Regional School Unit 5
Durham · Freeport · Pownal

"Empower and equip every learner with skills, curiosity, character, and purpose to thrive and live fulfilling lives in an ever changing world"

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

TO: Colin Cheney, Kara Kaikini, Chris Savaiano

CC: Jill Hooper

FROM: Tom Gray, Superintendent

DATE: August 27, 2026

RE: Policy Meeting – September 3, 2026

The Policy Committee is scheduled to meet on Thursday, September 3, 2026 at 4:15 p.m. via Google Meet at the following link: https://meet.google.com/dkc-hazi-wqy
Or dial: (US) +1 929-266-2152 PIN: 109 349 631#

Agenda:

1. Law Change:
   JLF - Child Abuse Reporting, Prevention and Education
   JLFA - Child Sexual Abuse Prevention and Response (To be rescinded)

2. Regular Review:
   BEDB - Agenda
   BEDD - Rules of Order
   BEDH - Public Participation at Board of Directors Meetings

3. Board Request:
   N/A

RSU No. 5 Policy Briefing

September 2026 Policy Committee Meeting

Comparison of Sample Policy Language and Current RSU No. 5 Policies

Purpose of This Briefing

The sample policies included in this packet were provided following review by the district's legal counsel. The purpose of this briefing is to help the Policy Committee and members of the public understand the differences between the proposed sample language and RSU No. 5's existing policies.

This briefing is intended to support the Committee's discussion. It does not replace the policies themselves, which should be reviewed in their entirety as part of the Committee's consideration.

For each policy, the Committee will consider:

- What is different from the current RSU No. 5 policy?
- Would the proposed language change current district practice?
- Are there policy choices the Committee needs to resolve?
- Would a change affect another policy, bylaw, form, or district procedure?
- Are there elements of the current RSU No. 5 policy that should be retained?

The policies included in this review are:

1. **BEDD — Conduct of Board Meetings / Rules of Order**
2. **BEDB — Agenda**
3. **BEDH — Public Comment / Public Participation at Board Meetings**
4. **JLF — Child Abuse Reporting, Prevention and Education**
5. **JLFA— Child Sexual Abuse Prevention and Response (to be considered for rescission; relevant provisions are incorporated in newly proposed JLF).**

1. BEDD — Conduct of Board Meetings / Rules of Order

Current RSU No. 5 Policy

RSU No. 5's current BEDD, adopted in 2009 and last reviewed in 2020, provides that, except where law, Department of Education rules, or another Board policy provides otherwise, **Robert's Rules of Order (Revised, latest edition)** governs procedural questions.

Proposed Policy

The proposed sample replaces the broad reliance on Robert's Rules with a more detailed set of procedures for Board meetings.

Among other things, the proposed policy:

- Establishes the Chair's role in presiding over meetings and ruling on procedural matters;
- Allows a member to raise a point of order to challenge a ruling;
- Establishes a process for appealing a ruling of the Chair;
- Makes the full Board the final authority on disputed procedural questions;
- Requires motions to be affirmative and seconded;
- Explicitly permits the Chair to make and second motions and participate in discussion;
- Allows the Superintendent to participate in discussion but not vote;
- Allows a member who voted in the minority to move for reconsideration during the same meeting; and
- Establishes a process for rescinding previous Board action, including advance notice on the agenda and a majority vote.

What Would Change?

The primary change is the Board's procedural framework.

The current policy generally directs the Board to Robert's Rules when procedural questions arise. The proposed policy establishes more specific procedures within RSU No. 5 policy and relies on Robert's Rules only where the policy does not otherwise address a question.

This would introduce several procedures that are not specifically addressed in the current policy, including:

- A formal process for challenging a ruling by the Chair;
- A process for reconsideration of an action during the same meeting;
- A more specific process for rescinding previous Board action; and
- An explicit statement concerning the Chair's participation in motions and discussion.

The proposed sample also contains a cross-reference to **BDDF — Voting Method and Quorum**. RSU No. 5's corresponding policy is **BEDF — Voting Method**, so that reference would need to be corrected if the sample language is adopted.

2. BEDB — Agenda

Current RSU No. 5 Policy

The current policy requires the Superintendent, in consultation with the Chair, to prepare the agenda.

It establishes:

- A seven-day deadline for requests for agenda items;
- Distribution of the agenda at least five days before a regular meeting;
- Distribution at least 24 hours before a special meeting;
- Specific posting locations;
- Procedures for distributing supporting materials and draft minutes;
- A process for adding an item to the agenda during a meeting; and
- A majority vote for same-meeting additions.

Proposed Policy

The proposed sample is structurally similar to the existing RSU No. 5 policy. It addresses agenda preparation, requests for agenda items, distribution, and additions or adjustments to the agenda.

