

1st Review Policy Committee: 11/13/2024
1st Review Board: 11/25/2024
2nd Review Policy Committee: 01/06/2025
2nd Review Board: 01/27/2025

RSU #63

- a. NEPN/NSBA Code:** BHC
- b. Title:** Board Communications and Relationships with Staff
- c. Author:**
- d. Replaces Policy:**
- e. Date Approved:** 03/28/2022 RSU #63
- f. Date Previously Approved:** 03/28/2022 ~~04/26/2021~~
- g. Policy Expiration:** Review as Needed
- h. Responsible for Review:** Superintendent/Policy Committee
- i. Date Reviewed:** 02/17/2022 Superintendent
03/08/2022 Policy Committee
- j. Reference:** Maine School Management Sample Policy BHC
- Legal Reference:** 20-A MRSA §§ 1(28); 1001(21); 1051; 13201-13202
- Cross Reference:** Policy BEDH – Public Participation at Board Meetings
Policy KE – Public Concerns and Complaints

k. Narrative:

A clear understanding of responsibilities and relationships between and among the RSU #63 Board of Directors (the Board) and school personnel is essential for a well-run and efficient school system. The Board, superintendent, other RSU #63 administrators, teachers, and all others-staff responsible for any phase of work of RSU #63 (the District) have a common and basic responsibility – the welfare and education of the children in the schools. These responsibilities must guide the Board’s consideration and decisions.

I. Board of Directors and Superintendent

- A.** The relationship between the Board and the superintendent is best described as one of teamwork. They must function cooperatively as some of their functions are not readily separable. However, the primary functions are separable and should be clearly understood by each. The Board is the legislative body of the District. The Board exercises its mandated management through the formation of policies for the District’s operation.
- B.** The Superintendent is the ex officio secretary of the Board and the chief administrative officer. The superintendent is responsible for the day-to-day administration of the District and for ensuring that the operations of the school unit conform to Board policies and applicable law. The Board recognizes this and wishes to make this clear to all staff members and to all citizens.

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C. All communications or reports to the Board, or to any committee of the Board, from principals, supervisors, teachers, or other employees will be submitted through the Superintendent.

II. Board and Other RSU 63 Administrators

A. RSU #63 administrators have no direct administrative relations with the Board. Their relations to the Board are through the superintendent, for the Board recognizes that the superintendent is the person to whom it must look for professional leadership within the schools. A spirit of cooperation and mutual helpfulness must prevail between the superintendent and the administrators if the best results are to be realized. For instance, the administrators and the superintendent must cooperate in the selection of school staff because they are in the best position to know the kind of person needed for a particular type of service in the school. Administrators must make recommendations to the superintendent and not to the Board. At all times Administrators must remember that all matters which require Board action must be presented to the Board by the superintendent.

III. Board and Teachers

- A. The relationship of a teacher to the Board is indirect. A teacher is directly responsible to the principal and through them to the superintendent, and then to the Board.
- B. Other school employees, depending on their position, are directly responsible to the administrator or to the supervisor to whom the employee reports, and through the administrator or supervisor to the superintendent, and then to the Board.
- C. Direct access between employees and the Board may be obtained through channels established for grievances or through applicable Board policies.

IV. Board Communication with Staff

- A. The Board will communicate regularly with school staff on matters of current interest and importance to the school community at such times and through such methods as the Board deems appropriate.
- a. Methods to consider might include periodic newsletters, postings, or notices on the RSU #63 website or social media, minutes of Board meetings, Board workshops, and/or opportunities for staff to serve as representatives on advisory committees to the Board, etc.
- B. Individual employees and employee organizations are expected to utilize communication channels established through Board policies, administrative procedures, and collective bargaining agreements and not to circumvent the chain of command and their direct supervisors.

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- C. Communications with staff are the responsibility of the Board as a whole. ~~Individual board members should refrain from initiating communications or conversations with staff members on their own.~~ The intent of the Board is to effectively, professionally, and respectfully communicate with the staff to ensure a positive working relationship and environment. This type of communication shall provide an atmosphere of growth and development between the board and all the staff while upholding the core values of RSU #63.
- D. It is understood that staff members and their children may interact with and have friendships with the families of students outside of school. This policy is not intended to prohibit such interactions and friendships, provided that professional boundaries are maintained at all times.

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RSU #63

- a. **NEPN/NSBA Code:** **GBEBB**
- b. **Title:** **Staff Conduct with Students**
- c. **Author:** **Administrative Leadership Team/Technology**
- d. **Replaces Policy:**
- e. **Date Approved:** 01/27/2020 **RSU #63**
- f. **Previously Approved:** **01/27/2020 06/22/2015**
- g. **Policy Expiration:** **Review as Needed**
- h. **Responsible for Review:** **Superintendent/Policy Committee**
- i. **Date Reviewed:** 12/30/2019 **Superintendent**
01/07/2020 **Policy Committee**
- j. **References:** **Policies: ACAA – Harassment and Sexual Harassment of Students; GCSA/GCSA-R – Employee Use of School-Issued Computers, Devices and the Internet; JLF – Reporting Child Abuse and Neglect**
- k. **Narrative:**

The RSU #63 Boards of Directors (the Board) expect 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 intent of this policy is to ensure that the interactions and relationships between staff members and students are based upon mutual respect and trust; that staff members understand the importance of maintaining appropriate professional boundaries between adults and students in an educational setting; and that staff members conduct themselves in a manner consistent with the educational mission of the schools.

It is understood that staff members and their children may interact with and have friendships with the families of students outside of school. This policy is not intended to prohibit such interactions and friendships, provided that professional boundaries are maintained at all times and that parents/guardians have knowledge of the interactions between staff member and their child(ren).

- I. **Prohibited Conduct:** Examples of unacceptable conduct by staff members that are expressly prohibited 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 district’s policy on Harassment and Sexual Harassment of Students;

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- B.** Singling out a particular student or students for personal attention and friendship beyond the normal teacher-student relationship;
 - C.** For non-guidance/counseling staff, encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, staff members are expected to be supportive but to refer the student to appropriate guidance/counseling staff for assistance;
 - D.** Sexual banter, allusions, jokes, or innuendos with students;
 - E.** Asking a student to keep a secret;
 - F.** Disclosing personal, sexual, family, employment concerns, or other private matters to one or more students;
 - G.** Addressing students with terms of endearment, pet names, or otherwise in an overly familiar manner;
 - H.** Permitting students to address staff by first name, nickname, or otherwise in an overly familiar manner;
 - I.** "Friending" students, "following" students, or engaging in any other interactions on social networking sites, or through any digital applications (outside of any district-approved system). In the case of friendships between families, any contact with students on social media/digital applications must be with the knowledge of the parents/guardians.
 - J.** Communicating with students on non-school matters via computer/electronic devices, text messages, social media messages, phone calls, letters, notes, or any other means; and
 - K.** Communicating with students on a staff member's privately owned computers, cell phones, or other electronic devices.
- II.** Before engaging in the following activities, staff members are expected to review the activity with their building principal or supervisor:
- A.** Being alone with individual students out of public view. It is recommended that a second adult be present whenever possible;
 - B.** Driving student's home or to other locations. The reason, date, departure, and arrival times should be recorded. A second adult must accompany the driver;

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- C. Inviting or allowing students to visit the staff member's home (unless the student's parent approves of the activity, such as when a student babysits or performs chores for a staff member);
 - D. Visiting a student at home or in another location, unless on official school business known to the parent;
 - E. Exchanging personal gifts (beyond customary student-teacher gifts); and/or
 - F. 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 organized community activities.
 - G. Taking photographs, videos, or audio recordings of students for personal purposes or any purpose other than capturing images of school events or activities for school-related purposes.
- III.** 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.
- IV. Reporting Violations:**
- A. Students and/or their parents/guardians are strongly encouraged to notify the Superintendent or building administrator if they believe a teacher or other staff member may be engaging in conduct that violates this policy.
 - B. Staff members are required to promptly notify the Superintendent or building administrator if they become aware of a situation that may constitute a violation of this policy.
- V. Disciplinary Action:**
- Staff violations of this policy will result in disciplinary action up to and including termination. Violations involving sexual or other abuse will also result in referral to the Department of Health and Human Services, the District Attorney, and/or law enforcement. In addition, the Department of Education will be notified if a credential holder is disciplined, suspended, or terminated for violations that endanger the health, safety, and welfare of a student, or if a credential holder leaves their employment for any reason prior to the conclusion of an investigation of such a violation.

