



TO: Kate Brown, Candy deCsipkes, Maddy Vertenten

FROM: Cynthia Alexander

DATE: September 22, 2019

RE: Policy Review – October 11, 2019 Meeting

The Policy Sub-Committee is scheduled to meet on Friday, October 11, 2019 at 8:30 a.m. at the RSU5 Central Office.

Agenda

1. BBA – Board of Directors Powers and Responsibilities
2. IMGGA – Service Animals in Schools
3. JIC – System-Wide Student Code of Conduct
4. KI – Visitors to the Schools
5. KLG – Relations with Law Enforcement Authorities
6. KLG-R – Relations with Law Enforcement Authorities Administrative Procedure

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BOARD OF DIRECTORS POWERS AND RESPONSIBILITIES

The Board of Directors, in partnership with the Superintendent, shall have overall responsibility for RSU No. 5 which includes general charge of all the public schools of this unit and shall exercise such other responsibilities as specifically provided by law.

The Board, in partnership with the Superintendent, is responsible for providing leadership to guide the mission and direction of RSU No. 5. Board members will act as stewards of RSU No. 5 to ensure dedication to and use of assets and resources for the benefit of all schools in the RSU No. 5 system. The Board ensures that all RSU No. 5 Board-sponsored or supported activities are consistent with ~~the Board's mission to promote educational excellence throughout the unit.~~ RSU No. 5's educational mission and vision.

The Board shall concern itself with questions of policy and objectives rather than with administrative details. The application of policies and objectives is an administrative task to be performed by the Superintendent and ~~his/her~~ staff, who shall be held responsible for the effective administration of board policies and objectives and supervision of the entire school system.

The Board, functioning within the framework of laws, court decisions, attorney generals' opinions, and similar mandates from the state and national levels of government, and recognizing the authority of the state, fulfills its duties:

- A. Sets and enacts policy;
- B. Selects, employs and evaluates the Superintendent;
- C. Provides for the planning, expansion, improvement, financing, construction and maintenance of the ~~physical plant~~ facilities and grounds of the school system;
- D. Prescribes the minimum standards needed for the efficient operation and improvement of the school system;
- E. Requires the establishment and maintenance of records, accounts, archives, management methods, and procedures incidental to the conduct of school business;
- F. Approves the budget, financial reports, audits, major expenditures, payment of obligations, and policies whereby the administration may formulate procedures, regulations, and other guides for the orderly accomplishment of business;
- G. Estimates the funds necessary from taxes for the operation, support, maintenance and improvement of the school system;

- H. Adopts courses of study;
- I. Provides staff and instructional aids;
- J. Evaluates the educational program to determine the effectiveness with which the schools are achieving the educational purposes of the school system;
- K. Provides for the dissemination of information relating to the schools necessary for creating a well informed public;
- L. Approves/disapproves personnel nominations from the Superintendent and determines (where appropriate via collective bargaining) compensation and working conditions of all staff; and
- M. ~~Monitors~~ Oversees the activities of the Board sub-committees, and task forces, ~~and vested.~~ maintains awareness of relevant community groups.

Legal Reference: 20A MRSA § 100 1

Cross Reference: Policy: AD Educational Mission and Vision

Adopted: July 8, 2009

Revised: October 28, 2009

Reviewed: January 26, 2011

Reviewed: December 18, 2013

SERVICE ANIMALS IN SCHOOLS

The Board recognizes that service animals may be used to provide assistance to some persons with disabilities. This policy governs the presence of service animals in the schools, on school property, including school buses, and at school activities.

DEFINITION

As applied to schools, federal and Maine law define a “service animal” as a dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purpose of this definition.

The work or tasks performed by a service animal must be directly related to the individual’s disability. Examples of such work or tasks include, but are not limited to, assisting an individual who is totally or partially blind with navigation and other tasks, alerting an individual who is deaf or hard of hearing to the presence of people or sounds, providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting an individual to the presence of allergens, retrieving items such as medicine or a telephone, providing physical support and assistance with balance and stability to an individual with a mobility disability and helping a person with a psychiatric or neurological disability by preventing or interrupting impulsive or destructive behaviors.

