

**REGULAR MEETING OF RSU NO. 5 BOARD OF DIRECTORS**  
**WEDNESDAY- OCTOBER 22, 2025**  
**POWNAL ELEMENTARY SCHOOL - CAFETERIA**  
**6:30 P.M. REGULAR SESSION**  
**AGENDA**

1. Call to Order:

The meeting was called to order at \_\_\_\_\_ p.m. by Vice-Chair Maura Pillsbury

2. Attendance:

\_\_\_\_ Colin Cheney

\_\_\_\_ Anna Child

\_\_\_\_ Malik Farlow

\_\_\_\_ Danielle George

\_\_\_\_ Kara Kaikini

\_\_\_\_ Maura Pillsbury

\_\_\_\_ Michelle Ritcheson

\_\_\_\_ Christopher Savaiano

\_\_\_\_ Kelly Sink

\_\_\_\_ Valerie Williams

\_\_\_\_ Stephanie Worth

\_\_\_\_ Maria Abbatemarco, Student Representative

\_\_\_\_ Moon Tussing, Student Representative

3. Pledge of Allegiance:

4. Consideration of Minutes: (5 Minutes)

A. Consideration and approval of the Minutes of October 8, 2025 as presented barring any errors or omissions.

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_ Vote: \_\_\_\_\_

5. Adjustments to the Agenda:

6. Good News & Recognition: (10 Minutes)

A. Report from Board's Student Representative

7. Public Comments: (10 Minutes)

8. Reports from Superintendent: (10 Minutes)

A. Superintendent's Report

B. Resignations - Gloria Sultz, MSS Kitchen Manager

C. Support Staff Hires - Meredith Brent - MSS Ed Tech  
Jennie Bakewell - MSS Ed Tech

9. Administrator Reports:

A. Finance - Kelly Wentworth (5 Minutes)

B. Update from Pownal Elementary School and Goal Review - Holly Johnson (20 Minutes)

C. Update from Freeport Middle School and Goal Review - Pam Crosby (20 Minutes)

D. Multilingual Learners Update - Erica Mazzeo (20 Minutes)

10. Board Comments and Committee Reports:

- A. Board Information Exchange and Agenda Requests (10 Minutes)
- B. Facilities and Operations Committee (5 Minutes)
- C. Finance Committee (5 Minutes)
- D. Policy Committee (5 Minutes)

11. Policy Review: (25 Minutes)

- A. Consideration and approval of 1<sup>st</sup> Read of the following policies/procedures:
  - 1. IHBEA - Programs for Multilingual Learners
  - 2. IHBEA-R - RSU No. 5 Lau Plan
  - 3. JKAA - Use of Physical Restraint and Seclusion
  - 4. JKAA-R - Procedures on Physical Restraint and Seclusion

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_ Vote: \_\_\_\_\_

12. Unfinished Business:

None

13. New Business: (10 Minutes)

- A. Consideration and approval to expend up to \$55,000 from Capital Reserves for the building automation system upgrades at Durham Community School.

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_ Vote: \_\_\_\_\_

14. Personnel:

None

15. Public Comments: (10 Minutes)

16. Adjournment:

Motion: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_ Vote: \_\_\_\_\_ Time: \_\_\_\_\_

Item #4.A.

**RSU No. 5 Board of Directors Meeting  
Wednesday, October 8, 2025 – 6:30 p.m.  
Freeport High School - Library  
Meeting Minutes**

(NOTE: These Minutes are not official until approved by the Board of Directors. Such action, either to approve or amend and approve, is anticipated at the October 22, 2025 meeting).

**1. CALLED TO ORDER:**

Chair Michelle Ritcheson called the meeting to order at 6:30 p.m.

- 2. MEMBERS PRESENT:** Colin Cheney, Anna Child, Danielle George, Kara Kaikini, Maura Pillsbury, Michelle Ritcheson, Christopher Savaiano. Phoebe Williamson, Student Representative  
**MEMBERS ABSENT:** Malik Farlow, Kelly Sink, Valerie Williams, Stephanie Worth

**3. PLEDGE OF ALLEGIANCE:**

**4. CONSIDERATION OF MINUTES:**

- A. **VOTED:** To approve the Minutes of September 24, 2025. (Pillsbury – Savaiano) (7 – 0) The Student Representative voted with the majority.

**5. ADJUSTMENTS TO THE AGENDA:**

Add Item #12.B. - To fill a vacancy on the Policy Committee

**6. GOOD NEWS AND RECOGNITION:**

- A. Report from the Board's Student Representative - Phoebe Williamson

**7. PUBLIC COMMENT:**

Annie Ware, Durham

**8. REPORTS FROM SUPERINTENDENT:**

- A. Superintendent's Report

**9. ADMINISTRATOR REPORTS:**

- A. Update from Freeport High School and Goal Review - Jen Gulko  
B. Update from Community Programs and Goal Review - Peter Wagner

**10. BOARD COMMENTS AND COMMITTEE REPORTS:**

None

**11. POLICY REVIEW:**

None

**12. UNFINISHED BUSINESS:**

- A. Cell Phone Usage  
B. **VOTED:** To appoint Chris Savaiano to the Policy Committee for the remainder of the school year. (Child – Pillsbury) (7 – 0) The Student Representative voted with the majority.

**13. NEW BUSINESS:**

None

**14. PERSONNEL:**

None

**15. PUBLIC COMMENT:**

None

**16. ADJOURNMENT:**

**VOTED:** To adjourn at 9:45 p.m. (Pillsbury – Kaikini) (7 – 0) The Student Representative voted with the majority.

  
\_\_\_\_\_  
Tom Gray, Superintendent of Schools

## RSU No. 5

## Warrant Articles For the Period 09/01/2025 through 09/30/2025

Fiscal Year: 2025-2026

☐ Include Pre Encumbrance

|                                                   | <u>Budget</u>     | <u>Range To Date</u> | <u>Year To Date</u> | <u>Balance</u>    | <u>Encumbrance</u> | <u>Budget Balance</u> |        |
|---------------------------------------------------|-------------------|----------------------|---------------------|-------------------|--------------------|-----------------------|--------|
| <b>INCOME</b>                                     |                   |                      |                     |                   |                    |                       |        |
| GENERAL FUND REVENUES                             |                   |                      |                     |                   |                    |                       |        |
| REQUIRED LOCAL FUNDS (-)                          | \$19,988,378.34   | \$1,665,698.22       | \$4,997,094.66      | \$14,991,283.68   | \$0.00             | \$14,991,283.68       | 75.0%  |
| ADDITIONAL LOCAL FUNDS (-)                        | \$15,524,421.90   | \$1,293,701.82       | \$3,881,105.46      | \$11,643,316.44   | \$0.00             | \$11,643,316.44       | 75.0%  |
| ADDLN SHARED REVENUE (-)                          | \$141,981.44      | \$0.00               | \$0.00              | \$141,981.44      | \$0.00             | \$141,981.44          | 100.0% |
| INTEREST REVENUE (-)                              | \$259,000.00      | \$30,167.84          | \$90,939.37         | \$168,060.63      | \$0.00             | \$168,060.63          | 64.9%  |
| STATE REVENUES (-)                                | \$7,362,547.32    | \$606,377.43         | \$2,544,783.12      | \$4,817,764.20    | \$0.00             | \$4,817,764.20        | 65.4%  |
| MISC REVENUES (-)                                 | \$23,600.00       | \$100.00             | \$4,133.78          | \$19,466.22       | \$0.00             | \$19,466.22           | 82.5%  |
| FUND BALANCE (-)                                  | \$1,068,000.00    | \$0.00               | \$0.00              | \$1,068,000.00    | \$0.00             | \$1,068,000.00        | 100.0% |
| Sub-total : GENERAL FUND REVENUES                 | (\$44,367,929.00) | (\$3,596,045.31)     | (\$11,518,056.39)   | (\$32,849,872.61) | \$0.00             | (\$32,849,872.61)     | 74.0%  |
| <b>Total : INCOME</b>                             | (\$44,367,929.00) | (\$3,596,045.31)     | (\$11,518,056.39)   | (\$32,849,872.61) | \$0.00             | (\$32,849,872.61)     | 74.0%  |
| <b>EXPENSES</b>                                   |                   |                      |                     |                   |                    |                       |        |
| GENERAL FUND EXPENSES                             |                   |                      |                     |                   |                    |                       |        |
| ARTICLE 1 REGULAR INSTRUCTION (+)                 | \$19,356,261.00   | \$1,424,468.55       | \$1,567,592.20      | \$17,788,668.80   | \$16,303,323.46    | \$1,485,345.34        | 7.7%   |
| ARTICLE 2 SPECIAL EDUCATION (+)                   | \$6,513,451.00    | \$459,718.97         | \$554,150.13        | \$5,959,300.87    | \$5,492,078.74     | \$467,222.13          | 7.2%   |
| ARTICLE 3 - CAREER & TECHNICAL CTR (+)            | \$307,645.00      | \$25,637.08          | \$102,548.32        | \$205,096.68      | \$205,096.68       | \$0.00                | 0.0%   |
| ARTICLE 4 - OTHER INSTRUCTION (+)                 | \$1,119,087.00    | \$104,562.07         | \$168,864.58        | \$950,222.42      | \$526,336.09       | \$423,886.33          | 37.9%  |
| ARTICLE 5 - STUDENT & STAFF SUPPORT (+)           | \$4,644,307.00    | \$348,967.52         | \$779,655.90        | \$3,864,651.10    | \$3,384,402.88     | \$480,248.22          | 10.3%  |
| ARTICLE 6 - SYSTEM ADMINISTRATION (+)             | \$1,263,587.00    | \$93,982.06          | \$370,748.24        | \$892,838.76      | \$741,790.33       | \$151,048.43          | 12.0%  |
| ARTICLE 7 - SCHOOL ADMINISTRATION (+)             | \$2,514,485.00    | \$190,190.72         | \$497,899.88        | \$2,016,585.12    | \$1,919,038.80     | \$97,546.32           | 3.9%   |
| ARTICLE 8 - TRANSPORTATION & BUSES (+)            | \$1,931,576.00    | \$96,314.97          | \$404,119.07        | \$1,527,456.93    | \$850,316.81       | \$677,140.12          | 35.1%  |
| ARTICLE 9 - FACILITIES MAINTENANCE (+)            | \$5,490,511.00    | \$1,447,854.90       | \$2,190,308.02      | \$3,300,202.98    | \$2,038,591.05     | \$1,261,611.93        | 23.0%  |
| ARTICLE 10 - DEBT SERVICE & OTHER COMMITMENTS (+) | \$1,087,428.00    | \$190,886.39         | \$1,077,353.39      | \$10,074.61       | \$10,073.77        | \$0.84                | 0.0%   |
| ARTICLE 11 - ALL OTHER EXPENDITURES (+)           | \$139,591.00      | \$0.00               | \$0.00              | \$139,591.00      | \$139,591.00       | \$0.00                | 0.0%   |