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VI. Dissemination of Policy:

This policy will be disseminated to staff and volunteers by means determined by the Superintendent. This policy will also be included in student handbooks.

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RSU #63

- a. NEPN/NSBA Code:** **BBCB**
- b. Title:** **Use of Social Media/Networking by School Board Members**
- c. Author:**
- d. Replaces Policy:** **NEW**
- e. Date Approved:** 10/23/2017 **RSU #63**
- f. Date Previously Approved:** **10/23/2017** ~~NEW~~
- g. Policy Expiration:** **Review as Needed**
- h. Responsible for Review:** **Policy Committee**
- i. Date Reviewed:** 10/03/2017 **Policy Committee**
- j. References:** **BCA-Board of Directors Code of Ethics**
Maine Freedom of Access Law, M.R.S.A § 412
- k. Narrative:**

School board members are public officials and are held to high standards of conduct by state law. Therefore, school board members who use the internet, including but not limited to social networking sites, must take precautions to keep communications about official Board business separate from private, personal communications.

- I. Board members in the RSU #63 School District (the District) will abide by the following guidelines when using social media:**
 - A. Board members will not have online conversations that violate the Maine Freedom of Access Law;**
 - B. Board members will not use online websites to communicate with one another about official board business;**
 - C. Board members will not disclose confidential information;**
 - D. Board members will be aware that any comments on official business may create a “public record”;**
 - E. Use of social media by board members will be consistent with the Board of Directors Code of Ethics;**
 - F. Board members use of social media will not interfere with the work of the school district;**
 - G. Board members will not use social media with the intent to harm the goodwill and reputation of the school district in the community; and**
 - H. Board members, when posting on a social media site regarding school business, will begin the post by alerting the reader, “This is my personal opinion and not that of the RSU #63 Board of Directors.”**

RSU #63

- a. NEPN/NSBA Code: ECAD
- b. Title: Security Camera System
- c. Author: Technology
- d. Replaces Policy:
- e. Date Approved: 09/25/2017
- f. Previously Approved: ~~09/25/2017~~ ~~04/27/2015~~
- g. Policy Expiration: Review as Needed
- h. Responsible for Review: Policy Committee
- i. Date Reviewed: 09/12/2017 Policy Committee
09/12/2017 Superintendent
- j. References: EBCA – Comprehensive Emergency Management Plan
JRA – Student Records and Information
ECAD-R – Security Camera Systems-Administrative Procedures

k. Narrative:

The RSU #63 Board of Directors (the Board) authorizes the use of security cameras for the purpose of enhancing school safety and security. The district's goals are to promote and foster a safe, secure teaching and learning environment for students and employees; to promote public safety for community members who visit or use school property; and to safeguard facilities and property.

- I. Security cameras may be placed in parking lots, school entryways, and other areas on school grounds. Security cameras may also be placed in areas of common use within buildings, including, but not necessarily limited to, school foyers, the school office, hallways, cafeterias, libraries, **media centers**, and gymnasiums. **Security cameras may also be placed on school buses.**
- II. Security cameras may be used for the following purposes:
 - A. To investigate suspected violations of district policies, or school or other inappropriate conduct,
 - B. To monitor activities on school property to protect safety and to enforce district/school rules, policies, and the law, or
 - C. As directed by law enforcement, to address school safety issues or to investigate possible criminal behavior.
- III. Notices will be posted in public entryways to the buildings and other conspicuous locations informing persons that the buildings and grounds are monitored by security cameras.
- IV. The Superintendent may develop and implement any necessary administrative procedures regarding the use of security cameras.

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RSU #63

- a. NEPN/NSBA Code: ECAD-R
- b. Title: Security Camera System-Administrative Procedures
- c. Author:
- d. Replaces Policy: NEW
- e. Date Approved: 09/25/2017
- f. Previously Approved: 09/25/2017 NEW
- g. Policy Expiration: Review as Needed
- h. Responsible for Review: Policy Committee
- i. Date Reviewed: 09/12/2017 Policy Committee
09/12/2017 Superintendent
- j. References: EBCA – Comprehensive Emergency Management Plan
JRA – Student Records and Information
ECAD – Security Camera Systems

k. Narrative:

I. Security Camera Placement

- A. Security cameras may be placed outside and inside school facilities and buses as described in Policy ECAD and as approved by the Superintendent. The Superintendent will consult with the building administrator and others, as appropriate, prior to approving placement of security cameras.
- B. The use of security cameras or video devices may also be approved in particular locations by the Superintendent on a short-term basis in connection with investigations of possible misconduct and/or illegal activity.
- C. Security cameras will not be placed in bathrooms, locker rooms, private offices, or other locations where the Superintendent determines that users have a reasonable expectation of privacy, except as otherwise permitted by law.

II. Viewing/Monitoring of Live Images from Security Cameras

- A. In order to maintain building security, a monitor will be placed to enable office staff or the Facilities/Maintenance Manager ~~Director of Transportation & Facilities~~ to observe points of access to the building.
- B. The Superintendent, building administrators, and others designated by the Superintendent may monitor security camera images on a periodic or random basis for school-related purposes.

- C. In situations when the School Department's Comprehensive Emergency Plan is implemented and/or there is an immediate security risk, law enforcement officials may view **live feeds** ~~directly, images~~ from school security cameras at the school on their own monitors at other locations.

III. Viewing of Security Camera Recordings

- A. The Superintendent, building administrators, and others designated by the Superintendent may review security camera recordings for school-related purposes. Other school employees may be authorized by the Superintendent or a building administrator to view recordings if there is a legitimate educational or operational reason to do so.
- B. Any security camera recording used for student disciplinary purposes will only be disclosed as authorized by the Family Educational Rights and Privacy Act (FERPA) and in accordance with district policy.
- C. The parents/guardians of a student or an eligible student under FERPA may request to view portions of a security camera recording used as a basis for disciplinary action against that student. Viewing of the security camera recording will be conducted in the presence of a building administrator and will be conducted in a manner that does not violate the confidentiality rights of other students.
- D. Law enforcement personnel may review security camera recordings, when available, to investigate possible criminal conduct.

IV. Storage and Security of Security Camera Recordings

- A. All security camera recordings will be stored in a secure location to ensure confidentiality.
- B. Security camera recordings will be retained for no more than 30 calendar days, except in cases where there is a request for recordings from law enforcement or a court, or when recordings are needed for an investigation or disciplinary matter. In such circumstances, the recording will be maintained until no longer required to resolve the matter.

DWM SAMPLE POLICY – 11-2024

NEPN/NSBA CODE: EGAD

[DWM NOTE: Drummond Woodsum recommends that local boards adopt a copyright policy and administrative procedure. This sample policy provides appropriate notice to school employees and students about their responsibilities under the federal copyright statute. The TEACH Act requires school units using copyrighted materials in instruction through digital networks (which would include distance learning programs and online courses) to have copyright policies and provide notice and informational materials about copyright requirements to staff and students.]

All notes in the sample should be removed prior to policy adoption.]

COPYRIGHT COMPLIANCE

The Board expects all employees and students in the school unit to comply with federal copyright law and guidelines. Employees and students who willfully disregard the law/guidelines and the Board’s copyright policy and procedure do so at their own risk. The school unit will not extend legal and/or insurance protection to employees or students for willful violations of this policy or the accompanying procedure. Such violations may also result in disciplinary action.

The Superintendent is responsible for implementing this policy and the accompanying administrative procedure. The Superintendent may delegate specific responsibilities to building administrators and others as deemed appropriate.

The school unit will take the following steps to discourage violations of the copyright law/guidelines:

- A. All instructional staff and administrators shall receive a copy of this policy and the accompanying administrative procedure.
- B. Copyright notices shall be posted within view of copying equipment, including near photocopy machines, in computer labs, in media labs, and/or in other areas where devices are accessible by students and staff.
- C. Teachers and library media specialists shall be responsible for informing students about the legal and ethical issues raised by copyright infringement and illegal use of copyrighted materials.

