Regional School Unit 5

Durham · Freeport · Pownal

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

Tom Gray, Superintendent of Schools
Kelly Wentworth, Director of Finance & Human Resources
Erica Mazzeo, Assistant Superintendent of Schools
Elisha Morris, Director of Instructional Support

TO: Colin Cheney, Danielle George, Kara Kaikini

CC: Trevor Bean, Jill Hooper, Erica Mazzeo

GUESTS: April Perkins, Director of Multilingual Programs for South Portland Schools *(formerly Maine State Director for Multilingual Programs)*

FROM: Tom Gray, Superintendent

DATE: September 4, 2025

RE: Policy Meeting – September 11, 2025

The Policy Committee is scheduled to meet on September 11, 2025 at 4:15 p.m. via Google Meet at the following link: https://meet.google.com/bzq-igsf-spm Or dial: (US) +1 929-324-9750 PIN: 497 098 116#

Agenda:

1. Appoint a Chair
2. Review Policies:
   - IHBEA - Program for Multilingual Learners
   - IHBEA-R - RSU No. 5 LAU Plan
3. Review Work Plan for 2025-2026
4. Review Policies:
   - EBCF - Automated External Defibrillators (AED's)
   - JICK - Bullying
   - JICK-R -Bullying Administrative Procedure
   - JJIF - Management of Concussions and Other Head Injuries
   - JJIF-E - Concussion Information Sheet

PROGRAM FOR MULTILINGUAL LEARNERS

The Board of Directors recognizes that there may be some students attending RSU No. 5 schools for whom English is not their primary home language, Multilingual Learners. These students may be significantly challenged as they acquire or improve English proficiency at the same time they are learning the knowledge and skills associated with the content standards of the system of Learning Results. In order to ensure equal educational opportunity, the school system will provide a program for students who are limited in English proficiency.

To that end, the Superintendent/designee shall be responsible for developing and implementing the school unit's "Lau Plan." The Lau Plan will describe:

A. How students will be identified as being from a non-English language background;

B. How such students will be assessed to determine their English language proficiency level and their need for support in content areas;

C. The types of services the school system will provide Multilingual Learners to meet their English language acquisition needs and support in content areas;

D. How Multilingual Learners will be evaluated for the purpose of determining when to reduce services or exit them from the language support services when they are ready to benefit from an all-English Learning Results aligned curriculum, and how their progress will be monitored after they have stopped receiving Multilingual services; and

E. How the school system will evaluate the effectiveness and appropriateness of the language support program for Multilingual Learners.

The Lau Plan will also describe how the school unit will communicate with the parents/guardians of Multilingual Learners parents.

The school unit will comply with all applicable federal laws and/or regulatory requirements if federal funds or grants are utilized for Multilingual Learners.

Legal References: Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d
P.L. 107-110 (No Child Left Behind Act of 2001)
20-A M.R.S.A. § 15670(18)
Ch. 127 § 3.02 (Me. Dept. of Ed. Rule)
Commissioner's Administrative Letter No. 24 (December 9, 2003)

Adopted: February 24, 2010
Reviewed: April 25, 2012
Revised: April 26, 2017
Revised: January 25, 2023

PROGRAM FOR ENGLISH LANGUAGE LEARNERS

The Board recognizes the need to provide a program for students who are English language learners in order to assure these students of equal educational opportunity.

To that end, the Superintendent shall be responsible for developing and implementing a "Lau Plan" to meet the needs of students who are English language learners, including procedures for identification, assessment, programming, monitoring or progress, exit/reclassification, follow-up, and parent notification. A Language Assessment Committee shall be appointed to assist in the coordination, oversight and periodic review of the program.

The Lau Plan shall be approved by the Board before it is submitted to the Maine Department of Education.

At the beginning of each school year, **[School unit name]** will notify parents of students identified for or participating in programs for English language learners about the instructional program and parent rights, as required by law. Parents will be regularly informed of their child's progress. Whenever practicable, communications with parents will be in the language understood by the parents.

Legal Reference: 42 U.S.C. § 2000d (Title VI, Civil Rights Act of 1964)
20 U.S.C. § 6801 et seq.
Me. Dept. of Educ. Rule Ch. 127.02

Adopted: _____

PLEASE NOTE MSMA sample policies and other resource materials do not necessarily reflect official Association policy. They are not intended for verbatim replication. Sample policies should be used as a starting point for a board's policy development on specific topics. Rarely does one board's policy serve exactly to address the concerns and needs of all other school units. MSMA recommends a careful analysis of the need and purpose of any policy and a thorough consideration of the application and suitability to the individual school system.

MSMA sample policies and other resource materials may not be considered as legal advice and are not intended as a substitute for the advice of a board's own legal counsel.

RSU No. 5 Lau PLAN

RSU No. 5 Multilingual Learners (ML) Program

A Lau Plan, named after the landmark Lau vs. Nichols U.S. Supreme Court Decision of 1974, is an equal access plan that protects Multilingual Learners (ML).

RSU No. 5 does not discriminate against Multilingual Learners (ML). In accordance with the Equal Education Opportunities Act (1974), the School Department makes an effort to do whatever is educationally appropriate to address the English language and educational needs of the Multilingual Learners so that they can participate with their English speaking peers in the educational program of RSU No. 5 schools. Eligible students will be identified and placed in programs and services in accordance with statutory guidelines. RSU No. 5 strives to provide a linguistically and culturally rich teaching and learning environment. It is the policy of RSU No. 5 to comply with all Federal and State laws prohibiting discrimination against students on the basis of all civil rights categories. The district ML services program for will be overseen by the Director of Instructional Support.

Part I: STUDENT ASSESSMENT

A. Identification of Multilingual Learners

The Maine Department of Education conducts an annual home language survey to determine the number of language minority children who are enrolled in Maine schools. Schools collect the completed surveys from the parents/guardians of new kindergarten students and newly transferring students. In order to provide English for Speakers of other Languages (ESOL) services in a timely manner, potential Multilingual Learners should be tested and placed within one month.

RSU No. 5 will use the following instruments to identify Multilingual Learners (MLs):

- Home Language Surveys
- Maine Department of Education (MDOE) approved World-Class Instructional Design and Assessment (WIDA) Screener
- Review of all relevant educational documents and student records
- Teacher observations

B. Assessment for English Language Proficiency

Once a child has been identified as being from a non-English language background or having spent considerable amount of time in a non-English speaking country (and that stay has affected the child's ability to comprehend and express in English), RSU No. 5 will ensure that the following instrument is administered annually to determine the English language proficiency of MLs:

- Annual administration of the ACCESS for MLs English Language Proficiency Test
- Teacher observations and recommendations

C. District Language Assessment Committee (DLAC)

The District Language Assessment Committee (DLAC) is a group of district-wide school staff and parents of students that meets to discuss and develop an appropriate and effective structured ESOL program for Multilingual Learners. The District Language Assessment Committee will:

- Oversee RSU No. 5's ESOL program and advise on identifying, serving, assessing, and exiting a Multilingual Learner from the program.
- Serve to notify parents about upcoming WIDA-ACCESS testing.
- Recommend revisions to the Lau Plan for action by the Superintendent and School Board.

The DLAC will meet twice per year in fall and spring, to review the Multilingual Learner Program, the effectiveness of the program, and to redirect certain instructional activities, if necessary. It is the responsibility of the ESOL teacher to convene the DLAC Committee and schedule meeting dates.

D. A School Language Assessment Committee (LAC) is established at each school to coordinate and oversee the educational program of Multilingual Learners enrolled in the school. LAC members will include the Director of Instructional Support or Building Administrators, classroom teacher(s) and an ESOL teacher.