The crime deterrent effects of an animal’s presence and the provision of emotional support, well-being, comfort or companionship do not constitute work or tasks for the purposes of this definition.

USE OF SERVICE ANIMALS IN SCHOOLS

Use of a service animal by a qualified student with a disability will be allowed in school when it is determined that the student’s disability requires such use in order to have equal access to the instructional program, school services and/or school activities.

Use of a service animal by a qualified employee with a disability will be allowed when such use is necessary to enable the employee to perform the essential functions of his/her job or to enjoy benefits of employment comparable to those of similarly situated non-disabled employees.

The parent/guardian of a student who believes the student needs to bring a service animal to school, or an employee who wishes to bring a service animal to school, must submit a written request to the building principal. The building principal, in consultation with the Section 504 Coordinator or Director of Special Services, as appropriate, and the Superintendent will determine whether or not to permit the service animal in school.

Before a service animal shall be permitted in school or on school property, the student's parent or the employee must provide:

- A. A description of the function(s) the service animal is expected to perform in assisting the person with a disability;
- B. Documentation of liability insurance;
- C. A copy of the animal's current license and tag identifying it as a service animal (if applicable);
- D. Current certification from a veterinarian that the animal is in good health;
- E. Proof of current rabies vaccination;
- F. Certification of the service animal's training by a recognized agency or organization and/or demonstration of training; and
- G. Evidence that the student or employee can appropriately supervise, care for, and control the animal at school, or, depending upon the circumstances involved, that there is a plan for some other person other than school unit staff, to be present to care for and control the animal.

Parents or animal handlers who will be present in school for the purpose of assisting a student with his/her service animal will be required to submit to a sex offender registry and criminal background check. In addition, parents and handlers must comply with all standards of conduct that apply to school employees and volunteers.

The school unit may impose additional conditions on the presence of a service animal, depending upon the circumstances.

The building principal may remove or exclude a service animal from the school or school property if:

- A. The presence of the animal poses a direct threat to the health and safety of others;
- B. The animal significantly disrupts or interferes with the instruction program, school activities, or student learning;
- C. The presence of the animal would require a fundamental alteration of any school program;
- D. The student, employee or handler is unable to fully control the animal;
- E. The student, employee or handler fails to appropriately care for the animal, including feeding, exercising, taking outside for performance of excretory functions, and cleaning up;

- F. The parents or employee fails to provide the required documentation; and
- G. The animal fails to consistently perform the function(s)/service(s) for which it has been trained and brought to school.

A parent or employee whose service animal has been removed or excluded may appeal the decision to the Superintendent. If dissatisfied with the Superintendent's decision, the parent or employee may appeal to the Board.

SERVICE ANIMALS AT SCHOOL-SPONSORED EVENTS

Individuals with disabilities may be accompanied by their service animals to events or activities open to the public that are held in schools or on school property. The use of a service animal may not be conditioned on the payment of a fee or security deposit, but the individual is liable for any damage done to the premises or facilities by such an animal.

The building administrator may revoke or exclude the service animal only if the animal poses a direct threat to the health and safety of others, the use of the animal would result in substantial physical damage to the property of others, or would substantially interfere with the reasonable enjoyment of the event or activity by others.

Legal Reference: 42 USC § 12101 et seq.
36 CFR § 104, 302
5 MRSA §§ 4553, 4592
Me. Human Rights Commission Rule Chapter 7

Cross References AC - Nondiscrimination, Equal Opportunity, and Affirmative Action
IMG - Animals in Schools

Adopted: December 14, 2011
Reviewed: December 12, 2012

SYSTEM-WIDE STUDENT CODE OF CONDUCT

Ethical and responsible student behavior is an essential part of the educational mission of our schools. To that end, the Board has developed this System-Wide Code of Conduct with input from school staff, students, parents and the community. The Code defines our expectations for student behavior and provides the framework for a safe, orderly and respectful learning environment.