Cross Reference: EGAD-R – Copyright Compliance Administrative Procedure
GSCA/GCSA-R – Employee Use of School-Issued Computers/Devices and the Internet
IJND/IJND-R – School Website and Social Media Policy/Guidelines
IJNDB/IJNDB-R – Student Use of School-Issued Computers/Devices and the Internet

Legal Reference: 17 U.S.C. § 101 et seq. (The Copyright Act of 1976)
P.L. 107-273 (The TEACH Act of 2002)

DWM SAMPLE PROCEDURE – 11-2024

NEPN/NSBA CODE: EGAD-R

[DWM NOTE: Drummond Woodsum recommends that local Boards adopt an administrative procedure regarding copyright compliance so that employees and students have ready access to the specific requirements for various types of materials used in schools.

The TEACH Act (“Technology, Education and Copyright Harmonization Act of 2002”) requires school units that perform or display copyrighted materials in instructional programs through digital networks to implement a copyright policy/procedure and provide informational materials to employees.

Since the content of this procedure is taken directly from the law/guidelines, it should not be modified by local school units. All notes should be removed from the sample rules prior to adoption.]

COPYRIGHT COMPLIANCE ADMINISTRATIVE PROCEDURE

This administrative procedure summarizes the major provisions found in the federal copyright law and guidelines concerning reproduction and use of copyrighted works by educators. This summary is not intended to replace the law/guidelines, which should be referred to when questions regarding implementation arise.

Instructional staff teaching any form of distance learning or on-line course must carefully review and comply with Part III of the procedure in addition to all other parts.

[DWM NOTE: We have added this section below on hyperlinks as a suggestion to make specific content easier to find, but if a local board decides not to add them, this section should be removed.]

For ease of reference, we have included the following hyperlinks, which can be used to jump to various sections of the procedures:

General Rules and Copyright Ownership

- Presumption of copyright**
- Rule against copyright violations**
- U.S. Government works**
- Public domain**
- Student works**
- Works made for hire**
- Distance learning**

“Face-To-Face Instruction”

Distance Education: Transmission of Performances and Displays to Remote Sites

“Fair Use”

- Print Materials**
- Computer Software**
- Internet**
- Off-Air Television Recording**
- Use of Pre-Recorded Videos**
- Music and Theater Performances**
- Music Used for Educational Purposes**

I. General Rules and Copyright Ownership

Presumption of copyright. Works, in any medium (written, recorded, computer-stored, etc.), should generally be presumed to be protected by copyright law, regardless of whether the work displays a copyright notice, the symbol “©,” or other express reservation of rights.

Rule against copyright violations. Except as otherwise permitted by this policy and applicable law, school employees shall not reproduce, perform or display copyrighted works without permission of the owner.

U.S. Government works. United States government works are not subject to copyright protection, and may freely be copied.

Public domain. Works that are in the public domain due to expiration of copyrights, as provided by law, may be freely reproduced, performed or displayed.

Student works. Students are the owners of exclusive rights in works that they create.

Works made for hire. Works created by school employees in the course and scope of their employment are “works made for hire,” and the school unit retains exclusive rights in such works, unless otherwise agreed in writing by the Board.

Distance learning. All rights in works created by school employees in the course of teaching distance learning courses are owned by the school unit that employs the individual(s) who created the work, unless otherwise agreed in writing by the employing school unit.

II. “Face-To-Face Instruction”

Performance or display of any copyrighted work by teachers or students without permission from the copyright holder is permissible under the following circumstances:

1. The work must be performed or displayed in a face-to-face setting by a teacher or by students; and
2. The performance or display must be in the course of teaching activities, in a classroom or a similar educational setting.

Examples of performances or displays falling under this exception include reading a play in a classroom, singing a song in a classroom or showing a filmstrip or video (provided that it has been purchased or lawfully copied).

The following sections summarize the permissible use or “fair use” of different types of copyrighted works. Because the law and technological applications continue to evolve, school unit employees are responsible for ensuring that the intended use of materials does not conflict with the copyright law/guidelines and for informing students of such issues as appropriate.

III. Distance Education: Transmission of Performances and Displays to Remote Sites

The following may be transmitted by any device or process, including interactive television or Internet courses:

- Performance of nondramatic literary works (e.g. novels, short stories, or poems) or musical works, or
- Reasonable and limited portions of any other work, or
- Display of a work in an amount comparable to that which is typically displayed in the course of a live classroom only if:
 1. The performance or display is made by, at the direction of, or under the actual supervision of a teacher as an integral part of a class session offered as a regular part of instructional activities;
 2. The performance or display is directly related and of material assistance to the teaching content of the transmission;
 3. The transmission is made solely for, and, to the extent technologically feasible, the reception of such transmission is limited to students officially enrolled in the particular course and employees of the school unit as part of their duties;
 4. Technological measures are implemented that reasonably prevent retention of the work in accessible form by recipients of the transmission for longer than the class session and prevent unauthorized further dissemination of the work in accessible form by such recipients to others;
 5. There is no interference with technological measures used by copyright owners to prevent such retention or unauthorized further dissemination of materials; and
 6. Students in such courses must be given notice that materials used in connection with the course may be subject to copyright protection.

IV. “Fair Use”

A copyright provides the owner with the exclusive rights of reproduction, adaptation, publication, performance and display of the covered work. The copyright law contains certain “fair use” provisions that permit *limited* reproduction, distribution, and certain other uses of materials for the purpose of criticism, comment, news reporting, teaching, scholarship and research, based on four criteria:

1. The purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
2. The nature of the copyrighted work;
3. The amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
4. The effect of the use upon the potential market for or value of the copyrighted work.

The U.S. Copyright Office has also issued guidance for public schools that more clearly defines certain classroom uses of different types of works that will be considered “fair use.” These uses are listed below by type of work.

A. Print Materials

1. Permissible Uses

- a. A single copy of the following made for use in teaching or in preparation to teach a class:
 - i. A chapter from a book;
 - ii. An article from a periodical or newspaper;
 - iii. A short story, short essay or short poem, whether or not from a collective work; and
 - iv. A chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper.

- b. Multiple copies made for classroom use (not to exceed one copy per student in a course) from the following:
 - i. A complete poem, if it has fewer than 250 words and does not exceed two printed pages in length, or an excerpt of not more than 250 words from a longer poem;
 - ii. A complete article, story or essay of less than 2,500 words;
 - iii. Prose excerpts not exceeding 10 percent of the whole or 1,000 words, whichever is less;
 - iv. One chart, graph, diagram, cartoon or picture per book or per issue of a periodical; and
 - v. An excerpt from a children's book containing up to 10 percent of the words found in the text and not more than two printed pages of the published work.
- c. One transparency for classroom instruction may be made from consumable materials such as workbooks, exercises, activity sheets, etc.
- d. All permitted copying must include appropriate credits, including the author, title, date, copyright notice and any other pertinent information.

2. Prohibited Uses

- a. More than one work or two excerpts from a single author copied during one class term;
- b. More than three works from a collective work or periodical volume copied during one class term;
- c. More than nine sets of multiple copies made for distribution to students in one class term;
- d. Copies made to create, replace or substitute for purchasing anthologies or collective works;
- e. Copies made of "consumable" works, such as workbooks, exercises, standardized tests and answer sheets (except as noted in A.3 above);
- f. The same work copied from term to term;
- g. The same material copied for more than one particular course, or copied every time a particular course is offered, unless permission is obtained from the copyright owner;
- h. Copies made when there is sufficient time prior to the intended use to obtain permission from the copyright owner; and
- i. No charges may be made to students beyond the actual cost of photocopying.

B. Computer Software

1. General Rules

- a. All software is protected by copyright law. Any unauthorized copying of software is illegal and may subject the copier to substantial civil or criminal penalties.
- b. All software purchased for use in the school unit must be approved by [insert appropriate person/entity]. Only the Superintendent [and/or other authorized personnel] may obtain and sign software licensing agreements and duplication rights agreements. All terms of such licensing/duplication agreements must be observed by all school unit employees and students.
- c. Software purchased by the school unit for classroom, lab, media center and office use remains the property of the school unit and may be used only in school-sponsored programs and activities.

- d. The Technology Coordinator [or other authorized personnel] is responsible for reviewing and supervising compliance with all software license agreements. The Technology Coordinator [or other authorized personnel] shall retain all license agreements and modifications thereto.

