintendent shall make an annual report to the Board and public on the school system's Comprehensive Education Plan and school improvement progress. The Committee shall annually review and approve the Comprehensive Education Plan.

C. Local Assessment System

The Superintendent/designee, with the assistance of appropriate staff, will prepare for the Board's review and for dissemination to the public, on an annual basis, the results of the Local Assessment System. The purpose is to enable the Board and

public to monitor student progress in achieving the content standards of the Learning Results system and to make informed decisions concerning the instructional program and allocation of resources.

D. District Report Cards

In compliance with federal law and regulations and to provide relevant information concerning the academic performance of the school system and of its individual schools, the Superintendent shall be responsible for annually collecting and submitting required data and for preparing and making available to schools, the parents of children in those schools, and the public a “district report card.”

As required by federal law, district report cards shall contain the following information:

1. Aggregate data on student achievement at each proficiency level on state academic assessments and disaggregated data reflecting race, ethnicity, gender, disability, migrant status, English proficiency, and status as economically disadvantaged;
2. Comparison of these student groups regarding achievement levels on each of the State assessments;
3. Percentage of students not tested, disaggregated by student groups;
4. Most recent two-year trend data in achievement by subject area and grade level in areas where assessments are required;
5. Aggregate data on state indicators to determine Adequate Yearly Progress (AYP), such as attendance rates for elementary schools;
6. Graduation rates for secondary schools, disaggregated by student groups;
7. Information on the school unit’s performance relevant to Adequate Yearly Progress and the number, percentage, and names of schools identified for improvement, including how long they have been so identified;
8. Professional qualifications of teachers and percentage of teachers with emergency or provisional qualification;
9. Percentage of classes not taught by highly qualified teachers, in the aggregate and disaggregated by high poverty and low poverty level schools; and
10. Comparison of the school unit’s student achievements on state assessments and other indicators of Adequate Yearly Progress to students in the state as a whole.

As applied to data for individual schools, the district report card will include the following information:

1. The same information contained in the district report card;
2. Whether the school has been identified for school improvement; and
3. Information that shows how the school's students' achievement on the statewide academic assessments and other indicators of Adequate Yearly Progress compared to students in the school unit and the state as a whole. (20 U.S.C. § 6311(h)(2)(B)).

E. Responsibilities Associated with District

The Superintendent/designee shall be responsible for:

1. Updating and submitting required information;
2. Providing district report cards to parents of students in the district's schools in an understandable and uniform format and, to the extent practicable, in a language the parents can understand; and
3. Making district and school report cards widely available through public means, such as distribution to the media, posting on the Internet, and distribution through public agencies.

F. Financial Reports

The Superintendent/designee shall provide to the Board and public monthly reports concerning the financial condition of the school system.

G. Other Reports

The Board may request and the Superintendent/designee shall provide to the Board and/or public other reports related to school system goals and objectives, the instructional program, and operations of the schools.

Legal Reference: 20 U.S.C. § 6311 (No Child Left Behind Act)
20-A M.R.S.A. §§ 4502(1), (6)
Ch. 125, 127 (Me. Dept. of Ed. Rules)

Cross Reference: ADF – School District Commitment to Learning Results
ILA – Student Assessment/Local Assessment System

Adopted: May 27, 2009
Reviewed: December 8, 2010
Reviewed: November 20, 2013

SCHOOL BOARD LEGAL STATUS

Recognizing that “a general diffusion of the advantages of education [is] essential to the preservation of rights and liberties of the people,” the Constitution of the State of Maine declares that the Legislature has the duty to require communities to provide for the support and maintenance of public schools in order to further this objective. Maine law establishes a State Department of Education to supervise a coordinated system of public education, a Commissioner to enforce regulatory requirements and to provide technical assistance and educational leadership, and a State Board of Education to act as a body with certain policymaking, administrative and advisory functions, but places the responsibility for control and management of public schools with locally elected School Committees, School Boards or Boards of Directors. Thus, Regional School Unit No. 5 derives its legal authority from the State’s Constitution, state statutes and regulations of the State Board of Education, as well as Federal laws and regulations.

By custom and tradition, local School Boards have responsibilities to the local citizenry they serve and which elect them to office. Recognizing this parallel concept of authority and responsibility, the Board becomes a policy-making body for the school district serving within the framework provided by law and responding to the will of the local citizenry.

There shall be 11 members on the Board of Directors, 3 from Durham, 6 from Freeport, and 2 from Pownal. Each Director serves for three years and these terms overlap so that in each year three or four directorships are vacated and must be resupplied by election. As required by law, Board members will cast weighted votes as follows:

Each Director from Durham 98 votes
 Each Director from Freeport 98 votes
 Each Director from Pownal 58 votes

Each year as a part of the Board reorganization procedure, one director is elected to serve as Chair and is the presiding officer at all its meetings.

