



TO: Candy deCsipkes, Naomi Ledbetter

FROM: Cynthia Alexander

DATE: September 12, 2016

RE: Policy Review – September 23, 2016 Meeting

The Policy Sub-Committee is scheduled to meet on Friday, September 23, 2016 from 8:30 – 9:30 a.m. at the RSU Central Office.

**Agenda:**

1. Review/Revise the following policies:

1. JLF- Reporting Child Abuse and Neglect
2. GCOA-Supervision and Evaluation of Professional Staff
3. GCOC-Evaluation of Administrative Staff
4. JLC-Student Health Requirements and Services
5. JLCB-Immunization of Students
6. JLCC-Communicable/Infectious Diseases
7. GCMA-Instructional Staff Planning Time
8. GBCC-Employee Use of Cell Phones

2. Meeting dates for the year.

## REPORTING CHILD ABUSE AND NEGLECT

### I. DEFINITIONS

- A. Child abuse or neglect. Child abuse or neglect is defined by Maine law as “a threat to a child’s health or welfare by physical, mental or emotional injury or impairment, sexual abuse or exploitation, deprivation of essential needs or lack of protection from these, or failure to ensure compliance with school attendance requirements under Title 20-A (specifically when a child who is at least seven years of age and has not completed grade six, has the equivalent of seven full days of unexcused absences or five consecutive school days of unexcused absences during a school year).
- B. Person responsible for the child. A “person responsible for the child” means a person with responsibility for a child’s health or welfare, whether in the child’s home or another home or a facility which, as part of its function, provides for the care of the child. It includes the child’s parent, guardian or other custodian.

### II. EMPLOYEES’ DUTY TO REPORT

- A. Any employee of the school unit who has reason to suspect that a child has been or is likely to be abused or neglected must immediately notify the building principal or other designated agent.
  - 1. In addition to notifying the building principal or other designated agent, the employee may also make a report directly to the Department of Health and Human Services (DHHS) or the District Attorney (See also Section III.B which provides further information about reporting to DHHS and/or the District Attorney).
- B. If the reporting employee does not receive written confirmation from the building administrator or other designated agent within 24 hours of his/her report that a report has been made to DHHS and/or District Attorney, the employee shall make an immediate report directly to DHHS and, if the person suspected is not a person responsible for the child, to the District Attorney. In such cases, the employee shall then complete a copy of the Suspected Child Abuse and Neglect Reporting Form (JLF-E).
- C. If the reporting employee does receive written confirmation from the building administrator or other designated agent within 24 hours of his/her report (which is a copy of the Suspected Child Abuse and Neglect Reporting Form (JLF-E), he/she shall sign the form as acknowledgement that the report was made and return it to the building administrator.

### III. ADMINISTRATOR REPORTING AND CONFIRMATION DUTIES

All building administrators, other building designee, and the Superintendent are designated agents to make child abuse and neglect reports.

- A. If a building administrator/other building designee receives the report, he/she shall notify the Superintendent immediately.
- B. The building administrator/other building designee shall then make a verbal and written report(s) of suspected abuse or neglect to DHHS. In addition, if the person suspected is not the parent, guardian or other custodian of the child, the building administrator/other building designee shall also make a report to the District Attorney.
  - 1. The law requires the reporting employee to make his/her own report to DHHS and/or the District Attorney if he/she has not received confirmation within 24 hours that such a report has been made by the building administrator/other building designee.
- C. The person making the report to DHHS and/or the District Attorney shall complete the Suspected Child Abuse or Neglect Form (JLF-E).
- D. The building administrator/other building designee shall provide a copy of the Suspected Child Abuse or Neglect Form to the reporting employee within 24 hours of the employee's initial report. The reporting employee shall sign the report and return it to the building administrator.
- E. The form will be forwarded to DHHS and/or the District Attorney, and shall be retained by the school unit for ten years, as specified in the Maine Archives Rules, along with any other information relevant to the case.

