



TO: Candy deCsipkes, Naomi Ledbetter

FROM: Cynthia Alexander

DATE: November 28, 2017

RE: Policy Review – December 1, 2017 Meeting

The Policy Sub-Committee is scheduled to meet on Friday, December 1, 2017 from 8:30 – 10:00 a.m. at the RSU5 Central Office.

Agenda

1. GBEBB – Staff Conduct with Students
2. JICIA – Weapons, Violence and School Safety
3. BDE – Board of Directors Standing Committees
4. GCF – Professional Staff Hiring
5. GCI – Professional Staff Development Opportunities
6. GCSA – Employee Computer and Internet Use
7. GCSA-R – Employee Computer and Internet Use Rules

Regional School Unit No. 5

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STAFF CONDUCT WITH STUDENTS

The RSU No. 5 Board expects all staff members, including teachers, coaches, counselors, administrators, and others to maintain the highest professional, moral, and ethical standards in their conduct with students. For the purposes of this policy, staff members also include school volunteers.

The interactions and relationships between staff members and students should be based upon mutual respect and trust; an understanding of the appropriate boundaries between adults and students in and outside of the educational setting; and consistency with the educational mission of the schools.

Staff members are expected to be sensitive to the appearance of impropriety in their conduct with students. Staff members are encouraged to discuss issues with their building administrator or supervisor whenever they are unsure whether particular conduct may constitute a violation of this policy.

Unacceptable Conduct

Examples of unacceptable conduct by staff members include, but are not limited to the following:

- A. Any type of sexual or inappropriate physical contact with students or any other conduct that might be considered harassment under the Board's policy on Harassment and Sexual Harassment of Students;
- B. Singling out a particular student or students for personal attention and friendship beyond the normal teacher-student relationship;
- C. Associating with students in any situation or activity that includes the presence of alcohol, drugs, or tobacco or that could be considered sexually suggestive;
- D. ~~For non-guidance/counseling staff, encouraging~~ Prompting students to confide their personal or family problems and/or relationships without a direct connection to the student's school performance or having a direct educational purpose. If a student initiates such discussions, staff members are expected to be supportive but to refer the student to appropriate guidance/counseling staff. ~~In either case, staff involvement should be limited to a direct connection to the student's school performance;~~
- E. Sending students on personal errands;
- F. Sexual banter, allusions, jokes, or innuendos with students;
- G. Asking a student to keep a secret;

- H. Disclosing inappropriate personal, sexual, family, employment ~~concerns~~, or other private matters to one or more students;
- I. Addressing students with terms of endearment, pet names, or otherwise in an overly familiar manner;
- J. Permitting students to address you ~~by your first name, nickname or otherwise~~ in an overly familiar manner;
- K. Being alone with individual students out of the public view of others without a specific educational purpose;
- L. Inviting or allowing students to visit the staff member's home without an expressed educational purpose and an appropriate number of chaperones;
- M. Visiting a student's home, unless on official school business;
- N. Maintaining personal contact with a student outside of school by phone, email, texts, Instant Messenger or Internet chat rooms, social networking websites, or letters (beyond homework or other legitimate school business);
- O. Exchanging personal gifts (beyond the customary student-teacher gifts); and/or
- P. Socializing or spending time with students (including but not limited to activities such as going out for meals or movies, shopping, traveling, and recreational activities) outside of school-sponsored events or except as participants in organized community activities.

Note: The Board recognizes that some staff, as active and supportive community members, may participate in activities with students outside of official school business. RSU No. 5 assumes no liability for such activities.

Reporting Violations

Students and/or their parents/guardians are strongly encouraged to notify the principal if they believe a teacher or other staff member may be engaging in conduct that violates this policy.

Staff members are required to notify promptly the principal or Superintendent if they become aware of a situation that may constitute a violation of this policy.

Disciplinary Action

Staff violations of this policy may result in disciplinary action up to and including dismissal. Violations involving sexual or other abuse will also result in referral to the Department of Human Services and/or law enforcement in accordance with the Board's policy on Reporting Child Abuse and Neglect.

Dissemination of Policy

This policy shall be included in all employee, student and volunteer handbooks.

