Regional School Unit 5
Durham · Freeport · Pownal

"To inspire and support every learner by challenging minds, building character, sparking creativity, and nurturing passions."

Jean Skorapa, Superintendent of Schools
Kelly Wentworth, Director of Finance & Human Resources
Cynthia Alexander, Assistant Superintendent of Schools
June Sellers, Ed.D., Director of Instructional Support

TO: Colin Cheney, Candy deCsipkes, Kara Kaikini

CC: Erin Dow, June Sellers, Kelly Wentworth, Jennifer Winkler

FROM: Cynthia Alexander

DATE: February 8, 2024

RE: Policy Meeting – March 8, 2024

The Policy Committee is scheduled to meet on March 8, 2024 at 8:45 a.m. via Zoom at the following link: https://networkmaine.zoom.us/j/88179232220 Meeting ID: 881 7923 2220 or join by telephone at 1-646-876-9923

Agenda:

1. Policy Review Cycle:
   DJ - Bidding/Purchasing Requirements
   DJH - Purchasing and Contracting: Procurement Staff Code of Conduct

2. At Board/Superintendent Request:
   IMG- Animals in Schools

3. Required Changes Based on Law:
   JHB - Truancy

BIDDING/PURCHASING REQUIREMENTS

The Board of Directors expect all purchases made by the school unit to be consistent with applicable laws and sound business practices. The Superintendent shall be responsible for developing and implementing administrative procedures for bidding and purchasing consistent with this policy.

This policy is intended solely as an internal guide to purchasing by the school unit. It does not afford any vendor any property or contractual rights against the school unit. No vendor shall have any enforceable rights against the school unit based upon this policy or alleged violations of this policy. No vendor shall have any rights against the school unit until such time as a written contract between the vendor and the school unit is executed by the vendor and an authorized representative of the school unit.

I. Bidding/Purchasing by Law

A. ~~Bidding Required by~~ Maine Law

Maine law requires the Board to competitively bid property and casualty insurance; school bus and transportation contracts in excess of $4,000; school building construction, alterations and repairs over $250,000 (except contracts for professional architectural and engineering services); and bond anticipation notes for state-subsidized school construction projects and lease purchase financings of buildings whose lease purchase costs qualify for state subsidy.

B. Procurement Methods for Federally Funded Contracts

The Superintendent or their designee shall be responsible for developing, updating as necessary, and implementing written administrative procedures (hereafter, the "Federal Procurement Manual") to govern the procurement and purchase of property, goods, and services using any federal award that is subject to the Uniform Grant Guidance, codified at 2 CFR Part 200 ("UGG Federal Award"). The Federal Procurement Manual shall be consistent with all applicable federal laws and rules.

A "federal award" is any federal financial assistance (including cost-reimbursement contracts) that a school unit receives either directly from a federal agency or indirectly from a pass-through entity such as the State education department (2 CFR § 200.38). Most, but not all, federal awards received by a school unit are subject to the Uniform Grant Guidance. To confirm whether a federal award is subject to the Uniform Grant Guidance, it will be necessary to review the terms and conditions of the applicable grant agreement or cooperative agreement and the applicability provisions of the Uniform Grant Guidance, codified at 2 CFR § 200.101

Notwithstanding any policy provision to the contrary, the procurement and purchase of property, goods, and services using a UGG Federal Award, in whole or in part, must comply with the Federal Procurement Manual. Wherever this policy or any of the school unit's administrative procedures are inconsistent with federal laws or rules, the provisions of the federal laws or rules shall control.

II. **Bidding/Purchasing Not Required by Law**

~~Competitive Bidding of Other Purchases~~

Where bidding is not required by law, it shall be the policy of the school unit to competitively bid purchases of equipment, supplies, materials or services over $100,000 ~~$10,000.00~~ provided that it is practical and cost-effective to specify the materials or services with sufficient particularity to allow meaningful comparison of bids.

If competitive bidding is not utilized, the Superintendent may seek Requests for Proposals (RFP) for purchases over $25,000 ~~$10,000.00~~. An RFP identifies the need the school unit intends to meet, but permits the vendor to propose the manner in which the work is to be performed and the materials to be used.

The Superintendent may forego the competitive bid or RFP process for purchases less than $25,000 or ~~only~~ when ~~he/she~~ they determine~~s~~ that quality, expertise, time factors, or other important considerations outweigh the possible benefits of bidding or requesting proposals. In each such case, the Board shall be informed of the Superintendent's decision and the reasons for it in advance of entering into a contract.