The **LAC responsibilities** will include the following:

- To make determinations based on either the WIDA-ACCESS, or WIDA Screener about placement, programming services and delivery of services.
- To meet annually, or more frequently if needed, to monitor Multilingual Learner's language and academic progress.
- To meet with school staff to provide information about Multilingual Learners and the ESOL Program.
- To recommend modification of ESOL support services or reclassification of Multilingual Learners.
- To develop an Individual Language Acquisition Plan for each eligible Multilingual Learner.
- To continue annual monitoring for two years after Multilingual Learner's reclassification to full English proficiency.

PART II: STUDENT PLACEMENT (ENTRY AND EXIT)

A. Factors that Affect Program Design

There are many factors that must be considered when determining the most appropriate and effective structured language support program. Some of those factors are:

- Age of the child
- English language proficiency level
- Native or preferred language proficiency level

- Amount of interrupted schooling in the child's background
- The amount of native or preferred language literacy skills the child possesses
- Complications from trauma associated with refugee status, e.g. histories of war, persecution, resettlement & acculturation
- Amount of literacy readiness/exposure in child's background

B. Classification of Student's English Fluency Level

The English language proficiency level of language minority students can be translated to classification categories. These categories are:

Level 1 – Entering
Level 2 – Beginning
Level 3 – Developing
Level 4 – Expanding
Level 5 – Bridging
Level 6 – Reaching

C. Grade-level Placement

Based on the results of the LAC meeting, the building principal will place the Multilingual Learner in an appropriate grade. An Multilingual Learner will not be placed in a grade level that is more than one year below their chronological age.

D. Criteria for Reclassification, Transfer and Exit

If a structured language support program is effective and appropriate, the Multilingual Learner will eventually be: (a) reclassified at a higher level of proficiency, or (b) exited from the structured language support program entirely. Students will be exited from the program based on achieving a WIDA ACCESS composite score of 4.5.

If and when the child is found to be eligible for reclassification or exit, the LAC will need to monitor the child's academic performance and psychosocial well being after the reclassification or exit is made. In the case of a student who is reclassified, the decreased ESOL instructional time should be monitored in terms of: continued academic success; adjustment to a longer time period in the mainstream classroom; and, instructional needs being met in the structured language support program. In the case of exit from the program, the full mainstreaming should be monitored for academic success; adjustment to the full-time mainstream classroom; and, any emerging language skills needs that may surface once mainstreaming has occurred.

After a child has been exited from a structured language support program, that child's language performance and growth must be monitored for two years (if the child is still in school). During those two years of monitoring, if the child experiences a pattern of difficulty with language or content skills, the LAC may re-enter the child into the structured language program.

In the event that a parent/guardian refuses ESOL services for a student, a signed letter of refusal is to be placed in the student's file. These ESOL services will be offered yearly, and a letter of refusal must be signed annually. The parent may withdraw refusal of services at any time.

PART III: PROGRAM INSTRUCTION

A. Teacher Skills and Credentials

Just as with any other teaching specialization, ESOL teachers require special pedagogies to provide the best services for their students. The State Board of Education in 1988 adopted an ESOL endorsement for teachers. ESOL language support services may be provided in two personnel configurations:

1. An ESOL-endorsed teacher provides direct ESOL instruction

2. An educational technician supervised by an ESOL-endorsed teacher

The presence of an ESOL-endorsed professional is imperative for an effective and appropriate program to be implemented. The recommended configuration is the former; recommended by the Office of Civil Rights and the Maine Department of Education.

B. Service Delivery Models

There are several types of structured language support programs that RSU No. 5 believes can be beneficial to Multilingual Learners. This system's ability to provide some of these programs depends on both availability of native or preferred language speaking personnel and availability of native or preferred language instructional materials for sheltered content. The keys to an effective and appropriate program choice will include careful consideration of the child's needs, full research into the resources available (personnel, materials), and full understanding of the possible program configurations.

Some of the likely structured language support programs to be used in RSU No. 5 schools will include:

English for Speakers of Other Languages: A structured language learning program or curriculum designed to teach English to students whose native or preferred language is not English. Pullout and push-in services are provided based on individual student's need. Services are provided by or supervised by a State certified teacher endorsed in ESOL.

Sheltered English: An approach that utilizes the simplification of the English language to teach ESOL and subject area content simultaneously (sometimes called "content ESOL"). Although the actual content is the same as that taught to non-Multilingual Learners, key concepts and vocabulary are targeted to fit the Multilingual Learners English language proficiency level.

A structured language support program encompassing the above models will be provided in a time allocation that will most benefit the Multilingual Learners. The consideration of many factors must take place when a program is being developed. However, the ultimate goal is to provide effective and appropriate services to the student so that they may benefit fully from and succeed in an education conducted in English.

The determination of a time allotment for structured language support programs will be made by the Language Assessment Committee with assessment information available.

PART IV: PROGRAM EVALUATION AND RECORDKEEPING

In order to ensure the most effective and appropriate structured language support programming for Multilingual Learners, a model for overall program evaluation must be developed and utilized. An annual program evaluation will illustrate the following: attainment of program outcomes; attainment of learner outcomes; school climate and support for the program and children; the quality of instructional materials; the maintenance of information about students; the effectiveness of staff development activities; the amount and effectiveness of mainstream – ESOL collaboration; the effectiveness of school and program communication with parents/guardians; and the implementation of the district's Lau Plan itself approved by its Board.

In all the procedures involving the identification, assessment, provision of services, and exit from services for Multilingual Learners, thorough record keeping must be implemented and maintained.

It is the responsibility of the ESOL teacher to maintain accurate files for each Multilingual Learner. Items included in student files (but not limited to) would consist of:

- Copy of the Home Language Survey
- Copy of the WIDA-ACCESS/MODEL tests
- Test scores
- Copy of ILAP
- Any other pertinent information

Part V: STATUTE

Legal Obligation of Schools toward Multilingual Learners

1. **Civil Rights Act of 1964**

Title VI: "*No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal Financial Assistance.*"

2. **US Department of Education Office for Civil Rights Memorandum (1970):**

"(1) Where inability to speak and understand the English language excludes national origin minority group children from effective participation in the educational program offered by a school district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students.

(2) School districts must not assign national origin minority group students to classes for the mentally retarded on the basis of criteria which essentially measure or evaluate English language skills; nor may school districts deny national origin minority group children access to college preparatory courses on a basis directly related to the failure of the school system to inculcate English language skills.

(3) Any ability grouping or tracking system employed by the school system to deal with the special language skill needs of national origin minority group children must be designed to meet such language skill needs as soon as possible and must not operate as an educational dead end or permanent track.

(4) School districts have the responsibility to adequately notify national origin minority group parents of school activities, which are called to the attention of other parents. Such notice in order to be adequate may have to be provided in a language other than English."

