

RSU #63

- a. **NEPN/NSBA Code:** ACAA-R
- b. **Title:** Student Discrimination/Harassment and Title IX Sexual Harassment Complaint & Administrative Procedures
- c. **Author:** Maine School Management Association/Brann & Isaacson
- d. **Replaces Policy:**
- e. **Date Approved:**
- f. **Previously Approved:** 01/27/2020
- g. **Policy Expiration:** Review as Needed
- h. **Responsible for Review:** Policy Committee/Superintendent
- i. **Date Reviewed:** 03/03/2021 Policy Committee
03/03/2021 Superintendent
- j. **References:** Americans with Disabilities Act (42 USC § 12101 et seq., as amended; 28 CFR § 35.107);
Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 USC § 794 et seq., as amended; 34 CFR § 104.7);
Title IX of the Education Amendments of 1972 (20 USC § 1681 et seq.); 34 CFR Part 106;
Clery Act (20 USC § 1092(f)(6)(A)(v) – definition of sexual assault);
Violence Against Women Act (34 USC § 1092(f)(6)(A)(v) - definition of sexual assault; 34 USC § 12291(a)(10) – dating violence; 34 USC § 12291(a)(3) – definition of stalking; 34 USC § 12291(a)(8) – definition of domestic violence);
Title VI of the Civil Rights Act of 1964 (42 USC § 2000d);
Maine Human Rights Act, 5 MRSA § 4551 et seq.; 20-A MRSA § 6553;
MHRC/MDOE Joint Rule Chapter 94-348 and 05-071, ch. 4
- k. **Narrative:**

This procedure has been adopted by the RSU #63 Board of Directors (the Board) in order to provide a method of prompt and equitable resolution of reports and complaints of unlawful discrimination or harassment of students, including sexual harassment, as described in policies AC – Nondiscrimination/Equal Opportunity and Affirmative Action, and ACAA – Harassment and Sexual Harassment of Students.

Complaints alleging unlawful harassment or discrimination against employees based on a protected category should be addressed through the Board's Employee Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedures (ACAB-R).

Any individual who is unsure about whether unlawful discrimination or harassment has occurred and/or or which complaint procedure applies is encouraged to contact the Affirmative Action Officer/Title IX Coordinator: Jesse Gauthier, RSU #63, 202 Kidder Hill Road, Holden, Maine 04429; telephone: 2017- 843-0702; email: jgauthier@rsu63.org.

I. DEFINITIONS

For purposes of these complaint procedures, the following definitions will be used. The Affirmative Action Officer/Title IX Coordinator will assess all reports and complaints to ensure that they are addressed under the appropriate policy and complaint procedure.

A. Discrimination/Harassment Complaint Procedure Definitions

1. "Discrimination or harassment": Discrimination or harassment on the basis of an individual's membership in a protected category, which, for students, includes race, color, sex, sexual orientation, gender identity, religion, ancestry, national origin or disability.
2. "Discrimination": Treating individuals differently, or interfering with or preventing them from enjoying the advantages or privileges afforded to others because of their membership in a protected category.
3. "Harassment": Oral, written, graphic, electronic or physical conduct relating to an individual's actual or perceived membership in a protected category that is sufficiently severe, pervasive or persistent so as to interfere with or limit that individual's ability to participate in RSU #63 programs or activities by creating a hostile, intimidating or offensive environment.
4. "Sexual harassment": Under Maine law, this means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature in the following situations:
 - a. Submission to such conduct is made either explicitly or implicitly a term or condition of a student's educational benefits;
 - b. Submission to or rejection of such conduct by a student is used as the basis for decisions on educational benefits; or
 - c. Such conduct has the purpose and effect of substantially interfering with a student's academic performance or creates an intimidating, hostile or offensive environment.

5. “Sexual orientation”: Under Maine law, this means a person’s “actual or perceived heterosexuality, bisexuality, homosexuality or gender identity or expression.”
6. “Gender identity”: Under Maine law, this means “the gender-related identity, appearance, mannerisms or other gender-related characteristics of an individual, regardless of the individual’s assigned sex at birth.”
7. “Complaint” is defined as an allegation that a student has been discriminated against or harassed on the basis of race, color, sex, sexual orientation, gender identity, religion, ancestry, national origin or disability (and not otherwise addressed in the Title IX regulations and Section III of ACAA-R).
8. Complaints of bullying not involving the protected categories or definitions described above may be addressed under Board Policy JICK – Bullying and Cyberbullying.

B. Title IX Sexual Harassment Complaint Procedure Definitions

1. “Sexual Harassment”: Under the federal Title IX regulations, sexual harassment includes the following conduct on the basis of sex which takes place within the context of RSU #63’s education programs and activities:
 - a. “Quid pro quo” sexual harassment by a school employee: Conditioning a school aid, benefit or service (such as a better grade or a college recommendation) on an individual’s participation in unwelcome sexual conduct;
 - b. “Hostile environment” sexual harassment: Unwelcome conduct based on sex that a reasonable person would determine is so severe, pervasive and objectively offensive that it effectively denies an individual’s equal access to RSU #63’s education programs and activities; or
 - c. Sexual assault, dating violence, domestic violence and stalking as these terms are defined in federal laws.
2. “Report”: Under the Title IX regulations, any individual may make a report of sexual harassment involving a student, whether the individual is the alleged victim or not. School employees are required to report possible incidents of sexual harassment involving a student. A report must be made to the Affirmative Action Officer/Title IX Coordinator. A report triggers certain actions by the AAO/Title IX Coordinator for the alleged victim of sexual harassment, but an investigation is not conducted unless a “Formal Complaint” is filed.

3. “Formal Complaint”: Under the Title IX regulations, the alleged victim of sexual harassment can file a written complaint that triggers the complaint procedure in Section III of ACAA-R. Only a student and/or their parent/legal guardian (and in certain circumstances, the AAO/Title IX Coordinator) may file a formal complaint.
4. “Student”: For the purposes of this procedure, a student is an individual who is enrolled or participating in RSU #63’s education programs and activities, or is attempting to enroll or participate.

II. DISCRIMINATION/HARASSMENT COMPLAINT PROCEDURE

This procedure should be used for any complaint of unlawful harassment or discrimination complaint based on a protected category which does not involve Title IX sexual harassment (which is addressed in Section III).

A. How to Make A Complaint

1. School employees are required to promptly make a report to the AAO/Title IX Coordinator if they have reason to believe that a student has been discriminated against or harassed.
2. Students (and others) who believe that they, or another student has been harassed or discriminated against should report their concern promptly to the AAO/Title IX Coordinator.
3. The individual making the report must provide basic information in writing concerning the allegation of harassment or discrimination (i.e., date, time, location, individual(s) who allegedly engaged in harassment or discrimination, description of allegation) to the AAO/Title IX Coordinator.
4. If an individual is unsure as to whether unlawful discrimination or harassment has occurred, or who need assistance in preparing a written complaint, they are encouraged to discuss the matter with the AAO/Title IX Coordinator.
5. Individuals will not be retaliated against for reporting suspected discrimination or harassment, or for participating in an investigation. Retaliation is illegal under federal and state nondiscrimination laws, and any retaliation will result in disciplinary action, up to and including discharge for employees, and expulsion for students.
6. Individuals are encouraged to utilize RSU #63’s complaint procedure. However, individuals are hereby notified that they also have the right to

report incidents of discrimination or harassment to the Maine Human Rights Commission, 51 State House Station, Augusta, Maine 04333 (telephone: 207-624-6290) and/or to the federal Office for Civil Rights, U.S. Department of Education, 5 Post Office Square, 8th Floor, Boston, MA 02109-3921 (telephone: 617-289-0111).

B. Complaint Handling and Investigation

1. The AAO/Title IX Coordinator will promptly inform the Superintendent and the person who is the subject of the complaint (respondent) that a complaint has been received.
2. The AAO/Title IX Coordinator may pursue an informal resolution of the complaint with the agreement of the parties involved. Any party to the complaint may decide to end the informal resolution process and pursue the formal process at any point. Any informal resolution is subject to the approval of the parties and the Superintendent, who will consider whether the resolution is in the best interest of RSU #63 and the parties in light of the particular circumstances and applicable policies and laws.
3. The AAO/Title IX Coordinator may implement supportive measures to a student to reduce the risk of further discrimination or harassment to a student while an investigation is pending. Examples of supportive measures include, but are not limited to, ordering no contact between the individuals involved or changing classes.
4. The complaint will be investigated by a trained internal or external individual designated by the Superintendent and the AAO/Title IX Coordinator. Any complaint about an employee who holds a supervisory position will be investigated by a person who is not subject to that supervisor's authority. Any complaint about the Superintendent should be submitted to the Chair of the Board, who should consult with legal counsel concerning the handling and investigation of the complaint.
5. The investigator will consult with the AAO/Title IX Coordinator as agreed during the investigation process.
6. The respondent will be provided with an opportunity to be heard as part of the investigation. The complainant will not be required to attend meetings with the respondent, but may choose to do so as part of an informal resolution process.
7. The complainant and the respondent may suggest witnesses to be interviewed and/or submit materials they believe are relevant to the complaint.