However, the sample is a general template and contains several blanks and bracketed options that would need to be resolved before adoption.

What Would Change?

Notice requirements

The current RSU No. 5 policy contains specific timelines. The proposed sample leaves those timelines for the Board to establish.

The Committee can therefore consider whether to retain the current timelines or intentionally change them.

Posting locations

The current policy identifies specific RSU No. 5 posting locations, including the Superintendent's Office, town hall, and district website. The sample uses more general language concerning possible posting locations.

Supporting materials

The current RSU No. 5 policy contains a separate provision concerning the dissemination of supporting materials and draft minutes to Board members. That provision does not appear in the sample.

The Committee may wish to determine whether this existing provision should be retained.

Vote required to add an item during a meeting

The sample presents a two-thirds vote as an option. RSU No. 5's current policy uses a simple majority, consistent with BBA-R.

Adopting a two-thirds standard would therefore also require consideration of the related bylaw.

3. BEDH — Public Comment / Public Participation at Board Meetings

Current RSU No. 5 Policy

The current policy establishes a designated public-participation portion of regular Board meetings.

It permits speakers to address matters related to school operations while excluding personal matters and complaints concerning specific staff or students.

The Chair has authority to:

- Maintain order;
- Limit time devoted to a topic or individual speaker;
- Require sign-up when attendance is large;
- Stop presentations that do not comply with the guidelines;
- Remove disruptive individuals, including with law-enforcement assistance when necessary; and
- Recess or adjourn a meeting when circumstances warrant.

The current policy also encourages speakers to disclose a personal financial interest in a budget item under discussion.

Proposed Policy

The proposed sample provides more specific structure for public comment.

It includes:

- A default 30-minute total comment period;
- A default three-minute limit per speaker;
- Options concerning whether residents should receive priority over non-residents;
- More explicit language concerning public-comment restrictions;
- Definitions concerning "indecent" and "obscene" speech;
- A specific framework for comments concerning personnel matters;
- A specific framework for comments concerning individual students;
- Authority to limit public comment at special, emergency, or workshop meetings to matters related to the meeting; and
- Procedures for maintaining order and addressing disruptive conduct.

What Would Change?

Time limits

The current policy leaves time limits largely to the Chair's discretion. The proposed sample establishes specific default limits, but also allows discretion for the Chair to change these.

Resident priority

The sample offers options for giving district residents priority over non-residents.

The current RSU No. 5 policy does not distinguish between speakers based on residency.

Personnel matters

Both policies limit public discussion of individual personnel matters, but the proposed sample provides alternative definitions of what constitutes a prohibited personnel discussion.

Financial-interest disclosure

The current RSU No. 5 policy encourages speakers to disclose a personal financial interest in a budget item. The proposed sample does not contain an equivalent provision.

Speech restrictions

The proposed policy provides more explicit definitions and standards concerning prohibited speech than the current policy.

4. JLF — Child Abuse Reporting, Prevention and Education

Current RSU No. 5 Policy

The current policy, last revised in June 2025, requires an employee who suspects abuse or neglect to immediately notify the building administrator.

The employee may also report directly to DHHS or the District Attorney.

Under the current policy, if the employee does not receive written confirmation within 24 hours that the administrator or Superintendent made the report, the employee must then report directly and complete the JLF-E form.

The current policy also establishes:

- Administrator responsibilities for reporting;
- District Attorney notification requirements;
- Mandated-reporter training every four years and within six months of hire;
- Sexual-abuse-specific training requirements;
- Student curriculum requirements; and
- A 10-year records-retention period.

Proposed Policy

The proposed sample incorporates changes to Maine's mandated-reporting requirements effective July 2026 and reflects a more direct reporting model for individual school personnel.

Among other provisions, it:

- Identifies all school personnel as mandated reporters;
- Requires reports within 24 hours;
- States that, whenever possible, the person with first-hand knowledge should make the report;
- Requires the employee to immediately notify the building administrator and, whenever possible, personally report to DHHS;
- Addresses the relationship between DHHS and the District Attorney;

- Changes the stated mandated-reporter training cycle to every two years;
- Retains additional child-sexual-abuse-specific training requirements;
- Retains a 10-year records-retention period; and
- Uses somewhat different language concerning the release of school records.

What Would Change?

Reporting process

The most significant operational change is the reporting workflow.

The current RSU No. 5 policy is structured around an administrator-confirmation process. The proposed policy places a more direct reporting responsibility on the individual employee while also requiring notification of the building administrator.

This could affect staff training, communication, and administrative procedures.