III. ~~C.~~ **Procedures for Bidding and Requesting Proposals**

The method of notification that the school unit uses to solicit bids and proposals shall be reasonably designed to attract qualified vendors. Depending upon the circumstances, such notification may include public advertising, ~~and/or~~ mailing of notices to potential vendors and/or telephone calls to potential vendors (in the case of RFPs). ~~The Board shall be notified prior to solicitation of bids or proposals in excess of $25,000.~~

Competitive Bid Procedures

Unless other bid procedures are required by law, the school unit shall use the following procedures when soliciting competitive bids:

A. **Solicitation.** The ~~notification~~ solicitation shall specify the deadline for submitting bids and the time and place of bid opening. Bid alternates shall be permitted at the discretion of the Superintendent. The notice shall reserve the right of the school unit to reject any or all bids, and to waive

technical or immaterial non-conformities in bids if in the best interest of the school unit, and to exercise judgment in evaluating bids.

B. **Written bids.** Bids shall be in writing, sealed with an outside envelope or wrapper plainly marked "Bid, not to be opened until (insert appropriate date)," and mailed or filed with the Superintendent of the unit.

C. **Time of opening.** A Board member or employee of the school unit may not open a bid until the appointed time.

D. **Public opening.** At the time and place stated in the public notice, and open to the public, all bids shall be opened by the Superintendent~~/*designee*~~ or, in the Superintendent's absence or disability, by any Board member designated for the purpose by the Chair of the Board of Directors.

E. **Reading**. If any citizens who are not Board members or employees of the school unit or if any representatives of the press are present, bids shall, at that time, either be made available for examination by them or shall be read aloud in a manner to be heard plainly by those in attendance.

F. **Awards.** In general, the Board will award contracts to the lowest bidder which the Superintendent and Board deem can satisfactorily fulfill the contract.

RFP Procedures

Unless other RFP procedures are required by law, the school unit shall use the following procedures when soliciting requests for proposals:

A. **Solicitation**. The solicitation shall specify the deadline for submitting responses to the RFP and the time and place of proposal opening. The solicitation shall reserve the right of the school unit to reject any or all proposals, and to waive technical or immaterial non-conformities in proposals if in the best interest of the school unit, and to exercise judgment in evaluating proposals.

B. **Written Proposals.** Proposals should be submitted in plain envelopes clearly marked "Proposal, not to be opened until (state time and date)." The RFP shall state the time and date that proposals shall be opened, and no proposals shall be opened before that time. Public opening is not required.

C. **Evaluation and Awards.** Proposals are to be evaluated based on criteria appropriate for the project in question, and the contract will be awarded to

the vendor whom the Superintendent and/or Board deem best able to meet the requirements of the school unit.

Legal Reference: 5 MRSA § 1743-A (ALL)
20-A MRSA §§ 1001(14), 5401(13)(D); 5402 (ALL)
20-A MRSA § 1314 (MSAD)
20-A MRSA § 1492 (RSU)
Me. DOE Rule Ch.61(Rules for Major Capital School Improvement Projects)
Me. DOE Rule Ch. 64 (Rules for Maine School Facilities Program and School Revolving Renovation Fund Program)
34 CFR parts 74 and 80 (Education Department General Administrative Regulations ("EDGAR") (for federal awards made prior to 12/26/2014)
2 CFR part 200 (Uniform Administrative Requirements) (for federal awards made on or after 12/26/2014)

Cross Reference: DJ-R – Federal Procurement Manual
DJH – Purchasing and Contracting: Procurement Staff Code of Conduct

Adopted: January 27, 2010
Revised: November 30, 2011
Reviewed: April 30, 2014
Revised: February 27, 2019

PURCHASING AND CONTRACTING: PROCUREMENT
STAFF CODE OF CONDUCT

Conflict of Interest

All employees of RSU No. 5 shall perform their duties in a manner free from conflict of interest to ensure that the school unit's business transactions are made in compliance with applicable laws and regulations and in a manner that maintains public confidence in the schools.

No employee of RSU No. 5 shall participate in the selection, award or administration of a contract supported by federal funds or in any other transaction in which the school unit is a party if ~~he/she has~~ they have a real or apparent conflict of interest in the transaction.

A conflict of interest would arise when the employee or any member of ~~his/her~~ their immediate family, ~~he/she~~ their (business) partner, or an organization that employs or is about to employ any of these parties has a financial or other interest in the firm selected for the award. For the purpose of this policy, "immediate family" is defined as spouse, ~~brother, sister,~~ sibling, parent, or child. ~~son or daughter~~.