8. If the complaint is against an employee of RSU #63, any rights conferred under an applicable collective bargaining agreement will be applied.
 9. Privacy rights of all parties to the complaint will be maintained in accordance with applicable state and federal laws.
 10. The investigation will be completed within 40 business days of receiving the complaint, if practicable. Reasonable extensions of time for good reason will be allowed.
 11. The investigator will provide a written report and findings to the AAO/Title IX Coordinator.
- C. Findings and Subsequent Actions**
1. The AAO/Title IX Coordinator will consult with the Superintendent concerning the investigation and findings.
 2. If there is a finding that discrimination or harassment occurred, the AAO/Title IX Coordinator, in consultation with the Superintendent will:
 - a. Determine what remedial action, if any, is required to end the discrimination or harassment, remedy its effect and prevent recurrence; and
 - b. Determine what disciplinary action should be taken against the individual(s) who engaged in discrimination or harassment, if any.
 3. Inform the complainant and the respondent in writing of the results of the investigation and its resolution (in accordance with applicable state and federal privacy laws).
- D. Appeals**
1. After the conclusion of the investigation, the complainant or respondent may seek from the Board an appeal of the findings solely on the basis of either: (a) prejudicial procedural error or (b) the discovery of previously unavailable relevant evidence that could significantly impact the outcome.
 2. Appeals must be submitted in writing to the Chair of the Board within 14 business days after receiving notice of the resolution.
 3. Upon receipt of a valid appeal, the Chair of the Board will provide notice to the other party, along with an opportunity to provide a written statement to the Board within 10 business days of the Chair providing such notice.

4. The Board will review the available documentation and may conduct further investigation if deemed appropriate.
5. The Board's decision on the appeal will be provided to the parties within 30 business
6. days of the Board Chair's original receipt of the appeal, if practicable. The Board's decision will be final.

- E. Records
The AAO/Title IX Coordinator will keep a written record of the complaint process.

III. TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURE

This section should be used only for complaints of Title IX sexual harassment as defined in Section I.B.1.

- A. How to Make A Report
1. School employees who have reason to believe that a student has been subjected to sexual harassment is required to promptly make a report to the AAO/Title IX Coordinator.
 2. Students, parents/legal guardians or other individuals who believe a student has been sexually harassed are encouraged to make a report to the AAO/Title IX Coordinator.
 3. If the individual making the report is the alleged victim, or if the alleged victim is identified by the individual making the report, the AAO/Title IX Coordinator will meet with the alleged victim to discuss supportive measures that may be appropriate in the particular circumstances and explain the process for filing a formal complaint.
 - a. Supportive measures are individualized measures designed to ensure the student can continue to access educational programs and activities (such as requiring no contact between individuals or changing classes).
 - b. Supportive measures may be continued even if the alleged victim chooses not to file a formal complaint, if appropriate under the particular circumstances.
 4. RSU #63 cannot provide an informal resolution process for resolving a report unless a formal complaint is filed.

5. Individuals will not be retaliated against for reporting sexual harassment, or for participating in an investigation. Retaliation is illegal under federal and state nondiscrimination laws, and any retaliation will result in disciplinary actions, up to and including discharge for employees, or expulsion for students.
6. Any student (or their parent/legal guardian) who believes they have been the victim of sexual harassment is encouraged to utilize RSU #63's complaint procedure. However, students (and their parents/legal guardians) are hereby notified that they also have the right to report sexual harassment to the Maine Human Rights Commission, 51 State House Station, Augusta, Maine 04333 (telephone: 207-624-6290) and/or to the federal Office for Civil Rights, U.S. Department of Education, 5 Post Office Square, 8th Floor, Boston, MA 02109-3921 (telephone: 617-289-0111).
7. The Superintendent will be informed of all reports and formal complaints of sexual harassment.

B. How to Make A Formal Complaint

1. An alleged student victim and/or their parent/legal guardian may file a formal written complaint requesting investigation of alleged Title IX sexual harassment. The written complaint must include basic information concerning the allegation of sexual harassment (i.e., date, time, location, individual(s) who allegedly engaged in sexual harassment, description of allegation).

Students who need assistance in preparing a formal written complaint, are encouraged to consult with the AAO/Title IX Coordinator.

2. In certain circumstances, the AAO/Title IX Coordinator may file a formal complaint even when the alleged victim chooses not to. Examples include if the respondent (person alleged to have engaged in sexual harassment) has been found responsible for previous sexual harassment or there is a safety threat within RSU #63). In such cases, the alleged victim is not a party to the case, but will receive notices as required by the Title IX regulations at specific points in the complaint process.
3. In accordance with the Title IX regulations, the AAO/Title IX Coordinator must dismiss a formal complaint under this Title IX procedure if: a) the conduct alleged in the formal complaint does not constitute sexual harassment under the Title IX regulations and this policy; or b) if the conduct alleged did not occur within the scope of RSU #63's education programs and activities, or c) did not occur in the United States.

4. In accordance with the Title IX regulations, the AAO/Title IX Coordinator may dismiss a formal complaint under this Title IX procedure if: a) a complainant withdraws the formal complaint, or withdraws particular allegations within the complaint; b) the respondent is no longer employed by or enrolled in the school unit; or c) there are specific circumstances that prevent the school unit from gathering evidence sufficient to reach a determination regarding the formal complaint. However, if the conduct potentially violates other policies or laws, it may be addressed through the applicable Board policy/procedure.
5. If a formal complaint is dismissed under this Title IX procedure, the AAO/Title IX Coordinator will promptly and simultaneously send written notices to the parties explaining the reasons. Parties have the opportunity to appeal dismissals in accordance with subsection I below.
6. If the conduct alleged in a formal complaint potentially violates other laws, Board policies and/or professional expectations, RSU #63 may address the conduct under Section II or another applicable Board policy/procedure.

C. Emergency Removal or Administrative Leave

The Superintendent may remove a student from education programs and activities on an emergency basis, or place an employee on administrative leave during the complaint procedure:

1. If there is a determination (following an individualized safety and risk analysis) that there is an immediate threat to the physical health or safety of an individual arising from the allegations of sexual harassment. Examples of such circumstances might include, but are not limited to, a continued threat of violence against a complainant by a respondent, or a respondent's threat of self-harm due to the allegations.
2. The respondent (and in the case of a student, their parent/legal guardian will be provided notice of the emergency removal or administrative leave, and will be provided an opportunity to challenge the decision following the removal (this is an opportunity to be heard, not a hearing). The respondent has the burden to demonstrate why the emergency removal or administrative leave was unreasonable.
3. Any such decision will be made in compliance with any applicable disability laws, including the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act and the Americans with Disabilities Act.

D. Notice to Parties of Formal Complaint

1. The Title IX Coordinator will provide to the parties written notice of the formal complaint and allegations of sexual harassment potentially constituting prohibited conduct under the Title IX regulations and this procedure. The notice will include:
 - Notice regarding the complaint procedure and the availability of an informal resolution process;
 - Sufficient details known at the time (including identities of parties, if known; the conduct alleged; and the date and location of the alleged incident, if known), with sufficient time to prepare before any initial interview (not less than five business days);
 - As required by the Title IX regulations, a statement that the respondent is presumed not responsible for the alleged conduct and that a determination of responsibility will be made at the conclusion of the complaint; and that the parties may inspect and review evidence;
 - Notice that the parties may each have an advisor of their choice (who may be an attorney), and that the parties may inspect and review evidence;
 - Notice that knowingly making false statements or submitting false information during the complaint process is prohibited and may result in disciplinary action;
 - Notice of the name of the investigator, with sufficient time (no less than three business days) to raise concerns of conflict of interest or bias.
2. If additional allegations become known at a later time, notice of the additional allegations will be provided to the parties.
3. The AAO/Title IX Coordinator will discuss supportive measures with each party and implement such measures as appropriate.

E. Informal Resolution Process

After a formal complaint has been filed, and if the AAO/Title IX Coordinator believes the circumstances are appropriate, the AAO/Title IX Coordinator may offer the parties the opportunity to participate in an informal resolution process to resolve the complaint without completing the investigation and determination process. Informal resolutions cannot be used to resolve a formal complaint where a student is the complainant and the respondent is an employee.

Informal resolutions can take many forms, depending on the particular case. Examples include, but are not limited to, facilitated discussions between the parties; restorative justice; acknowledgment of responsibility by a respondent; apologies; disciplinary actions against a respondent or a requirement to engage in specific services; or supportive measures. Both parties must voluntarily agree in

writing to participate in an informal resolution process, and either party can withdraw from the process at any time. The Superintendent must agree to the terms of any informal resolution reached between the parties. If an informal resolution agreement is reached, it must be signed by both parties and the school unit. Any such signed agreement is final and binding according to its terms.

If an informal resolution process does not resolve the formal complaint, nothing from the informal resolution process may be considered as evidence in the subsequent investigation or determination.