Training frequency

The current RSU No. 5 policy states that mandated-reporter training occurs every four years. The proposed policy states every two years.

If the proposed language is adopted, the district would need to consider how to implement and track the more frequent training cycle.

Questions could include:

- How will the district track training compliance?
- Which staff groups need to be included?
- How should the requirement be incorporated into new employee orientation?
- What implications are there for professional learning schedules?

District Attorney reporting

The current policy and proposed policy use different language concerning District Attorney notification.

The Committee should consider whether any district-specific expectations should be retained in the policy in addition to the requirements reflected in the proposed sample.

Electronic reporting

The current RSU No. 5 policy specifically references an approved electronic reporting portal. The proposed sample does not contain equivalent language.

The Committee may consider whether this operational detail belongs in the policy or would be better addressed through administrative procedures.

Confidentiality and records

The two policies use somewhat different language concerning release of school records to DHHS or law enforcement.

The Committee can consider whether the proposed language would change district practice or primarily provides additional specificity.

CHILD ABUSE OR NEGLECT REPORTING, PREVENTION AND EDUCATION

I. DEFINITIONS

A. Child abuse or neglect. Child abuse or neglect is defined by Maine law as:

i. a threat to a child's health or welfare by physical, mental or emotional injury or impairment, sexual abuse or exploitation. ~~.[statutory references omitted] deprivation of essential needs~~ or lack of protection from these by a person responsible for the child;

ii. Serious harm or threat of serious harm by a person responsible for the child due to inadequate care or supervision of the child or deprivation of food, clothing, shelter, education or medical care necessary for the child's health or welfare by that person when that person is financially able to provide food, clothing, shelter, education or medical care necessary for the child's health or welfare or is offered lawful and reasonable financial means or resources to do so;

iii. Truancy (for a child who is either 1) age 5 and under age 6 and who has been voluntarily enrolled in school; or 2) six years of age and has not completed grade six, if a child described in 1) or 2) has the equivalent of seven full days of unexcused absences or five consecutive school days of unexcused absences during a school year) when the absence is the result of the neglect by a person responsible for the child.

iv. "a threat to a child's health or welfare caused by child sex trafficking by any person, regardless of whether or not the person is responsible for the child."

B. Person responsible for the child. A "person responsible for the child" means a person with responsibility for a child's health or welfare, whether in the child's home or another home; ~~or~~ a facility which, as part of its function, provides for the care of the child;or a person licensed or subject to licensure that, as part of its function, provides for care of the child. It includes the child's parent, guardian or other custodian.

C. Child Sex Trafficking. Child sex trafficking means the recruitment, harboring, transportation, provision or obtaining of a child for the purposes of a commercial sex act.

II. EMPLOYEES' DUTY TO REPORT

A. Any employee of the school unit (hereinafter referred to as the "notifying employee") who has reason to suspect that a child has been or is likely to be abused or neglected must immediately; ~~notify the building administrator.~~

i. Notify the building administrator, and

ii. Whenever possible, make a report directly to the Department of Health and Human Services (DHHS) in consultation with the Superintendent or building administrator. If the notifying employee is unavailable to make the report, the Superintendent or building administrator shall make the report.

~~B. In addition to notifying the building administrator, the~~ Notifying ~~employees may also make a report directly to the Department of Health and Human Services (DHHS) or the District Attorney if required (Section III.B provides further information about reporting to DHHS and District Attorney).~~

~~C. If the notifying employee does not receive written confirmation from the building administrator/Superintendent within 24 hours of their notification that a report has been made to DHHS (and the District Attorney if required) the employee shall make an immediate report directly to DHHS and, if the person suspected is not a person responsible for the child, to the District Attorney. In such cases, the employee shall then complete a copy of the Suspected Child Abuse and Neglect Form (JLF-E) in consultation with the building administrator or Superintendent.~~

~~D. If the notifying employee does receive written confirmation from the building administrator/Superintendent within 24 hours of their notification as described in section III.D on the Suspected Child Abuse and Neglect Form (JLF-E), they shall sign the form as acknowledgement that the report was made and return it to the building administrator/Superintendent.~~

~~E. Any volunteer who has reason to suspect that a child has been or is likely to be abused or neglected is also expected to make a report to the building administrator, and may also make a report directly to DHHS, and the District Attorney if required (see Section III.B).~~

~~F. Electronic reporting of suspected child abuse or neglect through the DHHS-approved reporting portal is permitted.~~

Notifying employees may make reports independently to DHHS. All reports must be made to DHHS within twenty-four (24) hours of the notifying employee acquiring knowledge of potential child abuse or neglect.

