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
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TO: Colin Cheney, Candy deCsipkes, Kara Kaikini, Danielle George

CC: Jeremy Arsenault, Trevor Bean, Dr. Phelps, Emily Guyer, Maureen Erskine, Kim Gormely, Jessica McCurdy, Erika Skiff, Brooke Rich, Shannon Sampson

FROM: Cynthia Alexander

DATE: November 26, 2024

RE: Policy Meeting – December 6, 2024 *(Revised)*

The Policy Committee is scheduled to meet on December 6, 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:
   - EEA - Student Transportation Services
   - EEAEA - Student Transportation Employee Requirements, Training and Responsibilities
   - EBCF - Automated External Defibrillators (AED's)
   - GCQC - Resignation of School Unit Employees

2. At Board/Superintendent Request:
   - None

3. Required Changes Based on Law:
   - JIE - Pregnant Students

STUDENT TRANSPORTATION SERVICES

This policy is meant to guide the provision of student transportation to and from school via school bus or van.

It is the responsibility of the Director of Transportation to develop, implement and, as necessary, alter all routes for the transportation of students; the Director will take into consideration safety, efficiency, and effectiveness of routes, as well as driver availability and any other unpredictable circumstances.

As part of this route-creation process, bus stops will also be determined/designated by the Director of Transportation. RSU No. 5 buses do not travel down dead-end roads or private ways/roads; for these roads, stops will be placed at the entrance of these roads.

The Board of Directors will provide transportation for all students living beyond a reasonable distance from their school or from a scheduled bus stop as the Board has determined. This distance is defined as one mile.

Distance shall be measured by the shortest publicly traveled way from the residence to the bus stop or school door. In cases questioned, distance will be measured and established by the Superintendent or ~~his/her~~ their designee.

Exceptions to the above distance shall be made for the following reasons only:

A. Health

Exceptions to established walking distances may be made for students with disabilities as required by their IEP or Individual Health Plan (504 Plan). Exceptions may also be made to accommodate a student's need for transportation with written documentation for the student's physician.

B. Pre-Kindergarten and Kindergarten Students

Pre-Kindergarten and Kindergarten bus service will include pickup and delivery to the home, providing a suitable bus turn is available.

C. Hazardous Walking Conditions

Hazardous walking conditions shall be defined as those which would place a child of a given age in a situation of greater than normal or average danger. These conditions are assessed by the Director of Transportation and/or the Superintendent based on factors including, but not limited to, sidewalks, lighting, road conditions, construction, and traffic.

Authorized bus stops will be located so as to load and unload students with the most safety allowed by road conditions. The distance between stops may vary according to safety factors. If possible, students will be loaded and unloaded so that it is not necessary for them to cross a main highway to reach their homes.

Requests for bus stops, inconsistent with this regulation must be made in writing and submitted to the Superintendent/ ~~or his/her~~ designee.

Cross Reference: JICC – Student Conduct on School Buses

Legal Reference: title 20A MRSA, Sec. 5401

Adopted: April 28, 2010
Revised: December 14, 2011
Revised: January 25, 2017

STUDENT TRANSPORTATION EMPLOYEE REQUIREMENTS, TRAINING AND RESPONSIBILITIES

The Board recognizes that the safe transportation of students is of the utmost importance. This policy lays out the requirements and responsibilities of the two categories of employees who transport students: School Bus Drivers, and Other Employees with Student Driving Responsibilities.

Part A School Bus Drivers

The school bus driver is responsible for safeguarding the lives of children in the performance of ~~his/her~~ their duty. The work requires physical strength, mental poise, the ability to cope effectively with emergencies, excellent driving skills, and an ability to relate positively with students.

All school bus drivers must hold a valid school bus operator license endorsement issued by the Maine Secretary of State. All school bus drivers are required to participate in any in-service training provided by the school unit.