F. Investigation

1. The complaint will be investigated by a trained internal or external individual designated by the Superintendent and AAO/Title IX Coordinator. Any complaint about an employee who holds a supervisory position will be investigated by a person who is not subject to that supervisor's authority. Any complaint about the Superintendent should be submitted to the Chair of the Board, who should consult with legal counsel concerning the handling and investigation of the complaint.
2. The investigator will consult with the AAO/Title IX Coordinator as agreed during the investigation process.
3. If the complaint is against an employee of RSU #63, rights conferred under an applicable collective bargaining agreement will be applied, to the extent they do not conflict with the Title IX regulatory requirements.
4. Privacy rights of all parties to the complaint will be maintained in accordance with applicable state and federal laws.
5. The investigator will:
 - a. Meet with each party after they have received appropriate notice of any meeting and its purpose, with sufficient time to prepare.
 - b. Allow parties to have their advisor at all meetings related to the complaint, although advisors may not speak on behalf of a party or interfere with the process.
 - c. Allow parties a reasonable opportunity to identify witnesses and submit favorable and unfavorable evidence.
 - d. Interview witnesses and conduct such other activities that will assist in ascertaining facts (site visits, review of documents, etc.).
 - e. Consider evidence that is relevant and directly related to the allegations in the formal complaint.
 - f. During the course of the investigation, provide both parties with an equal opportunity to inspect and review any evidence that is obtained in the investigation that is directly related to the

- allegations in the formal complaint (including evidence which the school unit does not intend to rely upon in reaching a determination of responsibility), and favorable and unfavorable evidence.
 - g.** Prior to completion of the investigation report, provide each party and advisor (if any) the evidence subject to inspection and review, and provide the parties with ten business days to submit a written response.
 - h.** Consider the parties' written responses to the evidence prior to completing the investigation report.
 - i.** Create an investigative report that fairly summarizes relevant evidence and send the report to the parties and advisors (if any), for their review and written responses within ten business days of receipt.
 - j.** After receipt of the parties' written responses (if any), forward the investigation report and party responses to the assigned decision maker.
 - 6.** The investigation will be concluded within 40 business days if practicable. Reasonable extension of time for good reason will be allowed.
- G. Determination of Responsibility**
- 1.** The decision maker will provide the parties with the opportunity to submit written, relevant questions that the party wants asked of another party or witness within five business days of when the decision maker received the investigation report and party responses.
 - a.** The decision maker will explain to a party proposing questions if the decision maker excludes a question as not relevant.
 - 2.** Each party will be provided the opportunity to review the responses of another party and/or witness, and to ask limited written follow-up questions within five business days of receiving the answers.
 - 3.** Each party will receive a copy of the responses to any follow-up questions.
 - 4.** The decision maker will review the investigation report, the parties' responses and other relevant materials, applying the preponderance of the evidence standard ("more likely than not").
 - 5.** The decision maker will issue a written determination, which will include the following:

- a. Identification of all the allegations potentially constituting sexual harassment as defined in the Title IX regulations and this policy;
 - b. A description of the procedural steps taken from receipt of the formal complaint through the determination, including notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and meetings held;
 - c. A determination regarding responsibility as to each allegation and findings of fact supporting the determinations;
 - d. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the school unit imposes on the respondent, and whether remedies designed to restore or preserve equal access to RSU #63's programs and activities will be provided to the complainant;
 - e. RSU #63's appeal procedure and permissible bases for the parties to appeal the determination.
6. The written determination will be provided to the parties simultaneously. The determination concerning responsibility becomes final either on the date that RSU #63 provides the parties with the written determination of the results of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which the appeal would no longer be considered timely.

H. Remedies, Discipline and Other Actions

1. Remedies

Remedies are measures used to ensure that the complainant has equal access to RSU #63's education programs and activities following the decision maker's determination. Such remedies may include supportive measures, and may include other appropriate measures, depending upon the determination and the needs of the complainant. The Title IX Coordinator is responsible for implementing remedies and providing any needed assistance to the Complainant.

2. Discipline and Other Actions - Students

The following are examples of the types of discipline and other actions that may be imposed on a student when there is a determination that they are responsible for one or more violations involving sexual harassment:

- In or out of school suspension.
- Expulsion.
- Restorative justice.
- Requirement to engage in education or counseling program.

3. Discipline and Other Actions – Employees

The following are examples of types of disciplinary actions that may be imposed on an employee when there is a determination that they are responsible for one or more violations involving sexual harassment:

- Written warning.
- Probation.
- Demotion.
- Suspension without pay.
- Discharge.

The following are examples of other types of actions that may be imposed on an employee when there is a determination of responsibility:

- Performance improvement plan.
- Counseling.
- Training.
- Loss of leadership/stipend position.

I. Appeals

The parties have the opportunity to appeal a determination regarding responsibility, and from dismissals of formal complaints. Under the Title IX regulations, appeals are allowed on the following grounds:

1. A procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal of the formal complaint was made, that could affect the outcome of the matter; or
3. The Title IX Coordinator, investigator, or decision maker had a conflict of interest or bias for or against complainants or respondents generally, or the individual complainant or respondent that affected the outcome of the matter.

All appeals will be decided by the Board. An appeal must be filed in writing within 14 business days of receiving the determination, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and will not be considered.

1. Appeals must be filed with the Chair of the Board, and the Board will consider the appeal.
2. The Chair of the Board will notify the other party in writing of the appeal and will allow both parties to submit a written statement in support of, or challenging, the determination of the decision maker.
3. The Board will conduct an impartial review of the appeal, including consideration of the written record of the matter, and may consult with legal counsel or other school unit officials in making their decision.
4. The Board will issue a written decision describing the result of the appeal and rationale for the result, and provide the written decision simultaneously to the parties. The decision will either deny the appeal; grant the appeal and remand to the decision maker for further consideration; or grant the appeal by revising the disciplinary or other action(s).

J. Records

Records in connection with sexual harassment reports and the complaint process will be maintained for a minimum of seven years.

RSU #63

- a. **NEPN/NSBA Code:** ACAB-R
- b. **Title:** Employee and Third-Party Discrimination/
Harassment and Title IX Sexual Harassment
Complaint Procedures
- c. **Author:** Maine School Management Association/Brann &
Isaacson
- d. **Replaces Policy:**
- e. **Date Approved:**
- f. **Previously Approved:** 01/27/2020
- g. **Policy Expiration:** Review as Needed
- h. **Responsible for Review:** Policy Committee/Superintendent
- i. **Date Reviewed:** 03/03/2021 Policy Committee
03/03/2021 Superintendent
- j. **References:** Title IX of the Education Amendments of 1972
(20 USC § 1681 et seq.); 34 CFR Part 106;
Clery Act (20 USC § 1092(f)(6)(A)(v) – definition
of sexual assault);
Violence Against Women Act (34 USC §
1092(f)(6)(A)(v) - definition of sexual assault; 34
USC § 12291(a)(10) – dating violence; 34 USC §
12291(a)(3) – definition of stalking; 34 USC §
12291(a)(8) – definition of domestic violence);
Title VI of the Civil Rights Act of 1964 (42 USC
§ 2000d);
Americans with Disabilities Act (42 USC § 12101
et seq.), as amended;
Section 504 of the Rehabilitation Act of 1973
(Section 504) (29 USC § 794 et seq.), as amended;
Title VII of the Civil Rights Act of 1964 (42 USC
§ 2000e, et seq.; 29 CFR § 1604.11)
Age Discrimination in Employment Act (29 USC
§ 623 et seq.);
Genetic Information Nondiscrimination Act of
2008 (42 USC § 2000ff et seq.)
- k. **Narrative:**

This procedure has been adopted by the RSU #63 Board of Directors (the Board) in order to provide prompt and equitable resolution of employee complaints of discrimination or harassment, including sexual harassment, as described in policies AC – Nondiscrimination/Equal Opportunity and Affirmative Action, and ACAB – Harassment and Sexual Harassment of School Employees.

The complaint procedure in Section II may also be used, to the extent applicable, by visitors, including parents, volunteers and others having lawful access to the schools who wish to make a complaint of discrimination or harassment.

Complaints alleging harassment or discrimination against students based on a protected category should be addressed through the Board's Student Discrimination/ Harassment and Title IX Sexual Harassment Complaint & Administrative Procedures (ACAA-R).

Any individual who is unsure about whether discrimination or harassment has occurred and/or which complaint procedure applies is encouraged to contact the Affirmative Action Officer/Title IX Coordinator: Jesse Gauthier, RSU #63, 202 Kidder Hill Road, Holden, Maine 04429; telephone: 2017- 843-0702; email: jgauthier@rsu63.org.

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For purposes of these complaint procedures, the following definitions will be used. The Affirmative Action Officer/Title IX Coordinator will assess all reports and complaints to ensure that they are addressed under the appropriate policy and complaint procedure.

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1. "Discrimination or harassment": Discrimination or harassment on the basis of an individual's membership in a protected category, which, for employees, includes race, color, sex, sexual orientation, gender identity, age, religion, ancestry, national origin, genetic information or disability.
2. "Discrimination": Treating individuals differently, or interfering with or preventing them from enjoying the advantages or privileges afforded to others because of their membership in a protected category.
3. "Harassment": Oral, written, graphic, electronic or physical conduct relating to an individual's actual or perceived membership in a protected category that is sufficiently severe, pervasive or persistent so as to interfere with or limit that individual's ability to participate in RSU #63's programs or activities by creating a hostile, intimidating or offensive environment.
4. Under Title VII and under Maine law/regulations, sexual harassment is defined differently than under Title IX. Maine Human Rights Commission regulations define sexual harassment as conduct on the basis of sex which satisfies one or more of the following:
 - a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
 - b. Submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting the employee; or
 - c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

5. “Sexual orientation”: Under Maine law, this means a person’s “actual or perceived heterosexuality, bisexuality, homosexuality or gender identity or expression.”
6. “Gender identity”: Under Maine law, this means “the gender-related identity, appearance, mannerisms or other gender-related characteristics of an individual, regardless of the individual’s assigned sex at birth.”
7. “Complaint” is defined as an allegation that an employee or other third party has been discriminated against or harassed on the basis of race, color, sex, sexual orientation, gender identity, age, religion, ancestry, national origin, genetic information or disability (and in regard to sex, conduct not otherwise addressed in the Title IX regulations and Section III of ACAB-R).
8. “Employee”: Whenever the term “employee” is used in Section II, it includes visitors or others who have a lawful basis to make a complaint of discrimination or harassment.