Operating Statement with Encumbrance

## RSU No. 5

### Warrant Articles For the Period 09/01/2025 through 09/30/2025

Fiscal Year: 2025-2026

☐ Include Pre Encumbrance

|                                   | <u>Budget</u>   | <u>Range To Date</u> | <u>Year To Date</u> | <u>Balance</u>  | <u>Encumbrance</u> | <u>Budget Balance</u> |       |
|-----------------------------------|-----------------|----------------------|---------------------|-----------------|--------------------|-----------------------|-------|
| Sub-total : GENERAL FUND EXPENSES | \$44,367,929.00 | \$4,382,583.23       | \$7,713,239.73      | \$36,654,689.27 | \$31,610,639.61    | \$5,044,049.66        | 11.4% |
| <b>Total : EXPENSES</b>           | \$44,367,929.00 | \$4,382,583.23       | \$7,713,239.73      | \$36,654,689.27 | \$31,610,639.61    | \$5,044,049.66        | 11.4% |
| <b>NET ADDITION/(DEFICIT)</b>     | \$0.00          | \$786,537.92         | (\$3,804,816.66)    | \$3,804,816.66  | \$31,610,639.61    | (\$27,805,822.95)     | 0.0%  |

End of Report

Operating Statement with Encumbrance

**Pownal Elementary Goals 2024-2025 Review**

| Goal Worksheet                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| Pownal Elementary:                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| School Goal                                                                                                                             | Strategies and Action Steps<br>(Responsibility)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Timeline                                                                             | Evidence of Effectiveness                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| PES Goal 1: As a school community, we will support all students to be more fully engaged in their learning and attend school regularly. | <p><b>Chronic Absenteeism Action items:</b></p> <p>Tier 1:</p> <ol style="list-style-type: none"> <li>Classroom teachers will reach out to families with CARE Communication(email, call) after a student is absent Day 1, Day 2, and the principal makes Day 3 calls (these are in addition to Well Child Call by the school nurse).</li> <li>Continue to grow student agency for learning (school focus)</li> <li>Educate families about the importance of building regular school attendance - impact academically, socially, and on life-long habits.</li> </ol> <p>Tier 2/3:</p> <ol style="list-style-type: none"> <li>Holly will participate in monthly live webinars with <i>Count Me In</i></li> <li>Establish the school's CARE Team to form a collaborative approach for students &amp; families</li> <li>Implement the use of documentation of each student's individualize <a href="#">Template Attendance</a></li> </ol> | <p>September 2024-June 2025</p> <p>Team meets monthly and on an as needed basis.</p> | <p>Our Chronic Absenteeism data for '24/'25 will remain less than 10% for grades K-5 as measured by PowerSchool.</p> <p><b>2022-2023</b><br/>13.48%</p> <p><b>2023-2024</b><br/>4.94%</p> <p><b>2024-2025</b><br/>1.09%</p> <p>I messaged all families 3 times throughout the year regarding the importance of regular attendance.</p> <p>I also reached out directly to families as needed when their student's attendance was showing concerns of CA.</p> |

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|  | <p><a href="#">Support Plan</a> <i>Attendance Support Plan</i></p> <p><b>Social Emotional Action items:</b></p> <p>Tier 1:</p> <ol style="list-style-type: none"> <li>1. Implement and refine <i>Responsive Classroom</i> practices. <ul style="list-style-type: none"> <li>• Ongoing professional learning centered on <i>Responsive Classroom</i> - Staff Meetings and with our district RC consultant x2 with coaching</li> <li>• <b>C.A.R.E.S.</b> - school-wide teaching and support for students around the following skills: <b>C</b>ooperation, <b>A</b>ssertion, <b>R</b>esponsibility, <b>E</b>mpathy, and <b>S</b>elf-Control</li> </ul> </li> <li>2. Student Engagement <ul style="list-style-type: none"> <li>• Book Study with <i>UNLOCKING THE POWER OF CLASSROOM TALK-Teaching Kids to talk with Clarity &amp; Purpose</i>, by S. Frazin and K. Wischow</li> <li>• Implement Interactive Learning Structures using RC resources</li> <li>• Use routines from <i>The Regulated Classroom</i></li> </ul> </li> </ol> | September '24-June '25 | <p>Paul White coached teachers during two visits to PES and one staff meeting session.</p> <p>The language of C.A.R.E.S. is now a more universal tool.</p> <p>All classes have <i>Regulated Classroom</i> resources.</p> |
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## Pownal Elementary Goals 2025-2026

| Goal Worksheet                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                 |                                                                                                        |
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| School/Department: Pownal Elementary School                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                 |                                                                                                        |
| School Goal                                                                                                                                                                                                                                                                                | Strategies and Action Steps<br>(Responsibility)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Timeline                        | Evidence of Effectiveness                                                                              |
| <p><b>PES Goal 1:</b><br/>As a school community we will support all students to be more fully engaged in their learning and attend school regularly.</p> <p>Our Chronic Absenteeism data for '25/'26 will remain less than 10% for grades K-5 as measured by PowerSchool in June 2026.</p> | <p><b>Chronic Absenteeism Action items:</b></p> <p>Tier 1:</p> <ol style="list-style-type: none"> <li>1. Classroom teachers will continue to reach out to families with CARE Communication(email, call) after a student is absent Day 1, Day 2, and the principal makes Day 3 calls. (these are in addition to Well Child Call by the school nurse).</li> <li>2. Continue to grow student agency for learning (school focus)</li> <li>3. Educate families about the importance of regular school attendance &amp; the impact on academically, socially, and life-long habits. This year, I will focus on decreasing school interruptions-late arrival and early dismissals.</li> </ol> <p>Tier 2/3:</p> <ol style="list-style-type: none"> <li>1. School's CARE Team meets monthly to review Chronically Absent data</li> <li>2. Implement the use of documentation as needed for student's individualized template</li> </ol> | <p>September 2025-June 2026</p> | <p><b>2022-2023</b><br/>13.48%</p> <p><b>2023-2024</b><br/>4.94%</p> <p><b>2024-2025</b><br/>1.09%</p> |

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| <p><b>PES Goal 2:</b><br/>Accelerate overall academic achievement in reading and math by achieving:</p> <p><b>75%</b> of K-2 students will meet or exceed district <b>achievement targets</b> on both the BAS.</p> | <p><i>Attendance Support Plan</i></p> <p>3. Contact families as needed to make a plan</p> <p><b>Social Emotional Action items:</b><br/>Tier 1:</p> <ol style="list-style-type: none"> <li>1. Implement and refine <i>Responsive Classroom</i> practices. <ul style="list-style-type: none"> <li>• Ongoing professional learning centered on <i>Responsive Classroom</i> - Staff Meetings and with our district RC consultant x2 with coaching</li> <li>• <b>C.A.R.E.S.</b> - school-wide teaching and support for students around the following skills: <b>Cooperation, Assertion, Responsibility, Empathy, and Self-Control</b></li> </ul> </li> <li>2. Student Engagement <ul style="list-style-type: none"> <li>• HOWs - rubrics &amp; goal setting</li> <li>• Use routines from <i>The Regulated Classroom</i></li> </ul> </li> <li>3. Growing teacher efficacy through book study with School Leadership Team - <i>Building IMPACT TEAMS -Building a Culture of Efficacy and Agency</i></li> <li>4. Plan for host Parent Nights about SEL and Technology</li> <li>5. Plan and host one family literacy breakfast fall and one family math breakfast late winter</li> </ol> | <p>August '25 - May '26</p> |  |
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| <p>80% of K-2 students will meet or exceed 1 year's <b>growth</b> in reading on the BAS.</p> <p>83% of 3-5 students will meet <b>achievement targets</b> on MTY in reading.</p> <p>80% of 3-5 students will meet <b>achievement targets</b> on MTY in math.</p> | <p><b>English Language Arts</b></p> <ul style="list-style-type: none"> <li>Assess all students in phonics K-2 to target instruction and monitor progress (using Phonics Development probes) and at-risk students 3-5.</li> <li>Continue to implement Read, Write, Inc., Phonics curriculum in PreK and K starts the year with review and Tier 1 support</li> <li>Continue Summer School tutoring for students identified a year below grade level in reading</li> <li>Build reading stamina by hosting Reading Challenges during school breaks</li> <li>MTSS Tier 2 &amp; 3 intervention using targeted instruction: Phonics, Comprehension, and/or Fluency</li> <li>PLC's set cycles for data meetings and time to plan for instruction.</li> <li>Portfolio Workshop: 30 min. Daily, with all staff working with students to target instructional areas based on data.</li> <li>Grades 3-5 implementing revised reading units of study- Comprehension &amp; Fluency</li> </ul> <p><b>Mathematics</b></p> <ul style="list-style-type: none"> <li>Math MTSS focus on numeracy &amp; math fact fluency</li> </ul> | <p>September '25-June '26</p> <p>Each School Break</p> <p>Every 6-8 Weeks</p> <p>Every Six Weeks</p> | <p><i>Spring 25 Baseline: Fountas and Pinnell Benchmark Assessment System (BAS):</i><br/> <b>'25 K-2 Achievement</b><br/> 74%<br/> <b>Growth</b><br/> 77%</p> <p><i>Maine Through Year Reading</i><br/> '25 3-5 Achievement<br/> 82%<br/> <i>Maine Through Year Math</i><br/> '25 3-5 Achievement<br/> 77%</p> <p><b>Summer Reading Challenge</b><br/> '25 52,711 minutes</p> <p><b>Number Sense Screener:</b><br/> '25<br/> K-2 72% (met the end of year benchmark)<br/> 3-5 40% (met the end of year benchmark)</p> <p><b>Math Summer Olympics '25</b><br/> 18 students participated - 7 of which earned Above &amp; Beyond medals!</p> |
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|  | <ul style="list-style-type: none"> <li>• K-2 &amp; 3-5 PLC focus on math fact understanding &amp; fluency, and early numeracy with a book study - <i>Children's Mathematics-Cognitively Guided Instruction</i>.</li> <li>• Math MTSS and special education teachers will continue to work with the district's consultant to increase knowledge, understanding of cognitive profiles, and diagnostic tools to increase identified students' achievement.</li> <li>• Summer Math Olympics to build skills</li> <li>• Increase Math engagement through: <ul style="list-style-type: none"> <li>-Goal Setting - Math Facts</li> <li>-PLC focus on student work - story problems &amp; numeracy developmental stages</li> </ul> </li> <li>• Implement the use of <i>Math Running Records</i> K-3.</li> <li>• PLC's set regular cycles for reviewing student work and planning for instruction</li> </ul> |  |  |
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### Review Freeport Middle School Goals 2024-2025

