

**REGULAR MEETING OF RSU NO. 5 BOARD OF DIRECTORS
WEDNESDAY- FEBRUARY 25, 2026
FREEPORT HIGH SCHOOL - LIBRARY
6:30 P.M. REGULAR SESSION
AGENDA**

1. Call to Order:

The meeting was called to order at _____ p.m. by Chair Michelle Ritcheson

2. Attendance:

___ Colin Cheney

___ Karen Breer

___ Anna Child

___ Malik Farlow

___ Kara Kaikini

___ Lois Kilby-Chesley

___ 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 February 4, 2026 and February 11, 2026 as presented barring any errors or omissions.

Motion: _____ 2nd: _____ Vote: _____

5. Adjustments to the Agenda:

6. Good News & Recognition: (10 Minutes)

- A. Report from Board's Student Representative

7. Public Comments: (30 Minutes)

8. Reports from Superintendent: (10 Minutes)

- A. Superintendent's Report

- B. Resignations - Meredith Hooke - MSS/PES Librarian

Jeremy Arsenault - Director of Transportation

9. Administrator Reports:

- A. Region Ten Technical High School Budget Update - Shawn Chabot (20 Minutes)

- B. Finance - Kelly Wentworth (5 Minutes)

10. Board Comments and Committee Reports:

- A. Board Information Exchange and Agenda Requests (10 Minutes)

- B. Finance Committee (5 Minutes)

- C. Facilities and Operations Committee (5 Minutes)

- D. Policy Committee (5 Minutes)

11. Policy Review: (30 Minutes)

A. Consideration and approval of 2nd Read of the following policy:

1. JICK - Bullying
2. JICK - R - Bullying Administrative Procedure

Motion: _____ 2nd: _____ Vote: _____

B. Consideration and approval of 1st Read of the following policies:

1. JIC - Student Code of Conduct
2. JEA - Compulsory Attendance

Motion: _____ 2nd: _____ Vote: _____

12. Unfinished Business:

- A. District Reconfiguration Process (15 Minutes)
- B. FY27 Budget Review: Superintendent's 2026-2027 Proposed Budget (120 Minutes)

13. New Business:

1. Consideration and approval to create the position of Early Childhood Special Education (ECSE) Assistant Director. (10 Minutes)

Motion: _____ 2nd: _____ Vote: _____

2. Consideration and approval to expend up to \$75,000 from Capital Reserves for a facilities study. (10 Minutes)

Motion: _____ 2nd: _____ Vote: _____

14. Personnel: (5 Minutes)

- A. Consideration and approval to hire a Principal at Durham Community School for the 2026-2027 school year, effective July 1, 2026.

Motion: _____ 2nd: _____ Vote: _____

15. Public Comments: (10 Minutes)

16. Adjournment:

Motion: _____ 2nd: _____ Vote: _____ Time: _____

**RSU No. 5 Board of Directors Meeting
Wednesday, February 4, 2026 - 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 February 25, 2026 meeting).

1. CALLED TO ORDER:

Chair Michelle Ritcheson called the meeting to order at 6:31 p.m.

2. MEMBERS PRESENT: Karen Breer, Anna Child, Colin Cheney, Malik Farlow, Kara Kaikini, Michelle Ritcheson, Christopher Savaiano, Kelly Sink, Valerie Williams, Stephanie Worth. Moon Tussing, Student Representative (left at 8:39 p.m.)

MEMBERS ABSENT: There is an open Durham seat

3. PLEDGE OF ALLEGIANCE:

4. CONSIDERATION OF MINUTES:

None

5. ADJUSTMENTS TO THE AGENDA:

None

6. GOOD NEWS AND RECOGNITION:

A. Report from the Board's Student Representative - Maria Abbatemarco

7. PUBLIC COMMENT:

None

8. REPORTS FROM SUPERINTENDENT:

A. Support Staff New Hires - Jamie Gurshick - Instructions Support Administrative Assistant
Colby Best - Laugh & Learn Teacher
Maran Gardner - Laugh & Learn Teacher

9. ADMINISTRATOR REPORTS:

None

10. BOARD COMMENTS AND COMMITTEE REPORTS:

None

11. POLICY REVIEW:

None

12. UNFINISHED BUSINESS:

A. FY27 Budget Review:

1. Community Programs - Peter Wagner
2. Nutrition - Erica Reilly
3. Superintendent's 2026-2027 Proposed Budget

B. VOTED: To join Cohort 3 (2026-2027) of the Early Childhood Special Education (ECSE) Transition from Child Development Services (CDS) to RSU 5. (Sink - Kaikini) (10 - 0)

13. NEW BUSINESS:

A. District Scorecard - Erica Mazzeo

14. PERSONNEL:

None

15. PUBLIC COMMENT:

John Jaques (Freeport), Sara Davis (FMS Staff Member), Chantelle Best (Pownal), Will Pidden (DCS Principal)

16. ADJOURNMENT:

VOTED: To adjourn at 9:37 p.m. (Kaikini - Worth) (10 - 0)



Tom Gray, Superintendent of Schools

RSU No. 5 Board of Directors Meeting
Wednesday, February 11, 2026 – 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 February 25, 2026 meeting).

1. CALLED TO ORDER:

Chair Michelle Ritcheson called the meeting to order at 6:32 p.m.

2. MEMBERS PRESENT: Karen Breer, Anna Child, Colin Cheney, Malik Farlow, Kara Kaikini, Lois Kilby-Chesley, Michelle Ritcheson, Christopher Savaiano, Kelly Sink, Valerie Williams, Stephanie Worth. Maria Abbatemarco, Student Representative (left at 7:47 p.m.)

MEMBERS ABSENT: None

3. PLEDGE OF ALLEGIANCE:

4. CONSIDERATION OF MINUTES:

A. **VOTED:** To approve the Minutes of January 28, 2026.

(Williams – Savaiano) (10 – 0 - 1 Abstention) The Student Representative voted with the majority.