Article 1— A. Standards for Ethical and Responsible Behavior

The Code of Conduct is intended to support and encourage students to meet the following state-wide standards for ethical and responsible behavior:

- Respect
- Honesty
- Compassion
- Fairness
- Responsibility
- Courage

Article 2— B. Code of Conduct

All students are expected to comply with the Code of Conduct and all related Board policies and school rules. The Code applies to students:

- on school property,
- while in attendance at school or at any school-sponsored activity, or
- at any time or place that such conduct directly interferes with the operations, discipline or ~~general welfare of the school~~ school environment.

Article 3— C. General Behavior Expectations

The following expectations for student behavior are fundamental to a safe, orderly and respectful environment in our schools. Each student should:

1. Be courteous to fellow students, staff and visitors.
2. Respect the rights and privileges of other students and school staff.
3. Obey all Board policies and school rules governing student conduct.
4. Follow directions from school staff.
5. Cooperate with staff in maintaining school safety, order and discipline.
6. Attend school regularly.

7. Meet school standards for ~~grooming and~~ dress.
8. Respect the property of others, including school property and facilities.
9. Refrain from cheating or plagiarizing the work of others.
10. Refrain from vulgarity, profanity, obscenity, lewdness, and indecency.

Article 4— D. Discipline

Violations of the Code of Conduct may result in positive and restorative interventions and/or disciplinary action. Administrators have the discretion to tailor discipline to the facts and circumstances of the particular case. Consequences will range from a verbal warning for minor misconduct up to and including expulsion for the most serious offenses. Behavior that also violates the law may be referred to law enforcement authorities.

See Policies:

- ~~JK— Student Discipline~~
- ~~JKB— Detention of Students~~
- ~~JKD— Suspension of Students~~
- ~~JKE— Expulsion of Students~~

Article 5— E. Expectations Related to Policy

The following lists ~~Board adopted policies related to expectations for student behavior, is a summary of the school unit's expectations for student behavior. In many cases, the Board has adopted policies that address these expectations in greater detail.~~ Students, parents and others should refer to the policies and student handbooks for ~~more detailed~~ information about the expectations and consequences. ~~In case of an inconsistency between this Code of Conduct, Board policies and/or school handbooks, Board policies will prevail.~~

A. ~~Violence and Threats~~

~~Students shall not engage in violent or threatening behavior. Prohibited behavior includes fighting, assault and/or battery, taking hostages, threats to commit violence against persons or property, or threats, intimidation, or harassment. Violations may result in disciplinary action up to and including expulsion.~~

See Policies:

- ~~JICIA— Weapons, Violence and School Safety~~
- ~~JICK— Bullying~~
- ~~EBCC— Bomb Threats~~

B. ~~Weapons~~

~~Students shall not possess or use weapons of any kind (examples include but are not limited to firearms, explosives and knives). Students also shall not use any object,~~

~~although not necessarily designed to be a weapon, to inflict bodily harm and/or to threaten, intimidate, coerce or harass another person (examples include but are not limited to bats, lighters, tools and toy weapons). Firearms violations will result in expulsion in accordance with state and federal statutes; other weapons violations may result in disciplinary action up to and including expulsion.~~

~~See Policies:~~

~~JICIA—Weapons, Violence and School Safety
JCK—Bullying~~

~~C.—Hazing~~

~~Hazing is prohibited. Maine law defines injurious hazing as “any action or situation, including harassing behavior that recklessly or intentionally endangers the mental or physical health of any school personnel or a student enrolled in a public school.” No student shall plan, encourage or engage in such activities in connection with any school program or activity, including extracurricular, co-curricular and athletic activities. Students who engage in hazing activities are subject to suspension, expulsion and/or other appropriate disciplinary measures.~~

~~See Policy—ACAD—Hazing~~

~~D.—Discrimination and Harassment/Sexual Harassment~~

~~Students should not discriminate against other students on the basis of race, color, sex, religion, ancestry, national origin or disability. Nor should students harass one another on the basis of race, color, sex, sexual orientation, religion, ancestry, or national origin or disability. Sexual harassment is also prohibited. Harassment is grounds for disciplinary action up to and including expulsion.~~