2. Permissible Uses

- a. One archival (back-up) copy of copyrighted software may be made by authorized employees (unless a licensing agreement prohibits copying for any purpose);
- b. Software may be used on a networked computer system as authorized by the license or if written permission is obtained from the owner;
- c. Software may be loaded on multiple equipment to the extent authorized by the license or if written permission has been obtained from the owner; and
- d. Preview software may be evaluated for a reasonable evaluation period before being purchased or returned.

3. Prohibited Uses

- a. Illegal copies of copyrighted software programs made or used on school equipment;
- b. Copies made of preview software;
- c. Use of software on a networked computer system not intended for network use without written permission from the owner;
- d. Loading software onto multiple machines when such software is not specifically licensed for multi-loading without written permission from the owner;
- e. Multiple copies made of copyrighted software (beyond an authorized archival copy);
- f. Making any unlicensed copies of printed documentation accompanying copyrighted software;
- g. Making unlicensed copies of software for sale, loan, transmission or gift to other users;
- h. Downloading pirated copies of software; and
- i. Copies made of locally produced adaptations or modifications of copyrighted software for any purpose.

Any employee or student who becomes aware of unauthorized copying of school software shall inform the Technology Coordinator [or other authorized personnel].

C. Internet

The rights of the owner of copyrighted material on the Internet are the same as the rights of the owner of traditional materials. Unless there is a clear statement that art, photos, text and sounds are in the “public domain” and available for free use, or use in accordance with the terms of the permission, it should be assumed that the material is copyrighted. All the criteria for “fair use” apply to works on the Internet just as they apply to other materials, although staff should ensure that materials on a website were lawfully acquired by that site. The ease of copying materials from the Internet should not be used as an excuse for violating copyrights.

D. Off-Air Television Recording

1. Permissible Uses

- a. Off-air recordings may be made only at the request of and used by individual teachers;
- b. Off-air recording of broadcast programs available to the general public without charge may be made and retained for a period not to exceed 45 calendar days after the date of recording. The following additional requirements must also be met:
 - i. The recording may be used once by the individual teachers in the course of relevant teaching activities and repeated once during the first 10 consecutive school days in the 45-day retention period.
 - ii. Following the first 10 consecutive school days, the recording may only be used for teacher evaluation purposes (i.e., to determine whether the broadcast program should be included in the curriculum).
 - iii. Following the 45-day retention period, the recording must be erased or destroyed immediately unless written permission is obtained from the copyright owner to keep and use the program in teaching/learning activities.
- c. A limited number of copies may be produced from each off-air recording to meet the legitimate educational needs of teachers. Such copies are subject to the same guidelines as the original copy.
- d. An off-air recording need not be used in its entirety, but the recording may not be altered, edited, combined or merged. All copies must include the copyright notice of the broadcast program.

2. Prohibited Uses

- a. Recording broadcast programs in anticipation of requests;
- b. Recording broadcast programs when there is sufficient time prior to the scheduled program to obtain permission from the copyright owner;
- c. Recording programs from pay/satellite television channels (HBO, Cinemax, Disney, etc.);
- d. Using or retaining recordings beyond the 45-day retention period without written permission;
- e. Recording the same program more than once for the same teacher (regardless of how many times the program may be broadcast); and
- f. Altering the program from the original content in any way (although the entire program need not be viewed)

E. Use of Pre-Recorded Videos

Pre-recorded videos include commercially available videos marked “For Home Use Only” (such as feature films), including VHS tapes, DVD disks, filmstrips, videos streamed from personal accounts like Netflix, etc.

1. Permissible Uses

- a. Pre-recorded videos may be used in “face-to-face instruction” provided that the viewing utilizes a lawfully-made copy rented or purchased by the school unit.

2. Prohibited Uses

- a. Videos may not be used for entertainment, filler, assemblies, fundraising, public viewing, or any other purpose without written permission of the copyright owner [and permission of the building administrator].
- b. Videos may not be used when a written contract specifically prohibits use in classroom or direct instruction situations.
- c. Videos may not be borrowed from individuals or other schools.
- d. Videos may not be copied.

F. Music and Theater Performances

Prior written permission must be obtained whenever copyrighted plays and musical numbers are to be performed or whenever copyrighted music is used as part of a performance.

G. Music Used for Educational Purposes

1. Permissible Uses

- a. Emergency copies to replace purchased copies which for any reason are not available for an imminent performance provided that purchased replacement copies shall be substituted in due course.
- b. For academic purposes other than performance, multiple copies of excerpts of works may be made provided that:
 - i. The excerpts do not constitute a performable unit (section, movement or aria) or more than 10 percent of the entire work;
 - ii. No more than one copy per student in the class is made; and
 - iii. The copyright notice appears on the copies.
- c. For academic purposes other than performance, a single copy of an entire performable unit (section, movement or aria) may be made by the teacher for scholarly research or in preparation to teach a class provided that:
 - i. The work is confirmed by the copyright owner to be out of print;
 - ii. The work is unavailable except in a larger work; and
 - iii. The copyright notice appears on the copy.
- d. Printed copies that have been purchased may be edited or simplified provided that the fundamental character of the work is not distorted. Lyrics may not be altered or added, if none exist.
- e. A single copy of recordings of performances by students may be made for evaluation or rehearsal purposes and may be retained by the school unit or an individual teacher.
- f. A single copy of a sound recording (album, tape, cassette or CD) or copyrighted music may be made from sound recordings owned by the school unit or an individual teacher for the purpose of constructing aural exercises or examinations. The copy may be retained by the school unit or an individual teacher.
 - i. This pertains only to the copyright of the music itself and not to any copyright which may exist in the sound recording.

2. Prohibited Uses

- a. Copy to create, replace or substitute for purchasing anthologies, collective works and compilations;
- b. Copy “consumable” works, such as workbooks, exercises, standardized tests and answer sheets;

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- c. Copy for the purpose of performance (except as noted in A.1); and
- d. Copy to substitute for the purchase of music (except as noted in A.1-2).

Cross Reference: EGAD – Copyright Compliance

Legal Reference: 17 U.S.C. § 101 et seq.

P.L. 107-273 (The TEACH Act of 2002)

Copyright Circular 21 – Reproduction of Copyrighted Works by Educators and Librarians

[DWM NOTE: Modifications to this sample should be made in consultation with legal counsel. All annotations and notes should be removed prior to policy adoption.]

USE OF SOCIAL MEDIA BY SCHOOL EMPLOYEES

The Board recognizes that social media platforms have become important means of communication with potential pedagogical value. This policy sets forth expectations for school employees in regard to social media use for school-related and personal purposes. Employees are expected to preserve the integrity of the learning environment in their use of social media, and must maintain professional boundaries with students at all times.

"Social media" includes technology and/or Internet-based tool(s) for communicating or sharing information, opinions and ideas with others, including but not limited to websites, blogs, forums, social networking platforms, image sharing applications and news sites.

A. Approval Procedure

A school employee who desires to use social media for school-related purposes shall submit a proposal and request for approval to their building administrator or supervisor. Proposals for the school-related use of social media should include an articulated educational purpose and be appropriate to the students' ages, level(s) of understanding, and range(s) of knowledge. Use of social media with students is limited to grades seven and higher. Any student under 13 needs parent/guardian permission to access approved social media.

The building administrator or supervisor may request additional information prior to making a decision on a proposal. The building administrator or supervisor may also consult with the Superintendent or others as appropriate in evaluating the request.

The building administrator or supervisor may take one of the following actions:

1. Approval;
2. Approval with required modifications;
3. Denial.

The decision of the building administrator or supervisor shall be in writing and the decision is final. The building administrator or supervisor may withdraw approval for the use of social media at any time for good reason, with appropriate notice to the employee.

Any later modifications to a proposal that has already been approved must be submitted to the building administrator or supervisor and approved prior to implementation.

Approved proposals for the school-related use of social media must be resubmitted annually by September 30th for review. If an employee discontinues their use of approved social media, the building administrator or supervisor must be notified.