5. ADJUSTMENTS TO THE AGENDA:

None

6. GOOD NEWS AND RECOGNITION:

A. Report from Board's Student Representative

- Report out on the Strategic Plan Portrait of a Graduate, Belief Statements and Mission

7. PUBLIC COMMENT:

None

8. REPORTS FROM SUPERINTENDENT:

A. Resignations - Alison Ginn - BCBA

Paul Carignan - FMS Special Education Teacher

9. ADMINISTRATOR REPORTS:

None

10. BOARD COMMENTS AND COMMITTEE REPORTS:

None

11. POLICY REVIEW:

None

12. UNFINISHED BUSINESS:

A. FY27 Budget:

1. Superintendent's Presentation of Conception for District Reconfiguration
2. Review of the FY27 Superintendent's Proposed Budget

13. NEW BUSINESS:

None

14. PERSONNEL:

None

15. PUBLIC COMMENT:

None

16. ADJOURNMENT:

VOTED: To adjourn at 10:16 p.m. (Williams - Kaikini) (11 - 0)



Tom Gray, Superintendent of Schools

RSU No. 5

Warrant Articles For the Period 01/01/2026 through 01/31/2026

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>	
INCOME							
GENERAL FUND REVENUES							
REQUIRED LOCAL FUNDS (-)	\$19,988,378.34	\$1,361,104.89	\$11,355,294.21	\$8,633,084.13	\$0.00	\$8,633,084.13	43.2%
ADDITIONAL LOCAL FUNDS (-)	\$15,524,421.90	\$1,008,804.34	\$8,771,015.25	\$6,753,406.65	\$0.00	\$6,753,406.65	43.5%
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	\$25,729.98	\$186,903.80	\$72,096.20	\$0.00	\$72,096.20	27.8%
STATE REVENUES (-)	\$7,362,547.32	\$531,444.07	\$4,692,198.37	\$2,670,348.95	\$0.00	\$2,670,348.95	36.3%
MISC REVENUES (-)	\$23,600.00	\$0.00	\$52,354.44	(\$28,754.44)	\$0.00	(\$28,754.44)	-121.8%
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)	(\$2,927,083.28)	(\$25,057,766.07)	(\$19,310,162.93)	\$0.00	(\$19,310,162.93)	43.5%
Total : INCOME	(\$44,367,929.00)	(\$2,927,083.28)	(\$25,057,766.07)	(\$19,310,162.93)	\$0.00	(\$19,310,162.93)	43.5%
EXPENSES							
GENERAL FUND EXPENSES							
ARTICLE 1 REGULAR INSTRUCTION (+)	\$19,356,261.00	\$1,418,289.10	\$8,214,247.70	\$11,142,013.30	\$10,005,039.22	\$1,136,974.08	5.9%
ARTICLE 2 SPECIAL EDUCATION (+)	\$6,513,451.00	\$479,124.51	\$2,796,812.79	\$3,716,638.21	\$3,269,479.99	\$447,158.22	6.9%
ARTICLE 3 - CAREER & TECHNICAL CTR (+)	\$307,645.00	\$25,637.08	\$205,096.64	\$102,548.36	\$102,548.36	\$0.00	0.0%
ARTICLE 4 - OTHER INSTRUCTION (+)	\$1,119,087.00	\$112,720.55	\$555,497.80	\$563,589.20	\$283,703.17	\$279,886.03	25.0%
ARTICLE 5 - STUDENT & STAFF SUPPORT (+)	\$4,644,307.00	\$357,269.79	\$2,293,223.92	\$2,351,083.08	\$1,973,392.49	\$377,690.59	8.1%
ARTICLE 6 - SYSTEM ADMINISTRATION (+)	\$1,263,587.00	\$77,215.21	\$813,676.80	\$449,910.20	\$384,059.00	\$65,851.20	5.2%
ARTICLE 7 - SCHOOL ADMINISTRATION (+)	\$2,514,485.00	\$185,226.72	\$1,362,548.87	\$1,151,936.13	\$1,056,496.70	\$95,439.43	3.8%
ARTICLE 8 - TRANSPORTATION & BUSES (+)	\$1,931,576.00	\$140,703.05	\$1,114,958.62	\$816,617.38	\$427,215.74	\$389,401.64	20.2%
ARTICLE 9 - FACILITIES MAINTENANCE (+)	\$5,490,511.00	\$317,458.39	\$3,441,122.28	\$2,049,388.72	\$1,199,973.47	\$849,415.25	15.5%
ARTICLE 10 - DEBT SERVICE & OTHER COMMITMENTS (+)	\$1,087,428.00	\$0.00	\$1,077,353.39	\$10,074.61	\$10,073.77	\$0.84	0.0%
ARTICLE 11 - ALL OTHER EXPENDITURES (+)	\$139,591.00	\$0.00	\$139,591.00	\$0.00	\$0.00	\$0.00	0.0%

Operating Statement with Encumbrance

RSU No. 5

Warrant Articles For the Period 01/01/2026 through 01/31/2026

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	\$3,113,644.40	\$22,014,129.81	\$22,353,799.19	\$18,711,981.91	\$3,641,817.28	8.2%
Total : EXPENSES	\$44,367,929.00	\$3,113,644.40	\$22,014,129.81	\$22,353,799.19	\$18,711,981.91	\$3,641,817.28	8.2%
NET ADDITION/(DEFICIT)	\$0.00	\$186,561.12	(\$3,043,636.26)	\$3,043,636.26	\$18,711,981.91	(\$15,668,345.65)	0.0%

End of Report



"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, January 28, 2026
5:00 p.m. - Freeport High School Library

Committee Members Present: Michelle Ritcheson, Kelly Sink, Christopher Savaiano
Committee Members Absent:
Administrators: Superintendent Tom Gray, Director of Finance & HR Kelly Wentworth

Minutes

Meeting called to order at 5:05 P.M.

1) FY27 Proposed Budget Review

a. Superintendent Gray discussed the proposals for the FY27 budget cycle.

2) Other

a. Next meeting of the Finance Committee will be held February 25, 2026 @ Freeport High School Library

Meeting adjourned at 6:15 P.M.



Regional School Unit 5
Durham · Freeport · Pownal

Item# 10.C.

"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, February 11, 2026
5:00 p.m. - Freeport High School - Library
Minutes

Committee Members Present: Michelle Ritcheson, Kelly Sink, Karen Breer

Committee Members Absent: None

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

Guest: Molly Meyer, FHS Tennis Coach

Agenda Items and Discussion:

Meeting called to order at 5:00pm

1. FHS Tennis courts update- Director Reynolds updated the committee that the contract for design services was signed and CHA has scheduled the site survey to be completed on 2/18/26. Director Reynolds indicated that the core sampling has not yet been scheduled.
2. Energy Audit Phase 1 project update- Director Reynolds updated the committee that the lighting project has been completed at Pownal Elementary and the District Office. Director Rerynolds shared that the lighting vendor is currently working at Freeport Middle School. The next location for this project is Mast Landing School.
3. DCS automation replacement- Director Reynolds updated the committee that the contract has been signed and material is being ordered. EMC is the vendor who bid the project, and Maine Controls was the winning bidder.
4. FHS baseball dugout roof replacement donated by Boosters- Director Reynolds updated the committee that the baseball boosters have asked if they can replace the two roofs on the baseball dugouts at Freeport High School. The estimated cost for this replacement is around \$3,000.00 dollars. Director Reyolds shared that new roofs will be the same as the current ones on the softball dugouts as they are metal. The boosters would like to begin the replacement in mid March before baseball season.