Conflict of Interest Disclosure

All employees with real or apparent conflicts of interest as defined above must disclose the conflict of interest to the Superintendent who will investigate the circumstances of the proposed transaction. The Superintendent will exercise due diligence in investigating the circumstances of the transaction and, if necessary, will make reasonable efforts to find alternatives to the proposed transaction or arrangement that would not give rise to a conflict of interest. If the Superintendent determines that the proposed transaction is in the best interest of RSU No. 5 and is fair and reasonable, ~~he/she~~ they may proceed with the transaction. In the event that the Superintendent may have a conflict of interest, an ad hoc subcommittee of the Board will investigate and make a determination regarding the transaction.

Staff Gifts and Solicitations

RSU No. 5 employees are prohibited from accepting money or things of material value from persons or entities doing business with, or desiring to do business with, the school unit. Employees may accept unsolicited items of nominal value such as those that are generally distributed by a company or organization through its public relations program.

Violations

Employees of RSU No. 5 who violate this code of conduct may be subject to discipline, up to and including termination of employment and, if appropriate, referral to law enforcement.

~~**Dispute Resolutions**~~

~~A bidder or respondent to a request for a proposal (RFP) may protest a procurement or contract award if he/she believes that it was made in a manner inconsistent with Board policy, specifications, or law or regulations. A protest must be submitted to the Superintendent in writing within 7 business days after receipt of notification of the award being made, with all documents supporting the protest.~~

~~The Superintendent shall review the protest and supporting documents and render a decision in writing within 20 business days of receipt of the protest. The Superintendent may also convene a meeting with the bidder or respondent to attempt to resolve the problem.~~

~~If the bidder or respondent is not satisfied with the Superintendent's decision, he/she may appeal to the Board. The Superintendent will provide reasonable notice to the bidder or respondent of the time for the Board's consideration of the protest. The Board's decision shall be final.~~

Legal Reference: 34 CFR 74.40-74.48; 80.36 (Education Department General Administrative Regulations (EDGAR)
Commissioner's Administrative Letter No. 6, June 18, 2006 (Fiscal Compliance)

Cross Reference: BCB - Board Member Conflict of Interest
DJ - Bidding/Purchasing Requirements
DJ-R Federal Procurement Manual for Maine School Units
~~GBI - Staff Gifts and Solicitations~~
~~KCD - Public Gifts/Donations to the Schools~~

Adopted: May 24, 2017

ANIMALS IN SCHOOLS

The Board recognizes that having animals in the classroom can offer valuable student learning experiences, and can also provide therapeutic support. The Board is also concerned with the health and safety of students, staff and visitors and the humane treatment of animals when they are brought to school.

For the purpose of this policy "animals" includes mammals, reptiles, amphibians, birds, insects, and fish.

This policy does not include service dogs. The Board recognizes that service animals may be used to assist persons with disabilities. This policy does not apply to the presence of service animals that have been or are being specifically trained for the purpose of assisting a person with a disability.

The presence of live animals in the classroom must be directly related to the objectives of the instructional program. Permission must be obtained from the building principal before any animal is brought into the school by a teacher, student or any other person.

The Superintendent will be responsible for developing procedures to inform parents that animals may be visiting or residing in classrooms during the school year. Once parents/guardians have been notified, they are expected to notify the school if their child has an allergy or other health condition that will be affected by the presence of animals in the classroom.

The building principal and staff will respond appropriately when health considerations are brought to their attention.

No animals will be allowed free range of the classroom or the school. All animals brought to school must be restrained by the owner/handler. The teacher is responsible for the proper supervision and control of students whenever there is an exhibit or activity involving animals in school. All dogs must be leashed.

If a student is bitten/injured by an animal on school premises, the building principal, school nurse and parent/guardian must be notified as soon as possible. If a staff member or visitor is bitten/injured, the building principal must be notified. The building principal must notify appropriate public health authorities and the Maine Department of Health and Human Services Center for Disease Control of each incident. An accident/injury report must also be completed and forwarded to the Superintendent.

If a stray or wild animal appears on school grounds, students shall not be allowed in the area until the animal has left the premises or is removed by the local animal control officer, game warden or other appropriate official.

I. INSTRUCTIONAL PROGRAM ANIMALS

The following guidelines shall apply to the presence of animals in the RSU No.5's schools directly related to the instructional program:

A. Staff who wish to have animals in the classroom must submit a written request to the principal; the request should include the instructional purpose and activity, the type of animal, the length of time the animal is expected to be present, and a plan for the care of the animal. The principal, at their discretion, may approve or deny the request.