### IV. INTERNAL INVESTIGATIONS AND DISCIPLINE

- A. Employees. If the person suspected of abuse or neglect is an employee, the Superintendent/designee shall investigate and take appropriate action, in accordance with applicable Board policies, collective bargaining contracts, and federal and state laws.
- B. Students. If the person suspected of abuse or neglect is a student, and the abuse or neglect occurred on school premises, during a school activity, or is otherwise related to the school, the Superintendent/designee shall investigate and take appropriate action, in accordance with applicable Board policies and federal and state laws.

V. INTERVIEWS OF CHILD AND SCHOOL PERSONNEL

DHHS personnel shall be permitted to meet with and interview the child named in the report when the child is present at the school as provided in this section.

The building administrator or designee shall:

- A. Require the DHHS employee requesting to interview the child to provide written certification that in the Department's judgment, the interview is necessary to carry out its duties;
- B. Require the DHHS caseworker to discuss the circumstances of the interview and any relevant information regarding the alleged abuse or neglect with the child's teacher or guidance counselor or the school nurse, social worker or building administrator, as the caseworker determines is necessary to provide needed emotional support to the child prior to and following the interview;
- C. Not place conditions on how the interview is conducted, including, but not necessarily limited to requiring that certain persons be present during the interview; prohibiting certain persons from being present during the interview; and requiring notice to or consent from a parent or guardian.
- D. Provide an appropriate, quiet and private place for the interview; and
- E. Not disclose any information about DHHS's intention to interview the child except to school officials or the school's attorney who need the information to comply with the interview request.

VI. CONFIDENTIALITY OF INFORMATION AND RECORDS

All records, reports and information concerning alleged cases of child abuse and neglect shall be kept confidential to the extent required by Board policies and applicable law.

The building administrator/designee is permitted to release a child's school records without prior consent of the parent/guardian to DHHS or law enforcement officials as necessary to protect the health or safety of the child or other individuals under federal law.

VII. GOOD FAITH IMMUNITY FROM LIABILITY

Any person who in good faith reports, assists DHHS in making the child available for an interview, or participates in the investigation or proceedings of a child protection investigation is immune from any criminal or civil liability for the act of reporting or participating in the investigation or proceeding. Good faith does not include instances when a false report is made and the person knows the report is false.

Legal Reference: 22 MRSA Chap. 1071, Child and Family Services and Child  
Protection Act  
20 USC § 1232g, Family Educational Rights and Privacy Act  
20-A M.R.S.A. §§ 5051-A(1)(C); 5051-A(2)(C)

Cross Reference: ACAA – Harassment and Sexual Harassment of Students  
JLF-E –Suspected Child Abuse and Neglect Report Form  
JRA – Student Records

Adopted: March 24, 2010  
Reviewed: March 27, 2013  
Revised: November 18, 2015

## **SUPERVISION AND EVALUATION OF PROFESSIONAL STAFF**

A well-planned and systematic program of supervision and evaluation of performance tied to educational outcomes is vital to the ongoing improvements of the instructional program. It is incumbent upon the Board of Directors to ensure that sufficient administrative time and energy are expended to supervise (observe and assist) and evaluate (measure and assess) teachers. The evaluation program shall address all aspects of teaching performance and recognize that the fulfillment of student needs is of primary importance. The program will be an ongoing appraisal of the performance of teachers to provide:

- A. A systematic process whereby all staff members may measure and improve, on a continuing basis, the effectiveness of their instructional services, using the available professional resources;
- B. Opportunity for all staff members to analyze their strengths and weaknesses as they relate to the teaching-learning process and to discuss objectively the contributions they have made to the school system; and
- C. Opportunity for the administrative staff to analyze the strengths and weaknesses of individual staff members and to use this knowledge to develop supervisory service to assist individuals in developing goals to improve their competencies. These may relate to the teaching learning process and/or other professional responsibilities.