| School Year 2024-2025                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                               |                                                                                                                                                                                            |
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| <b>School/Department: Freeport Middle School</b>                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                               |                                                                                                                                                                                            |
| <b>District Goal:</b> Focus on Student Achievement through Improved Student-Centered Teaching and Learning                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                               |                                                                                                                                                                                            |
| School Goal                                                                                                                                                                                                                                                                                                                                                     | Strategies and Action Steps<br>(Responsibility)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Timeline                      | Evidence of Effectiveness                                                                                                                                                                  |
| <b>RSU5 Mission/Vision:</b><br>* All RSU5 students regularly engage in meaningful student centered learning.<br>* All RSU5 students experience a joyful learning climate that is safe, nurturing, and fosters curiosity.<br><br><b>Goal:</b> Reduce chronic absenteeism rate to less than 14%<br><br>Baseline Data:<br>2023-2024 = 17.92%<br>2022-2023 = 17.87% | Provide outreach to strengthen connections to the school community (Tier 1 and 2) <ul style="list-style-type: none"> <li>Building connections through advisory activities (<i>All staff</i>)</li> <li>Utilize Advisory resources to identify students at risk of chronic absenteeism and identify intervention (<i>Climate / Culture Team</i>)</li> <li>Phone calls and emails home to discuss attendance, after school opportunities (clubs, athletics, academic support) (<i>All teachers</i>)</li> <li>Positive postcards home (<i>All staff</i>)</li> </ul> | SY 2024 - 2025                | Attendance data: less than 14 %                                                                                                                                                            |
|                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | September 2024 - October 2024 | <b>2024-2025--16.27 %</b><br><br>Advisory participation<br><br><b>All staff participated in advisory groups.</b><br><br><b>These were sent to support students and were well received.</b> |
|                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | SY 2024 - 2025                | Advisory data analysis<br><b>BASE beginning and end of school year.--School counselor the lead staff with this data. Will review this year.</b>                                            |
|                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | SY 2024 - 2025                |                                                                                                                                                                                            |
|                                                                                                                                                                                                                                                                                                                                                                 | Remove barriers and strengthen systems for consistent monitoring of student attendance (Tier 2) <ul style="list-style-type: none"> <li>Develop a Student Assistance Team that will meet regularly to review attendance data (<i>Student Assistance Team</i>)</li> <li>School wide practices aimed at improving approaches to student discipline while maintaining a welcoming learning environment (<i>All staff</i>)</li> </ul>                                                                                                                                | SY 2024 - 2025                | Attendance data                                                                                                                                                                            |

|  |                                                                                                                                                                                                                                                                                                                                 |                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <ul style="list-style-type: none"> <li>• Increase communication with families to reinforce the importance of school attendance and provide resources to support if barriers are faced <i>(Staff and Administration)</i></li> <li>• Families are invited to school wide events throughout the year <i>(All staff)</i></li> </ul> | SY 2024 - 2025 | <p><b>SAT meet Regularly</b></p> <p>Attendance tracking spreadsheet</p> <p>This was recorded/reviewed. Kept track of contact with families, details on absence and plans as necessary.</p> <p>Advisory check ins, Return to school form, Grade level data</p> <p><b>Climate and culture committee with school counselor being contacted. BASE was implemented last year.</b></p> <p>Communication: announcements, grade level newsletters</p> <p>Grade levels sent out communication as needed.</p> <p>Attendance participation at school wide events</p> <p><b>This will be more of a focus this year.</b></p> |
|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

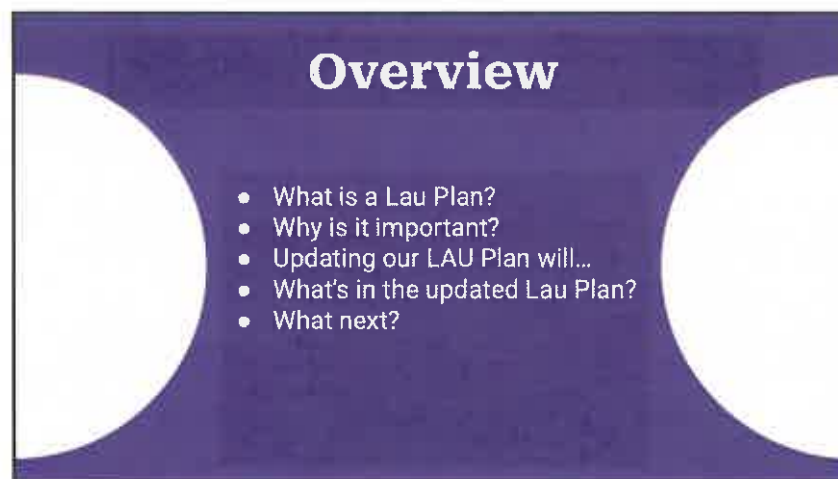
|                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>RSU5 Mission/Vision:</b><br/> * All RSU5 students regularly engage in meaningful student centered learning.</p> <p><b>Goal:</b> A schoolwide focus on challenging students with clearly defined rigorous expectations to support enriched experiences for all.</p> | <p>Consistency in school wide systems and structures</p> <ul style="list-style-type: none"> <li>• Meet with all staff to discuss strengths and areas of focus at FMS (<i>All staff</i>)</li> <li>• Review / revise FMS handbook (<i>Leadership Team &amp; Teachers</i>)</li> </ul> <p>Deepen content area knowledge at the middle level</p> <ul style="list-style-type: none"> <li>• Vertical content meetings that align instructional practices and expectations (<i>Leadership team, grade-level content teachers</i>)</li> <li>• Consultation work focused on thinking through talk with writing across in all content areas (<i>All teachers</i>)</li> </ul> | <p>August-September 2024</p> <p>SY 2024 - 2025</p> <p>SY 2024 - 2025</p> <p>Monthly Department Meetings October 2024 - June 2025</p> <p><b>Work with LOGOS throughout the year.</b></p> | <p>Revised FMS handbook<br/> <b>The Revision process continued in July/August. Fluid.</b></p> <p>Department Leadership Team agendas</p> <p><b>Agendas are kept in a rolling document to support department work &amp; grade-level meetings.</b></p> <p>Department meeting agendas</p> <p>Feedback and planning documents from PL days</p> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## Freeport Middle School Goals 2025-2026

| Goal Worksheet                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                              |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| School/Department: Freeport Middle School 2025-2026                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                              |
| School Goal<br>Student Achievement                                                                                                                                                                                                                                                                                                                          | Strategies and Action Steps<br>(Responsibility)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Timeline                                                                                                                                                                                                                                                                                           | Evidence of Effectiveness                                                                                                                                                                                                                                                                                                                                                                                    |
| <p><b>All RSU 5 students regularly engage in meaningful student-centered learning.</b></p> <p>All RSU 5 students experience a joyful learning climate that is safe, nurturing, and fosters curiosity.</p> <p><b>FMS Goal: Reduce chronic absenteeism rate to less than 15 %</b></p> <p>Baseline Data:</p> <p>2023-2024- 17.92%</p> <p>2024-2025–16.27 %</p> | <p><b>Provide outreach to strengthen connections to the school community. (Tier 1 and 2)</b></p> <ul style="list-style-type: none"> <li>Building connections through advisory activities.</li> <li>Utilize Advisory to identify students at risk of chronic absenteeism and identify interventions. (Attendance, MTTS team &amp; SAT Team.)</li> <li>Phone calls and emails home to discuss attendance, afterschool opportunities (clubs, athletics, academic support) *All teachers.</li> <li><b>Attendance challenges, groups, and incentives.</b></li> <li>Positive shoutouts home in a variety of ways. Examples include emails, postcards &amp; phone calls.</li> <li>Advertise extra-curricular opportunities–Engage students with their <b>HOOK!</b></li> </ul> <p><b>Strengthen systems for consistent monitoring of student attendance.</b></p> <ul style="list-style-type: none"> <li>Continue with the Student Assistance Team that meets regularly to review attendance data (SAT TEAM)</li> <li>Advisory Teams-Stronger connections with students and families.</li> <li>Increase communication with families to reinforce the importance of school attendance and provide resources to support if barriers are faced (All Staff)</li> </ul> | <p><b>SY 2025-2026</b></p>  <p><b>9/30 Conference in Augusta</b></p> <p><b>Professional Development Opportunities</b></p>  | <p>Attendance data -less than 12%</p> <p>Morning advisory participation</p> <p>Data review-Attendance</p> <p><i>Attendance tracking spreadsheet</i></p> <p><b>PD Count ME In–Conference (Mr. Ridge)</b></p> <p>Restorative reflections, targeted support groups, grade level data</p> <p>Morning advisory to build relationships with students</p> <p>Monthly family newsletter<br/>Weekly announcements</p> |



|  |  |  |                                                            |
|--|--|--|------------------------------------------------------------|
|  |  |  | create an interdisciplinary project to showcase to parents |
|--|--|--|------------------------------------------------------------|



- What is a Lau Plan?
- Why is it important?
- Updating our LAU Plan will...
- What's in the updated Lau Plan?
- What next?



## What is a Lau Plan?



- Our roadmap for multilingual learner programming that describes how we meet federal and state civil rights requirements
- "Lau" refers to Lau v. Nichols, a landmark Supreme Court case that confirmed schools' obligation to ensure that multilingual learners learn English and obtain equitable access to the curriculum.



## Why is it important?



- Fulfills our requirement to have a plan under policy *IHBEA: Program for English Learners*
- Provides clarity and consistency in terms of policy and programming across our six schools
- Serves as a public document offering transparency for families & community members

## Updating our LAU Plan will:

- Provide alignment with Federal & State Policy
- Ensure our information is accurate and up to date
- Fulfill our civil rights obligations



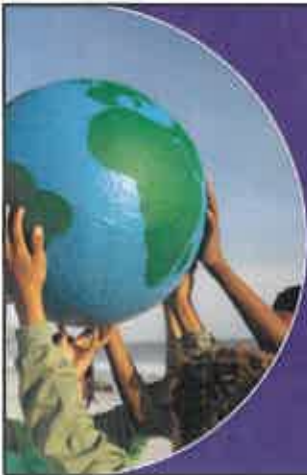
## What's in the updated Lau Plan?