One director is elected to serve as Vice-chair. In the absence of the Chair, the Vice-chair will assume the role of Acting Chair with all rights and responsibilities of the Chair contained therein.

Legal Reference: 20-A MRSA §§ 1001, 1251 et seq.
 20-A MRSA §§ 1451; 1471 (RSU)

Cross Reference: BDB - Board Officers

Adopted: March 24, 2010
 Reviewed: January 26, 2011
 Reviewed: December 18, 2013

BOARD OF DIRECTORS CONFLICT OF INTEREST

Board of Director service is a matter of public trust. In making decisions that affect the Durham, Freeport and Pownal schools, Board members have the duty to act in the interest of the common good and for the benefit of the people they represent.

A conflict of interest may arise when there is an incompatibility between a Board member's personal interest and his/her responsibilities as an elected official in a matter proposed or pending before the Board. Board members have a legal and ethical responsibility to avoid not only conflict of interest, but the appearance of conflict of interest as well.

Financial Interest

A Board member has a financial interest (excluding tax impact related items) in a question or contract under consideration when he/she or a member of his/her immediate family may derive some financial or other material benefit or loss as a result of the Board action. The vote of the Board is voidable if a Board member has a financial interest and votes on that question or is involved in the discussion, negotiation, or award of a contract or other action in which he/she has a financial interest.

In order to prevent the vote on a question or contract from being voidable, a Board member who has a financial interest must:

- A. Make full disclosure of his/her interest before any action is taken; and
- B. Abstain from voting, from the negotiation or award of the contract and from otherwise attempting to influence the decision.

The Secretary of the Board of Directors shall record in the minutes of the meeting the member's disclosure and abstention from taking part in the decision in which he/she has an interest.

It is not the intent of this policy to prevent a Board member from voting or the school unit from contracting with a business because a Board member is an employee of that business or has another, indirect interest but is designed to prevent the placing of Board members in a position where their interest in the schools and their interest in their places of employment may conflict and to avoid appearances of conflict of interest.

Appearance of Conflict of Interest

A Board member should do nothing to give the impression that his/her position or vote on an issue is influenced by anything other than a fair consideration of all sides of a question.

Board members shall attempt to avoid the appearance of conflict of interest by disclosure and/or by abstention.

Appointment to Office and Other Employment

A Board member may not, during the time the member serves on the Board of Directors and for one year after the member ceases to serve on the Board, be appointed to any civil office of profit or employment position which has been created or the compensation of which has been increased by action of the Board during the time the member served on the Board of Directors.

Employment

A member of the Board of Directors or spouse of a member may not be an employee in a public school within the jurisdiction of the Board of Directors to which the member is elected or in a contract high school or academy located within a supervisory union in which the member is a representative on the union committee.

Board of Directors - Members as Volunteers

A member of the Board of Directors, or spouse of a member, may not serve as a volunteer when that volunteer has primary responsibility for a curricular, co-curricular or extracurricular program or activity and reports directly to the Superintendent, principal, athletic director or other school administrator in a public school within the jurisdiction of the Board of Directors to which the member is elected, or in a contract high school or academy located within a supervisory union in which the member is a representative on the Board of Directors.

Volunteer activities of a member of the Board of Directors or member's spouse other than in roles that are prohibited by this section may be prescribed by policies developed and approved by the Board of Directors.

Definitions

For the purposes of this policy, the following statutory definitions apply:

- A. "Employee" means a person who receives monetary payment or benefits, no matter the amount paid or hours worked, for personal services performed for a school administrative unit.
- B. "Volunteer" means a person who performs personal services for a school administrative unit without monetary payments or benefits of any kind or amount.

Legal Reference: 20-A M.R.S.A. § 1002-1004
20-A M.R.S.A. § 1315 (SADS's)
30-A M.R.S.A. § 2604-2606

Cross Reference: BCA-Board of Directors Member Code of Ethics

Adopted: October 28, 2009
Reviewed: January 26, 2011
Reviewed: December 18, 2013

NEPOTISM

Employment

It shall be the policy of the Board of Directors not to employ as school unit staff any person who is a member of the immediate family of a Board member or of the Superintendent. Immediate family of Board members or the Superintendent who are employed by the school unit on the date of adoption of this policy are not affected by this paragraph.

By Maine law (20-A M.R.S.A. § 1002(2)), a Board of Directors member's spouse is precluded from employment under any circumstances in any public school within the jurisdiction of the Board to which the member is elected.

Supervision and Evaluation

No person shall be employed in or assigned to a position that is within the administrative supervision of a member of his/her immediate family, nor in a position in which he/she is supervised or evaluated, in whole or in part, by a member of his/her immediate family.