3. **Lau v. Nichols: U.S. Supreme Court decision of 1974**

"No state shall deny equal educational opportunity to an individual on account of his or her race, color, sex, or national origin, by –

(f) *the failure of an educational agency to take appropriate action to overcome language barriers that impede equal participation by its students in its instructional programs."*

Administrative Procedure Adopted: 4/13/10
Administrative Procedure Reviewed: 4/3/12
Adopted by Board: 4/26/17
Revised: 1/25/23

RSU 5 Policy Committee Work Plan DRAFT (2025-2026)

Committee Meeting Dates
9/11/25, 10/2/25, 11/6/25, 12/4/25, 1/8/26, 2/5/26, 3/5/26, 4/2/26, 5/7/26, 6/4/26
Meeting time - 4:15 p.m. - Google Meet

September 11, 2025

Focus: Orientation, high-priority legal compliance, new required policy

- Orientation to Work Plan and Legal Compliance Priorities
- ⭐ EBCF - Automated External Defibrillators (AED's) (last revised November 2017)
- IHBEA - Program for Multilingual Learners (last revised January 2023)
- IHBEA-R - RSU No. 5 LAU Plan (last revised January 2023)
- JICK – Bullying *(last revised Apr 2020) – Required by law*
- JICK-R – Bullying Administrative Procedure *(last revised Apr 2020) – Required by law*
- JJIF – Management of Concussions & Other Head Injuries *(last revised Oct 2019) – Required by law*
- JJIF-E - Concussion Information Sheet *(last revised Oct 2019) - Required by law*

October 2, 2025

Focus: Student Rights, Records, Attendance

- ⭐ JRA-E – FERPA Notice *(last revised Dec 2016) – Required by law*
- ⭐ JEA – Compulsory School Attendance *(last reviewed Jun 2018) – Required by law*
- ⭐ IKE – Promotion, Retention and Acceleration of Students *(last revised Sep 2017) – Required by law*

- ⭐ ILD – Educational Research: Student Submittion to Surveys, Analyses, or Evaluation *(last reviewed Oct 2018) – Required by law*

- Cell Phone Policy Discussion *(new, required by Maine law, draft for consideration)*

November 6, 2025

Focus: Instruction & Curriculum-Related Policies

- ⭐ IHBAA – Referral & General Education Interventions *(last reviewed Feb 2018) – Required by law*

- ⭐ IHBG – Home Instruction Program *(last reviewed Mar 2018) – Required by law*

- ⭐ IHBGA – Home Schooling Participation in School Programs *(last reviewed Mar 2018) – Required by law*

- ⭐ IMBB – Exemption from Required Instruction *(last reviewed Apr 2018) – Required by law*

December 4, 2025

Focus: Safety & Health

- JLFA – Child Sexual Abuse Prevention & Response *(adopted Oct 2018) – Required by law*

- ⭐ JICH – Drug and Alcohol Use by Students *(last revised Oct 2017) – Required by law*

- ⭐ JICIA – Weapons, Violence & School Safety *(last revised Feb 2018) – Required by law*

- ⭐ EBCA – Comprehensive Emergency Management Plan *(last reviewed Oct 2018) – Required by law; vital for safety, pairs with AED policy*

January 8, 2026

Focus: Equity & Access

- ⭐ JFABD – Admission of Homeless Students *(last reviewed Apr 2018) – Required by law*
- JFAB – Admission of Non-Resident Students *(last reviewed Mar 2020) – Required by law*
- JFABD (duplicate code in record – confirm correct policy alignment) – Required by law
- ADA – School District Goals & Objectives *(last reviewed Oct 2019) – Required by law*

February 5, 2026

Focus: Graduation & Post-Secondary Opportunities

- IKF – Graduation Requirements *(last revised Jun 2020) – Required by law*
- ⭐ IHCDA – Post-Secondary Enrollment Options *(last reviewed Jun 2018) – Required by law*
- IKFA – Early Graduation *(last revised Feb 2019)*
- ⭐ IKAB – Grading System – Reporting Student Proficiency *(last revised Jun 2018)*

March 5, 2026

Focus: Staff-Related Policies Required by Law

- ⭐ GCOC – Evaluation of Administrative Staff *(last revised Nov 2016) – Required by law*
- ⭐ GBO – Family Care Leave *(last reviewed Oct 2017) – Required by law*
- ⭐ GCI – Professional Staff Development *(last reviewed Jan 2018) – Required by law*

- GBP – Earned Paid Leave *(adopted May 2021) – Required by law*

April 2, 2026

Focus: Governance & Board Responsibilities

- BBA – Board of Directors Powers & Responsibilities *(last revised Jun 2020) – Required by law*
- ADA – Educational Mission & Vision *(last revised Feb 2019) – Required by law*
- ADF – School District Commitment to Learning Results *(last reviewed Oct 2020) – Required by law*
- ADAA – School System Commitment to Standards for Ethical & Responsible Behavior *(last reviewed Oct 2020) – Required by law*

May 7, 2026

Focus: Technology & Internet Use

- IJNDB – Student Computer & Internet Use *(last revised Nov 2018) – Required by law*
- IJNDB-R – Student Computer & Internet Use Rules *(last revised Nov 2018) – Required by law*
- GCSA – Employee Computer & Internet Use *(last reviewed Jan 2018) – Required by law*
- GCSA-R – Employee Computer & Internet Use Rules *(last reviewed Jan 2018) – Required by law*

June 4, 2026

Focus: Clean-Up & Catch-Up

- ACAD – Hazing *(last reviewed Oct 2020) – Required by law*
- ADC – Tobacco-Free Schools *(last revised Apr 2021) – Required by law*
- KBF – Parent Involvement in Title I Programs *(last reviewed Nov 2020) – Required by law*
- DN – School Properties Disposal Procedures *(last reviewed Jun 2019) – Required by law*
- Hold date for carryover items or policies that require extended discussion.

Observations

- Many policies were last updated **2016–2018** ( ), so they are overdue for review.
- This plan gets through the required list, but **the backlog suggests extending the work into 2026–27** to cycle through remaining non-required but important policies (e.g., equity, programming, HR).

Continuation Work Plan: 2026–2027

Purpose: To address policies not yet updated, complete the backlog of overdue reviews, and establish an ongoing cycle of review so RSU 5 stays current with law, best practice, and district priorities.

Priorities for 2026–27

1. **Finish Required Policies**

- Ensure all remaining legally required policies are fully reviewed and up to date (carryover from 2025–26 if needed).

- Monitor **newly passed state or federal laws** (cell phone policy shows how quickly requirements can emerge).

2. **Address Non-Required but High-Impact Policies**
   Focus on areas that directly affect district operations, family engagement, and staff working conditions:

   - **Instructional Programs & Curriculum** (IJ – Instruction section, not yet fully reviewed).

   - **Personnel & HR Policies** (GB section, beyond those mandated).

   - **Student Activities & Athletics** (JJ policies).

   - **Facilities & Operations** (EB/EC policies, particularly safety, maintenance, and transportation).

3. **Cycle for Ongoing Review**

   - Establish a **5-year rolling review cycle**: all policies reviewed at least once every 5 years, even if no legal changes occur.

   - Assign categories by year (e.g., Student policies one year, Governance the next) to balance the workload.

Proposed Sequence for 2026–27 Meetings

(Assuming same calendar rhythm, skipping July & August)

September 2026 – Orientation & Carryover

- Review carryover items from June 2026 (if any).

- Review changes in Maine law from the summer.

- Confirm ongoing 5-year cycle process.

October 2026 – Instructional Programs

- IJ policy section (curriculum, special programs, co-curricular offerings).
- Review alignment with Maine Learning Results updates.

November 2026 – Personnel Policies (non-required)

- Staff conduct, evaluations (beyond GCOC), benefits, leaves, work conditions.
- Policies needing modernization for equity, clarity, and consistency.

December 2026 – Facilities & Safety (beyond EBCA)

- Transportation policies.
- Building and grounds maintenance policies.
- Environmental sustainability (if in policy catalog).

January 2027 – Student Activities & Athletics

- Review of JJ policies.
- Eligibility, participation, safety, and extracurricular guidelines.

February 2027 – Equity, Inclusion & Wellness

- Non-discrimination (AC policies).
- Diversity, equity, inclusion, mental health/wellness policies.
- Student/family engagement policies not legally required but high impact.

March 2027 – Governance & Communication

- Public participation policies.
- Board communication, policy on community relations (K policies).

April 2027 – Technology Expansion

- Policies related to emerging tech, AI, digital citizenship, and cybersecurity.
- Review/update tech policies not covered in May 2026.

May 2027 – Clean-Up & Catch-Up

- Carryover items from the year.
- Begin staging policies for 2027–28 (continuation of 5-year cycle).

June 2027 – Review & Reset

- Evaluate progress of 5-year cycle.
- Align next year's priorities with district goals and any new legal requirements.