B. Terms of Use

The school-related use of social media approved in accordance with this policy is subject to the following terms and conditions:

1. Content on approved social media shall at all times comply with school unit policies, procedures and guidelines as well as with any applicable state and federal laws (including confidentiality laws).
2. The responsible school employee shall monitor any student use of approved social media and shall remove content that violates school unit policies, procedures or guidelines, and/or state or federal laws. Any inappropriate use of approved social media shall be reported to the building principal/supervisor.
3. The school unit may monitor any approved social media for compliance with applicable Board policies/procedures, other school rules, and laws.

C. Personal Use of Social Media

Employees must keep their professional social media presence separate from their personal social media. Employees shall not use work time, school unit technology or equipment, or their work-issued email address/contact information for personal use of social media.

School employees are prohibited from “friending” students or engaging in any other interactions with students on social media (outside of any school-approved activity).

School employees are expected to exhibit professional decorum on social media and not engage in conduct that violates Board policies, procedures and guidelines; which adversely affects their capacity to serve as a role model for students; or which distracts from or disrupts the educational process or the operations of the schools.

Violations of this policy may result in the withdrawal of approval to utilize social media for school purposes and/or disciplinary action, depending on the circumstances of each case.

D. School Administrator Use of Social Media

Like employees and Board members, school administrators (such as the Superintendent, a Principal, the Special Education Director, etc.) shall have no authority to speak on behalf of [School Unit] unless specifically designated to do so. Where no such authority exists, school administrators shall make it clear that they are speaking in their individual capacity when posting or engaging in other activity on social media related to school business by doing the following:

- Posting in a clear and conspicuous place on their own social media pages the following language if the page includes posts or other activity related to school business:
 - “The views expressed on this page and all posts and other activity (including, but not limited to, responding to posts and comments, blocking visitors, and liking posts and/or comments), including any related to school business, are my own and are

not being undertaken on behalf of, and do not necessarily represent the views of, [School Unit] or its [Board of Directors/School Committee]. [School Unit] and its [Board of Directors/School Committee] have not endorsed or approved this page or its content or other activity.”

- Posting the following language with any social media post related to school business:
 - “The views expressed in this post are my own and are not being posted on behalf of, and do not represent the views of, [School Unit] or its [Board of Directors/School Committee]. [School Unit] and its [Board of Directors/School Committee] have not endorsed or approved this post or its content.”

Legal Reference: 20-A M.R.S.A. §§ 6001-6002
20 U.S.C. § 1232g

Cross References: GCSA/GCSA-R – Employee Use of School-Issued Computers/Devices and the Internet
GBEB – Staff Conduct with Students
IJNDB/IJNDB-R – Student Use of School-Issued Computers/Devices and the Internet
IJND/IJND-R – School Website and Social Media

RSU #63

- a. NEPN/NSBA Code: GCSA
- b. Title: Employee Use of School-Issued Computers, Devices, and the Internet
- c. Author:
- d. Replaces Policy:
- e. Date Approved: 01/23/2017 RSU #63
- f. Previously Approved: 01/23/2017 02/29/2016
- g. Policy Expiration: Review as Needed
- h. Responsible for Review: Technology Committee/Policy Committee
- i. Date Reviewed: 03/13/2018 Technology Committee
04/03/2018 Policy Committee
- j. References:
- k. Narrative:

Computers, networks, and Internet ~~services access~~, including third-party services like Google Workspace for Education and Zoom, are provided within RSU #63 (the District) to support the educational mission of the district and to enhance the curriculum and learning opportunities for students and school staff. This policy, and the accompanying rules, also applies to other school devices issued directly to staff (such as laptops and iPads) whether in use at school or off school premises. Employees are allowed to use privately owned computers at school with prior authorization, provided they comply with this policy and the accompanying rules.

- I. Personal Use of District Computers: District computers/devices, networks, and Internet services are provided for purposes related to school programs, operations, and performance of employee job responsibilities. Incidental personal use of district computers/devices is permitted as long as such use:
 - A. Does not interfere with an employee’s job responsibilities and performance;
 - B. Does not interfere with system operations or other system users; and
 - C. Does not violate this policy and the accompanying rules, any Board policy/procedure, or school rules.“Incidental personal use” is defined as use by an individual employee for occasional personal communications that do not interfere or conflict with her/his job responsibilities.
- II. Policy and Rules are Mandatory: Compliance with this policy and its accompanying rules concerning computer/device use is mandatory. An employee who violates this policy and/or any rules governing the use of District computers/devices, network, and/or internet services shall ~~will~~ be subject to disciplinary action, up to and including termination. Illegal uses of District computers/devices, network, and/or internet services will also result in referral to law enforcement.

III. Filtering Technology: The District utilizes Internet filtering technology designed to block access to child and adult pornography and materials considered obscene or harmful to minors.

IV. No Right to Privacy: The District computers/devices remain under the control, custody, and supervision of the District at all times. The District reserves the right to monitor all computer/device and Internet activity by employees, whether on or off school premises. Employees have no expectation of privacy in their use of school computers/devices, network, and Internet services.

V. Notification of Policy and Rules: Employees will be informed of this policy and the accompanying rules through handbooks, the district website, and their understanding verified by a district-approved method.

VI. Implementation and Rules: The Superintendent or her/his designee is responsible for implementing this policy and the accompanying rules. Additional administrative procedures or rules governing the day-to-day management and operations of District computers/devices and network may be implemented, consistent with Board policies and rules.

VII. Employee Computer/Device and Internet Use Rules: Each employee is responsible for her/his actions and activities involving the District computers/devices, networks, and Internet services, and for her/his computer files, passwords, and accounts. These rules provide general guidance concerning the use of the District computers/devices 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 Coordinator.

A. Access to the District Computers/Devices and Acceptable Use

1. The level of employee access to the District computers/devices, networks, and Internet services is based upon specific job requirements and needs. Unauthorized access to secure areas of the District computers/devices and networks is strictly prohibited.
2. All Board policies, school rules, and expectations for professional conduct and communications apply when employees are using the District computers/devices, networks, and Internet services, whether in use at school or off school premises.

B. Prohibited Uses

The District assumes no responsibility for illegal activities while using its computers/devices. Examples of unacceptable uses of the District computers/devices that are expressly prohibited include, but are not limited to, the following:

1. Any use that is illegal or violates this policy and/or other Board policies, procedures, or school rules, including harassing, discriminatory, threatening, bullying/cyber bullying communications and behavior; violations of copyright laws, or software licenses; etc. **The District assumes no responsibility for illegal activities of employees while using school computers/devices, network, and/or internet service.**
2. Any attempt to access unauthorized websites or any attempt to disable or circumvent the District filtering/blocking technology. Employees who believe filtering should be disabled or made less restrictive for their own temporary, bona fide research, or other lawful purpose should discuss the matter with their building administrator.
3. Any use involving materials that are obscene, pornographic, sexually explicit or sexually suggestive, harmful to minors, or intended to appeal to prurient interests.
4. Any communications with students or minors for non-school-related purposes.
5. Downloading “apps” **or using or encouraging students to use other online educational services** without prior authorization from the Technology Coordinator or building administrator.
6. Any use for private financial gain, advertising, or solicitation purposes.
7. Any sending of email or other messages to groups of district employees (except in the performance of their duties as district employees) without the permission of the building administrator or Superintendent. Prohibited uses of the email system also include, but are not necessarily limited to:
 - a. Solicitation of membership in any non-district-sponsored organization;
 - b. Advocacy or expression by or on behalf of individuals or non-school-sponsored organizations or associations;
 - c. Political or religious purposes;
 - d. Raising funds for non-school-sponsored purposes, whether profit-making or not-for-profit;
 - e. Selling articles or services of any kind, advertising or promoting any kind of business; or
 - f. Any communications that represent an employee’s views as those

of the district or that could be misinterpreted as such.

8. Any communication that represents an employee's personal views as those of the district or that could be misinterpreted as such.
9. Sending mass emails to district users or outside parties for any purposes without the permission of the Technology Coordinator or building administrator.
10. Sharing passwords or other login information (except with authorized school employees); using other users' passwords and/or login information; accessing or using other users' accounts; or attempting to circumvent network security systems.
11. Any malicious use, damage or disruption of the districts' computers/devices, networks, and internet services; any breach of security features; any failure to report a security breach; or misuse of computer passwords or accounts (the employee's or those of other users).
12. Any attempt to delete, erase, or otherwise conceal any information stored on a district computer/device that violates these rules or other Board policies or school rules, or refusing to return computer/devices or related equipment issued to the employee upon request.
13. Refusing to return computers/devices or related equipment issued to the employee upon request.
14. Failure to comply with the District's record retention requirements for electronic records, including failure to comply with a request to preserve documents.