Exceptions

In extraordinary circumstances, the Board of Directors may approve an exception to the prohibitions on the employment of immediate family so long as the candidate is qualified for the position to which he/she has applied, the hiring is in the best interest of the school system and its students, and the candidate is not the spouse of a Board member.

Volunteers

Under Maine law (20-A M.R.S.A. § 1002(2-A)), a Board of Directors member's spouse may not serve as a volunteer when that volunteer has primary responsibility for a curricular, co-curricular, or extracurricular program or activity and reports directly to the superintendent, principal, athletic director, or other school administrator within the jurisdiction of the Board of Directors.

Definitions

For the purpose of this policy:

- A. "Immediate family" means spouse, parent, son, or daughter.
- B. "Administrative supervision" refers to the authority of a person in the position of principal or higher.

Legal Reference: 20-A M.R.S.A. § 1002

Cross Reference: BC – Board of Directors Member Conflict of Interest

Adopted: October 28, 2009

Reviewed: January 26, 2011

Reviewed: December 18, 2013

BOARD COMMITTEES (FINANCE)

The Finance Committee shall consist of three (3) Board members: one (1) from Durham; one (1) from Freeport; and one (1) from Pownal; effective July 1, 2009. Such members are to be elected by the Board annually in June to serve for the fiscal year starting July 1 or as needed based upon municipal elections.

Adopted: May 27, 2009
Revised: February 16, 2011
Revised: November 28, 2012
Reviewed: December 18, 2013

ADVISORY COMMITTEES TO THE BOARD

Committees shall be voted by the Board of Directors, unless the Board authorizes the Chair to appoint a specific committee. All committees except the Finance Committee shall serve in an advisory capacity. The Finance Committee shall serve in an executory capacity as prescribed by the Board.

Cross Reference: BCE – Board Committees (Finance)
 DI – Fiscal Reporting

Adopted: May 27, 2009
Reviewed: February 16, 2011
Reviewed: December 18, 2013

BOARD OF DIRECTORS OFFICERS

Duties of the Chair

The Chair shall preside at all meetings of the Board of Directors and shall perform other duties as directed by law, Maine Department of Education rules, and by this Board. In carrying out these responsibilities, the Chair shall:

- A. Sign the instruments, acts, and orders necessary to carry out state requirements and the will of the Board of Directors;
- B. Consult with the Superintendent in the planning of the Board meeting agendas and with the Vice Chair as feasible;
- C. Confer with the Superintendent on crucial matters which may occur between Board meetings;
- D. Appoint subcommittees subject to Board approval and serve as an ex-officio member of all such Board of Directors;
- E. Call special meetings of the Board of Directors as necessary;
- F. Be the public spokesperson for the Board of Directors at all times except as this responsibility is specifically delegated to others; and
- G. Preside at and be responsible for the orderly conduct of all Board of Directors meetings.

As presiding officer at all meetings of the Board of Directors, the Chair shall:

- A. Call the meeting to order at the appointed time;
- B. Announce the business to come before the Board in its proper order;
- C. Enforce the Board's policies relating to the order of business and the conduct of meetings;
- D. Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference;
- E. Explain, as appropriate, what the effect of a motion would be;

- F. Restrict discussion when a motion is before the Board;
- G. Put motions to a vote and announce the vote result.

The Chair shall have the right, as other Board members have, to offer motions, discuss questions, and vote.

Duties of the Vice-Chair

In the absence of the Chair, the Vice-Chair shall perform all the duties of the Chair. The Vice-Chair serves as Chair of the Finance Committee.

Duties of the Secretary

The Superintendent shall serve as Secretary of the Board of Directors, with the right to speak on all questions and offer recommendations. The Secretary shall be responsible for ensuring that records are kept of all business transacted by the Board at both regular and appropriately called special meetings, and shall perform such other functions as are ordinarily functions of this office.

Legal Reference: 20-A MRS § 1055

Cross Reference: BB – Board of Directors Legal Status

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

BOARD OF DIRECTORS-SUPERINTENDENT RELATIONSHIP

The Board of Directors believes that exercising its legislative function through policymaking is its most important responsibility. The Board of Directors is also responsible for setting the direction for the school unit and evaluating progress toward goals.

The management of the schools is the function of the Superintendent. The Board of Directors holds the Superintendent responsible for complying with all applicable laws, rules and regulations; for administering Board policies and decisions; for the operation of the schools and educational program; for the system of supervision and evaluation of staff, and for keeping the Board informed about school operations, problems and opportunities. The Board of Directors recognizes that the Superintendent may delegate certain responsibilities to other personnel. Such delegation does not relieve the Superintendent of the final responsibility for actions taken.