This ensures **all required policies are up to date by June 2026**, then positions RSU 5 to:

- Clean up overdue but non-mandated policies.
- Proactively manage policy health through a **rolling cycle**.
- Stay **NIMBLE** for **new legislative mandates**.

AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs)

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

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

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

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

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

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

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

AUTOMATED EXTERNAL DEFIBRILLATORS (AED'S)

The Board recognizes that from time to time medical emergencies may arise that warrant the use of an automated external defibrillator (AED). **[School unit name]** may acquire one or more AED's for use in its schools and at school athletic events.

[School unit name] will offer training to students on performing cardiopulmonary resuscitation (CPR) and use of an AED in accordance with such rules as may be adopted by the Maine Department of Education, and may require training for those school unit personnel who have been identified by the Superintendent, in consultation with the school physician, as needing such training to effectively carry out their job responsibilities.

[NOTE: Maine 2015 PL Ch. 140, "An Act to Require Public Schools To Offer Instruction Related to Cardiopulmonary Resuscitation and the Use of an Automated External Defibrillator" directs that schools "*shall offer training*" *to students* on performing CPR and using an AED in accordance with rules adopted by the DOE. The rule implementing, DOE rule Chapter 4, was adopted in 2016. Rule Chapter 41. The statute on AEDs and CPR in schools, 20-A MRSA § 6304, which the Act amends, still says "School personnel and members of the public *may receive* training on how to perform [CPR] and use of [AED] in order to acquire the skills and confidence to respond to emergencies."]

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

[NOTE: The American Heart Association offers an "AED Implementation Guide," available online, at *www.americanheart.org*, that may be useful in developing such protocols, and manufacturers typically provide detailed instructions for use, testing, and maintenance of their products. However, decisions must be made locally concerning site selection and the circumstances (if any) in which an AED may be removed from a school building for use at a school activity elsewhere. These decisions are particularly important if the school unit has only one AED in a building or for the entire school unit. We recommend the Superintendent or his/her designee make these decisions in consultation with the school physician or other qualified expert and the school unit's school nurses, principals, and athletic director.]

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

[NOTE: The AED law, 22 M.R.S.A. § 2150-C, provides immunity from civil liability for damages relating to the use, possession or purchase of an AED and arising out of acts or omissions relating to preparing for and responding to suspected sudden cardiac arrest emergencies absent gross negligence or willful or wanton misconduct for any person or entity acquiring, maintaining, using, prescribing, or providing instruction in the use of an AED. In school law, 20-A MRSA § 4009 provides immunity for non-licensed school personnel who render first aid, emergency treatment or rescue assistance to a student during a school program.]

Legal Reference: 14 MRSA § 164
20-A MRSA § 4009; 6304
22 MRSA § 2150-C
Maine Dept. of Educ. Rule Ch. 41

Cross Reference: EBCA – Comprehensive Emergency Management Plan
JLCE - First Aid and Emergency Medical Care

Adopted: _____

BULLYING

The Board believes that bullying, including cyberbullying, is detrimental to student well-being and to student learning and achievement. It interferes with the mission of the schools to educate their students and disrupts the operations of the schools. Bullying affects not only students who are targets but also those who participate in and witness such behavior.

Bullying Prohibited

Bullying, including "cyberbullying," harassment and sexual harassment is not acceptable conduct in RSU5 and is prohibited.

Retaliation for the reporting of incidents of such behavior is also prohibited.

In adopting this policy, it is not the Board's intent to prohibit students from expressing their ideas, including religious, political and philosophical views that may offend the sensibilities of others, or from engaging in civil debate. However, the Board does not condone and will take action in response to conduct that directly interferes with students' rights at school under applicable laws or with the educational mission, operations, discipline or general welfare of the schools.

Definition of Bullying

"Bullying" and "cyberbullying" have the same meaning in this policy as in Maine law:

Bullying

"Bullying" includes, but is not limited to a written, oral or electronic expression or a physical act or gesture or any combination thereof directed at a student or students that:

A. Has, or a reasonable person would expect it to have, the effect of:

1. Physically harming a student or damaging a student's property; or

2. Placing a student in reasonable fear of physical harm or damage to his/her property;

B. Interferes with the rights of a student by:

1. Creating an intimidating or hostile educational environment for the student; or

2. Interfering with the student's academic performance or ability to participate in or benefit from the services, activities or privileges provided by the school; or

C. Is based on:

a. A student's actual or perceived characteristics identified in

5 MRSA § 4602 or 4684-A (including race; color; ancestry; national origin; sex; sexual orientation; gender identity or expression; religion; physical or mental disability) or other distinguishing personal characteristics (such
as socioeconomic status; age; physical appearance; weight; or family status); or

b. A student's association with a person with one or more of these actual or perceived characteristics or any other distinguishing characteristics; and that has the effect described in subparagraph A. or B. above.

Under Maine law:
"Sexual orientation" means a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression.

"Gender Identity" means gender-related identity, appearance, mannerisms, or other gender-related characteristics of an individual, regardless of the individual's assigned sex at birth.

Cyberbullying

"Cyberbullying" means bullying through the use of technology or any electronic communication, including but not limited to, a transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted by the use of any electronic device including, but not limited to, a computer, telephone, cellular telephone, text messaging device or personal digital assistant.

Definition of Harassment and Sexual Harassment

Harassment includes but is not limited to verbal abuse based on race, color, sex, religion, ancestry or national origin, sexual orientation, disability (or other protected class.)

Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors or pressure to engage in sexual activity, physical contact of a sexual nature, gestures, comments, or other physical, written or verbal conduct that is gender-based that interferes with a student's education.

Definition of Retaliation

Retaliation means an act or gesture against a student for asserting or alleging an act of bullying. Retaliation also includes reporting that is not made in good faith on an act of bullying.

Application of Policy

This policy applies to bullying that:

A. Takes place at school or on school grounds, at any school-sponsored or school-related activity or event or while students are being transported to or from school or school-sponsored activities or events; or

B. Takes place elsewhere or through the use of technology, but only if the bullying also infringes on the rights of the student at school as set forth in the definition of "bullying."

Consequences for Policy Violations

Students

Students who violate this policy may be subject to disciplinary action which may include suspension, expulsion or a series of graduated consequences including alternative discipline or other behavioral interventions.

The Board retains the right to impose disciplinary consequences for bullying and other conduct that occurs at any time or place that substantially disrupts the instructional program, operations of the schools or welfare of students.

Any student violating this policy may also be subject to civil or criminal penalties.

School Employees and Others

Administrators, professional staff and all other employees who violate this policy may be subject to disciplinary action up to and including dismissal, and in accordance with any applicable collective bargaining agreements.

Volunteers, contractors and visitors who violate this policy will be barred from school property until the Superintendent is satisfied that the person will comply with Maine's bullying law and this policy.

Any person violating this policy may also be subject to civil or criminal penalties.

Any school-affiliated organization that authorizes or engages in bullying or retaliation is subject to forfeiture of Board approval/sanctioning and/or suspension or revocation of its permission to operate on school grounds.

Staff Training

RSU5 will provide professional development and staff training in bullying prevention and response.

Delegation of Responsibility

The Superintendent will designate the school principal and/or other school personnel to be responsible for implementation/enforcement of this policy and associated procedures on the school level.

The Superintendent/designee will be responsible for developing and implementing procedures in accordance with applicable law to implement this policy.

Dissemination of Policy

This policy, any associated administrative procedures and the names of the person(s) responsible for implementing the policy/procedure at the school level will be provided, in writing to students, parents, school employees and volunteers in handbooks, and on the school unit's website and by such other means (if any) as may be determined by the Superintendent.