The Superintendent shall be responsible for development, implementation and periodic review of a comprehensive program of supervision and evaluation. The program shall provide for minimum standards for the number and frequency of formal performance reviews, with the understanding that probationary teachers require closer support and more frequent performance reviews.

- A. Evaluative criteria shall be in written form and made permanently available to the teacher.
- B. Evaluations shall be made by an immediate supervisor/administrator.
- C. Results of the evaluations shall be put in writing and shall be discussed with the teacher.
- D. The teacher being evaluated shall have the right to attach a memorandum to the written evaluation.
- E. Results of all evaluations shall be kept in confidential personnel files maintained at the Superintendent's office.



The Board of Directors intends to seek and maintain the best-qualified staff to provide quality education for students. In keeping with this, all personnel are expected to participate fully in the appraisal process. An integral part of this process is self-appraisal. The self and administrative appraisals will include knowledge of subject matter, educational skills and techniques, behavior patterns, values, and ethics. Each professional staff member will share in the responsibility of maintaining and enhancing the self-image and self-respect of all participants throughout the appraisal process. The evaluation procedure is to address all aspects of teaching performance and recognize that the fulfillment of pupil needs is of primary importance.

While supervision and evaluation policies and procedures are not negotiable in collective bargaining, the Superintendent is to seek appropriate involvement of staff in the development and periodic review of the supervision and evaluation program.

Legal Reference: 20-A MRSA §§ 1055, 13802

Adopted: June 24, 2009

## **EVALUATION OF ADMINISTRATIVE STAFF**

The Superintendent shall implement and supervise an evaluation system for all administrative personnel. A report shall be made to the RSU No. 5 Board of Directors annually on the performance of all administrators, with recommendations regarding their employment and/or salary status.

Formal evaluations shall be made at least once every two years, but more often during the first two years in an administrative capacity. They shall be conducted according to the following guidelines:

- A. Evaluative criteria for each position shall be in written form and made permanently available to the administrator.
- B. Evaluations shall be made by the superintendent or immediate supervisor.
- C. Results of the evaluations shall be put in writing and shall be discussed with the administrator.
- D. The administrator being evaluated will have the right to attach a memorandum to the written evaluation.
- E. Results of all evaluations shall be kept in confidential personnel files maintained at the Superintendent's office.

Legal Reference: ME DEPT OF ED RULE CHAP. 125.23., A#, 5, n

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



## **STUDENT HEALTH REQUIREMENTS AND SERVICES**

The Board of Directors, aware of the relationship of health to the total educational process, realizes its responsibility under the law to help protect and improve the health of the students. Therefore, we address ourselves to the following:

- A. In accordance with the State of Maine Immunization Law, within 90 days of enrolling in the RSU No. 5 School Department (provided the child has not previously been granted this provision), all students are required to be immunized according to the State of Maine Immunization Regulations.
- B. In accordance with the State of Maine Law, a school health record will be maintained and updated yearly on each enrolled student.
- C. All students entering kindergarten and grade six are required to have a physical examination, preferably by their own physician, unless the parent(s)/legal guardian(s) has signed an exemption form. The physical examination may be offered through the school for those students without funds.
- D. Students who wish to participate in interscholastic sports are required to have a complete physical examination every two years and to complete and return a Health Questionnaire every year. A student may not participate until the Health Questionnaire is returned. The physical examination should be done by the student's family physician, but may be offered through the school for those students without funds.
- E. In accordance with State of Maine Screening Guidelines, as follows:
  - 1. The vision of students will be screened in Grades K, 1, 3, 5, and 7. All potential problems are to be referred to the parent(s)/legal guardian(s).
  - 2. The hearing of students will be screened in grades K, 1, 3, 5 and 7. All potential problems are to be referred to the parent(s)/legal guardian(s).
- F. The parent(s)/legal guardian(s) shall be notified promptly of any suspected health problems. School health services are designed to promote good health practices, prevent and detect health problems, make appropriate referrals and to provide first-aid in the school setting.
- G. In accordance with the No Child Left Behind Act, parents will be notified annually, at the beginning of the school year, that parents/guardians or students 18 years of age or older, have the right to "opt the student out," in writing, of any non emergency, invasive physical examination or screening that is required as a condition of attendance; administered by the school; and

not necessary to protect the immediate health and safety of the student or of other students.