B. Any school volunteer who has reason to suspect that a child has been or is likely to be abused or neglected is also expected to make a report to the Superintendent or building administrator and/or directly to DHHS within twenty-four (24) hours of the school volunteer acquiring knowledge of potential child abuse or neglect.

III. ~~ADMINISTRATOR~~ REPORTING AND CONFIRMATION DUTIES

All building administrators and the Superintendents are designated agents to make child abuse ~~and~~ or neglect reports.

A. If a building administrator suspects abuse or neglect or receives such a ~~the~~ report from and employee, they shall notify the Superintendent immediately.

B. ~~The Superintendent or building administrator~~ A designated agent (in consultation with the notifying employee whenever possible, as outlined above) shall then make an immediate report by telephone of suspected abuse or neglect to DHHS. DHHS must be notified within twenty-four (24) hours of the school employee acquiring knowledge of potential child abuse or neglect.

i. In addition, if the person suspected of abuse or neglect is not the parent, guardian, or other custodian of the child, the ~~Superintendent/building administrator~~ designated agent may, in consultation with the notifying employee, ~~shall~~ also make a verbal report to the appropriate ~~District Attorney~~ district attorney's office.

~~C. The law requires the notifying employee to make their own report to DHHS and the District Attorney if required, if they have not received confirmation within 24 hours that such a report has been made by the Superintendent or building administrator.~~

C. The ~~person making the report to DHHS and/or the District Attorney~~ notifying employee and designated agent shall complete the Suspected Child Abuse or Neglect Form (see JLF-E) ~~in consultation with the notifying employee.~~

~~D. The Superintendent or building administrator shall provide a copy of the Suspected Child Abuse or Neglect Form to the notifying employee within 24 hours of the employee's initial report. The notifying employee shall sign the report and return it to the Superintendent or building administrator.~~

E. The form ~~will be forwarded to DHHS and to the District Attorney if required, and~~ shall be retained by the school unit for ten (10) years, ~~as specified in the Maine Archives Rules,~~ along with any other information relevant to the case.

IV. INTERNAL INVESTIGATIONS AND DISCIPLINE

A. Employees. If the person suspected of abuse or neglect is an employee, the Superintendent/designee shall investigate and take appropriate action, in accordance with applicable Board policies, collective bargaining contracts, and federal and state laws.

B. Students. If the person suspected of abuse or neglect is a student, and the abuse or neglect occurred on school premises, during a school activity, or is otherwise related to the school, the Superintendent/designee shall investigate and take appropriate action, in accordance with applicable Board policies and federal and state laws.

C. School officials should attempt to coordinate investigations with DHHS and law enforcement to the extent possible, in light of the school's obligation to protect the safety and security of the school environment. ~~Unless there are extenuating circumstances~~ When reasonably possible, any internal interviews of a child who may have been abused or neglected will be conducted by a person who has knowledge of appropriate techniques for interviewing alleged victims of abuse or neglect.

V. INTERVIEWS OF CHILD AND SCHOOL PERSONNEL

DHHS personnel shall be permitted to meet with and interview the child named in the report when the child is present at the school as provided in this section. The building administrator or designee shall:

A. Require the DHHS employee requesting to interview the child to provide written certification that in the Department's judgment, the interview is necessary to carry out its duties;

B. Require the DHHS caseworker to discuss the circumstances of the interview and any relevant information regarding the alleged abuse or neglect with the child's teacher or school counselor or the school nurse, social worker or building administrator, as the caseworker determines is necessary to provide needed emotional support to the child prior to and following the interview;

C. Not place conditions on how the interview is conducted, including, but not necessarily limited to requiring that certain persons be present during the interview; prohibiting certain persons from being present during the interview; ~~and~~ or requiring notice to or consent from a parent or guardian.

D. Provide an appropriate, quiet and private place for the interview; and

E. Not disclose any information about DHHS's intention to interview the child except to school officials or the school's attorney who need the information to comply with the interview request.

VI. CONFIDENTIALITY OF INFORMATION AND RECORDS

All records, reports and information concerning alleged cases of child abuse ~~and~~ or neglect shall be kept confidential to the extent required by Board policies and applicable law.

The building administrator/designee is permitted to release a child's school records without prior consent of the parent/guardian to DHHS or law enforcement officials ~~as necessary~~ if, based on the totality of the circumstances, the school unit determines there is an articulable or significant threat to the health or safety of the child or other individuals and disclosure is necessary to protect the health or safety of the child or other individuals.

VII. GOOD FAITH IMMUNITY FROM LIABILITY; RETALIATION PROHIBITED

Any person who in good faith reports child abuse or neglect, assists DHHS in making the child available for an interview, or participates in the investigation or proceedings of a child protection investigation ~~is~~ will be immune from any criminal or civil liability for the act of reporting or participating in the investigation or proceeding. Good faith does not include instances when a false report is made and the person knows the report is false.