Legal Reference: 20-A M.R.S.A. § 1001(15), 6554

Cross Reference:
AC - Nondiscrimination, Equal Opportunity
AD - Educational Mission and Vision
ADAA - School System Commitment to Standards for Ethical and Responsible Behavior
ACAA-R - Harassment and Sexual Harassment of Students
ACAD - Hazing
ADF - School District Commitment to Learning Results
CHCAA - Student Handbooks
GCI - Professional Staff Development Opportunities
IJNDB-R - Student Technology, Internet Use, and Internet Safety Rules
JI - Student Rights and Responsibilities
JIC - Student Code of Conduct
JICC - Student Conduct on Buses
JICIA - Weapons, Violence and School Safety
JK - Student Discipline
JKD - Suspension of Students
JKE - Expulsion of Students
KLG - Relations with Law Enforcement Authorities

Adopted: July 8, 2009
Revised: March 27, 2013
Revised: April 29, 2020

BULLYING

The Board believes that bullying, including cyberbullying, is detrimental to student well-being and to student learning and achievement. It interferes with the mission of the schools to educate their students and disrupts the operations of the schools. Bullying affects not only students who are targets but also those who participate in and witness such behavior.

Bullying Prohibited

Bullying, including "cyberbullying," harassment and sexual harassment are not acceptable conduct in **[School unit name]** and are prohibited.

Retaliation for the reporting of incidents of such behavior is also prohibited.

In adopting this policy, it is not the Board's intent to prohibit students from expressing their ideas, including religious, political and philosophical views that may offend the sensibilities of others, or from engaging in civil debate. However, the Board does not condone and will take action in response to conduct that directly interferes with students' rights at school under applicable laws or with the educational mission, operations, discipline or general welfare of the schools.

Definitions

"Bullying" and "cyberbullying" have the same meaning in this policy as in Maine law:

Bullying

"Bullying" includes, but is not limited to a written, oral or electronic expression or a physical act or gesture or any combination thereof directed at a student or students that:

A. Has, or a reasonable person would expect it to have, the effect of:

1. Physically harming a student or damaging a student's property; or

2. Placing a student in reasonable fear of physical harm or damage to his/her property;

B. Interferes with the rights of a student by:

1. Creating an intimidating or hostile educational environment for the student; or

2. Interfering with the student's academic performance or ability to participate in or benefit from the services, activities or privileges provided by the school; or

C. Is based on:

a. A student's actual or perceived characteristics identified in 5 MRSA § 4602 or 4684-A (including race and traits associated with race including hair texture, Afro hairstyles and protected hairstyles including braids, twists, and locs); color; ancestry; national origin; sex; sexual orientation; gender identity or expression; religion; physical or mental disability) or other distinguishing personal characteristics (such as socioeconomic status; age; physical appearance; weight; or family status); or

b. A student's association with a person with one or more of these actual or perceived characteristics or any other distinguishing characteristics;

and that has the effect described in subparagraph A. or B. above.

Under Maine law:

"Sexual orientation" means a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression.

"Gender identity" means gender-related identity, appearance, mannerisms, or other gender-related characteristics of an individual, regardless of the individual's assigned sex at birth.

Cyberbullying

"Cyberbullying" means bullying through the use of technology or any electronic communication, including but not limited to, a transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted by the use of any electronic device including, but not limited to, a computer, telephone, cellular telephone, text messaging device or personal digital assistant.

Retaliation

Retaliation means an act or gesture against a student for asserting or alleging an act of bullying. Retaliation also includes reporting that is not made in good faith on an act of bullying.

Application of Policy

This policy applies to bullying that:

A. Takes place at school or on school grounds, at any school-sponsored or school-related activity or event or while students are being transported to or from school or school-sponsored activities or events; or

B. Takes place elsewhere or through the use of technology, but only if the bullying also infringes on the rights of the student at school as set forth in the definition of "bullying."

Consequences for Policy Violations

Students

Students who violate this policy may be subject to disciplinary action which may include suspension, expulsion or a series of graduated consequences including alternative discipline or other behavioral interventions.

The Board retains the right to impose disciplinary consequences for bullying and other conduct that occurs at any time or place that substantially disrupts the instructional program, operations of the schools or welfare of students.

Any student violating this policy may also be subject to civil or criminal penalties.

School Employees and Others

Administrators, professional staff and all other employees who violate this policy may be subject to disciplinary action up to and including dismissal, and in accordance with any applicable collective bargaining agreements.

Volunteers, contractors and visitors who violate this policy will be excluded **[OR: barred]** from school property until the Superintendent is satisfied that the person will comply with Maine's bullying law and this policy.

Any person violating this policy may also be subject to civil or criminal penalties.

Any school-affiliated organization that authorizes or engages in bullying or retaliation is subject to forfeiture of Board approval/sanctioning and/or suspension or revocation of its permission to operate on school grounds.

Staff Training

[School unit name] will provide professional development and staff training in bullying prevention and response.

[NOTE: The law requires "professional development and staff training in the best approaches [to implementing the bullying law]." The Maine Department of Education has posted on its website a variety of resources to create bullying prevention education programing and for professional development and staff training around the best approaches to implementing the bullying law. These resources can be accessed at http://www.maine.gov/doe/bullying/resources/index.html].

Delegation of Responsibility

The Superintendent/designee will be responsible for developing and implementing procedures in accordance with applicable law to implement this policy.

The Superintendent will designate the school principal and/or other school personnel to be responsible for implementation/enforcement of this policy and associated procedures on the school level.

A student or his/her parent/guardian who is dissatisfied with a decision of the Superintendent or designee related to the taking or not taking of disciplinary action in the course of implementing this policy may appeal, in writing, to the Superintendent within 14 calendar days **[OR: ___ days]** of notice of the decision.

[NOTE: The number of days should be consistent with timeframes in other board policies permitting appeals.]

The Superintendent's decision shall be final.

Dissemination of Policy

The Superintendent will be responsible for providing this policy, any associated administrative procedures and the names of the person(s) responsible for

implementing the policy/procedure at the school level in writing to students, parents, school employees and volunteers in handbooks, on the school unit's website and by such other means (if any) as may be determined by the Superintendent.

Legal Reference: 20-A M.R.S.A. § 1001(15), 6554

Cross Reference:
AC - Nondiscrimination, Equal Opportunity
ACAA – Harassment and Sexual Harassment of Students
ACAD – Hazing
AD – Educational Philosophy/Mission
ADAA – School System Commitment to Standards for Ethical and Responsible Behavior
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CHCAA - Student Handbooks
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JI - Student Rights and Responsibilities
JIC - Student Code of Conduct
JICC - Student Conduct on Buses
JICIA - Weapons, Violence and School Safety
JK - Student Discipline
JKD - Suspension of Students
JKE - Expulsion of Students
KLG - Relations with Law Enforcement Authorities

Adopted: _____

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MSMA sample policies and other resource materials may not be considered as legal advice and are not intended as a substitute for the advice of a board's own legal counsel.

BULLYING – ADMINISTRATIVE PROCEDURE

This procedure is intended as guidance for school administrators in carrying out their responsibilities when bullying is alleged to have occurred. It provides important definitions as well as steps for reporting, investigating and responding to allegations of bullying.

Bullying behavior alleged to be based on race, color, ancestry, national origin, sex, sexual orientation, religion or disability should be addressed under the procedures set forth in the Student Harassment and Sexual Harassment procedure, ACAA-R, rather than under this procedure.

Bullying Reports

Students and Parents/Guardians

Students who believe they have been bullied, or who have witnessed or learned about an act of bullying should report this behavior to the building principal.

Parents/guardians may report bullying on behalf of their children or when they have witnessed or are aware of the occurrence of bullying.

Reports of bullying may be made anonymously.

Any student who has been determined to have knowingly made a false report of bullying will be subject to disciplinary consequences.

No disciplinary action shall be taken against a student unless the report has been substantiated.