B. Students or parents who wish to bring animals to school for educational purposes must consult with the teacher who, in turn, will request permission from the building principal. All other persons who wish to bring animals to school must obtain written permission, in advance, from the building principal.

C. Animals may not be transported in school vehicles.

D. No domestic mammals/pets (including dogs, cats, ferrets, and primates) or livestock will be allowed in school unless current proof of rabies and/or other vaccination is provided. Smaller

mammals such as mice, hamsters, gerbils, guinea pigs, and rabbits do not need to be vaccinated against rabies. Bats, as they may be carriers of rabies, are not allowed in the schools.

Parrots, parakeets and other psittacine birds (birds that may carry psittacosis, a severe infectious human respiratory disease) shall not be brought to school unless they have been tested and certified as psittacosis-free.
Red-eared turtles (also known as painted turtles) are carriers of salmonella and shall not be kept in the classroom without written documentation from the supplier that they are salmonella-free.

E. No wild, exotic, aggressive or poisonous animals will be allowed in school unless under the control of an individual trained in the care and management of the animal and properly licensed by state or federal agencies as appropriate (e.g., zookeepers, veterinarians, biologists, Maine Fish and Wildlife personnel). Students will not be permitted to handle such animals.

F. Animals kept in classrooms must be housed in suitable cages or containers and fed and otherwise cared for appropriately. Only the teacher or students designated or supervised by the teacher may be allowed to handle these animals. Animal waste must be removed on an as-needed basis and in a sanitary manner. Only staff members or adult volunteers will be allowed to clean cages or containers or remove animal waste.

G. No animal may be used as part of a scientific experiment or for any other purpose in which the normal health of the animal is interfered with or which causes pain or distress. No person may practice vivisection or exhibit a vivisected animal in the schools. Dissection of dead animals shall be confined to the classroom and to the presence of students engaged in the study of dissection and shall not be for the purpose of exhibition.

II. CERTIFIED THERAPY DOGS

The following guidelines cover the presence of certified therapy dogs in the schools.

A. The only dogs allowed in schools other than service dogs are therapy dogs, who are trained and certified as therapy dogs. A copy of the certification must be submitted to the principal.

Legal Reference: Americans with Disabilities Act (42 U.S.C. § 12101 et seq.)
7 MRSA § 3971
22 MRSA §§ 801-825

Cross Reference: IMGA - Service Animals in the Schools
JLCE - First Aid and Emergency Medical Care

Adopted: _____

TRUANCY

1. TRUANCY DEFINED

A student is truant if they are required to attend school or alternative instruction under Maine compulsory attendance law (20-A MRSA § 5001-A) and ~~they~~:

A. Have completed grade 6 and have the equivalent of 10 full days of unexcused absences or 7 consecutive school days of unexcused absences during a school year; or

B. Are at least 6 years of age and have not completed grade 6 and have the equivalent of 7 full days of unexcused absences or 5 consecutive school days of unexcused absences during a school year. Truancy under this paragraph is considered "child abuse and neglect" under Maine law and is reportable to the Department of Health and Human Services (DHHS) when the truancy is the result of neglect by a person responsible for the child; or

C. ~~A child~~ Are at least 5 years of age and have been voluntarily enrolled in school; have not completed grade 6. ~~or older and under 6 years of age who is enrolled in and who has not withdrawn from a public day school is required to attend that school during the time it is in session.~~ Such a child will be considered truant if they have the equivalent of 7 full days of unexcused absences or 5 consecutive school days of unexcused absences during a school year. Truancy under this paragraph is considered "child abuse and neglect" under Maine law and is reportable to the Department of Health and Human Services (DHHS) when the truancy is the result of neglect by a person responsible for the child.

2. ATTENDANCE COORDINATORS

In accordance with Maine law, the Superintendent shall appoint one or more attendance coordinators. ~~The duties of the attendance coordinator include, but are not limited to:~~

~~A. Interviewing a student whose attendance is irregular and meeting with the student and the parents to determine the cause of the irregular attendance and filing a written report with the principal;~~

~~B. Filing an annual report with the Superintendent summarizing school year activities, findings and recommendations regarding truants;~~

~~C. Serving as a member of the dropout prevention committee; and~~

~~D. Serving as the liaison between the school and the local law enforcement agency in matters pertaining to student absenteeism under Maine law.~~

3. TRUANCY PROCEDURES

As required by law, the following procedure shall be followed when a student is truant.