REQUIREMENTS:

A. Annual Medical Examination

All drivers operating a vehicle designed to carry 10 or more passengers must undergo an annual physical examination as required by the Uniform School Bus Standards and submit the completed School Bus Driver Physical Examination Form to the Superintendent/designee. Physical examinations shall be conducted by a physician selected by the school unit and paid for by the school unit.

Annual examinations must be completed during the month preceding the start of the school year for regular drivers. New and substitute bus drivers must complete the examination before beginning their driving duties.

B. Drug and Alcohol Testing

School bus drivers will participate in drug and alcohol testing as required by applicable federal and state laws.

C. Annual Motor Vehicle Records Check

Each school bus driver operating a vehicle carrying 10 or more passengers shall undergo an annual state motor vehicle records check.

Part B Other Employees with Student Driving Responsibilities

The Superintendent/designee is directed to obtain annual motor vehicle records checks for any school employee who transports students as part of their regular duties. A list of these pre-approved employees must be kept by the Superintendent/designee.

Legal Reference: 49 CFR Parts 40 and 382
26 MRSA §§ 681(8)(B); 685(2); 689
Uniform School Bus Standards, 081.6

Cross Reference: EEAEAA Drug and Alcohol Testing of Bus Drivers
EEAEAA-R Drug and Alcohol Testing of Bus Drivers – Administrative Procedure

Adopted: April 28, 2010
Reviewed: December 14, 2011
Revised: January 25, 2017

AUTOMATED EXTERNAL DEFIBRILLATORS (AED'S)

The Board of Directors recognizes that from time to time medical emergencies may arise that warrant the use of an automated external defibrillator (AED). The RSU No. 5 School Department may acquire one or more AED's for use in its schools and at school athletic events.

RSU No. 5 will offer training to students on performing cardiopulmonary resuscitation (CPR) and use of an AED in accordance with such rules as may be adopted by the Maine Department of Education, and may require training for those school unit personnel who have been identified by the Superintendent, in consultation with the school physician, as needing such training to effectively carry out their job responsibilities.

The Superintendent shall be responsible for developing, in consultation with the school physician or other qualified expert and in accordance with the manufacturers' instructions, protocols for the use, storage, location, testing, and maintenance of the school unit's AEDs and for identification of school personnel who should be trained in the use of an AED.

Although the Board authorizes the acquisition of AEDs, it cannot and does not guarantee that an AED or a person trained in its use will be available at any particular school site or school-sponsored event.

Legal Reference: 14 MRSA § 164
20-A MRSA § 4009
22 MRSA § 2150-C
Maine Dept. of Educ. Rule Ch. 41

Cross Reference: EBCA – Crisis Response Plan
JLCE – First Aid and Emergency Medical Care

Adopted: April 28. 2010
Reviewed: December 14. 2011
Reviewed: November 29. 2017

RESIGNATION OF SCHOOL UNIT EMPLOYEES

The RSU No. 5 Board of Directors authorizes the Superintendent to accept all employee resignations. Such acceptance shall be effective immediately upon acceptance by the Superintendent. Acceptance shall be confirmed in writing to the employee. The resignation and its acceptance should be reported as information to the Board at the next regular or special meeting.

Cross Reference: GCQCA - School Unit Employee References

Adopted: June 9, 2010
Reviewed: March 28, 2012
Reviewed: November 29, 2017

NEPN/NSBA CODE: JIE

PREGNANT STUDENTS

The **RSU No. 5** Board has adopted this policy to comply with its obligations not to discriminate in its education programs and activities against students based on a student's current, potential, or past pregnancy or related conditions. The Title IX Coordinator is responsible for implementing this procedure in consultation with the Superintendent, Affirmative Action Officer, and others as appropriate.

For the purposes of this policy, pregnancy or related conditions includes:

- Pregnancy, childbirth, termination of pregnancy, or lactation;
- Medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or
- Recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.