B. Title IX Sexual Harassment Complaint Procedure Definitions

1. “Title IX sexual harassment”: Under the federal Title IX regulations, sexual harassment includes the following conduct on the basis of sex which takes place within the context of RSU #63’s education programs and activities:
 - a. “Quid pro quo” sexual harassment by a school employee: Conditioning a school aid, benefit or service (such as a promotion or favorable evaluation) on an individual’s participation in unwelcome sexual conduct;
 - b. “Hostile environment” sexual harassment: Unwelcome conduct based on sex that a reasonable person would determine is so severe, pervasive and objectively offensive that it effectively denies an individual’s equal access to RSU #63’s education programs and activities; or
 - c. Sexual assault, dating violence, domestic violence and stalking as these terms are defined in federal laws.
2. “Report”: Under the Title IX regulations, any individual may make a report of sexual harassment involving an employee, whether the individual is the alleged victim or not. A report must be made to the Affirmative Action Officer/Title IX Coordinator. A report triggers certain actions by the AAO/Title IX Coordinator for the alleged victim of sexual harassment, but an investigation is not conducted unless a “Formal Complaint” is filed.

3. “Formal Complaint”: Under Title IX, the alleged victim of sexual harassment can file a written complaint that triggers the complaint procedure in Section III of ACAB-R. Only a school employee (and in certain circumstances, the AAO/Title IX Coordinator) may file a formal complaint.
4. “Employee”: For the purpose of this procedure, “employee” means an applicant for employment or a current employee of RSU #63.

II. DISCRIMINATION/HARASSMENT COMPLAINT PROCEDURE

This procedure should be used for any complaint of unlawful harassment or discrimination based on a protected category which does not involve Title IX sexual harassment.

A. How to Make A Complaint

1. An employee who believes they have been unlawfully harassed or discriminated against (as such terms are defined in Section I.A.1-3) is encouraged to try to resolve the problem by informing the individual(s) that the behavior is unwelcome or offensive, and requesting that the behavior stop. This will not prevent the employee from making an immediate complaint to the AAO/Title IX Coordinator.
2. Any employee who believes they have been harassed or discriminated against should report their concern promptly to the AAO/Title IX Coordinator. A written complaint must include basic information concerning the allegation of harassment or discrimination (i.e., date, time, location, individual(s) who alleged engaged in harassment or discrimination, description of allegation).
3. Employees who are unsure as to whether unlawful discrimination or harassment has occurred, or who need assistance in preparing a written complaint, are encouraged to discuss the matter with the AAO/Title IX Coordinator.
4. Employees will not be retaliated against for reporting suspected discrimination or harassment, or for participating in an investigation. Retaliation is illegal under federal and state nondiscrimination laws, and any retaliation will result in disciplinary measures, up to and including discharge.
5. Any employee who believes they have been discriminated against or harassed is encouraged to utilize RSU #63’s complaint procedure. However, employees are hereby notified that they also have the right to report incidents of discrimination or harassment to the Maine Human Rights Commission, 51 State House Station, Augusta, Maine 04333 (telephone: 207-624-6290) and/or to the federal Office for Civil Rights,

B. Complaint Handling and Investigation

1. The AAO/Title IX Coordinator will promptly inform the Superintendent and the person who is the subject of the complaint (respondent) that a complaint has been received.
2. The AAO/Title IX Coordinator may pursue an informal resolution of the complaint with the agreement of the parties involved. Any party to the complaint may decide to end the informal resolution process and pursue the formal process at any point. Any informal resolution is subject to the approval of the parties and the Superintendent, who will consider whether the resolution is in the best interest of RSU #63 and the parties in light of the particular circumstances and applicable policies and laws.
3. The AAO/Title IX Coordinator may implement supportive measures (consistent with any applicable collective bargaining agreement provisions) to reduce the risk of further discrimination or harassment while an investigation is pending. Examples of supportive measures include, but are not limited to, ordering no contact between the individuals involved; changing a work location or changing a work schedule.
4. The complaint will be investigated by a trained internal or external individual designated by the Superintendent and the AAO/Title IX Coordinator. Any complaint about an employee who holds a supervisory position will be investigated by a person who is not subject to that supervisor's authority. Any complaint about the Superintendent should be submitted to the Chair of the Board, who should consult with legal counsel concerning the handling and investigation of the complaint.
5. The investigator will consult with the AAO/Title IX Coordinator as agreed during the investigation process.
6. The respondent will be provided with an opportunity to be heard as part of the investigation. The complainant will not be required to attend meetings with the respondent, but may choose to do so as part of an informal resolution process.
7. The complainant and the respondent may suggest witnesses and/or submit materials they believe are relevant to the complaint.
8. If the complaint is against an employee of RSU #63, any rights conferred under an applicable collective bargaining agreement will be applied.
9. Privacy rights of all parties to the complaint will be maintained in accordance with applicable state and federal laws.

10. The investigation will be completed within 40 business days of receiving the complaint, if practicable. Reasonable extensions of time for good reason will be allowed.
11. The investigator will provide a written report and findings to the AAO/Title IX Coordinator.

C. Findings and Subsequent Actions

1. The AAO/Title IX Coordinator will consult with the Superintendent concerning the investigation and findings.
2. If there is a finding that discrimination or harassment occurred, the AAO/Title IX Coordinator, in consultation with the Superintendent:
 - a. Will determine what remedial action, if any, is required to end the discrimination or harassment, remedy its effect and prevent recurrence; and
 - b. Determine what disciplinary action should be taken against the individual(s) who engaged in discrimination or harassment, if any.
3. Inform the complainant and the respondent in writing of the results of the investigation and its resolution (in accordance with applicable state and federal privacy laws).

D. Appeals

1. After the conclusion of the investigation, the complainant or respondent may seek from the Board an appeal of the findings solely on the basis of either: (a) prejudicial procedural error or (b) the discovery of previously unavailable relevant evidence that could significantly impact the outcome.
2. Appeals must be submitted in writing to the Chair of the Board within 14 business days after receiving notice of the resolution.
3. Upon receipt of a valid appeal, the Chair of the Board will provide notice to the other party, along with an opportunity to provide a written statement within 10 business days of the Chair providing such notice.
4. The Board will review the available documentation and may conduct further investigation if deemed appropriate.
5. The Board's decision on the appeal will be provided to the parties within 30 business days, if practicable. The Board's decision will be final.

E. Records

The AAO/Title IX Coordinator will keep a written record of the complaint process.

III. TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURE

This section should be used only for complaints of Title IX sexual harassment as defined in Section I.B.1.

A. How to Make A Report

1. Any individual who believes an employee has been sexually harassed (as this term is defined in Section I.B.1) may make a report to the AAO/Title IX Coordinator.
2. If the individual making the report is the alleged victim, or if the alleged victim is identified by the individual making the report, the AAO/Title IX Coordinator will meet with the alleged victim to discuss supportive measures that may be appropriate in the particular circumstances and explain the process for filing a formal complaint.
 - a. Supportive measures are individualized measures designed to ensure the employee can continue to access and perform their work (such as requiring no contact between individuals, temporarily moving work locations or changing schedules, etc.).
 - b. Supportive measures may be continued even if the alleged victim chooses not to file a formal complaint, if appropriate under the particular circumstances.
3. RSU #63 cannot provide an informal resolution process for resolving a report until a formal complaint is filed.
4. Employees will not be retaliated against for reporting sexual harassment, or for participating in an investigation. Retaliation is illegal under federal and state nondiscrimination laws, and any retaliation will result in disciplinary actions, up to and including discharge.
5. Any employee who believes they have been the victim of sexual harassment is encouraged to utilize RSU #63's complaint procedures. However, employees are hereby notified that they also have the right to report sexual harassment to the Maine Human Rights Commission, 51 State House Station, Augusta, Maine 04333 (telephone: 207-624-6290) and/or to the federal Office for Civil Rights, U.S. Department of Education, 5 Post Office Square, 8th Floor, Boston, MA 02109-3921 (telephone: 617-289-0111).

6. The Superintendent will be informed of all reports and formal complaints of sexual harassment.

B. How to Make A Formal Complaint

1. An alleged victim may file a formal written complaint requesting investigation of alleged Title IX sexual harassment. The written complaint must include basic information concerning the allegation of sexual harassment (i.e., date, time, location, individual(s) who alleged engaged in sexual harassment, description of allegation).

Employees who need assistance in preparing a formal written complaint, are encouraged to consult with the AAO/Title IX Coordinator.

2. In certain circumstances, the AAO/Title IX Coordinator may file a formal complaint even when the alleged victim chooses not to. Examples include if the respondent (person alleged to have engaged in sexual harassment) has been found responsible for previous sexual harassment or there is a safety threat within RSU #63). In such cases, the alleged victim is not a party to the case, but will receive notices as required by the Title IX regulations at specific points in the complaint process.
3. In accordance with the Title IX regulations, the AAO/Title IX Coordinator must dismiss a formal complaint under this Title IX procedure if: a) the conduct alleged in the formal complaint does not constitute sexual harassment under the Title IX regulations and this policy; b) if the conduct alleged did not occur within the scope of RSU #63's education programs and activities, or c) did not occur in the United States.
4. In accordance with the Title IX regulations, the AAO/Title IX Coordinator may dismiss a formal complaint under this Title IX procedure if: a) a complainant withdraws the formal complaint, or withdraws particular allegations within the complaint; b) the respondent is no longer employed by RSU #63; or c) there are specific circumstances that prevent RSU #63 from gathering evidence sufficient to reach a determination regarding the formal complaint.
5. If a formal complaint is dismissed under this Title IX procedure, the AAO/Title IX Coordinator will promptly and simultaneously send written notices to the parties explaining the reasons. Parties have the opportunity to appeal dismissals in accordance with subsection I below.
6. If the conduct alleged potentially violates other laws, Board policies and/or professional expectations, RSU #63 may address the conduct under Section II or another applicable policy/procedure.