A. The principal, upon determining that a student is truant under Section 1, shall notify the Superintendent of the student's truancy within five school days of the last unexcused absence.

B. Within five school days of notification, the Superintendent/designee will refer the student who has been determined to be truant to the school's student assistance team.

C. The student assistance team will meet to determine the cause of the truancy and assess the effect of the student's absences, as well as any future absences for the student. If it is determined that a negative effect exists, the student assistance team shall develop an intervention plan to address the student's absences and the negative effect of these absences.

An intervention plan may include, but is not limited to:

1. Frequent communication between the teacher and the family;
2. Changes in the learning environment;
3. Mentoring;
4. Student counseling;
5. Tutoring, including peer tutoring;
6. Placement into different classes;
7. Evaluation for alternative education programs;
8. Attendance contracts;
9. Referral to other agencies for family services; and
10. Other interventions including but are not limited to referral to the school attendance coordinator, student assistance team, or dropout prevention committee.

The plan should also address how future absences of the student will be dealt with; the timeline for particular activities; and periodic reports to the Superintendent on the student's progress in complying with the plan.

~~Failure of the student or the student's parent/guardian(s) to appear at scheduled meetings does not preclude school administrators from implementing a plan to address a student's truancy.~~

D. The student and their parents/guardians shall be invited to attend any meetings scheduled to discuss the student's truancy and the intervention plan. Failure of the student and/or their parents/legal guardians to attend any scheduled meetings shall not preclude the school from implementing an intervention plan.

E. If the Superintendent/designee is unable to correct the student's truancy, the Superintendent/designee ~~shall serve or cause to be served upon the parent(s) in-hand or by registered mail a written notice that the student's attendance is required by law.~~ shall send written notice to the parent that the student's attendance is required by law. The Superintendent may make 2 documented attempts to serve (or cause to be served) the notice by certified mail. The notice shall:

1. State that the student is required to attend school pursuant to 20-A MRSA §5001-A (the compulsory attendance law);

2. Explain the parent/guardian's right to inspect the student's attendance records, attendance coordinator's reports, and principal's reports;

3. Explain that the failure to send the student to school and maintain the student in regular attendance is a civil violation in accordance with 20-A MRSA § 5053-A and will jeopardize the student's status and current ~~in the~~ grade ~~they are in~~;

4. State that the Superintendent/designee may notify local law enforcement authorities of a violation of 20-A MRSA § 5053-A and, if the violation falls under Section 1.B.2 or B.3, must notify the Department of Health and Human Services; and ~~the Department of Health and Human Services (DHHS) of a violation under and 20-A MRSA § 5051-A(1)(C); and~~

5. Outline the plan developed to address the student's truancy and the steps that have been taken to implement that plan.

F. Prior to notifying local law enforcement authorities, the Superintendent/ designee shall schedule at least one meeting of the student assistance team as required by law and ~~paragraph B~~ Section 3.C above ~~of this policy~~ and may invite a local prosecutor.

G. If after three school days after the 2nd attempted service of the notice ~~after the service of the notice~~ described in ~~paragraph E~~ Section 3.E of this policy the student remains truant and the parent/guardian(s) and student refuse to attend the meeting referred to in ~~paragraph F~~ Section 3.D, the Superintendent/designee shall report the facts of the unlawful absence to local law enforcement authorities. Local law enforcement may proceed with enforcement action against the parent unless the student is at once placed in an appropriate school or otherwise meets the requirements of the compulsory attendance law.

H. When a student is determined to be truant and in violation of the compulsory attendance law, and the student assistance team has made a good faith attempt to meet the requirements, the Superintendent shall include this information in data provided to the Board by October 1.

ANNUAL REPORT TO COMMISSIONER

The Superintendent shall submit an annual report regarding truancy to the Commissioner of Education by October 1. The report must identify the number of truants in the school administrative unit in the preceding school year; describe the school unit's efforts to deal with truancy; account for actions brought to enforce the truancy law; and include any other information on truancy requested by the Commissioner.

Legal Reference: 20-A MRSA §§ 5001-A; 5051-A-5054-A
22 MRSA ~~§ 4002~~ §§ 4002(1); (6)(B-2)

Cross Reference: JEA – Compulsory Attendance
JFC – Dropout Prevention—Student Withdrawal from School
JLF – Reporting Child Abuse and Neglect

Adopted: November 18, 2009
Revised: January 23, 2013
Revised: March 26, 2014
Revised: December 9, 2020