- Corrected identification procedures
- Greater detail on our approach to services, including general service amount/frequency by level
- New sections on:
  - Equitable access to opportunities
  - Equitable personnel, facilities, & materials
  - Program review
  - Interpretation & translation for families



## What next?

- The School Board will vote on policy *HBEA: Program for English Learners*.
- The proposed Lau Plan, vetted by expert in Maine ESOL policy and Drummond & Woodsum, will be reviewed, modified as needed, and adopted.
- Annual review of the Lau Plan will be conducted by the Assistant Superintendent, in collaboration with ESOL teacher(s), to ensure that it remains up to date, accurate, and meaningful.





**Regional School Unit 5**  
Durham · Freeport · Pownal

Item #10.B.

*"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

**Facilities and Operations Committee**  
**Wednesday, October 8, 2025**  
**5:00 p.m. - Freeport High School - Library**  
**Minutes**

Committee Members Present: Michelle Ritcheson, Maura Pillsbury

Committee Members Absent: Kelly Sink

Administrators in Attendance: Tom Gray, Superintendent; Glen Reynolds, Director of Facilities;  
Kelly Wentworth, Director of Finance and Human Resources

Guests: Jason Chisholm, Field Maintenance Supervisor

**Agenda Items and Discussion:**

Meeting called to order at 5:17 p.m.

Motion was made by Michelle Ritcheson seconded by Maura Pillsbury for the addition of item 6 on the agenda.

1. Update on Board Facilities Tour. - Director Reynolds updated the Committee on the scheduling of a full school board tour of our buildings. Michelle Ritcheson suggested that Ginny would send an email to the full Board with some dates for consideration.
2. Update on ADA egress. Director Reynolds updated the committee on the need to have an ADA automatic door opener installed at the front entrance at FHS as there is currently not one. The automatic door opener is scheduled to be installed over December break. Director Reynolds updated the committee that he is working on a short term solution for ramps on various doors at FHS, while working on a long term solution through the budget process.
3. Update on Phase 2 Energy Audit projects- Director Reynolds updated the committee on the Phase 2 projects. Phase 2 projects will be discussed at a joint Finance/Facilities committee meeting scheduled for 12/10/25.
4. Update on request for proposals for tennis court replacement- Director Reynolds updated the committee that we have the scope of work completed. Once that is reviewed by the Director of Finance & HR we can then send it to the newspapers for posting. This should be completed by the end of next week.

5. Turf field update- Field Maintenance Supervisor Jason Chisholm updated the committee on the turf field G-MAX test results. Jason reported that the field passed. It was agreed upon by all that we continue the G-MAX testing every August. Jason mentioned the tentative repair dates for the turf repairs and track striping. At this time the turf repairs are scheduled for 10/14-17th weather permitting. The track striping is scheduled for 10/10-13th weather permitting.
6. Update on Durham Community School Automation System- Director Reynolds updated the committee that the current building automation system at Durham Committee School is in need of replacement. This system runs the heating and ventilation system and is currently scheduled for replacement in phase two of the energy audit upgrades. Director of Finance Wentworth identified the Capital Reserve Account as a possible funding source. Michelle Ritcheson made a motion, seconded by Maura Pillsbury to approve up to \$55,000 from Capital Reserves for the building automation system upgrades at Durham Community School. The Board of Directors will need to approve this request at their next meeting.

Motion to adjourn was made by Michelle Ritcheson second by Maura Pillsbury at 5:59 p.m.

Meeting dates:

November 5, 2025  
December 10,  
January 14, 2026  
February 11, 2026  
March 11, 2026  
April 8, 2026  
May 6, 2026  
June 3 2026



**Regional School Unit 5**  
Durham · Freeport · Pownal

Item #10C.

*"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

**Finance Committee Minutes**  
**Wednesday, September 24, 2025**  
**5:00 p.m. - Freeport High School Library**

Committee Members Present: Kelly Sink, Michelle Ritcheson, Christopher Savaiano (5:11 p.m.)

Committee Members Absent:

Administrators: Tom Gray, Kelly Wentworth

**Minutes**

Meeting called to order at 5:06 p.m.

1. Election of Chair -
  - a. Kelly Sink nominated Michelle Ritcheson; Michelle Ritcheson seconded nomination. All present voted in favor.
2. FY26 Meeting Topics -
  - a. Director Wentworth presented the workplan for the Finance Committee's review.
3. Warrant Signing Process-
  - a. Director Wentworth reviewed the warrant signing process.
4. Phase1: Energy Audit & Vehicle/Equipment Replacement Financing Report Out-
  - a. Director Wentworth reviewed projected costs vs. actual costs; total savings \$41,399
    - i. Energy Audit- 17 yr Lease Purchase through Banc of America, 4.35%- Annual payment \$254,455- Original projection \$293,000
    - ii. Vehicle & Equipment- 3 yr Lease Purchase through MCB Leasing, LLC , 5.24%- Annual payment \$165,146- Original projection \$168,000
5. FY27 Budget Process Update -
  - a. Superintendent Gray reported that he had sent a status of the budget letter to staff and was soliciting staff input via listening sessions within the Schools & Departments. He was also surveying Administration of the previous budget development process and would report findings to the Board at a future meeting.
  - b. Superintendent Gray reported that the Article 2- Special Education Reserve Account is currently being used to fund three positions via contracted service providers that we will need to carry into the FY27 budget. These services are directly related to IEP requirements. These positions are:

- i. Full time 1:1 Nurse
  - ii. 30 hr per week Speech Language Pathologist
  - iii. 5 hr per week Teacher of the Deaf.
- 6. Other -
  - a. Director Wentworth reported that the Auditors would be in the district the week of Oct 20th and 27th to audit the FY25 financials.
  - b. Director Wentworth reported that the proposals for the Track Re-Striping and the Turf Curbing had come in slightly higher than initially estimated when the projects were presented to the Facilities Committee. The motion being considered later that evening by the full Board of Directors to appropriate up to \$25,000 from the Capital Projects Reserve Fund would need to be adjusted to \$28,000.
  - c. Superintendent Gray reported that the full Board would be hearing a presentation that evening regarding the Child Development Services (CDS) transition. He noted that this will likely result in a facilities study and will have full budgetary implications beginning in July of 2028.
  - d. Next meeting of the Finance Committee, October 22, 2025 @ PES

Meeting adjourned at 6:12 P.M.



**Regional School Unit 5**  
**Durham · Freeport · Pownal**

Item # 10.D,

*"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

**Policy Committee**  
**Thursday, October 2, 2025**  
**4:15 p.m. - Google Meet**  
**Minutes**

Committee Members Present: Colin Cheney, Danielle George (arrived at 5:00 p.m.), Kara Kaikini

Committee Members Absent: None

Administrators in Attendance: Tom Gray, Superintendent and Erica Mazzeo, Asst. Superintendent

Guests: None

The meeting started at 4:15 p.m.

1. Law Change:

The following policies/procedures were revised and will be brought to the Board for 1<sup>st</sup>

Read on October 22, 2025:

JKAA - Use of Physical Restraint and Seclusion

JKAA-R - Procedures on Physical Restraint and Seclusion

2. Regular Review:

The following policies/procedures were revised and will be brought to the Board for 1<sup>st</sup>

Read on October 22, 2025:

IHBEA - Programs for Multilingual Learners

IHBEA-R - RSU No. 5 Lau Plan

The following policies/procedures were tabled until the next meeting:

JICK - Bullying

JICK-R - Bullying Administrative Procedure

3. Board Request:

None

The meeting adjourned at 6:21 p.m.



**Regional School Unit 5**  
Durham · Freeport · Pownal

Item # 11.A.

*"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, Anna Child, Malik Farlow, Danielle George, Kara Kaikini, Maura Pillsbury, Michelle Ritcheson, Chris Savaiano, Kelly Sink, Valerie Williams, Stephanie Worth, Maria Abbatemarco, Moon Tussing

CC: Julie Nickerson, Amanda Marsden, Holly Johnson, Kate Harrison, Will Pidden, Eric Hall, Peter Wagner, Jen Gulko, Erica Mazzeo, Elisha Morris, Pam Crosby, Bill Ridge, Emily Grimm, Scott Emery, Charlie Mellon, Erica Reilly, Kelly Wentworth, Sam Rigby, Glen Reynolds, Jeremy Arsenault, Jen Winkler, Trevor Bean, Nancy Doherty, Jill Hooper, Matt Greear, Rocco Abbatemarco, Scott Jelescheff, Amanda Chisholm, Eliza Bowen, Caitlyn Hecox, Pam Gee

FROM: Tom Gray, Superintendent  
DATE: October 10, 2025  
RE: Review/Update of Policies

At the October 22, 2025 Board of Directors Meeting, the following policies/procedures will be on the agenda:

**1<sup>st</sup> Read**

IHBEA - Programs for Multilingual Learners

IHBEA-R - RSU No. 5 Lau Plan

JKAA - Use of Physical Restraint and Seclusion

JKAA-R - Procedures on Physical Restraint and Seclusion

## **PROGRAMS 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.~~

**RSU No. 5 shall provide appropriate programs for Multilingual Learners to assist them in attaining English language proficiency and meeting state and local academic achievement standards in compliance with applicable federal and state requirements. The School Department shall also provide for opportunities for parent involvement in their children's education as required by federal law.**

**The Superintendent is responsible for developing and implementing the school unit's Lau Plan and any necessary administrative procedures. The Superintendent may delegate specific responsibilities to building administrators or others as they deem appropriate.**

**The Lau Plan shall be approved by the RSU No. 5 Board of Directors before it is submitted to the Maine Department of Education.**

Legal References: Title VI of the ~~1964~~ 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)~~  
**20 U.S.C. §§ 6312; 6811 et seq.**  
**20-A M.R.S.A. § 4701**  
**Maine Department of Education Rule Chapter 127**

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

**~~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 NO. 5 LAU PLAN

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## Section 1: Introduction

- Mission statement.  
RSU No. 5 To inspire and support every learner by challenging minds, building character, sparking creativity, and nurturing passions.
- MLL Service Values Statement  
RSU No. 5 recognizes the unique paths students take in acquiring English and adapting to new cultural environments. RSU No. 5 is committed to affirming their identities, recognizing linguistic backgrounds, and leveraging strengths while addressing their individual needs.
- Purpose of plan:  
This Lau Plan outlines RSU No. 5's procedures and services for identifying, assessing, placing, and supporting MLs from Pre-K through Grade 12. It ensures compliance with federal and state laws while upholding our responsibility to provide equitable access to meaningful, rigorous, and engaging instruction. The education of Multilingual Learners is a shared responsibility of all RSU No. 5 educators, working in partnership with families and the community.

## Section 2. Multilingual Learner Identification<sup>1</sup>

To ensure equitable access to learning, schools are required to identify MLs and provide appropriate programming within 30 days of the start of the school year, or within two weeks of a student's enrollment during the school year. Parents/guardians are notified of their child's identification and rights within these timelines and are invited to participate in decisions about their child's education.