5. Guest: Molly Meyer FHS Tennis Coach shared some information regarding the applying for a USTA grant to help offset the cost of installing new tennis courts. Molly provided the committee with a document showing what information would be needed for approval of the grant. Molly also shared that the grant for indoor courts would be estimated at \$35,000 per court and \$25,000 per court for outdoor courts. The maximum grant amount awarded is \$150,000.

Motion to adjourn was made by Michelle Ritcheson second by Kelly Sink at 5:18 p.m.

Next meeting dates:

March 11, 2026, April 8, 2026, May 6, 2026, June 3, 2026



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
Wednesday, February 5, 2026
4:15 p.m. - Google Meet
Minutes

Committee Members Present: Colin Cheney, Kara Kaikini, Chris Savaiano

Committee Members Absent: None

Administrators in Attendance: Tom Gray, Superintendent

Guests: Kate Harrison, Emily Grimm, Elisha Morris, Pam Crosby, Julie Nickerson, Charlie Mellon, Holly Johnson, Will Pidden

The meeting started at 4:16 p.m.

1. Law Change:

The following policies were reviewed and revisions made. They will be brought to the Board for 1st Read on February 25, 2026.

JIC - Student Code of Conduct

JEA - Compulsory Attendance

2. Regular Review:

None

3. Board Request:

None

The meeting adjourned at 5:22 p.m.



Regional School Unit 5
Durham · Freeport · Pownal

Item# 11.A & 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

TO: Karen Breer, Colin Cheney, Anna Child, Malik Farlow, Kara Kaikini, Lois Kilby-Chesley, 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 Arsenaault, 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: February 17, 2026
RE: Review/Update of Policies

At the February 25, 2026 Board of Directors Meeting, the following policies will be on the agenda:

2nd Read

1. JICK - Bullying
2. JICK-R - Bullying Administrative Procedure

1st Read

1. JEA - Compulsory Attendance
2. JIC - System-Wide Student Code of Conduct

BULLYING AND CYBERBULLYING PREVENTION IN SCHOOLS

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

Bullying Prohibited

~~Bullying, including “cyberbullying,” harassment and sexual harassment is not acceptable conduct in RSU5 and is prohibited.~~

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

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

I. Introduction

It is our goal for our schools to be a safe and secure learning environment for all students. It is the intent of the RSU No. 5 Board to provide all students with an equitable opportunity to learn. To that end, the Board has a significant interest in providing a safe, orderly, and respectful school environment that is conducive to teaching and learning.

Bullying and other forms of peer mistreatment are detrimental to the school environment as well as student learning, achievement and well-being. Peer mistreatment interferes with the mission of the schools to educate their students and disrupts the operations of the schools. Bullying and other forms of peer mistreatment affect not only students who are targets but also those who participate in and witness such behavior. These behaviors must be addressed to ensure student safety and an inclusive learning environment.

It is not the Board’s intent to prohibit students from expressing their ideas, including ideas that may offend the sensibilities of others, or from engaging in civil debate. However, the Board does not condone and will take action in response to conduct that interferes with students’ opportunity to learn, the educational mission of RSU No. 5, and the operation of the schools.

II. Prohibited Behavior

The following behaviors are prohibited:

1. **Bullying;**
2. **Cyberbullying;**
3. **Harassment and Sexual Harassment (as defined in board policy ACAA);**

4. Retaliation against those reporting such defined behaviors; and
5. Making knowingly false accusations of bullying behavior.

Any person who engages in any of these prohibited behaviors that constitutes bullying shall be subject to appropriate disciplinary actions.

Definition of Bullying

III. Bullying and Cyberbullying Defined

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

Bullying

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

A- (1) Has, or a reasonable person would expect it to have, the effect of:

1- (a) Physically harming a student or damaging a student’s property; or

2- (b) Placing a student in reasonable fear of physical harm or damage to ~~his/her~~ the student’s property;

OR

B- (2) Interferes with the rights of a student by:

1- (a) Creating an intimidating or hostile educational environment for the student; or

2- (b) Interfering with the student’s academic performance or ability to participate in or benefit from the services, activities or privileges provided by the school; or

OR

C- (3) Is based on:

a. A student’s actual or perceived characteristics identified in 5 MRSA § 4602 or 4684-A (including race, color, ancestry, national origin, sex, sexual orientation; gender identity or expression; religion; physical or mental disability) or any other distinguishing personal characteristics (such as socioeconomic status; age; physical appearance; weight; or family status); or is based on

b. A student’s association with a person with one or more of these actual or perceived characteristics or any other distinguishing characteristics; and that has the effect described in subparagraph A. (1) or B- (2) above.

Under Maine law:

“Sexual orientation” means a person’s actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression.

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

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

1. **Repeated or pervasive taunting, name-calling, belittling, mocking, put-downs, or demeaning humor;**
2. **Behavior that is likely to harm someone by damaging or manipulating his or her relationships with others, including but not limited to gossip, spreading rumors, and social exclusion;**
3. **Non-verbal threats and/or intimidations such as use of aggressive, menacing, or disrespectful gestures;**
4. **Threats of harm to a student, to his/her possessions, or to other individuals, whether transmitted verbally or in writing;**
5. **Blackmail, extortion, demands for protection money, or involuntary loans or donations;**
6. **Blocking access to school property or facilities;**
7. **Stealing or hiding books, backpacks, or other possessions;**
8. **Stalking; and**
9. **Physical contact or injury to another person or his/her property.**

Note: Actions that constitute bullying under this policy may also constitute harassment as defined in policy ACAA: Harassment and Sexual Harassment of Students.

Cyberbullying

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

Examples of conduct that may constitute cyberbullying include, but are not limited to the following actions on any electronic medium:

1. **Posting slurs or rumors or displaying any defamatory, inaccurate, disparaging, violent, abusive, profane, or sexually oriented material about a student on a website, an app, in social media, or any other electronic platform;**
2. **Posting misleading or fake photographs or digital video footage of a student on websites or creating fake websites or social networking profiles in the guise of posing as the targeted student;**
3. **Impersonating or representing another student through the use of that other student’s electronic device or account to send e-mail, text messages, instant messages (IM), phone calls or other messages on a social media website;**

4. Sending e-mail, text messages, IM, or leaving voice mail messages that are mean or threatening, or so numerous as to bombard the target's e-mail account, IM account, or cell phone; and
5. Using a camera phone or digital video camera to take and/or send embarrassing or "sexting" photographs of other students.