School Employees

For the purposes of this procedure, "school employees" includes coaches, advisors for cocurricular or extracurricular activities and volunteers.

All school employees are expected to intervene when they see acts of bullying in progress and are required to report incidents of bullying they have witnessed or become aware of to the building principal as soon as practicable.

School employees who fail to report bullying or who have made a false report of bullying will be subject to disciplinary consequences up to and including termination, in accordance with any applicable collective bargaining agreement.

Others

Contractors, service providers, visitors or community members who have witnessed or become aware of bullying are encouraged to report such incidents to the building principal.

Form of Reports

Complaints or reports of bullying may be made orally or in writing, but all reports will be recorded in writing by school personnel authorized to receive complaints or reports, using the school unit's reporting form (JICK-E1).

School employees are required to make reports of bullying to the principal in writing. Although students, parents and others, as identified above, may make bullying reports anonymously, all persons reporting incidents of bullying are encouraged to identify themselves.

The building principal will forward a copy of the report to the Superintendent by the end of the next school day.

Interim Measures

The building principal may take such interim measures as they deem appropriate to ensure the safety of the targeted student and prevent further bullying and will inform the parents of the targeted student of measures taken.

Investigation

The principal will ensure that all reports of bullying and retaliation are investigated promptly and that documentation of the investigation, including the substance of the complaint or report and the outcome of the investigation is prepared and forwarded to the Superintendent within a reasonable period of time.

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

Response to Bullying by Students

If bullying has been substantiated, the building principal or designee as appropriate under the circumstances will determine the appropriate disciplinary consequences, which may include detention, suspension or expulsion; alternative discipline; remediation; and/or other intervention.

In order to remediate any substantiated incident of bullying to counter the negative impact of the bullying and reduce the risk of future bullying incidents, the principal may consider the following alternatives, which include but are not limited to:

A. Meeting with the student and the student's parents/guardians;

B. Reflective activities, such as requiring the student to write an essay about the student's misbehavior;

C. Mediation when there is mutual conflict between peers, rather than one-way negative behavior, and when both parties freely choose to meet;

D. Counseling;

E. Anger management;

F. Health counseling or intervention;

G. Mental health counseling;

H. Participation in appropriate social emotional cognitive skill building and resolution and restorative conferencing;

I. Community service; and

J. In-school detention or suspension, which may take place during lunchtime, after school or on weekends.

If the bullying behavior appears to be a criminal violation, the building principal will notify local law enforcement authorities.

If bullying has been substantiated, the building principal will provide written notification to:

A. The parents/guardians of the targeted student, including the measures being taken to ensure the student's safety; and to

B. The parents/guardians of the student found to have engaged in bullying, including the process for appeal.

All communications to parents must respect the confidentiality of student and employee information as provided by federal and Maine law and regulations.

Appeals

Any appeal of the building principal's decisions in regard to consequences for bullying must be submitted, in writing, within 14 calendar days of the parental notification. The Superintendent will review the investigation report and actions taken and decide whether to sustain or deny the appeal. The Superintendent's decision shall be final.

Cross Reference: ACAA-R – Student Harassment and Sexual Harassment Procedure
JICK – Bullying
JRA-R – Student Education Records and Student Information

Adopted: March 27, 2013
Revised: April 29, 2020

BULLYING – ADMINISTRATIVE PROCEDURE

This procedure is intended as guidance for school administrators in carrying out their responsibilities when bullying is alleged to have occurred. It provides important definitions as well as steps for reporting, investigating and responding to allegations of bullying.

Bullying behavior alleged to be based on race (including traits associated with race, including hair texture, Afro hairstyles, and protective hairstyles, including braids, twists, and locs), color, ancestry, national origin, sex, sexual orientation, gender identity or expression, religion or disability should be addressed under the procedures set forth in the Student Harassment and Sexual Harassment procedure, ACAA-R, rather than under this procedure.

Bullying Reports

Students and Parents/Guardians

Students who believe they have been bullied, or who have witnessed or learned about an act of bullying should **[OR: are strongly encouraged to]** report this behavior to the building principal **[OR: _____ (position of other person designated by the Superintendent to receive reports at the school level, e.g., guidance counselor or affirmative action/Title IX coordinator)].**

Parents/guardians may report bullying on behalf of their children or when they have witnessed or are aware of the occurrence of bullying.

Reports of bullying may be made anonymously, but no disciplinary action shall be taken against a student solely on the basis of an anonymous report.

Any student who has been determined to have made a false report of bullying will be subject to disciplinary consequences.

School Employees

For the purposes of this procedure, "school employees" includes coaches, advisors for cocurricular or extracurricular activities and volunteers.

All school employees are expected to intervene when they see acts of bullying in progress and are required to report incidents of bullying they have witnessed or become aware of to the building principal **[OR: _____]** as soon as practicable.

School employees who fail to report bullying or who have made a false report of bullying will be subject to disciplinary consequences up to and including termination, in accordance with any applicable collective bargaining agreement.

Others

Contractors, service providers, visitors or community members who have witnessed or become aware of bullying are encouraged to report such incidents to the building principal **[OR: _____]**.

Form of Reports

Complaints or reports of bullying may be made orally or in writing, but all reports will be recorded **[OR: documented]** in writing by school personnel authorized to receive complaints or reports, using the school unit's reporting form (JICK-E1).

School employees are required to make reports of bullying to the principal **[OR: _____]** in writing. Although students, parents and others, as identified above, may make bullying reports anonymously, all persons reporting incidents of bullying are encouraged to identify themselves.

Bullying reports may be made anonymously, but in no instance will action be taken against any person or organization affiliated with the schools solely on the basis of an anonymous report.

The building principal will forward a copy of the report to the Superintendent by the end of the next school day.

Interim Safety Measures

The building principal may take such interim measures as he/she deems appropriate to ensure the safety of the targeted student and prevent further bullying and will inform the parents of the targeted student of measures taken.

[NOTE: School personnel should be careful to respect the confidentiality of student information when communicating with the parents of a student who has reported being bullied. It should be sufficient to inform the parents of what the school is doing to protect the student from further bullying and to convey that the incident will be investigated and appropriate disciplinary consequences will be applied, without providing details that would be considered a violation of FERPA or an invasion of privacy.]

Investigation

The principal **[OR: ____]** will ensure that all reports of bullying and retaliation are investigated promptly and that documentation of the investigation, including the substance of the complaint or report and the outcome of the investigation is prepared and forwarded to the Superintendent within a reasonable period of time.

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

Response to Bullying by Students

If bullying has been substantiated, the building principal or designee as appropriate under the circumstances will determine the appropriate disciplinary consequences, which may include detention, suspension or expulsion; alternative discipline; remediation; and/or other intervention.

Alternative discipline includes but is not limited to:

A. Meeting with the student and the student's parents;

B. Reflective activities, such as requiring the student to write an essay about the student's misbehavior;

C. Mediation when there is mutual conflict between peers, rather than one-way negative behavior, and when both parties freely choose to meet;

D. Counseling;

E. Anger management;

F. Health counseling or intervention;

G. Mental health counseling;

H. Participation in skills building and resolution activities, such as social-emotional cognitive skills building, resolution circles and restorative conferencing;

I. Community service; and

J. In-school detention or suspension, which may take place during lunchtime, after school or on weekends.

[NOTE: Items A-J are listed as examples of alternative discipline in 20-A § 6554(2)(A).]

In order to remediate any substantiated incident of bullying to counter the negative impact of the bullying and reduce the risk of future bullying incidents, the principal **[OR: _____]** may refer the targeted student/victim, perpetrator or other involved persons to counseling of other appropriate services.

If the bullying behavior appears to be a criminal violation, the building principal will notify local law enforcement authorities.