RSU No. 5 follows the monitoring and reidentification guidelines set by the Maine DOE. All students who exit ML status are monitored for continued success and may be rescreened and reentered into ML status if their English proficiency declines.

### *Policies and Procedures*

| Action Required by Federal Law and/or State Policy  | Specific Procedure and Responsible Position                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Administration of the Maine DOE Language Use Survey | As outlined within <a href="#">Administrative Letter #27</a> , the <a href="#">Language Use Survey</a> is administered to the parent/guardian of every student (pre-kindergarten through twelfth grade) enrolling in an RSU No. 5 school for the first time. The Language Use Survey is included within the online registration system. If any question is answered with a language other than English, the student is administered an English language proficiency screener. |

<sup>1</sup> Elementary and Secondary Education Act of 1965 (ESEA), Section 3111 & Maine DOE, [Administrative Letter No. 27](#) (June 2023) & [Guidance on Determining English Learner Status](#) (State policy document)

| Action Required by Federal Law and/or State Policy            | Specific Procedure and Responsible Position                                                                                                                                                                                                                                      |
|---------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Translation/interpretation provided to parents/guardians      | When a family requires interpretation/translation for completing the online registration, a phone/in-person interpreter is contacted, and a translation of the survey can be provided. School staff are trained annually on the process for securing translation/interpretation. |
| Referral of all potential MLs for screening                   | When a potential ML enrolls, school staff notify ESOL teachers to initiate screening and intake.                                                                                                                                                                                 |
| Administration of English language proficiency (ELP) screener | ESOL teachers administer the appropriate ELP screener within the required time frame. See chart below for details.                                                                                                                                                               |
| Development of individualized program of services             | Upon first enrollment in a US school, a thorough intake interview is administered to the student and family to inform the student's placement and services. A Language Acquisition Committee reviews the student's Individual Language Acquisition Plan (ILAP) at least annually |

### ***English Language Proficiency (ELP) Screeners***

RSU No. 5 follows the [Maine Multilingual Learner Identification and Placement Guidance](#), which requires\* the following screeners and thresholds:

| Grade                                     | ELP Screener                   | Identification Threshold                |
|-------------------------------------------|--------------------------------|-----------------------------------------|
| pre-K                                     | preLAS*                        | 77 (oral domains only)                  |
| 1st semester K                            | WIDA Screener for Kindergarten | Oral language level 4.5                 |
| 2nd semester K/<br>1st semester 1st grade | WIDA Screener for Kindergarten | Overall composite proficiency level 4.5 |
| 2nd semester 1st grade through 12th grade | WIDA Screener Online           | Overall composite proficiency level 4.5 |

### Parent/Guardian Notification and Rights

If a student is identified as in need of ESOL services, the parents/guardians should be notified no later than 30 days after the beginning of the school year or within 30 days of the child's placement in the program, in accordance with the requirements of ESEA. Parents/guardians should be invited to attend and participate in all meetings pertaining to their child and should be notified of all school activities called to the attention of other families.

Parents/guardians have the right to refuse ESOL services for their child. A parent who does not want their child to have ESOL services is required to sign a [Notice for Parent/Guardian Wishing to Decline ESOL Services](#), which is then placed in the student's permanent record. However, if a parent/guardian refuses ESOL services, meaningful education must still be provided. When a parent/guardian refuses ESOL services, the refusal of ESOL services must be documented, but it does not release the school from its responsibility for providing meaningful education to the ML. If refusal of ESOL services denies an ML access to a meaningful education, this violates the student's rights. A parent/guardian cannot refuse "education" and if a student cannot access education without ESOL services, then the school must support the academic learning of the student. If an ESOL program is necessary in order to ensure academic progress, then ESOL services must be provided.

Further, even if parents refuse services, all identified MLs must still participate in the annual ACCESS for ELLs assessment. Students and families who refuse services or assessment must have a conversation with a building administrator and ESOL teacher to review the student's rights and the responsibilities of the school to educate and assess the student.

## Section 3. Development of Individualized Language Acquisition Programs

### *General Service Provision Guidelines*

| Proficiency (as measured by the annual test of ELP*) | Program Type                                  | Amount/Frequency    |
|------------------------------------------------------|-----------------------------------------------|---------------------|
| Level 1 - Beginning                                  | Intensive English Language Development (IELD) | 2 class periods/day |
| Level 2 - Entering                                   | IELD                                          | 2 class periods/day |
| Level 3 - Developing                                 | Cognitive Academic Language Support (CALS)    | 1 class period/day  |
| Level 4-4.5 - Expanding                              | CALS                                          | 1 class period/day  |

\*English language proficiency screening assessment or ACCESS for ELLs

### ***Overview of Programming***

Programming is designed by ESOL staff, in collaboration with other staff, to meet the needs of each individual student, taking into consideration all aspects of their learner profile. The general service provision amount/frequency above are used as a guideline, but amount/frequency of service varies to meet individual student needs. The ESOL staff will collaborate with grade-level content teachers and other service providers to determine the instructional combination of services deemed most appropriate for each learner.

All MLs must be provided with ESOL services that enable them to meaningfully access the curriculum in order to meet grade-level standards.<sup>2</sup> English language development and content area knowledge are to be acquired simultaneously rather than consecutively. MLs are entitled to ELD services until exiting by demonstrating English language proficiency on ACCESS for ELLs/Alternate ACCESS for ELLs (defined as an overall composite proficiency level score of 4.5 or higher).

ESOL services are to be provided in a way that minimizes the isolation of MLs from the general student population and encourages MLs to participate in all aspects of the school program, including advanced coursework, career and technical education, gifted and talented programs, and extracurricular activities.

Support structures include co-planning between ESOL and general and special education educators, as well as collaboration with intervention specialists to ensure access to grade-level curriculum. These supports may take a variety of forms depending on student need and available staffing, including collaborative lesson design, push-in or pull-out instructional support, co-teaching models, consultation, and integration of language objectives into core content instruction. ESOL teachers may also partner with educational technicians, instructional coaches, or specialists to extend services, provided that such work supplements and does not supplant the role of certified staff. Deployment of these models will be determined collaboratively by administrators, ESOL staff, and other educators in a manner that is consistent with district collective bargaining agreements, while maximizing the use of personnel to meet the diverse linguistic and academic needs of students.

ESOL teachers will maintain a file on each student with copies of all relevant documents (state and local assessment scores, ILAPs, progress reports) in their cumulative files. Student records are also maintained in district-approved electronic systems.

### ***Individual Language Acquisition Plan (ILAP)***

Each student's ILAP will outline a personalized action plan for language development. The ILAP is created by the student's team of educators and is updated annually. Each year, the ILAP is shared with individual students, parents/guardians, and staff directly working with the student. The ILAP is a useful resource which assists all teachers with understanding and effectively meeting the individual student's needs in terms of: English proficiency levels, language goals, modifications, and accommodations.

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<sup>2</sup> Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.; Equal Educational Opportunities Act of 1974, 20 U.S.C. § 1703(f)

Factors considered in developing each student's ILAP include but are not limited to:

- Age
- English language proficiency level
- Native or preferred language proficiency level
- Native or preferred language literacy skills/readiness
- Interruptions in schooling
- Complications from trauma associated with refugee status, e.g. histories of war, persecution, resettlement & acculturation

### **Multilingual Learners and Special Education**

RSU No. 5 is committed to providing equity for all students, from early intervention, response to intervention, referral and identification of services. Through a robust Multi-Tiered System of Support (MTSS), we strive to provide linguistically and culturally responsive core instruction, monitor academic progress, and respond to students' linguistic, academic, and behavioral needs through consistent and continuous support.

When a referral to special education is appropriate, we ensure that cultural, linguistic, and experiential factors are taken into account through a collaborative process involving special education, ESOL, and general educators, as well as families.

Students may qualify for and have legal entitlement to both ESOL and special education services. Appropriate screening is required to determine students' eligibility for each type of service. Depending on a student's learning disability and Individual Education Plan (IEP), universal testing tools or accommodations may be needed in order to measure English language proficiency. When evaluating an ML for learning disabilities, screening must be linguistically and culturally appropriate.

RSU No. 5 recognizes the importance that IEP Teams for ELs with disabilities include persons with expertise in second language acquisition and/or other professionals, such as speech-language pathologists, who understand how to differentiate between limited English proficiency and a disability. The participation of these individuals on the IEP Team may be essential in order to develop appropriate academic and functional goals for the child and provide specially designed instruction and the necessary related services to meet these goals.<sup>3</sup>

All students, including immigrant and international students, must be screened for ML status. International students are not exempt from Title I required state academic assessments. In Maine, recently arrived MLs who have been enrolled in a U.S. school for less than 12 months are exempt from one administration of the state's English language arts assessment only.

RSU No. 5 will continue to follow state and national guidelines as they are developed.

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<sup>3</sup> U.S. Dep't of Educ. & U.S. Dep't of Justice, "[Dear Colleague Letter and Q&A on English Learners with Disabilities](#)" (2016).

#### **Section 4. Meaningful and Equitable Access to Academic and Extracurricular Programs<sup>4</sup>**

English language proficiency is not a prerequisite to participate in general education classes and other school activities, programs or events. All staff—including administrators, ESOL teachers, guidance counselors, coaches, and general education teachers—share responsibility for ensuring MLs have meaningful access to programs. MLs are entitled to equitable access to all academic and extracurricular programs that their schools offer, such as required curriculum, college preparatory classes, Advanced Placement, dual enrollment, gifted and talented, career and technical education, athletics, academic/career counseling, performing and visual arts, clubs, honor societies, and others. MLs with disabilities are entitled to full access to academic and extracurricular programs, with accommodations and supports provided as outlined in their IEP or 504 plan.

Students have equal access to academic and extracurricular activities, including summer programming. Language proficiency levels will not determine a student's eligibility for such programming and activities. RSU No. 5 will monitor ML participation in advanced courses, specialized programs, and extracurricular activities to ensure equity, and will take corrective action if disparities are identified. Information about these programs is provided through individual school communication from teachers, district leadership, and other staff and community members. All communications will be provided in a language that is understandable to each family, in written and/or oral formats.

As discussed in Section 9 below, RSU No. 5 ensures that important information about programs is provided to parents/guardians in a language they understand, through written translation and/or oral interpretation.

#### **Section 5. Equitable Personnel, Facilities, and Materials<sup>5</sup>**

MLs must be provided with sufficient, qualified teaching staff to meet their language learning and academic content acquisition needs, as well as facilities and materials of comparable quality to those of their non-ML peers.