Definition of Harassment and Sexual Harassment

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

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

Definition of Retaliation

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

D. "Substantiated" means that the outcomes of the investigation on the Responding Form (JICK-E2) provide clear evidence to prove that bullying or cyberbullying, as defined in policy, did occur.

E. "Alternative discipline" means disciplinary action other than suspension or expulsion from school that is designed to correct and address the root causes of a student's specific misbehavior while retaining the student in class or school, or restorative school practices to repair the harm done to relationships and persons from the student's misbehavior.

IV. Application of Policy

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

B. This policy applies to bullying that:

- A. 1. Takes place at school or on school grounds, at any school-sponsored or school-related activity or event or while students are being transported to or from school or school-sponsored activities or events; or meaning: a school building: property on which a school building or facility is located; and property that is owned, leased or used by a school for a school-sponsored activity, function, program, instruction or training. "School grounds" also includes school-related transportation vehicles.

2. Takes place while students are being transported to or from schools or school-sponsored events;

3. Takes place at any school-sponsored event, activity, function, program, instruction or training; or

- B: 4. Takes place elsewhere or through the use of technology, but only if the bullying also infringes on the rights of the student at school as set forth in the this policy's definition of "bullying."

Consequences for Policy Violations

Students

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

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

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

School Employees and Others

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

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

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

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

Staff Training

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

Delegation of Responsibility

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

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

Dissemination of Policy

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

V. Reporting

Refer to the Reporting Form – JICK-E1

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

A. School staff, coaches and advisors for extracurricular and cocurricular activities are required to report alleged incidents of bullying to the school principal or other school personnel designated by the superintendent. Any other adult working or volunteering in a school will be encouraged to promptly report observed or suspected alleged incidents of bullying to the building principal or school personnel designated by the superintendent.

B. Students who are believed to have been bullied or are aware of incidents of bullying are strongly encouraged to report this behavior to a staff member or school administrator.

C. Parents and other adults who believe that an incident of bullying has occurred are encouraged to report this behavior to a staff member or school administrator.

D. Acts of reprisal or retaliation against any person who reports an alleged incident of bullying are prohibited. Any student who is determined to have knowingly falsely accused another of bullying shall be subject to disciplinary consequences.

VI. Responding

Refer to the Responding Form – JICK-E2

The school principal or a superintendent's designee will:

A. Within five school days, investigate and respond to allegations of bullying behavior;

B. Keep written documentation of all allegations of bullying behavior and outcomes of the investigations, and report alleged and substantiated incidents to the superintendent;

C. Inform parent(s) or guardian(s) of the student(s) who was alleged to have bullied AND of the student(s) who was believed to have been bullied that a report of an alleged incident of bullying has been made;

D. Communicate to the parent(s) or guardian(s) of a student(s) who was believed to have been bullied the measures being taken to ensure the safety of the student(s) who was believed to have been bullied and to prevent further acts of bullying;

E. Inform parent(s) or guardian(s) of the students involved the findings of the investigation and actions to be taken;

F. Communicate with local or state law enforcement agency if it's believed that the pursuit of criminal charges or a civil action under the Maine Civil Rights Act may be appropriate.

VII. Remediation

Refer to the Remediation Form – JICK-E3

The school principal or a superintendent's designee will:

A. Identify the specific nature(s) of the incident.

B. Apply disciplinary actions, which may include but are not limited to, imposing a series of graduated consequences that include alternative discipline. In determining the appropriate response to students who engage in bullying behavior, school administrators should consider the type of behaviors, the frequency and/or pattern of behaviors, and other relevant circumstances. Alternative discipline includes, but is not limited to:

- 1. Meeting with the student and the student's parents/guardian;**
- 2. Reflective activities, such as requiring the student to write an essay about the student's misbehavior;**
- 3. Mediation, but only when there is mutual conflict between peers, rather than one-way negative behavior, and both parties voluntarily choose this option;**
- 4. Counseling;**
- 5. Anger management;**
- 6. Health counseling or intervention;**
- 7. Mental health counseling;**
- 8. Participation in skills building and resolution activities, such as social-emotional cognitive skills building, resolution circles and restorative conferencing;**
- 9. Community service; and**
- 10. In-school detention or suspension, which may take place during lunchtime, after school or on weekends.**

C. Remediate any substantiated incident of bullying to counter the negative impact of the bullying and reduce the risk of future bullying incidents, which may include referring the victim, perpetrator or other involved persons to counseling or other appropriate services.

VIII. Appeal

Notification shall be provided to parent(s), guardian(s) and students of the right to appeal a decision of a school principal or a superintendent's designee related to taking or not taking remedial action in accordance with this policy. The appeals procedure must be consistent with other appeals procedures established by the school board and may include an appeal to the superintendent.

IX. Assignment of Responsibility

A. The School Board is responsible for:

1. **Annually providing written versions of this policy and related procedures to students, parent(s) and guardian(s), volunteers, administrators, teachers and school staff;**
2. **Posting this policy and related procedures on the school administrative unit's publicly accessible website; and**
3. **Including in student handbooks a section that addresses in detail this policy and related procedures.**

B. The superintendent is responsible for:

1. **Oversight, implementation, and enforcement of this policy and its procedures;**
2. **Designating a school principal or other school personnel to administer the policies at the school level;**
3. **Developing a procedure for publicly identifying the superintendent's designee or designees for administering the policies at the school level;**
4. **Ensuring that the prohibition on bullying and retaliation and the attendant consequences apply to any student, school employee, contractor, visitor or volunteer who engages in conduct that constitutes bullying or retaliation;**
5. **Ensuring that any contractor, visitor, or volunteer who engages in bullying is barred from school grounds until the superintendent is assured that the person will comply with the policies of the school board;**
6. **Ensuring that any organization affiliated with the school that authorizes or engages in bullying or retaliation forfeits permission for that organization to operate on school grounds or receive any other benefit of affiliation with the school;**
7. **Providing professional development and staff training in the best practices in prevention of bullying and harassment and implementation of this policy;**
8. **Filing the RSU 5 policy that addresses bullying and cyberbullying with the Maine Department of Education; and**
9. **Ensuring that substantiated incidents of bullying and cyberbullying are reported to the Maine Department of Education on at least an annual basis.**

Legal Reference: **20-A M.R.S.A. § 254 (11-A)**
20-A M.R.S.A. § 1001(15), 6554
Maine Public Law, Chapter 659