If bullying has been substantiated, the building principal will provide written notification to:

A. The parents/guardians of the targeted student, including the measures being taken to ensure the student's safety; and to

B. The parents/guardians of the student found to have engaged in bullying, including the process for appeal.

All communications to parents must respect the confidentiality of student and employee information as provided by federal and Maine law and regulations.

Appeals

Any appeal of the building principal's decisions in regard to consequences for bullying must be submitted, in writing, within 14 **[OR: ____]** calendar days of the parental notification. The Superintendent will review the investigation report and actions taken and decide whether to sustain or deny the appeal. The Superintendent's decision shall be final.

Cross Reference: ACAA-R – Student Harassment and Sexual Harassment Procedure
JICK – Bullying
JRA-R – Student Education Records and Student Information

PLEASE NOTE MSMA sample policies and other resource materials do not necessarily reflect official Association policy. They are not intended for verbatim replication. Sample policies should be used as a starting point for a board's policy development on specific topics. Rarely does one board's policy serve exactly to address the concerns and needs of all other school units. MSMA recommends a careful analysis of the need and purpose of any policy and a thorough consideration of the application and suitability to the individual school system.

MSMA sample policies and other resource materials may not be considered as legal advice and are not intended as a substitute for the advice of a board's own legal counsel.

STUDENT CONCUSSIONS AND OTHER HEAD INJURIES

The Board recognizes that concussions and other head injuries are serious and can potentially result in significant brain damage and/or death if not recognized and treated properly. This policy is intended to promote awareness of this issue as well as the safety of students participating in school-sponsored activities that may pose a risk of concussion or other head injuries. This policy also applies to all school-sponsored activities that the Superintendent determines, in consultation with school staff, pose a risk of concussion or other head injury (hereafter referred to as "any other covered activities").

The Superintendent shall ensure that all training, protocols and forms implemented in the school unit are consistent with materials promulgated by the Maine Department of Education.

A. Staff Training

All school personnel involved in school-sponsored activities shall receive training in the identification and management of concussions and other head injuries.

All identified personnel will receive refresher training whenever the Maine Department of Education recommendations, protocols and/or forms have been revised.

B. Student and Parent/Guardian Acknowledgment

Students who intend to participate in school-sponsored athletics (and any other covered activities), and their parent(s)/guardian(s) are required to sign the School Department's Concussion/Head Injury Acknowledgment Form each year. Students may not participate in athletics (and any other covered activities) until the Acknowledgment Form is returned to the school.

C. Removal of Students from School-Sponsored Activities, Evaluations and Medical Clearance

Any student suspected of having sustained a concussion or other head injury in any school-sponsored activity must be immediately removed from the activity, practice or game.

A student suspected of having sustained a concussion or other head injury must receive a brain injury evaluation and written medical clearance from a licensed healthcare provider, ideally one trained in concussion management, and operating within the scope of practice such as an MD, DO, Physician's Assistant or Nurse Practitioner prior to his/her being allowed to resume participation in the activity. Such return to participation will be gradual and at the discretion of the Concussion Management Team and in all cases will be based on the district's current accepted standards of care.

D. Academic and Disability Considerations

Teachers and other school staff must be alerted to possible cognitive and academic issues that a student who has sustained a concussion or other head injury may experience. School staff shall permit adjustments to the academic day and/or expectations, consistent with a medical recommendation from the student's health care provider.

E. Concussion Management Team

The Superintendent will appoint a Concussion Management Team to be responsible, under the supervision of the Superintendent, to make recommendations related to the implementation of this policy. The Concussion Management Team will include the school nurses, Athletic Director, Athletic Trainer and may include one or more principals or assistant principals, the school physician, and other school personnel or consultants as the Superintendent deems appropriate.

The team shall oversee and implement this policy and related protocols for concussions and other head injuries based on the generally accepted standards of care. This team will identify the school personnel who shall be trained in concussion signs and symptoms and the school activities covered by this policy.

The policy and/or related protocols should be reviewed when generally accepted protocols change.

Legal References: Public Law Chapter 688 (2012)
20-A M.R.S.A. §§ 254(17); 1001(19)

Cross Reference: JJIF-E RSU No. 5 Concussion Information Sheet

Adopted: November 28, 2012
Revised: June 15, 2016
Revised: October 23, 2019

MANAGEMENT OF CONCUSSIONS

The Board recognizes that concussions are serious and could result in significant brain damage and/or death if not recognized and managed properly. The Board further acknowledges that a student may suffer a concussion during any activity during the school day or outside of school. The Board adopts this policy to promote the safety of all students, regardless of where or when the head injury occurred.

DEFINITIONS

The following definitions apply to this policy:

Concussion: A concussion is a traumatic brain injury caused by a bump, blow, or jolt to the head that can change the way the brain normally works. Concussions can occur from a fall or a blow to the head or body that causes the head and brain to quickly move back and forth. Some causes of concussion may include, but are not limited to, motor vehicle accidents, slips and falls, bumps to the head, and sports collisions.

Concussion Management Team: A Concussion Management Team (CMT), appointed by the superintendent or head of school, may include, but is not limited to the following: school administrator, school nurse, athletic administrator, athletic trainer, school counselor, school physician, and school-based health center staff. The CMT shall oversee the implementation, graduated school reentry protocols, and make recommendations related to implementation and review of this policy. This team may be combined with another existing student support team within the school or school administrative unit.

Concussion Awareness Training: A program designed to provide school personnel, volunteers, and administrators with evidence-based information in recognizing a possible concussion, responding to the injury, and managing concussion.

Graduated school reentry: Graduated school reentry is a gradual and coordinated return to school academics and activities protocol following a concussion. It is an individualized, flexible plan developed by the Concussion Management Team or designee with input from the student, parents, medical provider.

Medical clearance: Medical clearance includes a written statement from a licensed health care provider who is trained and experienced in the recognition and management of concussion such as medical doctor (MD), doctor of osteopathy (DO), nurse practitioner (NP), physician's assistant (PA), certified athletic trainer (AT), which allows a student to start the school's graduated school and activity reentry protocol.

School activity: Any organized program, event, or pursuit that takes place under the auspices of a school and is designed to promote learning, development, or engagement among students such as classroom activities, band, athletics, chorus, clubs, recess, drama, that take place before, during, or after the school day.

School health professional: School personnel who also hold a professional health-related license such as a registered nurse (RN) or certified athletic trainer (AT).

School personnel: School personnel include any persons working within and on behalf of the school in a supervisory role to students during school-sponsored activities including volunteers in a student supervisory role, such as athletic coaches.

TRAINING

Annual training must be completed by extra-curricular and athletics-related school personnel (including volunteers) identified by the Concussion Management Team (CMT). They must be made aware of this policy and protocols related to the management of concussive injuries and must participate in concussion awareness training that includes (1) recognizing signs and symptoms that may suggest a concussion and (2) including instruction in the use of graduated school and activity reentry protocols. This training must be consistent with protocols as identified or developed by Maine Department of Education (DOE).

Prior to the beginning of each school year, non-athletics related school personnel (for example, physical education teachers, school nurses, personnel with recess duty) identified by the District's CMT, must be made aware of this school policy and protocols related to the management of concussive injuries and must participate in concussion awareness training that includes recognizing signs and symptoms that may suggest a concussion. This training must be consistent with protocols as identified or developed by Maine DOE.

STUDENT AND PARENTS/GUARDIANS

Prior to participating in any school athletic activity, all students will be provided information about concussions including:

1. The signs, symptoms and behaviors associated with concussion;

2. The risk of concussion and the dangers associated with continuing to participate when a concussion is suspected; and

3. The school administrative unit's protocols for removal of the student from the activity when the student is suspected of having sustained a concussion, evaluation, referral and medical clearance, and graduated school and activity reentry protocols.

The student and their parent(s)/guardian(s) must sign a statement acknowledging that they received and read this information before the student is allowed to participate in any school athletic activity.