The school unit prohibits any retaliation against an employee who makes a good faith report of child abuse ~~and~~ or neglect in accordance with this policy.

VIII. CHILD ABUSE AWARENESS AND PREVENTION TRAINING FOR SCHOOL EMPLOYEES

A. All school employees shall receive mandated reporter training approved by DHHS on child abuse/neglect ~~and reporting procedures~~ every ~~four~~ two (2) years ~~and within six months of hire~~ as required by law.

B. All school employees will receive a minimum of one hour of child sexual abuse awareness and prevention training within six months of hire and every two (2) years thereafter.

~~B.~~ C. The training about child sexual abuse awareness and prevention shall be delivered by a qualified instructor(s) and be "evidence-informed."

~~C.~~ D. The training about sexual abuse awareness and prevention is intended to:

i. Increase awareness of developmentally appropriate and inappropriate sexual behaviors in children;
ii. Increase ability to identify indicators of sexual abuse, including physical and psychosocial indicators on a spectrum (including lower to higher probability);
iii. Increase ability to effectively respond to sexual behavior or disclosures or suspicions of child sexual abuse; and

iv. Include local child sexual abuse and sexual assault resources.

IX. CHILD SEXUAL ABUSE PREVENTION EDUCATION FOR STUDENTS

Students in public pre-~~kindergarten~~ school through grade 5 will receive child sexual abuse prevention education curriculum programs delivered by qualified instructors as part of the health education curriculum aligned with the Learning Results Health Education Standards and follow an appropriate scope and sequence. The curriculum will be consistent with evidence-informed, age-appropriate child sexual abuse prevention education for students, and include:

A. Age-appropriate education regarding physical and personal boundaries, including biologically accurate body terminology;

B. ~~Help children~~ Age-appropriate education for children regarding identifying unsafe or uncomfortable situations including a range of feelings, touches or violations of physical boundaries;

C. ~~Help~~ Age-appropriate education for children regarding identifying safe adults with whom they could discuss unsafe or uncomfortable situations; and

D. ~~Helps~~ Age-appropriate education for children regarding identifying and developing skills to support a friend who may be experiencing unsafe or uncomfortable situations.

Legal Reference:
22 MRSA Chap. 1071, Child and Family Services and Child Protection Act
20 USC § 1232g, Family Educational Rights and Privacy Act
20-A M.R.S.A. § 5001-A
20-A M.R.S.A. § 254(18)

Cross Reference:
ACAA – Harassment and Sexual Harassment of Students
GBEBB - Staff Conduct with Students
JEA - Compulsory Student Attendance
JHB - Truancy
JLF-E –Suspected Child Abuse ~~and~~ or Neglect Report Form
JRA – Student Education Records and Information

Adopted: March 24, 2010
Reviewed: March 27, 2013
Revised: November 18, 2015; November 30, 2016; June 11, 2025
Revised:

Rescind

~~CHILD SEXUAL ABUSE PREVENTION AND RESPONSE~~

~~The Board recognizes that Maine law requires every school unit with a Pre-K through 5th grade program to adopt a policy for child sexual abuse prevention education and response. The Board adopts this systemwide policy in the interest of promoting the well-being of students and providing a supportive learning environment as well as compliance with the law.~~

~~For the purpose of this policy, "child sexual abuse" means any sexual engagement either through "hand on" or "hands off" activities between an adult and a child. Sexual engagement between children can also be sexual abuse when there is a significant age difference between the children involved or if the children are very different in development, size, or other power differential.~~

~~I. REPORTING CHILD SEXUAL ABUSE~~

~~A. Any employee of RSU No. 5 who has reason to suspect that a child has been sexually abused is to immediately notify the building principal or designated agent.~~

~~1. In addition to notifying the building principal/designated agent, the employee may also make a report directly to the Department of Health and Human Services (DHHS).~~

~~2. School volunteers who have reason to suspect that a child has been sexually abused should notify the building principal and may report their suspicions directly to DHHS.~~

~~3. Neither the employee or volunteer nor the building principal/designated agent should attempt to further question or interview the child nor otherwise undertake an investigation.~~

~~B. If the notifying employee or volunteer does not receive written confirmation from the building principal/designated agent or Superintendent within 24 hours of the notification that a report has been made to DHHS, the employee or volunteer shall make an immediate report directly to DHHS. In such cases, the employee or volunteer shall then complete a copy of the school unit's Suspected Child Abuse and Neglect Reporting Form (JLF-E).~~