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

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

BULLYING AND CYBERBULLYING ADMINISTRATIVE PROCEDURE

This procedure is intended as guidance for ~~the school administrators~~ **principal or superintendent's designee** in carrying out their responsibilities when bullying is alleged to have occurred. It provides important definitions as well as steps for reporting, investigating and responding to allegations of bullying. **to address an alleged bullying incident. Definitions, as well as steps for reporting, responding to, and remediating allegations of bullying, are provided.**

Bullying ~~Behavior~~ alleged to be based on **a targeted student's actual or perceived** race, color, ancestry, national origin, sex, sexual orientation (**including gender identity and expression**), religion or disability should be addressed under the ~~procedures set forth in the Student Harassment and Sexual Harassment procedure, ACAA-R,~~ rather than under this procedure. **and potentially under this procedure if appropriate.**

Definitions

The following terms are defined in Maine Public law, Chapter 659 and 20-A M.R.S.A. §6554:

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

(1) Has, or a reasonable person would expect it to have, the effect of:

- (a) Physically harming a student or damaging a student's property; or**
- (b) Placing a student in reasonable fear of physical harm or damage to the student's property;**

OR

(2) Interferes with the rights of a student by:

- (a) Creating an intimidating or hostile educational environment for the student; or**
- (b) Interfering with the student's academic performance or ability to participate in or benefit from the services, activities or privileges provided by a school;**

OR

(3) Is based on a student's actual or perceived race, color, ancestry, national origin, sex, sexual orientation; gender identity or expression; religion; physical or mental disability; or any other distinguishing characteristics (such as socioeconomic status; age; [physical appearance; weight; or family status); or is based on a student's association with a

person with one or more of these actual or perceived characteristics, and that has the effect described in subparagraph (1) or (2) above.

Note: Actions that constitute bullying under this policy may also constitute harassment as defined in policy ACAA: Harassment and Sexual Harassment of Students.

“Bullying” includes cyberbullying.

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

C. “Retaliation means” an act or gesture against a student for asserting or alleging an act of bullying. “Retaliation” can also include knowingly false reporting of bullying.

D. “School grounds” means a school building; property on which a school building or facility is located; and property that is owned, leased or used by a school for a school-sponsored activity, function, program, instruction or training. “School grounds” also includes school-related transportation vehicles.

E. “Alternative discipline” means disciplinary action other than suspension or expulsion from school that is designed to correct and address the root causes of a student’s specific misbehavior while retaining the student in class or school, or restorative school practices to repair the harm done to relationships and persons from the student’s misbehavior.

Bullying Reports

~~Students and Parents/Guardians~~

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

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

~~Reports of bullying may be made anonymously.~~

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

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

~~School Employees~~

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

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

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

~~Others~~

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

Form of Reports

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

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

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

Interim Measures

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

Investigation

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

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

Response to Bullying by Students

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

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

- A. — Meeting with the student and the student's parents/guardians;
- B. — Reflective activities, such as requiring the student to write an essay about the student's misbehavior;
- C. — Mediation when there is mutual conflict between peers, rather than one-way negative behavior, and when both parties freely choose to meet;
- D. — Counseling;
- E. — Anger management;
- F. — Health counseling or intervention;
- G. — Mental health counseling;
- H. — Participation in appropriate social emotional cognitive skill building and resolution and restorative conferencing;
- I. — Community service; and
- J. — In-school detention or suspension, which may take place during lunchtime, after school or on weekends.

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

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

- A. — The parents/guardians of the targeted student, including the measures being taken to ensure the student's safety; and to
- B. — The parents/guardians of the student found to have engaged in bullying, including the process for appeal.

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

Appeals

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

Reports of Bullying

Bullying or suspected bullying is reportable in person or in writing (including anonymously) to school personnel using the school unit's Reporting Form (JICK-E1).

School staff, coaches and advisors for extracurricular and cocurricular activities are required to report alleged incidents of bullying to the school principal or other school personnel designated by the superintendent. Any other adult working or volunteering in a school will be encouraged to promptly report observed or suspected alleged incidents of bullying to the building principal or school personnel designated by the superintendent.

Students who are believed to have been bullied or are aware of incidents of bullying are strongly encouraged to report this behavior to a staff member or school administrator.

Parents and other adults who believe that an incident of bullying has occurred are encouraged to report this behavior to a staff member or school administrator.

Acts of reprisal or retaliation against any person who reports an incident of bullying are prohibited. Any student who is determined to have knowingly falsely accused another of bullying shall be subject to disciplinary consequences.

Reports of alleged bullying may be made anonymously, except by school staff, coaches and advisors, but in no instance will disciplinary action be taken against any person or organization affiliated with the schools solely on the basis of an anonymous report.

The school principal or superintendent's designee will forward a copy of the completed Reporting Form to the superintendent.

Safety Measures

The school principal or superintendent's designee will communicate to the parent(s) or guardian(s) of the student(s) who was believed to have been bullied the measures being taken to ensure the safety of the student who was believed to have been bullied and to prevent further acts of bullying.

These measures are documented on the Responding Form (JICK-E2)

Responding/Investigation

The school principal or superintendent's designee will:

- **Ensure that all reports of alleged bullying are investigated and responded to within five school days and that documentation of the investigation is provided to the superintendent within a reasonable period of time using the Responding Form (JICK-E2).**
- **Inform parent(s) or guardian(s) of the student(s) who was alleged to have bullied AND of the student(s) who was believed to have been bullied that a report of an alleged incident of bullying has been made;**
- **Communicate to the parent(s) or guardian(s) of a student(s) who was believed to have been bullied the measures being taken to ensure the safety of the student(s) who was believed to have been bullied and to prevent further acts of bullying;**
- **Inform parent(s) or guardian(s) of the students involved the findings of the investigation and actions to be taken;**
- **Communicate with local or state law enforcement agency if it's believed that the pursuit of criminal charges or a civil action under the Maine Civil Rights Act may be appropriate.**

Remediation

If it is determined that there is a substantiated incident of bullying, the school principal or superintendent's designee will:

- **Determine the specific nature(s) of the incident, alternative discipline actions, and appropriate consequences;**
- **Complete the Remediation Form (JICK-E3);**
- **Provide a copy of the Remediation Form to the superintendent; and**
- **Assure that the substantiated incident of bullying is reported to the Maine Department of Education.**

Appeal

The parent(s) or guardian(s) and student must be notified of the right to appeal the school principal's or superintendent's designees' decision related to taking or not taking remedial action as identified in the appeals procedure established by the school board.