The Board of Directors, collectively and as individual members, shall:

- A. Recognize the Superintendent as the educational leader of the school unit;
- B. Provide direction for the Superintendent through written policies, objectives and goals for the school unit;
- C. Give the Superintendent full administrative authority and support for properly discharging his/her professional duties, while holding him/her responsible for acceptable results;
- D. Act only upon the recommendation of the superintendent in matters of employment or dismissal of school personnel;
- E. Hold all Board of Directors meetings in the presence of the Superintendent, except as otherwise permitted by law or when the Superintendent voluntarily excuses him/herself at the request of the Board.
- F. Refer complaints, criticisms, and requests to the Superintendent or other appropriate personnel and discuss them at Board meetings only after administrative solutions have been exhausted; and
- G. Evaluate the Superintendent and provide appropriate opportunities for the Superintendent to share his/her perceptions regarding the working relationship between the Board and Superintendent.

Legal Reference: 1 MRSA § 401 et seq.
20-A MRSA §§ 1001 et seq.; 1051 et seq.; 13201; 13301

Cross Reference: BBA – Board of Directors Powers and Responsibilities
BCA – Board of Directors Member Code of Ethics
CB - School Superintendent
CB-R - Superintendent Job Description
CBI - Evaluation of the Superintendent

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

BOARD OF DIRECTORS ADVISORY COMMITTEES

The Board of Directors may establish advisory committees to perform specific functions. Advisory committees may study particular problems or issues and make reports and/or recommendations to the Board of Directors, but may not act for the Board.

Advisory committees may include individuals who are not elected members of the Board of Directors but each advisory committee shall have at least one Board representative.

The Board of Directors will consult with the Superintendent before establishing or dissolving any advisory committee. The number of members, the composition of each advisory committee, and the selection of members will be determined by the Board of Directors in consultation with the Superintendent based upon the purpose of the committee.

The scope and authority of any advisory committee shall be limited to that assigned to it by the Board of Directors. The Board is in no way obligated to follow advisory committee recommendations.

Unless given a new assignment by the Board of Directors, an advisory committee shall automatically dissolve after the Board has received the committee's final report or recommendations. An advisory committee may be dissolved at any time by Board action. No advisory committee shall continue for a prolonged period without a specific assignment.

Instructions to Board of Directors Advisory Committees:

So that the Board's intent and expectations are clear, each advisory committee shall be instructed in writing concerning:

- A. The purpose of the committee, the specific issue(s) for study, and/or the scope of the committee's activity;
- B. The composition of the committee, including designation of voting and non-voting members, if applicable;
- C. The length of time each member is expected to serve;
- D. The role of the committee as being advisory only;
- E. The resources the Board will provide to assist the committee in completing its task;
- F. The expectations regarding the committee's relationship with the Board of Directors, the Superintendent and school system personnel;

- G. The designation of the individual who will be responsible for providing information to the public concerning the committee and its work;
- H. The time and place of the first meeting;
- I. The timeline for progress reports to the Board of Directors and/or other activities;
- J. The date on which the Board of Directors expects to receive a final report or recommendations and dissolve the committee.

All advisory committee meetings are open to the public except as may otherwise be provided by law. Committee reports and minutes of advisory committee meetings, if prepared, are public information subject to the Freedom of Access Law.

Notice of advisory committee meetings shall be provided in a manner consistent with the Board's policy and practice concerning notification of Board meetings.

The Board of Directors recognizes that any advisory committee mandated by state law or Department of Education regulations may require deviation from any or all of the provisions of this policy. Any such deviations shall be identified when the Board of Directors establishes such a committee and reflected in the Board's instructions to the committee.

Legal Reference: 1 M.R.S.A. § 401 et seq.

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

**TEACHER AND EDUCATIONAL TECHNICIAN
SUBSTITUTE POLICY**

A. State Law: Substitute teachers with four (4) years of study beyond the high school and with a bachelor's degree and in possession of a standard teacher's certificate and substitute teachers who have retired after a minimum of fifteen (15) years of teaching will be compensated at the rate of not less than \$30.00 for each day of service. Title 20A, MRSA Section 13402

B. Substitute teachers for RSU No. 5 will be paid at the following rates:

Daily Pay Rate:

High School Diploma	\$65.00
2 Years of College	\$85.00
4 Year Degree	\$85.00
Certified Teacher	\$85.00
Nurses	\$140.00

Long Term Pay Rate:

\$65/\$85/\$140 first 14 consecutive work days
After 14 consecutive work days in the same assignment, 1/180
of base pay on teacher scale

C. Substitute Education Technicians for RSU No. 5 will be paid at the following rates:

Daily Pay Rate:

High School Diploma	\$65.00
2 Years of College	\$85.00
4 Year Degree/Certified Teacher	\$85.00

Long Term Pay Rate:

No adjustments will be made in the rate of pay.

D. Pay will be pro-rated to portion of day worked

Adopted: October 28, 2009
Revised: March 28, 2012
Revised: September 24, 2014
Revised: October 26, 2016