ESOL services are provided through qualified ESOL teachers, who are certified through the State of Maine 660 ESOL endorsement. Staffing is adjusted according to need and number of students on teacher caseloads. ESOL teachers are available to consult with mainstream teachers and may also provide professional development to staff when possible. The district will review staffing allocations annually, in collaboration with building administrators, to ensure caseloads allow assisting MLs in a manner consistent with this Lau Plan.

ESOL services may be provided by an educational technician who is supervised by an ESOL teacher as long as those services do not supplant the standard curriculum or replace direct

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<sup>4</sup> 34 C.F.R. §§ 100.1–.2 (implementing Title VI); Equal Educational Opportunities Act, 20 U.S.C. § 1703(f); Maine Revised Statutes Annotated, 20-A M.R.S. §§ 4712, 4722-A, 8205, 8402, 5225.

<sup>5</sup> Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.; Elementary and Secondary Education Act of 1965, Title III, 20 U.S.C. § 6826(c); *Castañeda v. Pickard*, 648 F.2d 989, 1013 (5th Cir. 1981).

services from an ESOL teacher. Educational technicians may provide core ESOL support services only as an emergency, interim measure while the district seeks to secure qualified staffing. If necessary, teachers with conditional certification may be hired if they are actively engaged in obtaining appropriate credentials.

ESOL teachers maintain a classroom/office space in each building where students who are MLs attend. An ESOL program budget line is used to provide MLs with equitable educational materials, comparable to those of their non-ML peers. Students who are MLs have full access to all educational opportunities and materials provided by RSU No. 5. Facilities provided for MLs will be comparable in quality to those used by non-ML peers, and instructional materials will align with WIDA standards and district curricula.

ESOL staff will participate in decision-making teams for specialized program placement (e.g., gifted/talented, AP, honors, special education), to ensure language and cultural factors are considered and MLs are not excluded from opportunities. RSU No. 5 recognizes that characteristics of giftedness may present differently in MLs (e.g., code-switching, rapid language acquisition, cross-cultural negotiation, or advanced literacy in the home language) and will ensure these factors are considered during referral and evaluation.

## **Section 6. Administration of Annual English Language Proficiency Assessment<sup>6</sup>**

Federal and state laws require that the English language proficiency of all MLs be measured annually as a component of accountability under the Elementary and Secondary Education Act (ESEA). If a student is identified as an ML, that student must be administered ACCESS for ELLs/Alternate ACCESS for ELLs annually until the student demonstrates English language proficiency. The Maine Department of Education defines English language proficiency as an overall composite proficiency level of 4.5 on ACCESS for ELLs or 4 on Alternate ACCESS for ELLs, as applicable.

State law requires that ACCESS for ELLs/Alternate ACCESS for ELLs be administered only by an individual trained in its administration. It is not required that the individual be an ESOL endorsed teacher. All test administrators must complete WIDA training and certification annually prior to administering ACCESS assessments. The district ACCESS Coordinator will collaborate with school-level ACCESS Coordinators to ensure consistent implementation, compliance, and secure handling of testing materials.

Dually-identified students that qualify for alternate state academic assessments will participate in WIDA Alternate ACCESS for ELLs. For students with significant cognitive disabilities who cannot meaningfully participate in ACCESS even with accommodations, Alternate ACCESS will be administered by the student's special education teacher or another qualified adult familiar with the student's IEP/504 plan.

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<sup>6</sup> Elementary and Secondary Education Act of 1965, Title I, 20 U.S.C. § 6311(b)(7); Title III, 20 U.S.C. § 6823(b)(3)(C)–(D); see also Maine DOE, [Participation in Alternate Assessments Decision Flowchart](#); WIDA, [Alternate ACCESS for ELLs Participation Criteria Decision Tree](#).

Parents/guardians may decline ESOL services (see Section 2 above), but the district remains legally obligated to ensure the student receives meaningful access to education.

### **Section 7. Exit and Monitoring<sup>7</sup>**

When a Multilingual learner meets Maine’s definition of English language proficiency on ACCESS for ELLs (currently an overall composite proficiency level of 4.5), the student is exited from Multilingual learner status. For students with the most significant cognitive disabilities who take the Alternate ACCESS for ELLs, exit occurs upon reaching Level PL2, provided the student is eligible for Alternate ACCESS under their IEP/504 plan. While the district may choose to continue to provide language support services to students who have demonstrated English language proficiency, such students are no longer classified as MLs and are no longer administered ACCESS for ELLs/Alternate ACCESS for ELLs.

As mentioned previously, RSU No. 5 follows the monitoring and reidentification guidelines as stated in the Maine DOE [Administrative Letter 20](#) and [Guidance On Determining English Learner Status](#). “After an EL demonstrates English language proficiency by attaining a CPL of 4.5 or higher on ACCESS for ELLs, federal and state regulations require that schools monitor the student’s academic progress for two years. If during or after that two-year period a continued need for English language acquisition services becomes apparent, the student must be provided services. Students who have previously exited English learner status may experience a change in English proficiency level at any time. It is essential to monitor the performance of such students in order to ensure that any student who needs English language acquisition support services receives them.”

MTSS Building Teams or ESOL teacher/case managers are responsible for reviewing the academic progress of all exited MLs. Monitoring is conducted at least twice annually during the required two-year period, including review of grades, attendance, behavior, and assessment data. After the two-year period, monitoring may continue as needed.”

If concerns arise about the academic progress of a monitored student, the student will be referred to the MTSS, which includes an ESOL teacher. The MTSS team determines whether the student’s lack of progress is due to language development. If language is identified as a factor after interventions, the student may be referred for re-screening using the WIDA Screener Online or other appropriate tool.

### **Section 8. Ongoing Program Evaluation<sup>8</sup>**

RSU No. 5 strives to provide an equitable and high-quality educational program for all MLs. The effectiveness of ESOL teachers is assessed annually through the district-wide process of teacher evaluation. Longitudinal data collection and analysis methods are provided as needed via the Comprehensive Needs Assessment to ensure that long-term outcomes are comparable to

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<sup>7</sup> Elementary and Secondary Education Act of 1965, Title I, 20 U.S.C. § 6311(b)(7); Title III, 20 U.S.C. § 6823(b)(3)(C)–(D)

<sup>8</sup> Castañeda v. Pickard, 648 F.2d 989, 1014–15 (5th Cir. 1981).

those of students who were never MLs. The following ML data will be reviewed annually, and program modifications will be made as necessary:

- State and local academic assessment scores
- Graduation rate
- ML status exit rate
- Participation in advanced coursework (college prep, AP)

### **Section 9. Meaningful Communication with Parents/Guardians<sup>9</sup>**

Families not only have a right to meaningful communication, but also RSU No. 5 recognizes families as an essential partner in the education of their children. Communication must be two-way, asset-based, and culturally responsive in order to fully engage families. Engaged families are a key to success for individual students and the community as a whole.

Therefore, RSU No. 5 ensures meaningful communication with families in a language they can understand through a variety of means, including on-demand video and phone interpretation, contracted interpretation and translation services, and automated translation of school communications through an online platform. RSU No. 5 identifies interpretation and translation needs of parents and guardians, in part, through the multilingual intake process.

Essential communications provided to parents/guardians may include, as applicable, information about federal and ESOL programs, special education and related services (including IEP meetings), grievance procedures, nondiscrimination notices, student discipline policies, registration and enrollment, report cards, permission slips, parent-teacher conferences, handbooks, gifted and talented programs, magnet and charter schools, health and wellness information, and any other school or program choice options.

### **Section 10. Lau Plan Review**

RSU No. 5 conducts an annual review of the Lau Plan to ensure alignment with updated federal and state policies, as well as to ensure that it reflects current practices and procedures within the district. The review process will be led by the Assistant Superintendent, in collaboration with other staff and community stakeholders as needed. The Lau Plan will be shared annually with the School Board for its awareness near the beginning of each academic year. In addition to this annual review and reporting, RSU No. 5 will engage in continuous monitoring of the Lau Plan's efficacy and maintain a formal schedule for considering substantive revisions at least once every three years, or more frequently if required by changes in law or district practice.

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<sup>9</sup> Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.; Elementary and Secondary Education Act of 1965, Titles I & III, 20 U.S.C. §§ 6301 et seq., 6801 et seq.

## Legal References

The following non exhaustive list provides legal references for consideration in conjunction with this Lau Plan:

- I. [Title VI of the Civil Rights Act of 1964](#) prohibits discrimination on the basis of national origin in programs or activities which receive federal financial assistance.
- II. [Equal Education Opportunities Act of 1974](#) prohibits states from denying equal educational opportunity to an individual on account of his or her race, color, sex or national origin. The statute specifically prohibits states from denying equal educational opportunity by 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.
- III. [Elementary and Secondary Education Act](#) (ESEA), reauthorized in 2015 as the Every Student Succeeds Act (ESSA), holds state educational agencies, local educational agencies, and schools accountable for increases in English language proficiency and core academic content knowledge of Multilingual Learners (MLs). It requires states to implement yearly student academic assessments that include, at minimum, academic assessments in mathematics and reading or language arts. Title I of the ESEA also requires that states provide for an annual assessment of English language proficiency (listening, speaking, reading, writing, and comprehension in English) of all students identified as MLs in schools served by the state.

## Supreme Court Decisions

- ❖ [Lau vs. Nichols \(1974\)](#) ruled that providing the same access to curriculum, instruction and materials for MLs as is provided to English dominant students is not, in effect, equitable.
- ❖ [Plyler vs. Doe \(1981\)](#): Public schools must serve all students regardless of immigration status.
- ❖ [Castañeda vs. Pickard \(1981\)](#) ruled that schools must take “appropriate action” to address the needs of MLs. Programs designed to address the needs of ML’s must (1) be based on sound theory, (2) be implemented with adequate resources, and (3) be evaluated for effectiveness in helping students overcome language barriers.

More recent cases, including *Horne v. Flores (2009)* (examining adequacy of state funding and structured English immersion programs), and ongoing federal enforcement actions (e.g., *United States v. Texas*), reaffirm that districts must ensure not only theoretical compliance but actual program effectiveness, with sufficient staffing, resources, and monitoring.

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

## USE OF PHYSICAL RESTRAINT AND SECLUSION

The **RSU No. 5** Board has adopted this policy and the accompanying procedures to implement the standards for use of physical restraint and seclusion with students, as required by state law and regulations, and to support a safe school environment. Physical restraint and seclusion, as defined by this policy, may only be used as an emergency intervention when the behavior of a student presents an imminent risk of serious physical injury to the student or others, and less intrusive interventions have failed or been deemed inappropriate.

State law and MDOE Rule Chapter 33 do not restrict or limit the protections available to school officials under 20-A M.R.S.A. § 4009, but those protections do not relieve school officials from complying with this policy/procedure.