Cross Reference: ACAA-R – Student Harassment and Sexual Harassment Procedure
 JICK – Bullying **and Cyberbullying Prevention in Schools**
 JRA-R – Student Education Records and Student Information

Adopted: March 27, 2013

Revised: April 29, 2020

COMPULSORY SCHOOL ATTENDANCE

Compulsory education is essential to the preservation of the rights and liberties of the people and the continued prosperity of our nation. Maintaining regular student attendance is necessary to achieve the goal of an educated citizenry.

1. Compulsory Attendance Ages

Under state law, full-time school attendance **at school** is required of all children from their 6th to their 17th birthday ~~except~~ **every child 6 years of age or older and under age 17, unless they have received a high school diploma or its equivalent.**

Although not required to enroll in school, if a child who is 5 years of age and under age 6 is voluntarily enrolled in a public school and has not formally withdrawn, that child is required to attend school when it is in session.

2. Excusable Absences from School

A person's absence **from school** is excused when the absence is for **one of** the following reasons:

- A. Personal illness;
- B. An appointment with a health professional that must be made during the regular school day;
- C. Observance of a recognized religious holiday when the observance is required during the regular school day;
- D. A family emergency;
- E. A planned absence for a personal or educational purpose ~~that~~ **which** has been approved; **or**
- F. Education disruption resulting from homelessness, unplanned psychiatric hospitalization, unplanned hospitalization for a medical emergency, foster care placement, youth development placement or some other out-of-district placement that is not otherwise authorized by ~~either any~~ **an individual education plan IEP or other education plan or** a Superintendents' ~~student transfer~~ agreement.

~~“Education disruption” does not apply to a student who is out of school for 10 or more consecutive school days as a result of a planned absence for a reason such as a family event or a medical absence for planned hospitalization or recovery.~~

3. Adult Responsibility for School Attendance

~~Parents are responsible for ensuring the school attendance of students who are under 17 years of age. The Board shall work with families in an effort to ensure compliance.~~

Parents or other adults having control of a person of compulsory attendance age are

responsible for ensuring that a student attends school as required by law. The Board expects school administrators and staff to work with families in an effort to ensure compliance.

4. Exceptions to the Compulsory Attendance Requirement

A child may be excused from compulsory attendance at school if they meet the requirements in one of the following sections:

- A. ~~A person who~~ **They have** graduated from high school before ~~their~~ **that person's** 17th birthday;
- B. A person who has all of the following:
 - 1. Reached the age of 15 years **of age** or completed the 9th grade;
 - 2. **Obtained P**permission to leave **unenroll from** school from ~~that person's~~ **their parent or guardian;**
 - 3. Been approved by the principal for a suitable program of work and study or training;
 - 4. **Obtained P**permission to leave **unenroll from** school from the Board or its designee; and
 - 5. Agreed in writing with that person's parent and the Board or its designee to meet annually until that person's 17th birthday to review that person's educational needs.

~~When the~~ **If a** request to be excused from school has been denied pursuant to this ~~paragraph~~ **section**, the student's parent may appeal to the Commissioner **of Education;** ~~or~~

- C. ~~A person who has~~ **They have** matriculated **in** and ~~is~~ **are** attending an accredited, post-secondary, degree-granting institution as a full-time student. An exception to the **compulsory** attendance **law** ~~in public school~~ under this paragraph must be approved by the Commissioner **of Education.**
- D. **They are enrolled in an online learning program or course.**
- E. **A person who has reached 17 years of age, provided that the student and the student's parent or guardian have complied with applicable withdrawal procedures established by the District.**

5. Alternatives to Attendance at Public Day School

A person age 6 or older and under age 17 shall be excused from attending a public day school if ~~the person~~ they obtains equivalent instruction ~~in~~ as allowed by law. A person under age 6 is not required to comply with this section.

Equivalent instruction alternatives are as follows:

- A. A private school approved for attendance purposes pursuant to ~~20-A MRSA § 2901~~ state law and regulations;
- B. A private school recognized by the ~~d~~Department of Education as providing equivalent instruction;
- C. A home instruction program that complies with ~~the requirements of 20-A MRSA § 5001-A(3)(A)(4)~~ state law and regulations; ~~or~~
- D. Any other manner arranged ~~for~~ by the Board and approved by the Commissioner of Education; or
- E. Pursuant to 20-A MRS Sections 5104-A or 8605 (approved alternative education program or adult education program).

~~B. A person may be excused from attendance at a public day school pursuant to 20-A MRSA § 5104-A (other public or private alternative programs) or § 8605 (student attendance in adult education courses).~~

~~Credit for Attendance at a Private School~~

~~A student shall be credited with attendance at a private school under Paragraphs A or B only if a the legally required certificate showing the name, residence and attendance of the person at the school, signed by the person or persons in charge of the school, has been filed with the school officials of the administrative unit in which the student resides from the private is filed with the student's school unit.~~

~~Discontinuation of Home Instruction~~

~~If the home instruction program is discontinued, students of compulsory school age must be enrolled in a public school or an equivalent instruction alternative as provided for by law. The receiving school shall determine the placement of the student. At the secondary level, the principal of the receiving school shall determine the value of the prior educational experience toward meeting the standards of Maine's system of Learning Results.~~

~~Secondary school students 20 years of age or more will only be admitted to the school unit with prior Board approval.~~

Legal Reference: 20-A MRSA §§ 5001-A et seq.; ~~5003; 5201~~ 5051 et seq.; 2901; 5104-A; 8605
Ch. 125 § 8.06 (Maine Dept. of Ed. Rules)

Cross Reference: IHBG - Home Schooling
JFC - Dropout Prevention Student Withdrawal from School
JHB - Truancy

Adopted: July 8, 2009
Reviewed: January 23, 2013
Reviewed: June 13, 2018

SYSTEM-WIDE STUDENT CODE OF CONDUCT

Ethical and responsible student behavior is an essential part of the educational mission of our schools. To that end, the Board has developed this System-Wide Code of Conduct with input from school staff, students, parents and the community. The Code defines our expectations for student behavior and provides the framework for a safe, orderly and respectful learning environment.