Cross Reference: ACAA - Harassment and Sexual Harassment of Students
 GCSA - Staff Computer/Internet Use
 JLF - Reporting Child Abuse and Neglect

Adopted: June 9, 2010
Reviewed: February 29, 2012
Revised: _____

WEAPONS, VIOLENCE AND SCHOOL SAFETY

The RSU No. 5 Board of Directors believes that students and staff are entitled to learn and work in a school environment free of violence, threats and disruptive behavior. Students are expected to conduct themselves with respect for others and in accordance with Board policies, school rules, reasonable unwritten behavior expectations, and applicable state and federal laws.

School staff are required to report immediately incidents of prohibited conduct by students to the building administrator/designee for investigation and appropriate action.

Prohibited Conduct

Students are prohibited from engaging in the following conduct 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:

- A. Possession and/or use of articles commonly used or designed to inflict bodily harm and/or to threaten, intimidate, coerce or harass another person. Examples of such articles include but are not limited to firearms, BB guns, pellet guns, any other kind of gun, ammunition, explosives, cross-bows, brass knuckles, switchblades, knives, chains, clubs, Kung Fu stars and numchucks;
- B. Use of 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 of such articles include but are not limited to bats, belts, picks, pencils, compasses, objects capable of ignition (e.g., matches, lighters), files, tools of any sort and replicas of weapons (including toys);
- C. Violent or threatening behavior, including but not limited to fighting, assault and/or battery, taking hostages, threats to commit violence against persons or property (e.g., verbal or written death threats, threats of bodily harm, bomb threats);
- D. Verbal or written statements (including those made on or through a computer) which threaten, intimidate, or harass others, which tend to incite violence and/or disrupt the school program;
- E. Willful and malicious damage to school or personal property;
- F. Stealing or attempting to steal school or personal property;
- G. Lewd, indecent or obscene acts or expressions of any kind;

- H. Violations of the school unit's drug/alcohol and tobacco policies;
- I. Violations of state or federal laws; and
- J. Any other conduct that may be harmful to persons or property.

Disciplinary Action

Principals may suspend and/or recommend expulsion of students who violate this policy based upon the facts of each case and in accordance with applicable state and federal laws. Conduct which violates this policy is deliberately disobedient and deliberately disorderly within the meaning of 20-A MRSA § 1001 (9) and will be grounds for expulsion if found necessary for the peace and usefulness of the school. Such conduct may also be grounds for expulsion under other provisions of 20-A MRSA § 1001 (9 and 9-A) that specifically prohibit the use and possession of weapons, infractions of violence, and possession, furnishing and trafficking of scheduled drugs.

Students who are found to have brought a firearm (as defined by federal law) to school (~~as defined by federal law~~), shall be expelled for a period of not less than one year, unless this requirement is modified by the Superintendent on a case-by-case basis.

All firearms violations shall be referred to law enforcement authorities as required by law. Other violations of this policy shall be referred to law enforcement authorities at the discretion of the Superintendent.

Students with disabilities shall be disciplined in accordance with applicable federal and state laws/regulations and School ~~Committee~~ Board Policy JFK.

~~The School Committee authorized the Superintendent to request an immediate psychological evaluation of a student who violates this policy when, in his/her opinion, such an evaluation will assist in assessing the risk the student poses to school safety if the student were to remain in school.~~

~~The Superintendent is also authorized to request psychological evaluations of students who have been identified as posing a substantial risk of violent behavior.~~

~~All such evaluations shall be performed at the school unit's expense.~~

~~If the parents/guardians and/or student refuse to permit a requested psychological evaluation, the Superintendent and the School Committee may draw any reasonable inferences from the student's behavior concerning the risk the student poses to school safety for purposes of determining appropriate action.~~

Notification Team/Confidentiality

Maine law authorizes law enforcement officers and criminal justice agencies to share with a superintendent or principal information pertaining to a juvenile when the information is credible and indicates an imminent danger to the safety of students or

school personnel on school grounds or at a school function. Maine law requires the District Attorney to notify the superintendent when a juvenile is charged with use or threatened use of force or is adjudicated as having committed one or more juvenile crimes that involve the use or threatened use of force.