~~C. If the notifying employee or volunteer does receive written confirmation from the building principal/designated agent or Superintendent within 24 hours of the notification (i.e., a copy of the Suspected Child Abuse and Neglect Reporting Form (JLF-E), he/she shall sign the form as acknowledgement that the report was made and return it to the building principal/administrator or Superintendent.~~

~~D. The administrator's reporting and confirmation duties shall be the same as provided in Section III of the Board's policy JLF, Reporting Child Abuse and Neglect.~~

~~II. CHILD SEXUAL ABUSE AWARENESS AND PREVENTION EDUCATION FOR SCHOOL PERSONNEL~~

~~All RSU No.5 employees shall be required to complete a minimum of one hour of training in child sexual abuse awareness and prevention, with training to be updated at least once every four years thereafter. New employees must complete training within six months of hire.~~

~~Training must be "evidence-informed" (i.e., based on research and best practices) and delivered by a qualified instructor (i.e. a person with appropriate knowledge, skills, and experience or training in child sexual abuse awareness and prevention). The trainer may be an employee or volunteer with an agency/organization specializing in sexual assault and/or child sexual abuse or an employee of the school unit (e.g., school social worker, guidance counselor, school nurse, health educator) who has received appropriate training from such an agency/organization.~~

~~The goals of the training for employees are:~~

- ~~Increased awareness of developmentally appropriate and inappropriate sexual behaviors in children;~~
- ~~Increased ability to recognize indicators of child sexual abuse;~~
- ~~Enhanced ability to respond effectively when a student or student's friend or peer discloses sexual activity or the staff member suspects child sexual abuse has occurred; and~~
- ~~Awareness of local resources available to students, parents, schools, and community members, and how these resources may be accessed.~~

~~Training should also address confidentiality/disclosure concerns (beyond the mandated reporting).~~

~~III. CHILD SEXUAL ABUSE PREVENTION EDUCATION IN THE PRE-K THROUGH 5TH GRADE CURRICULUM~~

~~The school unit will provide child sexual abuse prevention programming to its Pre-K through grade 5 students. Such instruction will be aligned with the health education standards of Maine's system of Learning Results for this grade span, and incorporated into the written school health education curriculum.~~

~~Programming of appropriate scope and sequence will be delivered by qualified instructors, who may be from a local or regional agency/organization with experience and expertise in sexual assault and child sexual abuse of by a school unit employee deemed~~

~~competent by the Superintendent/designee to deliver such instruction. If the instructor is a school unit employee, the Board anticipates that this will be a person with the knowledge, skills, and sensitivity necessary to deliver the curriculum in the classroom setting, i.e., school nurse, school social worker, guidance counselor, or teacher with experience in health education. Any instructor who is a school employee is expected to take full advantage of the evidence-informed educational resources available on websites hosted by the DOE and/or MECASA. Any instructor who is a school employee should be familiar with the local community-based agencies/organizations that provide assistance or services to children and families that are experiencing or have experienced sexual assault or child sexual abuse.~~

~~It is the intent that the curriculum, as delivered in the classroom, will:~~

- ~~Include age-appropriate education regarding physical and personal boundaries; including biologically accurate body terminology;~~
- ~~Help children identify unsafe or uncomfortable situations including a range of feelings, touches, or violations of physical boundaries; and~~
- ~~Help children identify safe adults with whom they can talk about unsafe or uncomfortable situations.~~

~~Legal Reference: 20-A MRSA §§ 254(18), 4502(5-C)~~
~~22 MRSA §4011-A~~
~~20-A MRSA §§ 5051-A(1)(C); 5051-A(2)(C)~~
~~20 USC § 1232g, Family Educational Rights and Privacy Act~~

~~Cross Reference: JLF – Reporting Suspected Child Abuse and Neglect~~
~~JLF-E – Suspected Child Abuse/Neglect Report Form~~

~~Adopted: October 24, 2018~~

AGENDA

Agenda Preparation and Dissemination

The Superintendent, in consultation with the Chair, shall prepare an agenda for each meeting of the Board of Directors. ~~Board members, school unit staff, groups or organizations, and members of the public may submit written requests to the Board through the Chair or the Superintendent for items to be placed on the agenda. The request must be received a minimum of seven days prior to the meeting at which the group or individual wishes the item to be addressed by the Board in order for it to be considered for the agenda of that meeting. The Chair and Superintendent shall make the final decision regarding placement of items on the agenda.~~ Once prepared, the agenda will be distributed to Board members, the media, and to designated school-affiliated organizations no later than five days prior to a regular meeting of the Board of Directors and, whenever possible, ~~no later than 24 hours~~ two days ~~prior to~~ in advance of a special meeting. In the case of an emergency meeting, notice of the agenda will be given as soon as practicable and the media shall receive notice of the meeting in the same manner as the members of the Board.