A: Article 1 - Standards for Ethical and Responsible Behavior

The Code of Conduct is intended to support and encourage students to meet the following state-wide standards for ethical and responsible behavior:

- Respect
- Honesty
- Compassion
- Fairness
- Responsibility
- Courage

B: Article 2 - Code of Conduct

All students are expected to comply with the Code of Conduct and all related Board policies and school rules. The Code applies to students:

- on school property,
- while in attendance at school or at any school-sponsored activity, or
- at any time or place that such conduct directly interferes with the operations, discipline or ~~school environment~~ **general welfare of the school.**

C: Article 3 - General Behavior Expectations

The following expectations for student behavior are fundamental to a safe, orderly and respectful environment in our schools. Each student should:

1. Be courteous to fellow students, staff and visitors.
2. Respect the rights and privileges of other students and school staff.
3. Obey all Board policies and school rules governing student conduct.
4. Follow directions from school staff.
5. Cooperate with staff in maintaining school safety, order and discipline.
6. Attend school regularly.

7. Meet school standards for dress.
8. Respect the property of others, including school property and facilities.
9. Refrain from cheating or plagiarizing the work of others.
10. Refrain from vulgarity, profanity, obscenity, lewdness, and indecency.

D. Article 4 - Discipline

Violations of the Code of Conduct may result in positive and restorative interventions and/or disciplinary action. Administrators have the discretion to tailor discipline to the facts and circumstances of the particular case. Consequences will range from a verbal warning for minor misconduct up to and including expulsion for the most serious offenses.

Limitations on expulsions, out-of-school suspensions, and loss of recess for students in grade 5 or below:

- **Students in grade 5 or below may only be expelled for violations of the federal Gun-Free Schools Act, as provided in 20-A MRSA § 1001(9-A). The Superintendent may determine on a case-by-case basis, in writing, that an expulsion is not required;**
- **Students in grade five or below may not receive an out-of-school suspension, except when a student (a) has violated the federal Gun-Free Schools Act or (b) presents an imminent danger of serious physical injury to the student or others, and it is determined that less restrictive interventions would be ineffective.**
- **Any out-of-school suspension of a student in grade five or below can be no longer than three school days.**
- **Recess may not be withheld as a consequence of violating this Code by any student enrolled in grade five or below, except when recess is the only time when restorative interventions can occur.**

Behavior that also violates the law may be referred to law enforcement authorities.

See policies:

JK – Student Discipline

JKB – Detention of Students

JKD – Suspension of Students

JKE – Expulsion of Students

JKF – Disciplinary Removals of Students with Disabilities

E. Article 5 - Expectations Related to Policy

The following lists Board adopted policies related to expectations for student behavior. Students, parents and others should refer to the policies and student handbooks for detailed information about the expectations and consequences.

Expectations	Related Policies
Violence and Threats	JCIA Weapons, Violence and School Safety
	JCK Bullying
	EBCC Bomb Threats
Weapons	JCIA Weapons, Violence and School Safety
	JCK Bullying
Hazing	ACAD Hazing
Discrimination and Harassment/Sexual Harassment	AC Non-Discrimination/Equal Opportunity and Affirmative Action
	ACA Harassment and Sexual Harassment of Students
Bullying	JCIA Weapons, Violence and School Safety
	JCK Bullying
Drug and Alcohol Use	JCH Drug and Alcohol Use by Students
Tobacco Use and Vaping	ADC Tobacco Use and Possession
Conduct on School Buses	JCC Student Conduct on School Buses
Technology/Internet Use	JNDB Student Technology, Internet Use, and Internet Safety

F. Athletic/Co-Curricular Activities

Students must follow all RSU No. 5 Board policies and school rules while participating in athletics and co-curricular activities. Students who violate policies and rules may be subject to suspension or removal from the team/activity as well as additional disciplinary action under applicable Board policies and/or school rules.

G. Removal of Disruptive/Violent/Threatening Students

- Students who are disruptive, violent or threatening death or bodily harm to others may be removed from classrooms, school buses, or other school property when necessary to maintain order and safety. The staff member who orders the student removed should arrange to have the student escorted to the office or other designated location.

2. ~~If a student does not comply with a staff member's order to leave, the staff member will contact an administrator, or, if not available, another trained staff member, who shall respond promptly.~~
3. ~~Staff members should not use physical force or restraint, except to the minimum extent necessary to protect any person from imminent physical harm. Staff members are not required to take action that puts them at risk of serious injury.~~
4. ~~The responding administrator will take appropriate action. If the student fails to obey verbal directions, force or restraint may be used only to the minimum extent necessary to protect any person from imminent physical harm or to quell a disturbance. Whenever practicable, law enforcement should be called to restrain or physically remove the non-compliant student. The administrator may invoke the school unit's crisis response plan if appropriate.~~

H. Special Services

1. ~~**Referral.** In some cases, a student may be referred for a special education evaluation. The school unit has adopted policies and procedures for determining when a student shall be referred for special services.~~
2. ~~**Review of Individual Educational Plan.** For students with disabilities, the school shall schedule an IEP meeting to review the IEP of a student who has been removed from class when: a) school officials and/or the parent believes the student may present a substantial likelihood of injury to himself/herself or other; b) the class removals are sufficient to constitute a change in the student's special education program; or c) school officials or the parent/guardian believes that the student's behavior may warrant a change in educational programming.~~

I. Referrals to Law Enforcement Authorities

~~The Superintendent and administrators have the authority to seek the assistance of law enforcement authorities when there is a substantial threat to the safety of the students, staff, or schools. The Superintendent/administration may also inform law enforcement authorities when they have reason to suspect that a student or staff member may have violated a local, state or federal statute. All serious offenses, as determined by the Superintendent, must be reported to law enforcement authorities.~~

J. Dissemination of System-Wide Student Code of Conduct

~~The System-Wide Student Code of Conduct shall be distributed to staff, students and parents through handbooks and/or other means selected by the Superintendent and building administrators.~~

The following is a summary of the school unit's expectations for student behavior. In many cases, the Board has adopted policies that address these expectations in greater detail. Students, parents and others should refer to the policies and student handbooks for more information about the expectations and consequences. In case of an inconsistency between this Code of Conduct, Board policies and/or school handbooks, Board policies will prevail.

A. Violence and Threats

Students shall not engage in violent or threatening behavior. Prohibited behavior includes fighting, assault and/or battery, taking hostages, threats to commit violence against persons or property, or threats, intimidation, or harassment. Violations may result in disciplinary action up to and including expulsion, as permitted by law.

See policies:

JICIA – Weapons, Violence and School Safety

EBCC – Bomb Threats

B. Weapons

Students shall not possess or use weapons of any kind (examples include but are not limited to firearms, explosives and knives). Students also shall not use any object, although not necessarily designed to be a weapon, to inflict bodily harm and/or to threaten, intimidate, coerce or harass another person (examples include but are not limited to bats, lighters, tools and toy weapons). Firearms violations will result in expulsion in accordance with state and federal statutes; other weapons violations may result in disciplinary action up to and including expulsion, as permitted by law.