C. 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 and is not disclosed, used, or disseminated without proper authorization.

D. Employee/Volunteer Responsibility to Supervise Student Computer/Device Use

1. Employees and volunteers who use district computers with students for instructional purposes have a duty of care to supervise such use and to enforce the district's policies and rules concerning student computer and Internet use. When, in the course of their duties, employees or volunteers become aware of a student violation, or have a concern about student safety on the Internet, they are expected to stop the activity and inform the

building administrator.

2. Any allowed student use of direct electronic communication must be closely monitored.

E. Compensation for Losses, Costs, and Damages

An employee is responsible for compensating the District for any losses, costs, or damages incurred for violation of Board policies and/or school rules while the employee is using the District computers/devices, including the cost of investigation such violations. The District assumes no responsibility for any unauthorized charges or costs incurred by the employee while using the District computers.

F. Google Workspace for Education

The District will, at its discretion, create Google Workspace for Education accounts for eligible employees. Good Workspace features will be enabled on a user-by-user basis at the discretion of the Technology Coordinator. Use of Google Workspace is subject to Google's Acceptable Use Policy (available upon request from the Technology Coordinator), and all other District policies, procedures, and rules. Employees must, at all times, take reasonable measures to protect files and information in Google Workspace, including, but not limited to, not sharing passwords and following all security and access rules.

RSU #63

- a. NEPN/NSBA Code: JICK
- b. Title: Bullying & Cyberbullying
- c. Author: Superintendent/Board of Directors
- d. Replaces Policy:
- e. Date Previously Approved: 10/26/2015
- f. Date Approved: 10/26/2015 ~~05/22/2017~~ RSU #63
- g. Policy Expiration: Review as Needed
- h. Date Reviewed: 05/01/2017 Superintendent
05/01/2017 Policy Committee
- i. Responsible for Review: Superintendent /Policy Committee
- j. References: 20-A M.R.S.A. § 1001(15)(H), § 6553, § 6554
- k.

Cross References: Policies: AC-Nondiscrimination, Equal Opportunity
ACAA-Harassment & Sexual Harassment of Students
ACAD-Hazing
ADF-School District Commitment to Learning Results
JI-Student Rights & Responsibilities
JICC-Student Conduct on Buses
JICIA-Weapons, Violence, & School Safety
JK-Student Discipline
JKD-Suspension of Students
JKE-Expulsion of Students
JIC-Student Code of Conduct

l. Narrative:

All students have the right to attend public schools that provide physically and mentally safe and secure learning environments. It is the intent of the RSU 63 School Board (the Board) to provide all students with equitable opportunities to learn. To that end, the Board has a significant interest in providing a safe, orderly, and respectful school environment that is conducive to teaching and learning.

Bullying **and other forms of peer mistreatment** ~~are of any sort~~ is detrimental to the school environment and student learning, achievement, and well-being. It interferes with the mission of the schools to educate their students and disrupts the operations of the schools. Bullying **and other forms of peer mistreatment** affects not only students who are targets, but also those who participate and witness such behavior. It is the Board's intention that such behaviors be addressed to ensure student safety and an inclusive environment.

It is not the Board's intent to prohibit students from expressing their ideas, including ideas that may offend the sensibilities of others or from engaging in civil debate. However, the Board does not condone and will take action in response to conduct that interferes with students' opportunities to learn, with the educational mission of RSU #63, and with the operation of the schools.

- I. Prohibited Behavior:** The following behaviors are prohibited:
- A. Bullying,
 - B. Cyberbullying,
 - C. Harassment and Sexual Harassment (as defined in Policy ACAA),
 - D. Retaliation by action or gesture against those asserting or alleging an act of bullying, and
 - E. Making a report of bullying that is not made in good faith.

Any person who engages in any of these prohibited behaviors shall be subject to consequences.

II. Bullying & Cyberbullying Defined

“Bullying” and “Cyberbullying” have the same meaning in this policy as in Maine law:

- A. **Bullying** includes, but is not limited to a written, oral, or electronic expression or a physical act or gesture or any combination thereof directed at a student(s) that:
 - 1. Has, or a reasonable person would expect it to have, the effect of:
 - a. Physically harming a student or damaging a student’s property; or
 - b. Placing a student in reasonable fear of physical harm or damage to the student’s property.
 - OR
 - 2. Interferes with the rights of a student by:
 - a. Creating an intimidating or hostile educational environment for the student; or
 - b. Interfering with the student’s academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school.; or
 - OR
 - 3. Is based on a student’s actual or perceived race, color, national origin, ancestry, religion, physical or mental disability, gender (including gender identity and gender expression), sexual orientation, or any other distinguishing characteristic, or is based on a student’s association with a person with one or more of these actual or perceived characteristics, and has the effect described in subparagraph 1 or 2 above. (These behaviors may also meet the criteria for harassment as defined in Board Policy ACAA: Harassment and Sexual Harassment of Students.)

4. Examples of conduct that may constitute bullying include, but are not limited to:
 - a. Repeated or pervasive taunting, name-calling, belittling, mocking, put-downs, or demeaning humor;
 - b. Behavior that is intended to harm someone by damaging or manipulating his or her relationships with others, including but not limited to gossip, spreading rumors, and social exclusion;
 - c. Non-verbal threats and/or intimidations such as use of aggressive, menacing, or disrespectful gestures;
 - d. Threats of harm to a student, to his/her possessions, or to other individuals, whether transmitted verbally or in writing;
 - e. Blackmail, extortion, demands for protection money, or involuntary loans or donations;
 - f. Blocking access to school property or facilities;
 - g. Stealing or hiding books, backpacks, or other possessions;
 - h. Stalking; and
 - i. Physical conduct or injury to another person or his/her property.

~~**B.** For the purpose of this policy, bullying does not mean mere teasing, put-downs, “talking trash,” trading of insults, or similar interactions among friends, nor does it include expression of ideas or beliefs so long as such expression is not lewd, profane, or interfere with students’ opportunities to learn the instructional program, or the operations of the schools. *This does not preclude teachers or school administrators from setting and enforcing rules for civility, courtesy, and/or responsible behavior in the classroom and school environment.*~~

~~**C.** The determination whether particular conduct constitutes bullying requires reasonable consideration of the circumstances, which include the frequency of the behavior at issue, the location in which the behavior occurs, the ages and maturity of the students involved, the activity or context in which the conduct occurs, and the nature and severity of the conduct.~~

D. Cyberbullying means bullying through the use of technology or any electronic communication, including, but not limited to, a transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted by the use of any

electronic device including, but not limited to, a computer, telephone, cellular telephone, text messaging device or personal digital assistant.

Examples of conduct that may constitute cyberbullying include, but are not limited to:

1. Posting slurs or rumors or displaying any defamatory, inaccurate, disparaging, violent, abusive, profane, or sexually oriented material about a student on a website or other online application;
 2. Posting misleading or fake photographs or digital video footage of a student on websites or creating fake websites or social networking profiles in the guise of posing as the target;
 3. Impersonating or representing another student through the use of that other student's electronic device or account to send e-mail, text messages, instant messages (IM), or phone calls;
 4. Sending e-mail, text messages as to bombard the target's e-mail account, IM account, or cell phone; and
 5. Using a camera phone, or digital video camera to take and/or send embarrassing or "sexting" photographs of other students.
- E.** "Retaliation" means an act or gesture against a student for asserting or alleging an act of bullying. It also includes reporting an act of bullying when it is not made in good faith, meaning the reporting student was reporting something he/she did not believe to be true or accurate.
- F.** "Substantiated" means that the outcomes of the investigation on the Responding Form provides clear evidence to prove that bullying or cyberbullying, as defined in policy, did occur.
- G.** "Alternative Discipline" means disciplinary action other than suspension or expulsion from school that is designed to correct and address the root causes of a student's specific misbehavior while retaining the student in class or school, or restorative school practices to repair the harm done to relationships and persons from the student's misbehavior.

III. Application of Policy

- A.** This policy applies to any student, school employee, contractor, visitor or volunteer, who engages in conduct that constitutes bullying, cyberbullying or retaliation, all of whom have the responsibility of complying with this policy.