A. Notifications

When a student or their parent/guardian informs any **RSU No. 5** employee of a student's pregnancy or related condition(s), the employee must promptly provide the student or the parent/legal guardian with the Title IX Coordinator's contact information so that the Title IX Coordinator can take any necessary actions to ensure the student's equal access to the school unit's education programs and activities. The employee should also notify the Title IX Coordinator of the pregnancy or related condition(s), unless the employee reasonably believes that the Title IX Coordinator has already been notified.

Once the Title IX Coordinator is informed of a student pregnancy, they shall inform the student (or the parent/legal guardian if they informed the Title IX Coordinator), of the school unit's obligations (outlined below) and provide a copy of Board Policy AC.

B. Reasonable Modifications

1. Reasonable modifications to the school unit's policies, procedures, and practices shall be made to prevent sex discrimination and ensure equal access to education programs and activities based on the student's individualized needs. The Title IX Coordinator will consult with the student regarding any such modifications. Modifications that fundamentally alter the nature of an education program or activity are not considered "reasonable" under Title IX regulations.

2. The student has the discretion to accept or decline each reasonable modification offered. If a student accepts a modification, the Title IX Coordinator will see that it is implemented.

3. Reasonable modifications may include, but are not limited to:

   a. Breaks during class to express breast milk, breastfeed, or attend to health needs associated with pregnancy or related conditions (such as eating, drinking, or using the restroom);
   b. Intermittent absences to attend medical appointments;
   c. Access to online or homebound education;
   d. Change in schedule or course sequence;
   e. Extensions of time for coursework and rescheduling of tests and examinations;
   f. Allowing a student to sit or stand, or carry or keep water nearby;
   g. Counseling;
   h. Changes in physical space or supplies (such as access to a larger desk or a footrest);
   i. Elevator access; and/or
   j. Other reasonable changes in policies, procedures, or practices.

C. Voluntary Access to Separate and Comparable Portions of Education Programs or Activities

1. If the school unit offers a separate and comparable portion of an education program or activity, the student must voluntarily agree to participate in such program or activity.

D. Voluntary Leave of Absence

1. The school unit shall allow a student to voluntarily be absent from school to cover, at a minimum, the period of time deemed medically necessary by the student's licensed health care provider.

2. When the student returns to the school unit's education programs and activities, they shall be reinstated to the academic status, and to the extent practical, any extracurricular status, that they held prior to the voluntary leave.

E. Lactation Space

1. The student shall be able to access a lactation space, other than a bathroom, that is clean, shielded from view, free from intrusion from others, and may be used by the student for expressing breast milk or breastfeeding as needed.

F. Limits on Requiring Documentation

1. The Title IX Coordinator shall not require supporting documentation from the student, except to the extent it is necessary and reasonable to determine the reasonable modifications to make or to determine whether additional specific actions are needed.

2. Examples of situations where requiring supporting documentation is not necessary and reasonable include, but are not limited to, when the student's need for a specific action under this procedure is obvious, such as when a pregnant student needs a larger uniform or desk, needs break time, etc. Supporting documentation is also not necessary and reasonable if a specific action is available to other students who are not pregnant or have related conditions.

3. The Title IX Coordinator shall not require a student who is pregnant or has related conditions to provide certification from a healthcare provider or any other person that the student is physically able to participate in a class, program, or extracurricular activity unless:

   a. The certified level of physical ability or health is necessary for participation in the class, program, or extracurricular activity;
   b. The school unit requires such certification of all participating students; and
   c. The information obtained is not used as a basis for discrimination against the student.

Legal References: Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681-1688; 34 C.F.R. § 106.40.
5 MRSA § 4602 (2021); MHRC/MDOE Joint Rule Chapter 94-348 and 05-071, ch. 4.
20-A MRSA § 5001-A(4)(A) (2020).

Cross Reference: AC – Nondiscrimination/Equal Opportunity and Affirmative Action
ACAA – Harassment of Students
ACAA-R2 – Student Sex Discrimination/Harassment Complaint Procedure