The Superintendent has overall responsibility for implementing this policy and the accompanying procedure, but may delegate specific responsibilities as they deem appropriate.

### I. DEFINITIONS.

The following definitions apply to this policy and accompanying procedure:

#### A.

1. **Physical restraint:** A personal restriction that immobilizes or reduces the ability of a student to move their arms, legs, or head freely.
2. **Physical restraint does not include any of the following:**
  - a. Physical escort: A temporary ~~voluntary~~ touching or holding of the hand, wrist, arm, shoulder or back to induce a student to walk to a safe location.
  - b. Physical prompt: A teaching technique that involves **voluntary** physical contact with the student and that enables the student to learn or model the physical movement necessary for the development of the desired competency.
  - c. Protective Physical Interventions: Brief physical contact with a student in response to potentially harmful student action that serves to deflect, block, or redirect the student's actions or disengage from a student's inappropriate grip, but from which the student could freely move away.
  - d. The use of vehicle safety restraints when used as intended during the transport of a student in a moving vehicle.
  - e. The use of adaptive devices or mechanical supports to achieve proper body position, balance or alignment to allow greater freedom of movement than would be possible without the use of such devices or supports.

B.

1. **Seclusion:** The involuntary isolation or confinement of a student alone in a room or clearly defined area from which the student does not feel free to go or is physically denied exit.

2. **Seclusion does not include: Timeout:** A timeout, which is an intervention where a student requests, or complies with an adult request for a break.

C.

1. **Serious physical injury:** Any impairment of the physical condition of a person, whether self-inflicted or inflicted on someone else, that ~~is beyond the care of routine first aid, and if the injury had occurred, would require~~ a medical practitioner, including but not limited to, a school nurse, to evaluate and/or treat the ~~victim~~ **person**.

2. **Voluntary:** Voluntary means that a student cooperates with a request, independent of staff using physical force for the purpose of overcoming a student's resistance.

3. **Emergency:** A sudden, urgent occurrence, usually unexpected, but sometimes anticipated, that requires immediate action.

II. PROCEDURES FOR IMPLEMENTING PHYSICAL RESTRAINT AND SECLUSION.

The requirements for implementing physical restraint and seclusion, as well as incident notices, documentation and reporting are included in the accompanying procedure, JKAA-R.

III. ANNUAL NOTICE OF POLICY/PROCEDURE.

RSU No. 5 shall provide annual notice to parents/legal guardians of this policy/procedure by means determined by the Superintendent/designee.

IV. TRAINING REQUIREMENTS.

A. All school staff and contracted providers shall receive an annual overview of this policy/procedure.

B. RSU No. 5 will ensure that there are a sufficient number of administrators/designees, special education and other staff who maintain certification in a restraint and seclusion training program approved by the Maine Department of Education. A list of certified staff shall be updated annually and maintained in the Superintendent's Office, in each school office and in the school unit's Comprehensive ~~Health and~~ Emergency Management Plan.

## V. PARENT/LEGAL GUARDIAN COMPLAINT PROCEDURE.

A parent/legal guardian who has a complaint concerning the implementation of this policy/procedure must submit it in writing to the Superintendent as soon as possible. The Superintendent/designee shall investigate the complaint and provide written findings to the parent/legal guardian within twenty (20) business days of receiving the complaint, if practicable.

A parent/legal guardian who is dissatisfied with the result of the local complaint process may file a complaint with the Maine Department of Education. The Department of Education will review the results of the local complaint process and may initiate its own investigation at its sole discretion. The Department shall issue a written report with specific findings to the parent/legal guardian and the school unit within 60 calendar days of receiving the complaint.

Legal References: 20-A MRSA §§ 4014, 4502(5)(M); 4009  
Chapter 33 (Maine Department of Education Rules)

Cross Reference: JKAA-R – Procedures on Physical Restraint and Seclusion  
JK – Student Discipline  
KLG/~~KLG-R~~ – Relations with Law Enforcement **Authorities**  
**KLG-R - Relations with Law Enforcement Authorities**  
**Administrative Procedures**  
EBCA – Comprehensive ~~Health and~~ Emergency Management Plan

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## PROCEDURES ON PHYSICAL RESTRAINT AND SECLUSION

These procedures are established for the purpose of meeting the obligations of RSU No. 5 under state law/regulations and Board Policy JKAA governing the use of physical restraint and seclusion. These procedures shall be interpreted in a manner consistent with state law and regulations.

### I. PHYSICAL RESTRAINT

To the extent possible, physical restraint will be implemented by staff certified in a training program approved by the Maine Department of Education. If untrained staff have intervened and initiated a physical restraint in an emergency, trained staff must be summoned to the scene to assume control of the situation if the emergency continues.

This procedure does not preclude law enforcement personnel, or other first responders from implementing physical restraints in carrying out their professional responsibilities.

#### A. Permitted Uses of Physical Restraint

1. Physical restraint may be used only when the behavior of a student presents an imminent risk of serious physical injury to the student or others, and only after other less intrusive interventions have failed or been deemed inappropriate. The physical restraint must end immediately upon the cessation of the imminent risk of serious physical injury to the student or another person, and should involve the least amount of force necessary to protect the student or other person.
2. Serious physical injury is any impairment of the physical condition of a person, whether self-inflicted or inflicted on someone else, that ~~is beyond the care of routine first aid, and if the injury were to occur, would require~~ a medical practitioner, including but not limited to, a school nurse, to evaluate and/or treat the ~~victim~~ person.
3. Prescribed medications, harnesses, seat belts and other assistive or protective devices may be used as permitted by law and described in Policy JKAA.
4. Parents/legal guardians may be requested to provide assistance with their child at any time.

#### B. Prohibited Forms and Uses of Physical Restraint

1. Physical restraint used for punitive purposes; as a therapeutic or educational intervention; for staff convenience; or to control challenging behavior.
2. Physical restraint used to prevent property destruction or disruption of the environment in the absence of a risk of serious physical injury or harm.

3. Physical restraint that is life threatening, restricts breathing or restricts blood flow to the brain, including prone restraint.
4. Physical restraint that relies on pain for control, including but not limited to joint hyperextension, excessive force, unsupported take-downs (e.g., tackles), the use of any physical structure (e.g., wall, railing or post), punching and hitting.
5. Physical restraint that is contraindicated based on the child's disability, health care needs, or medical or psychiatric condition if appropriately documented in:
  - A health care directive or medical management plan;
  - A school-approved behavior plan;
  - An IEP or an Individual Family Service Plan (IFSP); or
  - A school-approved 504 or ADA plan.
6. Aversive procedures and mechanical and chemical restraints.
  - a. Aversive procedures are defined as the use of a substance or stimulus, intended to modify behavior, which the person administering it knows or should know is likely to cause physical and/or emotional trauma to a student, even when the substance or stimulus appears to be pleasant or neutral to others. Such substances and stimuli include but are not limited to infliction of bodily pain (e.g., hitting, pinching, slapping); water spray; noxious fumes; extreme physical exercise; costumes or signs.
  - b. Mechanical restraints are defined as any restraint that uses a device to restrict a student's freedom of movement. Such restraints do not include adaptive devices or mechanical supports to achieve proper body position, balance or alignment to allow greater freedom of movement, or the use of vehicle safety restraints when used as intended during the transport of a student in a moving vehicle.
  - c. Chemical restraints are defined as the use of drug or medication that is not prescribed as the standard treatment of a student's medical or psychiatric condition by a licensed physician or other qualified health professional acting under the scope of the professional's authority under state law that is used on a student to control behavior or restrict freedom of movement.

**C. Monitoring Students in Physical Restraint**

1. At least two adults must be present at all times when physical restraint is used except when, for safety reasons, waiting for a second adult to arrive is precluded by the particular circumstances.
2. The student must be continuously monitored until they no longer presents a risk of injury or harm to the student or others.
3. If an injury occurs, applicable school policies and procedures should be followed.

**D. Termination of Physical Restraint**

1. The staff involved in the use of physical restraint must continually assess for signs that the student **in physical restraint** is no longer presenting an imminent risk of serious **physical** injury ~~or harm~~ to themselves or others, and the physical restraint must be discontinued immediately after it is determined that the imminent risk of serious physical harm has ended.
  - a. The time a student is in physical restraint must be monitored and recorded.
  - b. If physical restraint continues for more than ten (10) minutes, an administrator/designee shall determine whether continued physical restraint is warranted, and shall continue to monitor the status of the physical restraint every ten (10) minutes until the restraint is terminated.
  - c. If attempts to release a student from physical restraint have been unsuccessful and the student continues to present behaviors that create an imminent risk of serious physical injury to the student or to others, then staff may request additional assistance from other school staff, parents, medical providers, or other appropriate persons or organizations.

**II. SECLUSION.**

To the extent possible, seclusion will be implemented by staff certified in a training program approved by the Maine Department of Education. If untrained staff have intervened and initiated seclusion in an emergency, trained staff must be summoned to the scene as soon as possible.

A “timeout” where a student requests, or complies with an adult request, for a break is not considered seclusion under this procedure. Seclusion also does not include any situation where others are present in the room or defined area with the student (including but not limited to classrooms, offices and other school locations).

**A. Permitted Uses and Location of Seclusion**

1. Seclusion may be used only as an emergency intervention when the behavior of a student presents an imminent risk of serious bodily injury to the student or others, and only after other less intrusive interventions have failed or been deemed inappropriate. The seclusion must end immediately upon the cessation of the imminent risk of serious physical injury to the student or another person.
2. Serious physical injury is any impairment of the physical condition of a person, whether self-inflicted or inflicted on someone else, ~~that is beyond the care of routine first aid, and if the injury were to occur, would~~ requires a medical practitioner, **including but not limited to, a school nurse,** to evaluate and/or treat the ~~victim~~ **person**.
3. Seclusion may occur in any part of a school building with adequate light, heat, ventilation and of normal room height.
  - a. Seclusion may not take place in a locked room.
  - b. If a specific room is designated as a seclusion room, it must be a minimum of sixty (60) square feet; have adequate light, heat and ventilation; be of normal room height; contain an unbreakable observation window in a wall or door; and must be free of hazardous materials and objects which the student could use to self-inflict bodily injury.
4. Parents/legal guardians may be requested to provide assistance **with their child** at any time.

**B. Prohibited Uses of Seclusion**

1. Seclusion used for punitive purposes; as a therapeutic or educational intervention; for staff convenience; or to control challenging behavior.
2. Seclusion used solely to prevent property destruction or disruption of the environment in the absence of **an** imminent risk of serious physical injury.
3. Seclusion that is life threatening.
4. Seclusion that is contraindicated based on the child's disability, health care needs, or medical or psychiatric condition if appropriately documented in:
  - A health care directive or medical management plan;
  - A school-approved behavior plan;
  - An IEP or IFSP; or
  - A school-approved 504 or ADA plan.