~~See Policies:~~

~~AC—Nondiscrimination
ACAA—Harassment and Sexual Harassment of Students~~

~~E.—Bullying~~

~~Students shall not engage in bullying behavior, including unwanted physical contact, acts or communications of any kind that: 1) damage a student’s property; place a student in reasonable fear of physical harm and/or damage his/her property; and/or disrupt the instructional program or the orderly operation of the school; and/or 2) is so severe that it creates a hostile educational environment for the student who is bullied. Violations may result in disciplinary action up to and including expulsion from school.~~

~~See Policy—JICIA—Weapons, Violence and School Safety~~

~~F. Drug and Alcohol Use~~

~~Students shall not distribute, possess, use or be under the influence of any alcoholic beverage, drug, look-alike substance or other prohibited materials and/or substances as described in Board policy. Violations may result in disciplinary action up to and including expulsion from school.~~

~~See Policy JICH Drug and Alcohol Use by Students~~

~~G. Tobacco Use and Vaping~~

~~Students shall not smoke, use, possess, sell or distribute any tobacco products. This prohibition also applies to e-cigarettes and products and paraphilia associated with "vaping." Violations of this policy may result in disciplinary action up to and including suspension from school.~~

~~See Policy ADC Tobacco Use and Possession~~

~~H. Conduct on School Buses~~

~~Students must comply with all Board policies and school rules while on school buses. Students who violate these policies and rules on a school bus may have their riding privileges suspended or revoked, and may also be subject to additional disciplinary action, up to and including expulsion, depending upon their particular violation.~~

~~See Policy JCC Student Conduct on School Buses~~

~~I. Computer Technology/Internet Use~~

~~Students may use school computers technology devices, networks and Internet services only for educational purposes and other purposes authorized by the school unit. Students shall comply with all policies and rules governing acceptable use. Unacceptable use may result in use restrictions suspension or cancellation of computer technology privileges as well as additional disciplinary and/or legal action.~~

~~See Policy IJNDB Student Computer and Internet Use~~

Expectations	Related Policies
Violence and Threats	JICIA Weapons, Violence and School Safety
	JICK Bullying
	EBCC Bomb Threats
Weapons	JICIA Weapons, Violence and School Safety
	JICK Bullying
Hazing	ACAD Hazing
Discrimination and Harassment/Sexual Harassment	AC Non-Discrimination/Equal Opportunity and Affirmative Action
	ACAA Harassment and Sexual Harassment of Students
Bullying	JICIA Weapons, Violence and School Safety
	JICK Bullying
Drug and Alcohol Use	JICH Drug and Alcohol Use by Students
Tobacco Use and Vaping	ADC Tobacco Use and Possession
Conduct on School Buses	JICC Student Conduct on School Buses
Technology/Internet Use	IJNDB Student Technology, Internet Use, and Internet Safety

F. Athletic/Co-Curricular Activities

Students must follow all RSU No. 5 Board policies and school rules while participating in athletics and co-curricular activities. Students who violate policies and rules may be subject to suspension or removal from the team/activity as well as additional disciplinary action under applicable Board policies and/or school rules.

Article 6 – G. Removal of Disruptive/Violent/Threatening Students

1. Students who are disruptive, violent or threatening death or bodily harm to others may be removed from classrooms, school buses, or other school property when necessary to maintain order and safety. The staff member who orders the student

removed should arrange to have the student escorted to the office or other designated location.

2. If a student does not comply with a staff member's order to leave, the staff member will contact an administrator, or, if not available, another suitable person, who shall respond promptly.
3. Staff members should not use physical force or restraint, except to the minimum extent necessary to protect any person from imminent physical harm. Staff members are not required to take action that puts them at risk of serious injury.
4. The responding administrator will take appropriate action. If the student fails to obey verbal directions, force or restraint may be used only to the minimum extent necessary to protect any person from imminent physical harm or to quell a disturbance. Whenever practicable, law enforcement should be called to restrain or physically remove the non-compliant student. The administrator may invoke the school unit's crisis response plan if appropriate.