C. Administrative Leave

The Superintendent may place a respondent on administrative leave during the complaint procedure:

1. If there is a determination (following an individualized safety and risk analysis) that there is an immediate threat to the physical health or safety of an individual arising from the allegations of sexual harassment. Examples of such circumstances might include, but are not limited to, a continued threat of violence against a complainant by a respondent, or a respondent's threat of self-harm due to the allegations.
2. The respondent will be provided notice of the administrative leave, and will be provided an opportunity to challenge the decision following the removal (this is an opportunity to be heard, not a hearing). The respondent has the burden to demonstrate why the emergency leave was unreasonable.
3. Any such decision to place an employee on administrative leave will be made in compliance with any applicable disability laws, including Section 504 of the Rehabilitation Act and the Americans with Disabilities Act.

D. Notice to Parties of Formal Complaint

1. The Title IX Coordinator will provide to the parties written notice of the formal complaint and allegations of sexual harassment potentially constituting prohibited conduct under the Title IX regulations and this procedure. The notice will include:
 - Notice regarding the complaint procedure and the availability of an informal resolution process;
 - Sufficient details known at the time (including identities of parties, if known; the conduct alleged; and the date and location of the alleged incident, if known), with sufficient time to prepare before any initial interview (not less than five business days);
 - As required by the Title IX regulations, a statement that the respondent is presumed not responsible for the alleged conduct and that a determination of responsibility will be made at the conclusion of the complaint; and that the parties may inspect and review evidence;
 - Notice that the parties may each have an advisor of their choice (who may be an attorney), and that the parties may inspect and review evidence;
 - Notice that knowingly making false statements or submitting false information during the complaint procedure is prohibited and may result in disciplinary action; and
 - Notice of the name of the investigator, with sufficient time (no less than three business days) to raise concerns of conflict of interest or bias.

2. If additional allegations become known at a later time, notice of the additional allegations will be provided to the parties.
3. The AAO/Title IX Coordinator will discuss supportive measures with each party and implement such measures as appropriate.

E. Informal Resolution Process

After a formal complaint has been filed, and if the AAO/Title IX Coordinator believes the circumstances are appropriate, the AAO/Title IX Coordinator may offer the parties the opportunity to participate in an informal resolution process to resolve the complaint without completing the investigation and determination process. Informal resolutions cannot be used to resolve a formal complaint where a student is the complainant and the respondent is an employee.

Informal resolutions can take many forms, depending on the particular case. Examples include, but are not limited to, facilitated discussions between the parties; restorative justice; acknowledgment of responsibility by a respondent; apologies; disciplinary actions against a respondent or a requirement to engage in specific services; or supportive measures. Both parties must voluntarily agree in writing to participate in an informal resolution process, and either party can withdraw from the process at any time. The Superintendent must agree to the terms of any informal resolution reached between the parties. If an informal resolution agreement is reached, it must be signed by both parties and RSU #63. Any such signed agreement is final and binding according to its terms.

If an informal resolution process does not resolve the formal complaint, nothing from the informal resolution process may be considered as evidence in the subsequent investigation or determination.

F. Investigation

1. The complaint will be investigated by a trained internal or external individual designated by the Superintendent and AAO/Title IX Coordinator. Any complaint about an employee who holds a supervisory position will be investigated by a person who is not subject to that supervisor's authority. Any complaint about the Superintendent should be submitted to the Chair of the Board, who should consult with legal counsel concerning the handling and investigation of the complaint.
2. The investigator will consult with the AAO/Title IX Coordinator as agreed during the investigation process.
3. If the complaint is against an employee of RSU #63, rights conferred under an applicable collective bargaining agreement will be applied, to the extent they do not conflict with the Title IX regulatory requirements.

4. Privacy rights of all parties to the complaint will be maintained in accordance with applicable state and federal laws.
5. The investigator will:
 - a. Meet with each party after they have received appropriate notice of any meeting and its purpose, with sufficient time to prepare.
 - b. Allow parties to have their advisor at all meetings related to the complaint, although advisors may not speak on behalf of a party or interfere with the process.
 - c. Allow parties a reasonable opportunity to identify witnesses and submit favorable and unfavorable evidence.
 - d. Interview witnesses and conduct such other activities that will assist in ascertaining facts (site visits, review of documents, etc.).
 - e. Consider evidence that is relevant and directly related to the allegations in the formal complaint.
 - f. During the course of the investigation, provide both parties with an equal opportunity to inspect and review any evidence that is obtained in the investigation that is directly related to the allegations in the formal complaint (including evidence which RSU #63 does not intend to rely upon in reaching a determination of responsibility), and favorable and unfavorable evidence.
 - g. Prior to completion of the investigation report, provide each party and advisor (if any) the evidence subject to inspection and review, and provide the parties with ten business days to submit a written response.
 - h. Consider the parties' written responses to the evidence prior to completing the investigation report.
 - i. Create an investigative report that fairly summarizes relevant evidence and send the report to the parties and advisors (if any), for their review and written responses within ten business days of receipt.
 - j. After receipt of the parties' written responses (if any), forward the investigation report and party responses to the assigned decision maker.
6. The investigation will be concluded within 40 business days if practicable. Reasonable extension of time for good reason will be allowed.

G. Determination of Responsibility

- 1.** The decision maker will provide the parties with the opportunity to submit written, relevant questions that the party wants asked of another party or witness within five business days of when the decision maker received the investigation report and party responses.
 - a.** The decision maker will explain to a party proposing questions if the decision maker excludes a question as not relevant.
- 2.** Each party will be provided the opportunity to review the responses of another party and/or witness, and to ask limited written follow-up questions within five business days of receiving the answers.
- 3.** Each party will receive a copy of the responses to any follow-up questions.
- 4.** The decision maker will review the investigation report, the parties' responses and other relevant materials, applying the preponderance of the evidence standard ("more likely than not").
- 5.** The decision maker will issue a written determination, which will include the following:
 - a.** Identification of all the allegations potentially constituting sexual harassment as defined in the Title IX regulations and this policy;
 - b.** A description of the procedural steps taken from receipt of the formal complaint through the determination, including notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and meetings held;
 - c.** A determination regarding responsibility as to each allegation and findings of fact supporting the determinations;
 - d.** A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions RSU #63 imposes on the respondent, and whether remedies designed to restore or preserve equal access to RSU #63's programs and activities will be provided to the complainant;
 - e.** RSU #63's appeal procedure and permissible bases for the parties to appeal the determination.
- 6.** The written determination will be provided to the parties simultaneously. The determination concerning responsibility becomes final either on the date that RSU #63 provides the parties with the written determination of

the results of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which the appeal would no longer be considered timely.

H. Remedies, Discipline and Other Actions

1. Remedies

Remedies are measures used to ensure that the complainant has equal access to RSU #63's education programs and activities following the decision maker's determination. Such remedies may include supportive measures, and may include other appropriate measures, depending upon the determination and the needs of the complainant. The Title IX Coordinator is responsible for implementing remedies and providing any needed assistance to the Complainant.

2. Discipline and Other Actions

The following are examples of the types of disciplinary actions that may be imposed on an employee when there is a determination that they are responsible for one or more violations involving sexual harassment:

- Written warning.
- Probation.
- Demotion.
- Suspension without pay.
- Discharge.

The following are examples of other types of actions that may be imposed on an employee when there is a determination of responsibility:

- Performance improvement plan.
- Counseling.
- Training.
- Loss of leadership/stipend position.

I. Appeals

The parties have the opportunity to appeal a determination regarding responsibility, and from dismissals of formal complaints. Under the Title IX regulations, appeals are allowed on the following grounds:

1. A procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal of the formal complaint was made, that could affect the outcome of the matter; or

3. The Title IX Coordinator, investigator, or decision maker had a conflict of interest or bias for or against complainants or respondents generally, or the individual complainant or respondent that affected the outcome of the matter.

All appeals will be decided by the Board. An appeal must be filed in writing within 14 business days of receiving the determination, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and will not be considered.

1. Appeals must be filed with the Chair of the Board, and the Board will consider the appeal.
2. The Chair of the Board will conduct an impartial review of the appeal, including consideration of the written record of the matter, and may consult with legal counsel or other school unit officials in making their decision.
3. The Board will issue a written decision describing the result of the appeal and rationale for the result, and provide the written decision simultaneously to the parties. The decision will either deny the appeal; grant the appeal and remand to the decision maker for further consideration; or grant the appeal by revising the disciplinary action(s).

J. Records

Records in connection with sexual harassment reports and the complaint process will be maintained for a minimum of seven years.

AOS #81
(Comprised of CSD #8 and RSU #63)

- a. NEPN/NSBA Code: **BDA**
- b. Title: **Organizational Meeting**
- c. Author:
- d. Replaces Policy:
- e. Date Approved: **04/30/2014 CSD #8; _____ 04/28/2014 RSU #63**
- f. Previously Approved: **04/28/2014 04/27/2009**
- g. Policy Expiration: **Review as Needed**
- h. Responsible for Review: **Superintendent/Board of Directors**
- i. Date Reviewed: **02/23/2021 4/14/2014 Superintendent
_____ Policy Committee**
- j. References: **20-AMRSA Sect. 1251
See BDE for Subcommittees**
- k. Narrative:

~~ORGANIZATIONAL MEETING~~

At the first meeting, following the last town within ~~each~~ **the** district's annual municipal elections, or as soon as possible thereafter, the **RSU #63** Board of Directors (**the Board**) ~~within each district~~ **shall will** elect, by majority vote, a Chairperson and Vice Chairperson of the Board of Directors for the ensuing year.