Within ten days or immediately if necessary for school safety, the Superintendent shall convene a notification team. The notification team must include the administrator/designee of the school building where the student attends, at least one classroom teacher to whom the student is assigned, a guidance counselor, and the student's parent/guardian. The notification team shall determine on this basis of need which school employees are entitled to receive information concerning allegations or adjudications of use or threatened use of force. Information received by the Superintendent/designee and disclosed to the notification team and/or disclosed to school employees is confidential and may not become part of the student's educational record.

The Superintendent shall ensure that confidentiality training is provided to all school employees who have access to this information.

Legal References: 20 USCA § 8921 (Gun-Free Schools Act of 1994)
20-A MRSA §§ 1001 (9); 1001 (9-A); 6552
17-A MRSA §§ 2(9); 2(12-A)

Cross Reference: ACAA-Harassment and Sexual Harassment of Students
ADC-Tobacco Use and Possession
EBCA-Crisis Response Plan
JICH-Drug and Alcohol Use by Students
JK-Student Discipline
JKD-Suspension of Students
JKE-Expulsion of Students
JKF-Disciplinary/Removal of Students with Disabilities
JIH-Questioning and Searches of Students
KLG-Relations with Law Enforcement Authorities

Adopted: July 8, 2009
Reviewed: January 23, 2013
Revised: _____

BOARD OF DIRECTORS STANDING COMMITTEES

The Board of Directors believes that standing committees can be useful to its decision-making process and in the transaction of Board business. The Board may establish such standing committees as it deems necessary to facilitate school unit governance and address ongoing school unit needs. A standing committee has only such authority as specified by the Board.

All standing committees shall be comprised of less than a majority of the Board of Directors

All standing committee meetings are open to the public except as provided by the Freedom of Access Law and the Municipal Public Employees Labor Relations Law.

Establishment and Functions of Standing Committees

The following provisions apply to the establishment and functions of standing committees:

- A. All standing committees shall be established by vote of the Board of Directors. A motion to establish a standing committee shall state the purpose and responsibilities of the committee (the “charge”) and set the number of members comprising the committee.
- B. The Board of Directors Chair, after Board discussion, will appoint members to a standing committee from among the membership of the Board. For existing standing committees, appointments will be made at or as soon as practicable after the Board of Director’s annual organizational meeting.
- C. The Board of Directors Chair may also make appointments, after Board discussion, to standing committee vacancies on standing committees that occur prior to the Board’s next organizational meeting.
- D. The term of appointment to a standing committee shall be until the next organizational meeting.
- E. Each standing committee will elect its own chair.
- F. The Board of Directors Chair and Superintendent shall be ex officio (non-voting) members of all standing committees.
- G. Any Board of Directors member may attend standing committee meetings, but only appointed members of the committee may vote.

- H. Except as authorized by law or Board of Directors action, a standing committee may research issues and make recommendations for Board action, but may not act for the Board.
- I. A standing committee may be abolished at any time by a vote of the Board of Directors.
- J. The number of members on a standing committee and/or the responsibilities of a standing committee may be modified at any time by a vote of the Board of Directors.

Authorization/Appointment of Standing Committees

The Board of Directors shall have the following standing committees:

Finance Committee

Negotiations Committee

Policy Committee

Strategic Communications Committee

The Board of Directors may establish other standing committees it deems necessary in accordance with this policy.

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

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

PROFESSIONAL STAFF HIRING

Through its employment policies, the RSU No. 5 Board of Directors shall attempt to attract, secure and hold the highest qualified personnel for all professional positions. The selection program shall be based upon an alertness to candidates who will devote themselves to the education and welfare of the children attending our public schools.

It is the responsibility of the Superintendent and of persons to whom he/she delegates this responsibility to determine the personnel needs of the school system and to locate suitable candidates to recommend to the Board for employment. Through effective administrative procedures, the Superintendent shall recruit and recommend to the Board the employment and retention of personnel who are motivated to do their best work and to be creative from their own inner resources.

It shall be the duty of the Superintendent to see that persons nominated for employment in the schools shall meet all certification requirements and the requirements of the Board for the type of position for which the nomination is made.

The following guidelines shall be used in the selection of personnel:

- A. There shall be no illegal discrimination in the hiring process;
- B. Interviewing and selection procedures shall assure that an administrator has the opportunity to aid in the selection of any staff member who will work under his/her supervision;
- C. No candidate shall be hired without a personal interview;
- D. All candidates shall be considered on the basis of their merits, qualifications and the needs of the unit. In each instance, the Superintendent and others playing a role in the selection shall seek to hire the best qualified person for the job; and
- E. While the Board may accept or reject a nomination, an approval shall be valid only if made with the recommendation of the Superintendent. In the case of a rejection, it is the duty of the Superintendent to make another nomination.