1. In the case of an organization affiliated with RSU #63 that authorizes rescission of permission for that organization to operate on school property or receive any other benefit of affiliation with RSU #63.
 2. These penalties shall be in addition to any other civil or criminal penalty to which the violator or organization may be subject.
- B.** This policy applies to bullying that:
1. Takes place at school or on school grounds, meaning: a school building; property on which a school building or facility is located; and property that is owned, leased, or used by a school for a school-sponsored activity, function, program, instruction, or training. "School grounds" also includes school-related transportation vehicles;
 2. Takes place while students are being transported to or from schools or school-sponsored events;
 3. Takes place at any school-sponsored event, activity, function, program, instruction or training; or
 4. Takes place elsewhere or through the use of technology, but only if the bullying also infringes on the rights of the student at school as set forth in this policy's definition of bullying.

IV. Reporting

Bullying or suspected bullying and cyberbullying or suspected cyberbullying is reportable in person or in writing (including anonymously) to school personnel.

- A.** School staff, coaches, and advisors for extracurricular and co-curricular activities are required to report incidents of bullying & cyberbullying to the school principal or other school personnel designated by the superintendent. Any other adult working or volunteering in a school will be encouraged to promptly report an observed or alleged/suspected incident of bullying to the building principal or school personnel designated by the Superintendent.
- B.** Students who **are believed to** have been bullied or are aware of incidents of bullying and/or cyberbullying are strongly encouraged to report this behavior to a staff member or school administrator.
- C.** Parents and other adults who **believe that an** ~~are aware of~~ incidents of bullying and/or cyberbullying **has occurred** are strongly encouraged to report this behavior to a staff member or school administrator. A reporting form is available on RSU #63's website under Quick Links. Samples are attached to this policy for reference. This form can be completed and submitted anonymously.

- D. Acts of reprisal or retaliation against any person who reports an incident of bullying and/or cyberbullying are prohibited. Any student who is determined to have falsely accused another of these actions shall be subject to disciplinary consequences.

V. Responding

The school principal or a Superintendent's designee will:

- A. Promptly investigate and respond to all allegations of bullying and/or cyberbullying behavior;
- B. Keep written documentation of all allegations of these referenced behaviors and outcomes of the investigations, and report substantiated incidents to the Superintendent;
- C. Inform parent(s) or guardian(s) of the student(s) who was alleged to have bullied AND of the student(s) who was believed to have been bullied that a report of an alleged incident of bullying has been made;
- D. Communicate to the parent(s) or guardian(s) of a student(s) who was believed to have been bullied the measures being taken to ensure the safety of the student(s) who was believed to have been bullied and to prevent further acts of bullying;
- E. Inform parent(s) or guardian(s) of the students involved the findings of the investigation and actions to be taken;
- F. Communicate with local or state law enforcement agency if it's believed that the pursuit of criminal charges or a civil action under the Maine Civil Rights Act may be appropriate.

VI. Remediation

The school principal or Superintendent's designee will:

- A. Identify the specific nature(s) of the incident;
- B. Apply disciplinary actions, which included but are not limited to, imposing a series of graduated consequences that include alternative discipline. In determining the appropriate response to students who engage in these referenced behaviors, school administrators should consider the type of behaviors, the frequency and/or pattern of behaviors, and other relevant circumstances. Alternative discipline includes, but is not limited to:
 - 1. Meeting with the student and the student's parents/guardians;

2. Reflective activities, such as requiring the student to write an essay about his/her misbehavior;
 3. Mediation, but only when there is mutual conflict between peers, rather than one-way negative behavior, and both parties voluntarily choose this option;
 4. Counseling, which can include anger management, health counseling, intervention, and/or mental health counseling;
 5. Participation in skills building and resolution activities, such as social-emotional cognitive skills building, resolution circles, and restorative conferencing;
 6. Community service;
 7. In-school detention, which may take place during lunchtime, after school, or on weekends; and
 8. Suspension from school on a graduated basis (such as one school day up to a week or more if all else has failed) or expulsion.
- G.** Remediate any substantiated incident of bullying to counter the negative impact of the bullying and reduce the risk of future bullying incidents, which may include referring the target, perpetrator, or other involved persons to counseling or other appropriate services.
- H.** Communicate to the parent/guardian of a student who has been subjected to any of these referenced behaviors what measures are being taken to ensure the safety of the student and to prevent further acts. If necessary, a safety plan will be developed for the target student to assure a safe and secure environment.
- I.** Communicate to the parent/guardian of the student/responsible party who has been doing the referenced nature of behavior the form of discipline being taken, and the consequences if the unacceptable behavior continues, as well as the policy regarding retaliation.
- J.** Communicate with a local or state law enforcement agency if the school principal or the superintendent's designee believes the pursuit of criminal charges or a civil action under Maine's Civil Rights Act may be appropriate.
- VI.** Parents/guardians and students have a right to appeal a decision of the school principal or superintendent's designee for taking or not taking disciplinary action in accordance with this policy.

- A. The first level of appeal must be submitted in writing to the superintendent. It must include the nature of the referenced behavior, any action(s) taken or not taken by the school principal or superintendent designee, any subsequent referenced behavior that occurred, the dates and methods used to communicate the on-going problem to the school principal/superintendent designee, and any subsequent action or lack thereof by the school principal/superintendent designee. The parent/guardian will include what action(s) they believe should be taken. The written appeal will be directed to the superintendent, who will schedule a meeting with the various parties after reviewing the appeal and any documentation retained by the school principal/superintendent designee since first being advised of the problem.
- B. If the parent/guardian is dissatisfied by subsequent actions taken (or not taken) by the superintendent, the parent/guardian may submit an appeal to the Board.
- C. The full Board will meet with the parents/guardians, involved students, and superintendent in a private meeting in an attempt to resolve the matter. The decision of the Board will be final.

VII. Assignment of Responsibility

- A. The School Board is responsible for:
 - 1. Annually providing written versions of this policy and related procedures to students, parents, volunteers, administrators, teachers, and school staff.
 - 2. Posting this policy and related procedures on RSU #63's website and on publicly accessible sites within the schools.
 - 3. Including a section in student handbooks that addresses in detail this policy and related procedures.
- B. The Superintendent is responsible for:
 - 1. Oversight, implementation, and enforcement of this policy **and its procedures;**
 - 2. Designating a school principal, or other school personnel, to administer the policies at the school level;
 - 3. Developing a procedure for publicly identifying the superintendent's designee or designees for administering the policies at the school level;
 - 4. **Ensuring that the prohibition on bullying and retaliation and the attendant consequences apply to any student, school employee, contractor, visitor or volunteer who engages in conduct that constitutes**

bullying or retaliation; ~~Developing procedures to implement the requirements for reporting and responding to referenced behaviors under Sections IV and V of this policy or delegating that responsibility to principals or designees;~~

5. Ensuring any contractor, visitor, or volunteer who engages in referenced behaviors is barred from school grounds until the superintendent is assured that the person will comply with the policies of the Board;
6. Ensuring that any organization affiliated with the school that authorizes or engages in referenced behaviors or retaliation forfeits permission for that organization to operate on school grounds or receive any other benefit of affiliation with the school;
7. Providing professional development and staff training in the best practices in prevention of referenced behaviors and harassment and implementation of this policy; and
8. Filing RSU #63's policies to address bullying & cyberbullying with the state Department of Education.
9. **Ensuring that substantiated incidents of bullying and cyberbullying are reported to the Maine Department of Education on at least an annual basis.**

RSU 63 Bullying and Cyberbullying Reporting Form - JICK-E1

Bullying or suspected bullying is reportable in person or in writing (including anonymously) to school personnel.

Upon completion of this form, or when providing a verbal report, submit to principal or school counselor.

Today's Date: _____

Date the alleged incident of bullying being reported: _____

Person(s) reporting the alleged incident(s) of bullying (this is optional as reports can be made anonymously, except when reported by staff, coaches and advisors):

Name: _____

Relationship to Student: _____

Contact information of person reporting (optional):

home or work phone: (____) _____ Cell phone: (____) _____

email: _____

home address: _____

Person(s) completing this form (if different than person listed above and not anonymously reporting): _____

Details

Name /Grade of student(s) who is believed to have been bullied:

Name /Grade of the student(s) or adult(s) who is alleged to have bullied:

What is happening? Please provide a description of incident(s) as well as date(s), time(s), and location(s) and any supporting documentation:

(use additional pages, if needed)

Were there any witnesses? yes no

If so, please provide names of witnesses to be contacted during the investigation:

I agree that the information on this form is accurate and true to the best of my knowledge and belief.