- I.** In the event of a vacancy of the Chairperson or the Vice Chairperson, the Board ~~of Directors~~ may, by a majority vote, elect another Director on the Board to fill in for the expired term.

RSU #63

- a. NEPN/NSBA Code: **BDE**
- b. Title: **Committee Structure, Assignment, and Reporting**
- c. Author:
- d. Replaces Policy:
- e. Date Approved: 09/24/2018 **RSU #63**
- f. Date Previously Approved: **09/24/2018** ~~10/24/2016~~
- g. Policy Expiration: **Review as Needed**
- h. Responsible for Review: **Policy Committee**
- i. Date Reviewed: 09/10/2018 **Policy Committee**
- j. References: **1 M.R.S.A. § 401 et seq.**
~~BEA – School Board Meetings, Procedures, And By-Laws~~
~~BDF – Board Advisory Committee~~
- k. Narrative:

The RSU #63 Board of Directors (the Board) believes that standing committees can be useful to its decision-making process and in the transaction of Board business. The Board may establish such standing committees as it deems necessary to facilitate school unit governance and address ongoing school unit needs. A standing committee has only such authority as specified by the Board.

All standing committees will be comprised of less than a majority of the Board.

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

I. STANDING COMMITTEES:

- A. Standing RSU #63 Board Committees will include, but are not limited to, Budget & Finance, and Policy.
 - 1. **Policy** committee members, ~~excluding Budget & Finance,~~ will be appointed by the Board Chair following a request for volunteers. Representation of the three communities on each committee will be encouraged, but not required. Members will serve a minimum of one year or until their successors are appointed. No committee will consist of more than three (3) members; however, committees can designate alternates.
 - 2. Members of the ~~RSU #63 Board of Directors (the Board)~~ may be assigned as ~~Coordinators~~ **Liaison's** between the Board and the ~~individual and~~ various high schools as district students attend.
 - 3. A majority of the Board will elect the Budget & Finance Committee annually.; ~~however,~~ **There** should be a member from each of the three (3) communities in the district unless it is in the best interest of the district to have more than one member from a single community. Members will serve a minimum of one year or until their successors are elected.

- a. Warrant signature authority will be granted to two (2) members of the Budget & Finance Committee, with the Board Chair serving as an alternate. The remaining committee members will not have signature authority.
- II. All Standing Committees will elect a Committee Chair who is authorized to call such meetings as necessary to discharge committee functions. The Board Chair may assign a Committee Chair to each Standing Committee to serve until the first meeting when that committee will elect a permanent Chair. The Committee Chair must call a committee meeting following the request of two (2) or more committee members. Other members of the Board may attend committee meetings; however, they have no authority or responsibility. Committee members have no obligation to recognize Board members differently than other citizens attending.
- III. The Board Chair is an ex-officio member of all committees but is a non-voting member of any committee. The Superintendent is an ex-officio member of all committees. He/she may attend and participate but is a non-voting member of any committee.
- IV. The general function of a Standing Committee is to study, report, and make recommendations, when appropriate, to the full Board. The full Board will define the overall mission for each committee. Either the full Board or a committee may identify issues that require investigation. The scope of action and the authority to make decisions are allocated to the full Board.
- V. Each committee meeting agenda must be announced in advance, be open to the public, and the schedule provided to the Central Office. Whenever possible, committee agendas should be posted on the district website under the appropriate section heading. Each Committee Chair will ensure that meetings have minutes recorded that include a record of all votes taken. A copy of the minutes ~~is to be sent~~ **will be given** to all members of the Board; **and** the Superintendent. ; ~~departments heads, when appropriate; and a copy retained in Central Office.~~ Committee reports, which can substitute for committee minutes as long as they include the results of any votes taken. , ~~to the Board must be written and sent in advance of the next meeting of the Board whenever possible. The purpose of the committee's structure and reporting process is to improve communication expectations, actions, and the authority to make decisions. Written reports will improve the documentation of ongoing initiatives and projects and will add confidence to the reporting process. Any verbal report at the Board meeting will be to highlight specific points, clarify the written report, answer questions, and inform the Board of the date of the next committee meeting.~~
- VI. **Committee Responsibilities:**
 - A. The Budget & Finance Committee will supervise all district accounting and approve expenditures in accordance with legal requirements. The Committee Chair will coordinate with other Standing Committees on matters involving finance and perform such duties as the Board may assign. The Committees will work with the Superintendent, Business Manager, Transportation and Facilities Director, and other staff throughout the course of a fiscal year in agreed upon matters, and in the various

stages of budget preparation each year by reviewing balances, estimated revenues, and requests for appropriations in each line item of the expenditure budget.

- B.** The Policy Committee will review all district policies for correctness, timeliness, and format. The Committee will perform on-going inspection and updating of district policies, utilizing the appropriate Committee or Department for assistance. Additionally, the Committee Chair will develop and share with the Superintendent and Department heads a fiscal year schedule for those policies identified for Annual Review.

All policies being submitted to the Board for review and approval will be posted on the district's website no less than one week before the scheduled Board meeting. Policies will be provided to the Teachers Association or Committee via the Superintendent. Requested changes/corrections will be returned to the Policy Committee Chair for review and subsequent inclusion, if needed.

- C.** High School ~~Coordinators~~ **Liaison's** for the Board will endeavor to represent RSU #63 at Board of Director meetings of major receiving high schools whenever possible. ~~The Coordinators will provide a written report to the RSU #63 Board regarding items affecting district students and district financing of those students.~~ **Minutes of meetings of major district receivers will be included in RSU 63 Board Packets and archived.**

- D.** Technology and Curriculum Committees are delegated to appropriate administrators via the Superintendent. **These** committee meetings, and their agendas, will be scheduled and published in advance via notification to Board members and others, who will be welcome to attend and participate as they may desire.

- 1.** The Curriculum Committee will review all educational policies; work with staff on curriculum development and revision; student assessment testing results; review feedback from high school administrators and freshmen surveys regarding eighth-grade preparedness for high school; and assume various educational duties, which may be assigned by the Board.
- 2.** The Technology Committee is responsible for annually reviewing and proposing revisions to the various District technology policies along with evaluating and updating the District's Technology Plan. The committee also reviews proposals for new technology initiatives and develops strategies to improve the use of technology in RSU #63.

- VII.** An Advisory Committee (Policy BDF) may be appointed to investigate a problem that has been brought to the attention of, or identified by, the Board. This may be done at any time for a specific purpose. Volunteers will be solicited, and the individual who suggested the perceived problem be investigated is generally chosen to Chair the committee.

- VIII.** When school is cancelled for weather, any committee meetings scheduled on that night are automatically cancelled, as per Policy BEA. Rescheduling of committee meetings

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will need to be coordinated with the Superintendent by the Committee Chair. Once a meeting is rescheduled, the Committee Chair will ensure all concerned members are notified.

- IX.** Any member of a committee who is unable to attend a committee meeting will attempt to contact the Chair of that committee. ~~at least two (2) days prior to the time of the meeting so that other members may be notified in the event an insufficient number will be available to meet.~~

RECOMMEND TO RESCIND

AOS 81 (Comprised of CSD #8 and RSU #63)

- a. NEPN/NSBA Code:** **BEC**
- b. Title:** **Executive Sessions**
- c. Author:**
- d. Replaces Policy:**
- e. Date Approved:** **04/30/2014 CSD #8; 04/28/2014 RSU #63**
- f. Date Previously Approved:** **03/27/2006**
- g. Policy Expiration:** **Review as Needed**
- h. Responsible for Review:** **Board of Directors/Superintendent**
- i. Date Reviewed:** **04/14/2014**
- j. References:** **1 MRSA § 401 et. seq., and the July 12, 2004
(and updated June 16, 2008) Memorandum
for MSMA by Drummond Woodsum
See BEC-R Executive Session Law**
- k. Narrative:**

EXECUTIVE SESSIONS

- I. Except as provided by law, all meetings of the districts' School Boards shall be open to the public, and all persons shall be permitted to attend the meetings. A Board may hold executive sessions upon a recorded vote of 3/5^{ths} of the members present and voting. Any motion to go into executive session shall indicate the precise nature of the business of the executive session and include a citation of one or more sources of statutory or other authority that permits an executive session for that business. (NOTE: Refer to Appendix A & B which are included as a component of this policy.) Deliberations may be conducted in executive sessions only on those matters defined in the law. No final action shall be taken in executive session.**
- II. By its very nature, the subject matter of executive sessions is highly confidential. It is expected that all parties to such discussions will respect the need for confidentiality.**

RECOMMEND TO RESCIND

AOS 81 (Comprised of CSD 8 and RSU 63)

- a. NEPN/NSBA Code:** **BEC-R**
- b. Title:** **Executive Session Law**
- c. Author:**
- d. Replaces Policy:** **BEC-E**
- e. Date Approved:** **04/30/2014 CSD #8; 4/28/2014 RSU #63**
- f. Date Previously Approved:** **03/27/2006**
- g. Policy Expiration:** **Review as Needed**
- h. Responsible for Review:** **Board of Directors/Superintendent/Policy Committee**
- i. Date Reviewed:** **04/14/2014**
- j. References:** **1 MRSA § 405, and the July 12, 2004 (updated June 16, 2008) Memorandum to MSMA by Drummond Woodsum
See BEC-Executive Sessions with Appendices**

j. Narrative:

Executive Session Law

I. To Enter an Executive Session, a Board Must:

- A. Start with a Public Meeting;**
- B. Have a public recorded vote of 3/5 of members present and voting; and**
- C. State in a motion the precise nature of the business of the Executive Session and include in the motion a citation of one or more sources of statutory or other authority that permits an Executive Session for that business. If more than one matter is to be discussed, the nature of each matter and the source(s) of authority for each must be stated. When labor contracts are the subject of an Executive Session, the parties must be named.**

II. Restrictions During Executive Sessions:

- A. Only matters stated in the motion may be considered;**
- B. No official action shall be approved;**
- C. No public record shall be kept.**

III. Items Which May Be Discussed in Executive Session:

- A. Discussion or consideration of employment, appointment, assignment, duties, compensation, evaluation, resignation, disciplining, promotion, demotion, or dismissal of**

RECOMMEND TO RESCIND

public officials, appointees, or employees, or the investigation of charges or complaints against persons, subject to the following conditions:

1. Only when public discussion could be reasonably expected to cause damage to the reputation or violate the individual's right to privacy;
 2. Person charged or investigated has a right to be present. To ensure that right, the Superintendent shall make a good faith effort to notify the person being charged or investigated of the date, time, and location of the scheduled Executive Session;
 3. Person charged or investigated may request in writing that the investigation be conducted in open session. Such requests must be honored; and
 4. Any person bringing charges shall be permitted to be present (does not specify participation).
- B. Discussion or consideration of suspension or expulsion of a student, the cost of whose education is paid from public funds. The student and legal counsel (and parents or guardian if student is a minor) shall be permitted to be present if student, parents, or guardian so desire.
- C. Discussion or consideration of the condition, acquisition or use of real or personal property only if premature disclosure would prejudice the bargaining position of the body or agency.
- D. Board discussion of labor contracts and proposals and meetings may be held in Executive Session. (Negotiations between the representatives of a public employer and public employees are closed unless opened by agreement of both parties.)
- E. Consultations between a body or agency and its attorney concerning legal rights, pending litigation, and settlement offers, when premature public knowledge would give the Board substantial disadvantage.
- F. Discussion of records made, maintained, or received by the body or agency, when access by the general public is prohibited by statute.

APPENDIX A

MAINE STATUTES AUTHORIZING EXECUTIVE SESSIONS FOR MAINE SCHOOL UNITS

SAMPLE MOTION: To go into executive session to consider the *[Insert Reason for Executive Session]* pursuant to *[Insert Citation]*.

EXAMPLE: To go into executive session to consider the *[expulsion of a public school student]* pursuant to *[1 M.R.S.A. § 405(6)(B)]*.

REASON FOR EXECUTIVE SESSION	STATUTORY CITATION	APPLIES TO (EXPLANATION)
Acquisition of property	1 M.R.S.A. § 405(6)(C)	Real of personal property attached to real property or interests therein if premature disclosure would prejudice competitive or bargaining position of school unit
Appointment of officials/ appointees/employees	1 M.R.S.A. § 405(6)(A)	Public officials, appointees, or employees if public discussion could damage reputation or violate right to privacy
Assignment of officials/ appointees/employees	1 M.R.S.A. § 405(6)(A)	Public officials, appointees, or employees if public discussion could damage reputation or violate right to privacy
Compensation of officials/appointees/employees	1 M.R.S.A. § 405(6)(A)	Public officials, appointees, or employees if public discussion could damage reputation or violate right to privacy
Condition of property	1 M.R.S.A. § 405(6)(C)	Real or personal property attached to real property or interests therein if premature disclosure would prejudice competitive or bargaining position of school unit.
Demotion of officials/ appointees/employees	1 M.R.S.A. § 405(6)(A)	Public officials, appointees, or employees if public discussion could damage reputation or violate right to privacy.

Prepared for Maine School Management Association by Drummond Woodsum & MacMahon, July 12, 2004

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REASON FOR EXECUTIVE SESSION	STATUTORY CITATION	APPLIES TO (EXPLANATION)
Disciplining of officials/ appointees, employees	1 M.R.S.A. § 405(6)(A)	Public officials, appointees, or employees if public discussion could damage reputation or violate right to privacy.
Dismissal of officials/ appointees/employees	1 M.R.S.A. § 405(6)(A)	Public officials, appointees, or employees if public discussion could damage reputation or violate right to privacy.
Disposition of property	1 M.R.S.A. § 405(6)(C)	Publicly held property only if premature disclosure would prejudice competitive or bargaining position of school unit.
Duties of officials/ appointees, employees	1 M.R.S.A. § 405(6)(A)	Public officials, appointees, or employees if public discussion could damage reputation or violate right to privacy.
Economic development	1 M.R.S.A. § 405(6)(C)	Discussion generally only if premature disclosure would prejudice competitive or bargaining position of school unit.
Employment of officials/ Appointees/employees	1 M.R.S.A. § 405(6)(A)	Public officials, appointees, or employees if public discussion could damage reputation or violate right to privacy.
Evaluation of officials/ Appointees/employees	1 M.R.S.A. § 405(6)(A)	Public officials, appointees, or employees if public discussion could damage reputation or violate right to privacy.
Expulsion of students	1 M.R.S.A. § 405(6)(B)	Public school students or students at private schools where tuition is paid with public funds.
Hearing of charges against a person or persons	1 M.R.S.A. § 405(6)(A)	Public officials, appointees, employees or other persons if public discussion could damage reputation or violate right to privacy

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REASON FOR EXECUTIVE SESSION	STATUTORY CITATION	APPLIES TO (EXPLANATION)
Hearing of complaints against a person or persons	1 M.R.S.A. § 405(6)(A)	Public officials, appointees, employees, or other persons if public discussion could damage reputation or violate right to privacy
Information in confidential records; discussion or review of ¹	1 M.R.S.A. § 405(6)(F)	Records made, maintained, or received by school unit to which public access is prohibited by statute or regulation
Investigation of charges against a person or persons	1 M.R.S.A. § 405(6)(A)	Public officials, appointees, employees, or other persons if public discussion could damage reputation or violate right to privacy
Investigation of complaints against a person or persons	1 M.R.S.A. § 405(6)(A)	Public officials, appointees, employees, or other persons if public discussion could damage reputation or violate right to privacy
Labor contract discussions [parties must be named]	1 M.R.S.A. § 405(6)(D)	Public employer and its negotiators
Labor contract meetings [parties must be named]	1 M.R.S.A. § 405(6)(D)	Public employer and its negotiators
Labor contract negotiations	1 M.R.S.A. § 405(6)(D)	Negotiations if parties have not agreed to open sessions
Labor contract proposal discussions [parties must be named].	1 M.R.S.A. § 405(6)(D)	Public employer and its negotiators
Legal rights and duties of school unit; discussion of	1 M.R.S.A. § 405(6)(E)	Consultation between school unit and its attorney
Litigation, pending or contemplated; discussion of	1 M.R.S.A. § 405(6)(E)	Consultations between school unit and its attorney
Matters where duties of legal counsel to client under code of professional responsibility conflict with statute or where premature disclosure would disadvantage school unit; discussion of	1 M.R.S.A. § 405(6)(E)	Consultations between school unit and its attorney

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¹ See Confidential Records Chart, Appendix B

REASON FOR EXECUTIVE SESSION	STATUTORY CITATION	APPLIES TO (EXPLANATION)
Negotiations between Public Employer and Public Employees	1 M.R.S.A. § 405(D)	Labor negotiations if parties have not agreed to open sessions
Nonrenewal of teachers	20-A M.R.S.A. § 13201	Public school teachers
Promotion of officials/ appointees/employees	1 M.R.S.A. § 405(6)(E)	Public officials, appointees, employees, or other persons if public discussion could damage reputation or violate right to privacy
Resignation of officials/ Appointees/employees	1 M.R.S.A. § 405(6)(A)	Public officials, appointees, employees, or other persons if public discussion could damage reputation or violate right to privacy
Settlement offers	1 M.R.S.A. § 405(6)(A)	Consultation between school unit and its attorney
Suspension of students	1 M.R.S.A. § 405(6)(E)	Public school students or students at private schools where tuition is paid with public funds
Use of property	1 M.R.S.A. § 405(6)(C)	Real or personal property attached to real property or interests therein if premature disclosure would prejudice competitive or bargaining position of school unit.