The term "invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision or scoliosis screening.

Legal Reference: Title 20-A, M.R.S.A. § 6301; 6357; 6359; 6451; 6452 20 U.S.C. § 1232h

Adopted: March 24, 2010

## IMMUNIZATION OF STUDENTS

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

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

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

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

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

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

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

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

Adopted: July 8, 2009

## **COMMUNICABLE/INFECTIOUS DISEASES**

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

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

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

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

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

Adopted:     July 8, 2009  
Revised:     March 24, 2010

## **INSTRUCTIONAL STAFF PLANNING TIME**

The Board of Directors recognize that, as professionals, teachers are expected to devote to their assignments, the time necessary to meet their responsibilities. The Board of Directors further recognizes the importance of providing instructional staff with time during the work day to plan and prepare for student instruction. As part of this recognition, the Board of Directors will endeavor to provide instructional staff at all levels opportunities for planning time devoted to improving the quality of classroom instruction. The amount and frequency of planning time will be governed by availability of staff and district budget.

The Administration will employ a variety of measures in an attempt to provide these planning times. The Administration will also examine and strive to find ways to periodically provide joint planning time for teachers by grade level and content area.

This policy should not be interpreted to guarantee any one group or school with a set amount of planning time on any given day or week. Every attempt will be made to provide an equitable amount of planning time across grade levels and within buildings, whenever practical and possible.

Adopted:      March 23, 2011

## **EMPLOYEE USE OF CELL PHONES**

The purpose of this policy is to address employee use of cell phones and other electronic communication devices (except laptops), whether school unit-owned or personally owned, including those that send or receive text messages, allow retrieval or sending of email or provide Internet access.

The Board recognizes that the use of cell phones and other electronic communication devices may be appropriate to the efficient operations of the school unit and helping to ensure the safety of students and staff and the security of school unit property.

School unit employees may not use cell phones or electronic communication devices, whether school unit owned or personally owned, for non-school related business while they are engaged in instruction or supervision of students or of a school sponsored activity, or in any other manner that interferes with attending to and/or carrying out their job responsibilities. Employees are free to use their personal cell phones and other electronic communication devices during off-duty, lunch or break times.

Use of cell phones and electronic communication devices, whether school unit owned or personally owned, in a manner that violates Board policies, administrative procedures and/or state or federal laws will result in discipline and referral to law enforcement officials, as appropriate. School administrators may confiscate and search a device when there is reasonable suspicion that an employee has violated this policy and that the device contains evidence of the violation.

In the interest of safety, school unit employees are prohibited from using hand-held cell phones and electronic communications devices while driving RSU No. 5 owned motor vehicles, whether transporting students, other staff or driving alone. School unit employees are also prohibited from using hand-held cell phones and electronic communications devices while transporting students in private vehicles.

RSU No. 5 may provide cell phones or other electronic communication devices to some employees to assist them in carrying out their employment-related duties on or off school property. The Superintendent/designee shall have the discretion as to which employees will be provided school unit owned cell phones and other electronic communication devices, based upon need and availability.

School unit owned cell phones and other electronic communications devices are to be used for school-related business purposes and are not intended for personal use except in emergencies involving employee health or safety. Employees have no expectation of privacy in their use of school unit owned cell phones/electronic communications devices or the information stored on them.



SCHOOL BUS DRIVERS

Employees operating a school bus or other school unit vehicle transporting students are prohibited from operating the vehicle while using a cell phone or other electronic communications device, whether personally owned or issued by the school unit, except during an emergency situation or to call for assistance in the event of a mechanical breakdown or other mechanical problem, and then only when the vehicle is stopped or parked.

Adopted: April 27, 2011