~~See 20-A M.R.S.A. § 4009— Protection from Liability
See Comprehensive Emergency Management Plan~~

Article 7— H. Special Services

1. **Referral.** The school unit has adopted policies and procedures for determining when a student shall be referred for special services.

~~See Policies:~~

~~HBAA— Referral/Pre-Referral Policy of Students with Disabilities
HBAC— Child Find~~

2. **Review of Individual Educational Plan.** The school shall schedule an IEP meeting to review the IEP of a student who has been removed from class when: a) school officials and/or the parent believes the student may present a substantial likelihood of injury to himself/herself or other; b) the class removals are sufficient to constitute a change in the student's special education program; or c) school officials or the parent believes that the student's behavior may warrant a change in educational programming.

~~See Policy— JKF— Disciplinary Removals of Students with Disabilities~~

Article 8— I. Referrals to Law Enforcement Authorities

The Superintendent and administrators have the authority to seek the assistance of law enforcement authorities when there is a substantial threat to the safety of the schools, students or staff. The Superintendent/administration may also inform law

enforcement authorities when they have reason to suspect that a student or staff member may have violated a local, state or federal statute. All serious offenses, as determined by the Superintendent, must be reported to law enforcement authorities.

See Policies:

~~KLG – Relations with Law Enforcement Authorities, OR
KLG – Relations with School Resource Officers and Law
Enforcement Authorities~~

Article 9 – J. Dissemination of System-Wide Student Code of Conduct

The System-Wide Student Code of Conduct shall be distributed to staff, students and parents through handbooks and/or other means selected by the Superintendent and building administrators.

Cross Reference: AC – Nondiscrimination
ACAA – Harassment and Sexual Harassment of Students
ACAD – Hazing
ADC – Tobacco Use and Possession
EBCC – Bomb Threats
IHBAA – Referral/Pre-Referral Policy of Students with Disabilities
IHBAC – Child Find
IJNDB – Student Computer and Internet Use
JICC – Student Conduct on School Buses
JICH – Drug and Alcohol Use by Students
JICIA – Weapons, Violence and School Safety
JICK – Bullying
JK – Student Discipline
JKB – Detention of Students
JKD – Suspension of Students
JKE – Expulsion of Students
JKF – Disciplinary Removals of Students with Disabilities
KLG – Relations with Law Enforcement Authorities

Legal Reference: 20-A MRS §§ 254 (11); 1001 (15), (15-A)

Adopted: March 24, 2010
Revised: January 23, 2013
Revised: _____

VISITORS TO THE SCHOOLS

The Board of Directors encourages the active interest and involvement of parents and citizens in the public schools. In order to avoid interruption of the instructional program and to promote the safety of students and staff, the building principal shall institute administrative procedures concerning visitors to the schools. Such procedures shall be subject to the approval of the Superintendent.

The following general guidelines shall be incorporated in all building-level administrative procedures concerning visitors.

- A. The term "visitor" shall apply to any person on school grounds or in school buildings who is not an employee or student of the school unit.
- B. All visitors shall report to the main office upon arrival at the school. This section shall not apply to parents or citizens who have been invited to the school for an open house, performance or other preplanned school program.
- C. All visitors who wish to visit classrooms, observe aspects of the instructional program or meet with staff members are expected to schedule such visits in advance. Teachers and other staff may not use instructional time to discuss individual matters with visitors.
- D. Individual Board members shall follow the same procedures as other visitors, and state whether they are visiting the schools on personal business or in connection with Board duties.
- E. Visitors shall comply with all applicable Board policies and school rules. Visitors who violate these policies/rules and/or disrupt the safe and orderly operation of the school shall be asked to leave the premises.
- F. The building administrator/designee has the authority to refuse entry to school grounds or buildings to persons who do not have legitimate, school-related business and/or who may disrupt the operations of the schools. This may include, but not be limited to, the news media, profit-making businesses, fundraisers and other organizations seeking access to students and/or staff.
- G. School staff shall report unauthorized persons on school grounds or in school buildings to the building administrator/designee. Unauthorized persons shall be directed to leave the premises immediately.
- H. The building administrator/designee may request the assistance of law enforcement as necessary to deal with unauthorized persons or violations of the law by visitors to the schools.