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APPENDIX B

STATUTES AND REGULATIONS DESIGNATING CERTAIN MAINE SCHOOL UNIT RECORDS AS CONFIDENTIAL

Type of Record/Popular Title	Statutory/Regulatory Citation	Applies to (Explanation)
GENERAL EXCEPTIONS TO PUBLIC RECORDS		
Freedom of Information Act	1 M.R.S.A. § 402(3)(A)	Records designated Confidential by statute
	1 M.R.S.A. § 402(3)(B)	Records within the scope of a privilege against discovery recognized by Maine courts
	1 M.R.S.A. § 402(3)(D)	Material prepared for and used specifically in preparation for negotiations, including bargaining proposals and analysis of proposals received
	1 M.R.S.A. § 402(3)(I)	Juvenile records and fire department reports regarding juvenile fire setters
	1 M.R.S.A. § 402(3)(L)	Records describing security plans for purposes of preventing terrorism
	1 M.R.S.A. § 402(3)(M)	Records describing architecture/design etc. of information technology infrastructure and systems
Maine Human Rights Act	5 M.R.S.A. § 4612	Evidence or statements in compromise, settlement negotiations, offers of settlement and final agreements except by consent of parties
Public Improvements Statute	5 M.R.S.A. § 1747	Information concerning insufficient resources of contractor bidding on public work or, in some circumstances, plans and specifications

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Type of Record/Popular Title	Statutory/Regulatory Citation	Applies to (Explanation)
STUDENTS		
Student Education Records		
Family Educational Rights and Privacy Act (FERPA)	20 U.S.C. § 1232 g 34 C.F.R. Part 99 20 U.S.C. § 7903 20-A M.R.S.A. § 6205	Records, files, documents and other materials containing information directly related to a student and maintained by the school unit or person acting for school unit (excluding records in the sole possession of a teacher or other school employee or created by designated law enforcement unit for law enforcement purposes) Student assessment data
Maine Student Records Statute	20-A M.R.S.A. § 6001 MDOE Chapter 125(12)	Records covered by FERPA and IDEA Records defined in FERPA and includes academic and disciplinary records; personally identifiable information
Home Instruction	20-A M.R.S.A. § 6001; 5001-A(4)(c)	Notice of intent to home school; education records of home-schoolers; FERPA directory information on home-schoolers

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Type of Record/Popular Title	Statutory/Regulatory Citation	Applies to (Explanation)
Special Education Records		
Individuals with Disabilities Act (IDEA)	20 U.S.C. § 1412 et seq. 34 C.F.R. Part 300	Records covered by FERPA Records containing “personally identifiable information” about a child with disabilities (name of child, parent, and other family members; address of child; personal identifiers (i.e., Social Security number or student number); list of personal characteristics or other information that would make it possible to identify child with reasonable certainty)
	20-A M.R.S.A. § 7202 MDOE Rule Chapter 101(15)	Confidentiality of records in accordance with FERPA, IDEA, and state laws
Student Information		
Protection of Pupil Rights Act (PPRA)	20 U.S.C. § 1232h	Surveys, analysis, or evaluation in eight areas (political affiliations, sex behavior, etc.) Collection, disclosure, use of personal information for marketing/selling purposes
Juvenile Offense Records	20-A M.R.S.A. §§ 1055; 4502 15 M.R.S.A. §§ 3009; 3308 34-A M.R.S.A. § 1216 MDOE Chapter 125(10.07)	Criminal justice information about juveniles alleged to have committed violent crimes and juveniles reintegrating from correctional facilities provided to Notification Teams

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Type of Record/Popular Title	Statutory/Regulatory Citation	Applies to (Explanation)
Domestic Violence Records	20 U.S.C. § 7275	(Applies to schools receiving federal grants re: domestic violence) Information about students experiencing or witnessing domestic violence
Free or Reduced Lunches	20 U.S.C. § 1758	Information from application for free or reduced price school meals
Equal Educational Opportunity	MDOE/MHEC Rule Chapter 4-A	Predetermined discussions, conciliation efforts, final settlement agreement except by consent of parties
Student Medical/ Counseling Records		
Student Health Records	20-A M.R.S.A. 6357; MDOE Rule Chapters 125(10); 126(1) and 7(B); DHS Rule Chapter 281(5)	Health records confidential; defined to include health information and nursing services such as immunizations, health screening, and assessment; nursing plans
Communicable Diseases	22 M.R.S.A. § 824; DHS Rule Chapter 258 (G)	Information received from health officials re child with notifiable communicable disease
Student Health Records	20-A M.R.S.A. § 6001-B(2)	Transfer of confidential health records as described in 5 M.R.S.A. §§ 1903-D, 20047; 22 M.R.S.A. § 1711-C; 34-B M.R.S.A. § 1207
Confidentiality of Patient Records statute	42 U.S.C. § 290dd-2 42 CFR Part 2	Identity, diagnosis, prognosis, or treatment of person regarding substance abuse
Privileged Communications statute	20-A M.R.S.A. § 4008 MDOE Rule Chapter 129	Information from school counselor or social worker counseling session with student or parent

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Type of Record/Popular Title	Statutory/Regulatory Citation	Applies to (Explanation)
Consent of Minors for Health Services	22 M.R.S.A. § 1502 et seq.	Confidentiality of health information for which minors have authority to consent
EMPLOYEES		
Employee Records		
Employee/Applicant Records	20-A M.R.S.A. § 6101 MDOE Rule Chapter 125	Certain information relating to any employee and/or immediate family, and applicants (excluding directory information)
Criminal Records	20-A M.R.S.A. § 6103	Criminal history records obtained by MDOE
Certification Records	20-A M.R.S.A. § 13004 MDOE Rule Chapter 13(13.6) MDOE Rule Chapter 115	Records of certification application or verification; teacher addresses (exception: teacher certification status is public)
Support System Records	20-A M.R.S.A. § 13015 MDOE Rule Chapter 118(3)	Teacher action plans Teacher/educational specialist action plans
Test Scores	20-A M.R.S.A. § 13034	Teacher qualifying exam scores
Employee Medical Records		
Employee Applicant Records	20-A M.R.S.A. § 6101	Medical information of any kind
Americans with Disabilities Act; Maine Human Rights Act	42 U.S.C. § 12112 5 M.R.S.A. §§ 4572(2); 5 M.R.S.A. §§ 4573	Medical condition or history (to be kept in separate medical files) Records of features regarding physical or mental disability in separate file
Substance Abuse Tests	26 M.R.S.A. § 685(3)	Information acquired in substance abuse testing process
Bus Driver Testing	49 C.F.R. Part 382.405	Bus driver information concerning substance abuse testing

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Type of Record/Popular Title	Statutory/Regulatory Citation	Applies to (Explanation)
Employee Assistance Programs	Maine Office of Substance Abuse Rule Chapter 6	Information obtained by EAP
Retirement Information	5 M.R.S.A. § 17057	Medical information provided to employer by state retirement system
Confidentiality of Patient Records statute	42 U.S.C. § 290dd-2 42 CFR Part 2	Identify, diagnosis, prognosis, or treatment of person regarding substance abuse

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RECOMMEND TO RESCIND

**AOS #81
(Comprised of CSD # 8 and RSU #63)**

- a. NEPN/NSBA Code:** **BEDG**
- b. Title:** **Minutes of Meetings**
- c. Author:** **Board of Directors**
- d. Replaces Policy:**
- e. Date Approved:** **02/26/2014 CSD #8; 1/27/2014 RSU #63**
- f. Previously Approved:** **02/28/2005**
- g. Policy Expiration:** **Review as Needed**
- h. Responsible for Review:** **Board of Directors/Policy Committee**
- i. Date Reviewed:** **1/13/2014**
- j. Reference:** **20-A MRSA Sections 1004, 1055(1)
1 MRSA Sections 402(3), 403(3), 408.
30A MRSA Section 2605**
- k. Narrative:**

MINUTES OF MEETINGS

- I. The Superintendent of Schools is the ex-officio Secretary of each district's Board and, as such, shall maintain a complete and accurate recording of the Minutes. The Superintendent may employ appropriate clerical assistance at his/her discretion. The Chairperson of each Board and the Superintendent or his/her designee shall keep on file a copy of the Minutes of all regular and special meetings to be made available for public inspection at the Superintendent's office.
- II. The Minutes shall generally follow the agenda format of that meeting and shall include, but not be limited to:
 - A. The type, date, time, and place of the meeting.
 - B. The names of all Board members in attendance, those absent with excuse (if any), and those absent without excuse (if any).
 - C. Calling of Meeting to Order, Salute to the Flag, and a Moment of Silence, if any.
 - D. Questions and Comments from the Public.
 - E. Old business.
 - F. New business.
 - G. The wording of motions and resolutions.
 - H. The name of the Board member making the motion and the name of the member

RECOMMEND TO RESCIND

seconding the motion.

- I. The vote outcome.
 - J. The action taken.
 - K. The name of any abstaining member and the reason for abstaining.
 - L. The general description of events taking place in the meeting in sufficient detail to enable the reader to ascertain what took place.
 - M. The listing of all administrative reports presented and committee actions.
 - N. Superintendent's report.
 - O. Chairperson's report.
 - P. Resignations, Leaves of absence, and Appointments.
 - Q. Adjournment time.
- III. If requested, the Minutes of Board of Directors' meetings can be distributed electronically or mailed to each town office, the media, or any member of the public after being approved by the Board of Directors.

RECOMMEND TO RESCIND

AOS #81 (Comprised of CSD #8 and RSU #63)

- | | |
|-------------------------------------|---|
| a. NEPN/NSBA Code: | BIE |
| b. Title: | Board Member Liability Insurance |
| c. Author: | |
| d. Replaces Policy: | BIE |
| e. Date Approved: | 02/26/2014 CSD #8; 1/27/2014 RSU #63 |
| f. Date Previously Approved: | 03/03/2003 |
| g. Policy Expiration: | Review as Needed |
| h. Responsible for Review: | Superintendent/Board of Directors/Policy Committee |
| i. Date Reviewed: | 1/6/2014 |
| j. References: | Certificate of Coverage |
| k. Narrative: | |

BOARD MEMBER LIABILITY INSURANCE

- I. In a litigious society, it is prudent to provide sufficient protection for members of elected School Boards and school district employees in the course and performance of their required duties and responsibilities.
- II. Each school district within AOS #81 shall carry a School Board and Employee Liability Insurance policy for no less than \$1,000,000.00. Each Board of Directors shall authorize payment from the appropriate district's account to cover the deductible portion of said liability policy in the event that a lawsuit is brought against a Director or employee of the corresponding district.