Legal Reference: 20-A MRSA Section 13201 et seq.

Cross Reference: AC - Nondiscrimination/Equal Opportunity and Affirmative Action

Adopted: June 9, 2010

Reviewed: March 28, 2012

PROFESSIONAL STAFF DEVELOPMENT OPPORTUNITIES

The RSU No. 5 Board of Directors recognizes the importance of developing, maintaining, and extending the skills of staff members and encourages employees to engage in programs and activities that will lead to their professional growth and increased competence.

The Superintendent is authorized to initiate programs and activities which are designed to serve the following purposes:

- A. To provide a structure through which staff members can stay abreast of new developments in their areas of specialty;
- B. To familiarize staff members with new research and innovative teaching methods;
- C. To assist staff members in the process of change and school improvement; and
- D. To facilitate the development, implementation and evaluation of new programs.

Within budgetary limitations, visitations and attendance at conferences may be approved by the Superintendent in accordance with the Board of Directors policy.

Legal Reference: ME DEPT OF ED RULE CHAP. 125 § 8.08

Adopted: June 24, 2009
Reviewed: March 28, 2012

EMPLOYEE COMPUTER AND INTERNET USE

The RSU No. 5 School Department computers, networks, and Internet access are provided to support the educational mission of the schools and to enhance the curriculum and learning opportunities for students and school staff. This policy and the accompanying rules also apply to computers issued directly to staff, whether in use at school or off school premises.

School unit computers, network, and Internet services are provided for purposes related to school programs and operations, and performance of their job responsibilities. Incidental personal use of school computers is permitted as long as such use: (1) does not interfere with the employee's job responsibilities and performance; (2) does not interfere with system operations or other system users; and (3) does not violate this policy and the accompanying rules, or any other Board policy, procedure or school rules. "Incidental personal use" is defined as use by an individual employee for *occasional* personal communications.

Compliance with the school unit's policies and rules concerning computer use is mandatory. An employee who violates this policy and/or any rules governing use of the school unit's computers shall be subject to disciplinary action, up to and including termination. Illegal uses of the school unit's computers will also result in referral to law enforcement.

The School Department computers remain under the control, custody, and supervision of the school unit at all times. The school unit reserves the right to monitor all computer and Internet activity by employees. Employees have no expectation of privacy in their use of school computers.

Employees shall be informed of this policy and the accompanying rules through handbooks, the school website, computer start-up page and/or other means selected by the Superintendent.

The Superintendent is responsible for implementing this policy and the accompanying rules. Additional administrative procedures or school rules governing the day-to-day management and operations of the school unit's computer system may be implemented, consistent with Board policies and rules. The Superintendent may delegate specific responsibilities to the Technology Coordinator and others as he/she deems appropriate.

Cross Reference: EGAD – Copyright Compliance
GCSA-R – Employee Computer and Internet Use Rules
IJNDB – Student Computer and Internet Use

Adopted: June 9, 2010
Reviewed: April 25, 2012

EMPLOYEE COMPUTER AND INTERNET USE RULES

These rules implement Board policy GCSA (Employee Computer and Internet Use). Each employee is responsible for his/her actions and activities involving school unit computers, networks, and Internet services, and for his/her computer files, passwords, and accounts. These rules provide general guidance concerning the use of the school unit's computers and examples of prohibited uses. The rules do not attempt to describe every possible prohibited activity by employees. Employees who have questions about whether a particular activity or use is prohibited are encouraged to contact a building administrator or the Technology Director.

A. Consequences for Violation of Computer Use Policy and Rules

Failure to comply with Board policy GCSA, these rules, and/or other procedures or rules governing computer use may result in disciplinary action, up to and including termination. Illegal use of the school unit's computers will also result in referral to law enforcement.

B. Access to School Computers, Networks, and Internet Services

The level of employee access to school unit computers, networks, and Internet services is based upon specific job requirements and needs. Unauthorized access to secure areas of the school unit's computers and networks is strictly prohibited.