See policy JICIA – Weapons, Violence and School Safety

C. Hazing

Hazing is prohibited. Maine law defines injurious hazing as “any action or situation, including harassing behavior, that recklessly or intentionally endangers the mental or physical health of any school personnel or a student enrolled in a public school.” No student shall plan, encourage, or engage in such activities in connection with any school program or activity, including extracurricular, co-curricular and athletic activities. Students who engage in hazing activities are subject to suspension, expulsion and/or other appropriate disciplinary measures, as permitted by law.

See policy ACAD – Hazing

D. Discrimination and Harassment/Sexual Harassment

Students should not discriminate against other students on the basis of race, color, sex, sexual orientation, gender identity, religion, ancestry, national origin or disability. Nor should students harass one another on the basis of race, color, sex, sexual orientation, gender identity, religion, ancestry, or national origin or disability. Sexual harassment is also prohibited.

Discrimination and harassment are grounds for disciplinary action up to and including expulsion, as permitted by law.

See policies:

AC – Nondiscrimination/Equal Opportunity and Affirmative Action

ACAA – Harassment and Sexual Harassment of Students

ACAA-R – Student Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedures

E. Bullying and Cyberbullying

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

(1) Has, or a reasonable person would expect it to have, the effect of: (a) Physically harming a student or damaging a student's property; or (b) Placing a student in reasonable fear of physical harm or damage to the student's property;

(2) Interferes with the rights of a student by: (a) Creating an intimidating or hostile educational environment for the student; or (b) Interfering with the student's academic performance or ability to participate in or benefit from the services, activities or privileges provided by a school; or

(3) Is based on actual or perceived characteristics or association with persons with these actual or perceived characteristics specified in the policy, and has the effects describe above.

Bullying and cyberbullying is grounds for disciplinary action up to and including expulsion, as permitted by law.

See policy JICK – Bullying and Cyberbullying

F. Drug and Alcohol Use

Students shall not distribute, possess, use or be under the influence of any alcoholic beverage, drug, look-alike substance, or other prohibited materials and/or substances as described in Board policy. Violations may result in disciplinary action up to and including expulsion from school, as permitted by law.

See policy JICH – Drug and Alcohol Use by Students

G. Tobacco Use

Students shall not smoke, use, possess, sell, or distribute any tobacco products. Violations of this policy may result in disciplinary action up to and including suspension from school, as permitted by law.

See policy ADC – Tobacco-Free Schools: Use And Possession Of Tobacco And Electronic Smoking Devices

H. Conduct on School Buses

Students must comply with all Board policies and school rules while on school buses. Students who violate these policies and rules on a school bus may have their riding privileges suspended or revoked, and may also be subject to additional disciplinary action, up to and including expulsion, depending upon the particular violation, as permitted by law.

See policy JICC – Student Conduct on School Buses

I. Computer/Internet Use

Students may use school computers, networks and Internet services only for educational purposes and other purposes authorized by the school unit. Students shall comply with all policies and rules governing acceptable use. Unacceptable use may result in use restrictions, suspension or cancellation of computer privileges as well as additional disciplinary and/or legal action.

See policy IJNDB – Student Computer and Internet Use
IJNDB-R – Student Computer and Internet Use Rules

J. Co-Curricular Code of Conduct

Students must follow all Board policies and school rules while participating in athletics and extracurricular activities.

Article 6 – Removal of Disruptive/Violent/Threatening Students

- 1. Students who are disruptive, violent or threatening death or bodily harm to others may be removed from classrooms, school buses or other school property when necessary to maintain order and safety. The staff member who orders the student removed should arrange to have the student escorted to the office or other designated location.**
- 2. If a student does not comply with a staff member's order to leave, the staff member will contact an administrator, or, if not available, another suitable person, who shall respond promptly.**
- 3. The responding administrator will take appropriate action.**
- 4. Any use of physical restraint or seclusion of students must comply with applicable regulations and Board policy.**

See 20-A MRSA § 4009 – Protection from Liability
See Comprehensive Health and Safety Emergency Management Plan
See MDOE Rule Chapter 33 – Physical Restraint and Seclusion of Students
See JKAA/JKAA-R – Physical Restraint and Seclusion of Students

Article 7 – Special Services

A. Referral

The school unit has adopted policies and procedures for determining when a student shall be referred for special services.

See policies:

IHBAA – Referral and General Education Interventions

IHBAC – Child Find Policy

B. Review of Individual Educational Plan

The school shall schedule an IEP meeting to review the IEP of a student who has been removed from class when: a) school officials and/or the parent believes the student may present a substantial likelihood of injury to themselves or others; b) the class removals are sufficient to constitute a change in the student’s special education program; or c) school officials or the parent believes that the student’s behavior may warrant a change in educational programming.

See policy JKF – Disciplinary Removals of Students with Disabilities

Article 8 – Referrals to Law Enforcement Authorities

The Superintendent and administrators have the authority to seek the assistance of law enforcement authorities when there is a substantial threat to the safety of the schools, students or staff. The Superintendent/administration may also inform law enforcement authorities when they have reason to suspect that a student or staff member may have violated a local, state or federal statute. Serious offenses, as determined by the Superintendent, must be reported to law enforcement authorities.

See policy KLG – Relations with Law Enforcement Authorities

Article 9 – Dissemination of System-Wide Student Code of Conduct

The System-Wide Student Code of Conduct shall be distributed to staff, students and parents through handbooks and/or other means selected by the Superintendent and building administrators.

- Cross Reference: AC – Nondiscrimination/Equal Opportunity and Affirmative Action
ACAA – Harassment and Sexual Harassment of Students
**ACAA - R- Student Discrimination/Harassment and Title IX Sexual Harassment
Complaint Procedures**
ACAD – Hazing
ADC – Tobacco Use and Possession
EBCC – Bomb Threats
IHBAA – Referral/Pre-Referral Policy of Students with Disabilities

IHBAC – Child Find
IJNDB – Student Computer and Internet Use
IJNDB - R – Student Technology, Internet Use, and Internet Safety Rules
JICC – Student Conduct on School Buses
JICH – Drug and Alcohol Use by Students
JICIA – Weapons, Violence and School Safety
JICK – Bullying & Cyberbullying
JK – Student Discipline
JKB – Detention of Students
JKD – Suspension of Students
JKE – Expulsion of Students
JKF – Disciplinary Removals of Students with Disabilities
KLG – Relations with Law Enforcement Authorities

Legal Reference: 20-A MRSA §§ 254 (11); 1001 (15), (15-A)

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