MANAGEMENT OF CONCUSSIONS

It is the responsibility of all school personnel to act in accordance with this policy when that person recognizes that a student may be exhibiting signs, symptoms and/or behaviors consistent with a concussion.

- Any student suspected of having a concussion must be immediately removed from participation. The student is prohibited from returning to the school activity until a thorough evaluation has been conducted by school health personnel trained in concussion recognition. In the absence of available school health personnel, the student will be directed to their primary care provider for further assessment.

- School health personnel will assess the student and determine if referral to a higher level of care is needed.
    - If a referral is necessary, the student and the parent(s)/guardian(s) will be informed of the referral to a licensed health care provider for a medical evaluation for possible concussion or brain injury before the student is allowed to begin graduated return to school and return to activity protocol.

- If referral to a licensed health care provider was made, the student will require written medical clearance from a licensed health care provider qualified and trained in concussion management. The student is also required to complete the graduated return to school and return to activity protocol as determined by the CMT.
    - The medical clearance note is to be interpreted as clearance to start the graduated school reentry protocol.

- A member of the CMT will notify school personnel with a legitimate educational interest of possible symptoms, cognitive and/or academic issues that may be experienced by a student who has suffered a concussion, including but not limited to difficulty with concentration, organization, long-and-short term memory, and sensitivity to bright lights and sounds.

- School personnel shall accommodate the graduated school reentry protocol in all academic activities as appropriate, based on the recommendation of the student's health care provider trained in concussion management and appropriate designated school personnel (e.g. 504 Coordinator, school nurse).

- No student is permitted to return to full participation in extra-curricular school activities (e.g., competition, games, performances) until they have fully returned to their academic program and have completed the graduated return to school and

return to activity protocol. Each phase in the progression of this protocol takes at least 24 hours. Return to learn and return to play may occur at the same time.

MEDICAL CLEARANCE

Once a referral to a health care provider has been made by the school nurse, athletic trainer, or other school health professional, the student must receive written medical clearance. The medical clearance allows a student to begin the graduated return to school and return to activity protocol.

CONCUSSION MANAGEMENT TEAM (CMT)

The superintendent will appoint a concussion management team (CMT), including a school administrator to be responsible, under the administrative supervision of the superintendent, to make recommendations related to implementation and review of this policy. The CMT will include **[list positions]**. The team shall oversee and implement this policy and related protocols for concussion management based on the currently accepted best practices. The team, under the direction of the superintendent, shall identify the school personnel who shall be trained in concussion signs and symptoms and the school activities covered by this policy. This includes all coaches of school-sponsored athletic program.

COLLECTION AND REPORTING OF CONCUSSION DATA

The Board recognizes how serious concussions are and the need for improved understanding of concussions and their impact on learning and school attendance. The school administrative unit will track the number of concussions, activity associated with the injury, number of school days missed, and other information determined necessary by the Concussion Management Team. The CMT will review this data and make recommendations to the Board as needed.

Legal Reference: 20-A MRSA §§254(17), 1002(19)

[NOTE: A *Concussion Management Resource Guide* was created in order to fully comply with the requirements of 20-A MRSA§254(17). The language in the statute is the result of the enactment of L.D. 1873, "*An Act to Direct the Commissioner of Education to Adopt a Model Policy Regarding Management of Head Injuries in School Activities and Athletics*," in 2012 during the 125th session of the Maine Legislature. Components that are required by this law are a model policy, training, student and parental acknowledgment, protocols and forms, immediate removal and evaluation, and medical clearance.]

The DOE's model policy and supplemental content designed to meet the additional requirements of the statute can be accessed on the Department of Education website at https://www.maine.govidoe/schools/safeschools/healthed/concussion .

Source: MSMA, revised 2025 (based on MDOE Model Policy)

Parents and student-athletes: You must turn in a signed form prior to the start of practice. This information sheet is available on the athletic webpage and copies are available at each school.

RSU NO. 5
CONCUSSION INFORMATION SHEET

A concussion is a brain injury and all brain injuries are serious. They are caused by a bump, blow or jolt to the head, or by a blow to another part of the body with the force transmitted to the head. They can range from mild to severe and can disrupt the way the brain normally works. **All concussions are potentially serious and may result in complications including prolonged brain damage and death if not recognized and managed properly.** In other words, even a "ding" or a bump on the head can be serious. You can't see a concussion and most sports concussions occur without loss of consciousness. Signs and symptoms of concussion may show up right after the injury or can take hours or days to fully appear. If your student-athlete reports any symptoms of concussion, or if you notice the symptoms or signs of concussion yourself, seek medical attention right away.

Symptoms may include one or more of the following:

- Headaches
- "Pressure in head"
- Nausea or vomiting
- Neck pain
- Balance problems or dizziness
- Blurred, double, or fuzzy vision
- Sensitivity to light or noise
- Feeling sluggish or slowed down
- Feeling foggy or groggy
- Drowsiness
- Change in sleep patterns
- "Don't feel right"
- Fatigue or low energy
- Behavioral/Emotional/Social changes
- Nervousness or anxiety
- Irritability
- More emotional
- Confusion
- Concentration or memory problems (forgetting game plays)
- Repeating the same question/comment
- Amnesia

Signs observed by teammates, parents or coaches include:

- Appears dazed
- Vacant facial expression
- Confused about assignment
- Forgets plays
- Is unsure of game, score, or opponent
- Moves clumsily or displays lack of coordination
- Answers questions slowly
- Shows behavior or personality changes
- Can't recall events prior to hit
- Can't recall events after hit
- Seizures or convulsions
- Any change in typical behavior or personality
- Loses consciousness
- Slurred speech

This document is adapted from the CDC and the 3rd International Conference on Concussion in Sport Consensus Statement (2009)

What can happen if my child keeps on playing with a concussion or returns too soon?

Continuing to play with the signs and symptoms of concussion leaves the young athlete especially vulnerable to greater injury. There is an increased risk of significant damage from a concussion for a period of time after that concussion occurs, particularly if the athlete suffers another concussion before completely recovering from the first one. This can lead to prolonged recovery, or even to severe brain swelling (second impact syndrome) with devastating and even fatal consequences. It is well known that adolescent or teenage athletes will often under report symptoms of injuries, and concussions are no different. As a result, education of administrators, coaches, parents and students is the key for student-athlete's safety.

If you think your child has suffered a concussion

Any athlete even suspected of suffering a concussion should be removed from the game or practice immediately. No athlete may return to activity after an apparent head injury or concussion, regardless of how mild it seems or how quickly symptoms clear, without medical clearance. Close observation of the athlete should continue for several hours. RSU No. 5 requires the consistent and uniform implementation of a return to play concussion protocol as reflected in Board policy:

Any student suspected of having sustained a concussion or other head injury during a school-sponsored athletic activity including but not limited to competition, practice or scrimmage, must be removed from the activity immediately.

No student will be permitted to return to the activity or to participate in any other school-sponsored athletic activity on the day of the suspected concussion.

Any student who is suspected of having sustained a concussion or other head injury shall be prohibited from further participation in school-sponsored athletic activities until he/she has been evaluated and received written medical clearance to do so from a qualified and licensed health care provider, ideally one trained in concussion management. Such return to participation will be gradual and is at the discretion of the Concussion Management Team and in all cases will be based on the district's current accepted standards of care.

You should also inform the athletic trainer, school nurse, and your child's coach if you think that your child may have a concussion. Remember it's better to miss one game than miss the whole season. And when in doubt, the athlete sits out.

For current and up-to-date information on concussions you can go to:
http://www.cdc.gov/Headsup

Student-athlete Name Printed	Student-athlete Signature	Date
Parent or Legal Guardian Printed	Parent or Legal Guardian Signature	Date

Adopted: November 28, 2012
Revised: October 23, 2019