C. Acceptable Use

RSU No. 5 School Department computers, networks, and Internet services are provided to employees for administrative, educational, communication, and research purposes consistent with the school unit's educational mission, curriculum, and instructional goals. All Board policies, school rules, and expectations for professional conduct and communication apply when employees are using the school unit's computers, networks, and Internet services.

D. Personal Use

School unit computers, network, and Internet services are provided for purposes related to school programs and operations, and performance of their job responsibilities. Incidental personal use of school computers is permitted as long as such use: 1) does not interfere with the employee's job responsibilities and performance; 2) does not interfere with system operations or other system users; and 3) does not violate this policy and the accompanying rules, or any other Board policy, procedure, or school rules. "Incidental personal use" is defined as use by an individual employee for *occasional* personal communications.

E. Prohibited Uses

Examples of unacceptable uses which are expressly prohibited include, but are not limited to, the following:

1. Any use that is illegal or which violates other Board policies, procedures, or school rules, including harassing, discriminatory or threatening communications and behavior, violations of copyright laws, etc.; The school unit assumes no responsibility for illegal activities of employees while using school computers.
2. Any use involving materials that are obscene, pornographic, sexually explicit or sexually suggestive;
3. Any inappropriate communications with students or minors;
4. Any use for private financial gain, or commercial, advertising, or solicitation purposes;
5. Any use as a forum for communicating by email or any other medium with other school users or outside parties to solicit, proselytize, advocate or communicate the views of an individual or non-school-sponsored organization; to solicit membership in or support of any non-school-sponsored organization; or to raise funds for any non-school-sponsored purpose, whether profit or not-for-profit. No employee shall knowingly provide school e-mail addresses to outside parties whose intent is to communicate with school employees, students, and/or their families for non-school purposes. Employees who are uncertain as to whether particular activities are acceptable should seek further guidance from the building principal or other appropriate administrator.
6. Any communication that represents personal views as those of the school unit or that could be misinterpreted as such;
7. Downloading or loading software or applications without permission from the system administrator. Unauthorized copying of software is illegal and may subject the copier to substantial civil and criminal penalties. The school unit assumes no responsibility for illegal software copying by employees.

8. Sending mass emails to school users or outside parties for school or non-school purposes without the permission of the Technology Coordinator or building administrator.
9. Any malicious use or disruption of the school unit's computers, networks, and Internet services; any breach of security features; or misuse of computer passwords or accounts (the employee's or those of other users);
10. Any misuse or damage to the school unit's computer equipment, including opening or forwarding email attachments (executable files) from unknown sources and/or that may contain viruses;
11. Any attempt to access unauthorized sites or any attempt to disable or circumvent the school unit's filtering/blocking technology;
12. Failing to report a breach of computer security to the system administrator;
13. Using school computers, networks, and Internet services after such access has been denied or revoked; and
14. Any attempt to delete, erase, or otherwise conceal any information stored on a school computer that violates these rules or other Board policies or school rules, or refusing to return computer equipment issued to the employee upon request.

F. No Expectation of Privacy

School Department computers remain under the control, custody, and supervision of the school unit at all times. The school unit reserves the right to monitor all computer and Internet activity by employees and other system users. Employees have no expectation of privacy in their use of school computers, including email messages and stored files, and Internet access logs.

G. Disclosure of Confidential Information

Employees are expected to use appropriate judgment and caution in communications concerning students and staff to ensure that personally identifiable information remains confidential.

H. Employee/Volunteer Responsibility to Supervise Student Computer Use

Employees and volunteers who use school computers with students for instructional purposes have a duty of care to supervise such use. Teachers, staff members, and volunteers are expected to be familiar with the school unit's policies and rules concerning student computer and Internet use and to enforce them. When, in the course of their duties, employees or volunteers become aware of a student violation, they are expected to stop the activity and inform the building principal.

I. Compensation for Losses, Costs and/or Damages

The employee is responsible for compensating the school unit for any losses, costs, or damages incurred by the school unit for violations of Board policies and school rules while the employee is using school unit computers, including the cost of investigating such violations. The school unit assumes no responsibility for any unauthorized charges or costs incurred by an employee while using school unit computers.

Cross Reference: GCSA - Employee Computer and Internet Use

Adopted: June 9, 2010

Reviewed: April 25, 2012