Signature of person reporting (optional) Date: _____

Does either student have a 504 plan? _____

Does either student have an IEP? _____

If yes to either of the above questions, please refer to the student's 504 plan or IEP and consult with the Director of Special Services.

Received By: _____ Date: _____
Signature of Principal

Received By: _____ Date: _____
Signature of Counselor

(If Applicable)
Received By: _____ Date: _____
Signature of Director of Special Services

Outcome of Investigation:

Actions Taken:

As Determined By: _____ Date: _____ and
Signature of Principal

As Determined By: _____ Date: _____
Signature of Counselor **

**If bullying/harassment is determined to have taken place, complete RSU 63 Bullying and Cyberbullying Remediation Form (JICK - E3) and submit copy to superintendent.

RSU 63 Bullying and Cyberbullying Remediation Form (JICK -E3)

The intent of remediating a substantiated incident of bullying is to counter the negative impact of bullying and to reduce the risk of future bullying incidents.

This remediation is in reference to the alleged incident of bullying reported on:

Name of student who was found to have bullied (do not report name of student or any personally identifying information to the Maine Department of Education):

Delineate the specific nature(s) of the incident:

- _____ Cyberbullying
- _____ Electronic expression
- _____ Physical act or gesture
- _____ Retaliation
- _____ Verbal/Oral
- _____ Written

Alternative discipline imposed for this student (actions taken):

- _____ Meeting with the student and the student's parent(s) or guardian(s)
- _____ Reflective activities, such as requiring the student to write an essay about their misbehavior
- _____ Counseling
- _____ Participation in skills building and resolution activities, such as social emotional cognitive skills building, resolution circles and restorative conferencing
- _____ Community service

Please describe:

The student received/will receive the following discipline actions (consequences):

- _____ Detention
- _____ Weekend Detention
- _____ In-school suspension
- _____ Out-of-school suspension
- _____ Expulsion/Recommended for expulsion

Additional details of disciplinary actions taken: _____

Was the student referred to law enforcement? yes no

Outcome(s): _____

**[DOCUMENTATION OF ALL REMEDIATION ACTIONS MUST RESPECT
CONFIDENTIALITY OF STUDENT INFORMATION AS PROVIDED BY FEDERAL
AND MAINE LAW AND REGULATIONS]**

Signature of principal Date: _____

Copy to Superintendent on: _____
Date

Copy received: _____ Date: _____
Signature of Superintendent

**This substantiated incident of bullying was reported to the Maine Department of
Education *without personally identifying information***

on: _____ initialed by: _____

RSU #63

- a. NEPN/NSBA Code: JICK-R
- b. Title: Bullying & Cyberbullying-Administrative Procedures
- c. Author:
- d. Replaces Policy:
- e. Date Previously Approved:
- f. Date Approved: 05/22/2017 RSU #63
- g. Policy Expiration: Review as Needed
- h. Date Reviewed: 05/01/2017
Superintendent/Curriculum Committee
05/01/2017 Policy Committee
- i. Responsible for Review: Superintendent & Policy Committee
- j. References: 20-A MRSA § 1001 (15)(H), § 6553, § 6554
- k. Narrative:

The RSU 63 School Board (the Board) directs all responsible district parties to report any cases of observed or suspected bullying and/or cyberbullying as soon as possible utilizing the following procedures:

- I. **Step 1.** Any student who believes he/she has been the target of bullying, cyberbullying, or harassment should report the issue to a staff member. An incident report (JICK E-1) must be completed, in person or in writing (including anonymously through our website). Upon completing the Report, or when providing a verbal report, submit the form to the building principal or school counselor.
- II. **Step 2.** When the school counselor and/or principal determines a student is bullying another, the student will be called to meet with the school counselor and/or principal to review the district's policy and once again sign his/her acknowledgement and understanding of the policy. Parents/guardians will be notified and the incident will be documented.
- III. **Step 3a. – For the student who has been targeted,** the building principal and/or school counselor will:
 - A. Communicate to the parent/guardian what measures are being taken to ensure safety, and
 - B. Develop a safety plan, if necessary, for the target student to assure a safe and secure environment. The safety plan will be signed and dated by all parties. A copy will be filed with the affirmative action officer.

Step 3b. – For the bullying student /responsible party - If verified bullying or harassment continues, the designated administrator will initiate one or more of the following remediation steps:

- A. Meet with the student and the student’s parents/guardian to discuss the issue;
- B. Reflective activities such as requiring the student to write an essay about the student’s misbehavior;
- C. Mediation when there is mutual conflict between peers, rather than one-way negative behavior, and when both parties freely choose to meet;
- D. Referral to counseling;
- E. Participation in skills building and resolution activities such as social/emotional cognitive skills building, resolution circles, and/or restorative conferencing;
- F. Community service;
- G. In-school detention, which may take place during lunchtime, after school, or on weekends;
- H. Suspension from school on a graduated basis (such as one school day up to a week or more); and/or
- I. Expulsion.

IV. Step 4 - If verified bullying or harassment continues, the building principal and/or superintendent will meet with the student and parents/guardians. The student will serve a three-day suspension. The building principal and/or superintendent will fully explain the district’s expectations of the student’s behavior in writing, to which the student will agree, in writing, before the student is allowed to return to school.

V. Definitions:

- A. **Harassment** is unwanted, one-sided, and/or demeaning remarks or contact after being asked to STOP. It is illegal. If a person feels he/she is being harassed, asks the offender to stop and he/she doesn’t, the targeted person can seek legal action against the offender.

Examples of prohibited harassment are:

- 1. Sexual advances, gestures, comments, or contact
- 2. Threats
- 3. Offensive jokes
- 4. Ridicule, slurs, derogatory action or remarks regarding race, skin color, religion, ancestry, national origin, gender (including gender identity or

gender expression), sexual orientation, physical or mental disability, or other distinguishing characteristics

B. Bullying is defined as any physical act or gesture or any verbally, written, or electronically communicated expression that a reasonable person should expect will have the effect of:

1. Physically harming a student or damaging student property;
2. Places a student in reasonable fear of physical harm or damage to property;
3. Ridicule, slurs, derogatory action or remarks regarding race, skin color, religion, ancestry, national origin, gender (including gender identity or gender expression), sexual orientation, physical or mental disability or other distinguishing characteristics;
4. Substantially disrupts the instructional program or the orderly operations of school; or
5. Is so severe, persistent, or pervasive that it creates an intimidating, hostile educational environment for the student who is bullied.

VI. Student Rights:

A student has the right to attend school in an atmosphere free from intimidation, ridicule, hostility, and offensiveness. Students should not harass, bully, or intimidate other students. Harassment and bullying violate state and federal laws.

Meeting to Create a Student Safety Plan

The purpose of this meeting is to create a school safety plan for a student who does not feel safe in school. It is important that all parties understand and agree to the following points:

- The school and parent(s)/guardian(s) are working together to make sure the student feels safe in school. This is something we all want. We all agree on this. _____
- This is not about redressing the past or assessing blame for what did or did not happen. This is about the future and what we are going to do to make sure the student feels safe in school. _____
- This is about specific steps the school will take to help the student feel safe. _____
- While it is important that the school enforce its policies and administer appropriate discipline, that is something separate from the scope of this plan. _____
- The school should make no promises about behaviors that it cannot control; however, the school can commit to following through on what is laid out in this safety plan. _____
- This plan should be shared with the student and relevant adults in the school. _____
- This plan should be referenced, revisited, and reviewed. _____

We are working together in good faith so that the affected student can feel safe in school and access an education. This plan will help achieve that.

The following constitutes the RSU 63 Safety Plan for: _____

and _____.

1. _____
2. _____
3. _____
4. _____

Any violation or deviation from this plan is to be reported to the Superintendent as soon as possible.

Signed: _____ Date: _____
Student

Signed: _____ Date: _____
Administrator