Cross Reference: **BCA – Board Member Code of Ethics**
 EBCA – Crisis Response Plan
 ECA – Buildings and Grounds Security
 JLIB – Student Dismissal Precautions
 JLF – Reporting Child Abuse and Neglect
 KLG – Relations with Law Enforcement Agencies

Adopted: **August 25, 2010**
Reviewed: **April 24, 2013**

RELATIONS WITH LAW ENFORCEMENT AUTHORITIES

The Board of Directors recognizes that a cooperative relationship with law enforcement authorities is desirable for the protection of students and staff, maintaining a safe school environment, and safeguarding school property.

School administrators and staff shall have the primary responsibility for maintaining proper order in the school and for disciplining students for violations of Board policies and school rules. However, the Board authorizes the Superintendent/administration to seek the assistance of law enforcement authorities when they believe there is a substantial threat to the welfare and safety of the schools, students and/or staff. The Superintendent/administration shall also inform law enforcement authorities when they have reason to suspect that a student or staff member may have violated a local, state or federal law.

The Board strongly discourages law enforcement authorities from using the schools as a venue to arrest and/or interrogate students for activities not related to or affecting the schools. The Superintendent/administration retain the authority to deny law enforcement access to students for non-school-related investigations.

The Board authorizes the Superintendent and administration to work with local law enforcement authorities to develop administrative procedures to guide interactions between the schools and law enforcement. Such procedures should safeguard the rights of students and parents, be consistent with Board policies, and minimize disruptions to the instructional program. These administrative procedures are subject to the approval of the Board.

The Superintendent shall include law enforcement authorities in the development and implementation of the school unit's crisis response plan. The Board also encourages the Superintendent/administration to include law enforcement authorities in the development and/or implementation of instructional programs/activities related to student safety.

Cross Reference: KLG-R - Relations with Law Enforcement Authorities
 Administrative Procedure
 EBCA - Crisis Response Plan
 JICIA - Weapons, Violence and School Safety
 JIH - Questioning and Searches of Students
 JRA - Student Records

Adopted: August 25, 2010
Reviewed: April 24, 2013

**RELATIONS WITH LAW ENFORCEMENT AUTHORITIES
ADMINISTRATIVE PROCEDURE**

The following procedures are intended to guide the involvement of law enforcement authorities in the schools:

- A. Law enforcement officials may enter school premises:
 - 1. In the event of an emergency endangering student or staff safety;
 - 2. At the request of school administrators/designee
 - 3. When there is a warrant to arrest a student which cannot be executed outside of school hours. School administrators/designee are not obligated to make students or school facilities available to law enforcement for non-school-related investigations/arrests;
 - 4. In exigent circumstances as authorized by law.
- B. School administrators/designee shall attempt to contact the student's parents/guardians prior to allowing law enforcement authorities to interrogate, search or arrest a student at school, except when there are reasonable grounds to believe that a health or safety emergency requires the interrogation, search or arrest to take place without prior notice.
- C. Law enforcement authorities are responsible for ensuring that a student is informed of his/her rights prior to an interrogation, search or arrest conducted by law enforcement authorities.
- D. A student may be removed from school by law enforcement authorities when there is a court order, an arrest warrant or when a warrantless arrest is authorized by law. School administrators/designee shall attempt to notify the student's parents/guardians as soon as possible of the student's removal from school.
- E. School administrators/designee shall release student information to law enforcement authorities only as allowed by the Family Educational Rights and Privacy Act.

Cross Reference: JRA – Student Records

Adopted: August 25, 2010

Reviewed: April 24, 2013