Copies of the agenda will be posted and/or available at the Superintendent's Office, town hall, and school unit website. Copies of the agenda will also be available at the Board meeting. Anyone desiring additional information regarding an agenda item should direct inquiries to the ~~Office of the~~ Superintendent.

~~In the case of an emergency meeting, notice of the agenda will be given as early as practicable and will be provided to the media at the same time and in the same manner that it is given to Board members.~~

~~**Dissemination of Supporting Materials**~~

~~As an accompaniment to the agenda, the Superintendent will provide to the Board such background materials and data that in their judgment are necessary for the Board to give informed consideration to agenda items. The Superintendent will also provide to the Board the draft minutes of Board meetings that will be presented for approval.~~

Requests for Agenda Items

Board members, school department staff, groups or organizations, and members of the public may submit written requests to the Board through the Chair or the Superintendent for items to be placed on the agenda. To be considered for placement on the agenda, the proposed item must be within the scope of the Board's duties, timely, and appropriate for consideration under all applicable laws and Board policies. The request must be received a minimum of seven days prior to the meeting at which the group or individual wishes the item to be addressed by the Board in order for it to be considered for the agenda of that meeting. The Chair and Superintendent shall make the final decision regarding placement of items on the agenda.

Additions and Adjustments to the Agenda

After the meeting has been called to order, the Superintendent or Board Chair may recommend additions and/or adjustments to the agenda of a regular meeting or, unless otherwise prohibited by Board policy, to the agenda of a special meeting.

Any Board member who wishes to add an item to the agenda may offer a motion to that effect. Such a motion shall require a second to proceed to a vote.

~~Any such~~ All additions to the agenda ~~by a Board member~~ must be approved by a majority vote of the members present and voting.

In order to facilitate its business or to accommodate groups in attendance, the Board of Directors may adjust the agenda by changing the order of business. Such adjustments shall require the consent of the Board by majority vote.

Legal Reference: 20-A MRSA § 1477 (RSU)

Cross Reference: BE - Board of Directors Meetings
BEDB-R - Agenda Format
BEDH - Public ~~Participation~~ Comment at Board Meetings
KE - Public Concerns and Complaints

Adopted: November 18, 2009
Reviewed: March 23, 2011
Reviewed: January 22, 2014
Revised: March 25, 2020

~~RULES OF ORDER~~ CONDUCT OF BOARD MEETINGS – PROCEDURAL RULES

~~Except as otherwise provided by law or by regulations of the Department of Education, or as otherwise provided in Board of Directors policy, *Robert's Rules of Order, Revised* (latest edition available) shall be used to resolve procedural uncertainties.~~

School Board meetings should be conducted in an orderly manner with a minimum of procedural complexity. The Board Chair generally shall have discretion to preside over Board meetings consistent with these simplified rules, fairness and common sense. When necessary, the Chair may consult legal counsel or Robert's Rules of Order to help resolve difficult procedural matters.

1. The Chair presides over Board meetings and rules on all procedural matters.

2. Members of the Board may question a procedural ruling by raising a point of order. The Chair shall consider the point or order, and then either modify or affirm the ruling.

3. If a member of the Board disagrees with the Chair's final ruling on a point of order, the member may move to appeal the ruling by stating what he/she thinks the ruling should be. Any such motion requires a second.

4. The final authority on any disputed procedural matter is the majority of voting members, provided a quorum is present, and always subject to any applicable law.

5. All motions made at Board meetings must be worded in an affirmative manner, must not conflict with any law, and require a second.

6. The Chair may make motions, second motions and participate in discussion. The Superintendent may participate in discussion, but cannot vote.

7. Any Board member who voted in the minority on a motion may move to reconsider the motion during the course of the meeting in which the initial motion acted upon.

8. In order to consider rescission of an action taken at a previous meeting, notice of the proposed rescission must be included in the agenda for the meeting. If the proposed rescission may affect the legal rights of other parties, legal counsel should be consulted in advance of action on a motion to rescind. Any motion to rescind an action taken at a previous meeting must be passed by a majority of the full Board.