**C. Monitoring Students in Seclusion**

1. At least one adult must be physically present at all times to continuously monitor a student in seclusion. The adult, while not present in the room or defined area, must be situated so that the student is visible at all times.
2. The student must be continuously monitored until they no longer present an imminent risk of serious physical injury ~~or harm~~ to ~~themselves~~ the student or others.
3. If an injury occurs, applicable school policies and procedures should be followed.

**D. Termination of Seclusion**

1. The staff involved in the seclusion must continually assess for signs that the student is no longer presenting an imminent risk of serious physical injury to the student or others, and the seclusion must be discontinued as soon as the imminent risk ceases.
  - a. The time a student is in seclusion must be monitored and recorded.
  - b. If seclusion continues for more than ten (10) minutes, an administrator/designee shall determine whether continued seclusion is warranted, and shall continue to monitor the status of the seclusion every ten (10) minutes until the seclusion restraint is terminated.
  - c. If attempts to release a student from seclusion have been unsuccessful and the student continues to present behaviors that create an imminent risk of serious physical injury to the student or others, then staff may request additional assistance from other school staff, parents, medical providers, or other appropriate persons or organizations.

**III. NOTIFICATION AND REPORTS OF PHYSICAL RESTRAINT AND SECLUSION INCIDENTS.**

For the purposes of this procedure, an “incident” consists of all actions between the time a student begins to create an imminent risk of serious physical injury and the time the student ceases to pose that imminent risk and returns to their regular programming.

**A. Notice Requirements**

After each incident of physical restraint or seclusion:

1. A staff member involved in the incident shall make an oral notification to the administrator/designee as soon as possible, but no later than the end of the school day.
2. An administrator/designee shall notify the parent/legal guardian about the physical restraint or seclusion (and any related first aid provided) as soon as practical, but within the school day in which the incident occurred. The administrator/designee must utilize all available phone numbers or other available contact information to reach the parent/legal guardian. If the parent/legal guardian is unavailable, the administrator/designee must leave a message (if the parent/legal guardian has a phone and message capability) to contact the school as soon as possible. The parent/legal guardian must be informed that written documentation will be provided within seven (7) calendar days.
3. If the physical restraint or seclusion incident occurred outside the school day, the notifications must be made as soon as possible and in accordance with RSU No. 5 usual emergency notification procedures.
4. If serious bodily injury or death of a student occurs during the implementation of physical restraint or seclusion, the RSU No.5 emergency notification procedures shall be followed and an administrator/designee shall notify the Maine Department of Education within twenty-four (24) hours or the next business day.

## **B. Incident Reports**

Each use of physical restraint or seclusion must be documented in an incident report. The incident report must be completed and provided to an administrator/designee as soon as practical, and in all cases within two (2) school days of the incident. The parent/legal guardian must be provided a copy of the incident report within seven (7) calendar days of the incident.

The incident report must include the following elements:

1. Student name;
2. Age, gender and grade;
3. **Does the student have an individualized Education or 504 plan;**
4. Location of the incident;
5. Date of the incident;
6. Date of report;
7. Person completing the report;
8. Beginning and ending time of each physical restraint and/or seclusion;
9. Incident start and end time;
10. Total time of incident;
11. Total number of uses of seclusion within the incident period;

- a. Beginning and ending time of each use of seclusion within the incident period;
  - b. A detailed description of each use of seclusion within the incident period;
12. Total number of uses of physical restraint within the incident period;
    - a. Beginning and ending time of each use of physical restraint within the incident period;
    - b. A detailed description of each use of physical restraint within the incident period;
  13. Description of prior events and circumstances;
  14. Less restrictive interventions tried prior to the use of physical restraint ~~and/or seclusion and, if none were used, explain why;~~
  15. The student behavior ~~that justifying~~ **justified** the use of physical restraint or seclusion;
  16. A detailed description of the physical restraint or seclusion used;
  17. The staff person(s) involved, their role in the physical restraint ~~and/or seclusion, and whether each person is certified~~ **their certification, if any,** in an approved training program;
  18. Description of the incident, including the resolution and process of ~~returning the student to their program, if appropriate;~~
  19. Whether the student has an ~~a.~~ IEP, ~~b.~~ 504 Plan, ~~c.~~ behavior plan, ~~d.~~ IHP (~~individual health plan~~) or ~~e.~~ any other plan;
  20. If a student ~~and/or~~ staff sustained bodily injury, the date and time of nurse or ~~other~~ response personnel notification and ~~any~~ **the** treatment administered, **if any;**
  21. **If a staff member sustained bodily injury, the date and time of nurse or response personnel notification and the treatment administered, if any.**
  22. ~~The d~~ Date, time and method of parent/legal guardian notification; **and**
  23. ~~The date and time of administrator/designee notification; and~~
  24. Date, ~~and~~ time of staff debriefing.

Copies of the incident reports shall be maintained in the student's file and in the school office.

#### IV. SCHOOL UNIT RESPONSE FOLLOWING THE USE OF PHYSICAL RESTRAINT OR SECLUSION.

- A. Following each incident of physical restraint or seclusion, an administrator/designee shall take these steps within two (2) school days (unless serious bodily injury requiring emergency medical treatment occurred, in which case these steps must take place as soon as possible, but no later than the next school day):

1. Review the incident with all staff persons involved to discuss: (a) whether the use of physical restraint or seclusion complied with state and school board requirements and (b) how to prevent or reduce the need for physical restraint and/or seclusion in the future.
2. Meet with the student who was physically restrained or secluded to discuss: (a) what triggered the student's escalation and (b) what the student and staff can do to reduce the need for physical restraint and/or seclusion in the future.

B. Following the meetings, staff must develop and implement a written plan for response and de-escalation for the student. If a plan already exists, staff must review it and make revisions, if appropriate. For the purposes of this procedure, "de-escalation" is the use of behavior management techniques intended to cause a situation involving problem behavior of a student to become more controlled, calm and less dangerous, thus reducing the risk of injury or harm.

V. **PROCEDURE FOR STUDENTS AFTER EVERY THIRD INCIDENT ~~IN A SCHOOL YEAR.~~**

The school unit will make reasonable, documented efforts to encourage parent/legal guardian participation in the meetings required in this section, and to schedule meetings at times convenient for parents/legal guardians to attend.

**A. Special Education/504 Students**

1. After ~~the~~ every third incident of physical restraint and/or seclusion in one school year, the student's IEP or 504 Team shall meet within ten (10) school days of the third incident to discuss the incident and consider the need to conduct an FBA (functional behavioral assessment) and/or develop a BIP (behavior intervention plan), or amend an existing one.
2. Schools are not required to hold more than one meeting within any 30-school-day period to address restraints or seclusion, notwithstanding the "after every third incident" standard noted above.

**B. All Other Students**

1. After every third incident of physical restraint and/or seclusion in one school year, a team consisting of the parent/legal guardian, administrator/designee, a teacher for the student, a staff member involved in the incident (if not the administrator/designee or teacher already invited), and other appropriate staff shall meet within ten (10) school days to discuss the incidents.

2. Schools are not required to hold more than one meeting within any 30-school-day period to address restraints or seclusion, notwithstanding the “after every third incident” standard noted above.
3. The team shall consider the appropriateness of a referral to special education and, regardless of whether a referral to special education is made, the need to conduct an FBA (functional behavior assessment) and/or develop a BIP (behavior intervention plan).

## VI. CUMULATIVE REPORTING REQUIREMENTS

### A. Reports within the School Unit

Each building administrator must report the following data on a quarterly and annual basis:

#### 1. Physical Restraint

- a. total number of incidents that include the use of physical restraints;
- b. the aggregate number of uses of physical restraint;
- c. the aggregate number of students placed in physical restraint;
- d. the aggregate number of students with disabilities and an individualized education program under state and federal special education laws or a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973, placed in physical restraints;
- e. the aggregate number of serious physical injuries to students related to physical restraint;
- f. the aggregate number of serious physical injuries to staff related to physical restraint;
- g. aggregate number of uses of physical restraint;
- h. aggregate number of students placed in physical restraint;
- i. aggregate number of serious ~~physical~~ **bodily** injuries to students related to the use of restraint **and seclusions**; and
- j. aggregate number of serious bodily injuries to staff related to physical restraint and seclusion.

**2. Seclusion:**

- a. total number of incidents that include the use of seclusion;
- b. the aggregate number of uses of seclusion;
- c. the aggregate number of students placed in seclusion;
- d. the aggregate number of students with disabilities and an individualized education program under state and federal special education laws or a plan pursuant to Section 504 federal Rehabilitation Act of 1973, placed in seclusion;
- e. the aggregate number of serious physical injuries to students related to seclusion;
- f. the aggregate number of serious physical injuries to staff related to seclusion;

**B. Superintendent Review of Reports.**

- 1. The superintendent/~~designee~~ **or chief administrator** shall review cumulative reports received as set forth in this section and identify those areas that can be addressed to reduce the future use of physical restraint and seclusion. These cumulative reports may be requested by the Department of Education at any time.

**C. Reports to Maine Department of Education**

Each covered entity shall submit to the department an annual report on incidents of physical restraint and seclusion of students of that covered entity that includes:

**1. Physical Restraint:**

- a. total number of incidents that include the use of physical restraints;
- b. the aggregate number of uses of physical restraint;
- c. the aggregate number of students placed in physical restraint;
- d. the aggregate number of students with disabilities and an individualized education program under state and federal special education laws or a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973, placed in physical restraints;
- e. the aggregate number of serious physical injuries to students related to physical restraint; **and**

f. the aggregate number of serious physical injuries to staff related to physical restraint.

**2. Seclusion:**

a. total number of incidents that include the use of seclusion;

b. the aggregate number of uses of seclusion;

c. the aggregate number of students placed in seclusion;

d. the aggregate number of students with disabilities and an individualized education program under state and federal special education laws or a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973, placed in seclusion;

e. the aggregate number of serious physical injuries to students related to seclusion; **and**

f. the aggregate number of serious physical injuries to staff related to seclusion;

Legal Reference: 20-A MRSA §§ 4014, 4502(5)(M); 4009  
Chapter 33 (Maine Department of Education Rules)

Cross Reference: EBCA – Comprehensive Health and Emergency Management Plan  
JKAA – Use of Physical Restraint and Seclusion  
JK – Student Discipline  
KLG/~~KLG-R~~ – Relations with Law Enforcement **Authorities**  
**KLG-R - Relations with Law Enforcement Authorities Administrative Procedures**

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