Cross Reference: BEDC - Quorum

Adopted: November 18, 2009
Reviewed: March 23, 2011; February 26, 2014; March 11, 2020
Revised:

PUBLIC ~~PARTICIPATION~~ COMMENT AT BOARD OF DIRECTORS MEETINGS

~~Board meetings are conducted for the purpose of carrying on the official business of the school system. All meetings of the RSU No. 5 Board are open to the public. The public is cordially invited to attend and participate in Board meetings as provided in this policy. This policy applies only to meetings of the full Board, not to meetings of Board subcommittees.~~

~~Although Board meetings are not public forums, the Board will provide appropriate opportunities at its meetings for members of the public to express opinions and concerns related to the matters concerning education and the RSU No. 5 schools. The intent is to allow a fair and adequate opportunity for the public to be heard, while ensuring that the time allowed for public discussion does not interfere with the fulfillment of the scheduled agenda.~~

~~The Board will designate a portion of its agenda as an opportunity for public participation. During the time allotted for public participation, the public may speak on any subject directly related to the operations of the schools, except for personal matters or complaints concerning specific employees or students, which shall be addressed through established policies and procedures.~~

~~Members of the public may address the Board within the guidelines provided in this policy. The Chair shall be responsible for maintaining proper order and compliance with these guidelines.~~

~~The following guidelines shall apply to public participation at Board meetings.~~

~~A. Members of the public and employees of the school unit are welcome to participate as provided in this policy. Others may be recognized to speak at the Chair's discretion. Individual employees and/or employee groups will not be permitted to discuss matters for which complaint or grievance procedures are provided.~~

~~B. The Chair may limit the time allotted for comments on a particular topic as well as the time each individual may speak. At special or emergency meetings, public comments will be limited to the topic(s) of the particular meeting.~~

~~C. In the event of a sizeable audience, the Chair may require persons interested in speaking to sign up so they may be called on in a fair and efficient manner.~~

~~D. During the time set aside for public participation, the Chair will be responsible for recognizing all speakers, who must identify themselves as they begin talking. Speakers will be encouraged to disclose whether or not they will personally have a financial impact as a result of the budget item they address.~~

~~E. Speakers are not permitted to share gossip, make defamatory comments, or use abusive or vulgar language.~~

~~F. All speakers are to address the Chair and direct questions or comments to particular Board members or the Superintendent only with approval of the Chair. Requests for~~

~~information or questions may be answered by the Board Chair. If further research is needed, the Board Chair may defer to the Superintendent for follow-up.~~

~~G. Members of the Board of Directors and the Superintendent may ask clarifying questions of any person who addresses the Board, but are expected to refrain from arguing or debating issues. Questions must be addressed through the Chair.~~

~~H. Comments about matters involving individual students and/or staff are not permitted during the public comment period due to privacy, confidentiality, and due process rights.~~

~~Complaints or personal matters concerning students or staff must be referred through established policies and procedures. [See KE Public Concerns and Complaints]~~

~~I. In order to make efficient use of meeting time, the Board discourages duplication or repetition of comments to the Board. The Board requests that groups or organizations be represented by designated spokespersons.~~

~~J. The Chair has the authority to stop any presentation that violates these guidelines or the privacy rights of others.~~

~~K. Persons who disrupt the meeting may be asked to leave, and the Chair may request law enforcement assistance, as necessary, to restore order.~~

~~L. In the event of an emergency or substantial disruption, the Chair may declare a recess to restore order or may declare the meeting adjourned or to be continued to a designated time and place or at the call of the Chair.~~

~~An agenda shall be published in advance of each meeting in accordance with Board policy. Copies will be posted and/or available prior to regular meetings, at the Superintendent's Office, in each school, town hall, and is sent to local publications. It is also posted on the RSU No. 5 website. Anyone desiring additional information about an agenda item should direct such inquiries to the Office of the Superintendent.~~

~~Opportunity for public participation at standing committee meetings of the Board is not required, but may be permitted at the discretion of the standing committee chair.~~

The primary purpose of School Board meetings is to conduct the business of the Board related to school policies, programs, and operations. The Board encourages residents to attend Board meetings so that they may become acquainted with the operations and programs of the schools and cordially invites any interested member of the public to attend and participate as provided in this policy.

The Board recognizes the value of public comments on school and educational matters. To permit fair and orderly expression of public comments at Board business meetings, while still allowing the Board to conduct its business efficiently, the Board has established the procedure below for regular business meetings.

At special, emergency, or workshop meetings, public comments will be limited to the topic(s) of the particular meeting.

In addition to speaking during the designated public comment portion of the agenda at Board meetings, members of the public are welcome to submit written comments on school and educational matters to the Board and Superintendent.

The following rules apply to public participation in Board business meetings:

1. The Board includes a public comment period, not to exceed 10 minutes on the agenda of its regular business meetings. Individual speakers will be given equal amounts of time to speak during public comment period, limited to a maximum of three (3) minutes per speaker. Individuals may not relinquish a portion of their allotted time to another speaker. The time limits in this paragraph may be modified at a particular meeting at the discretion of the Board Chair.

2. The Board will hear public comments from residents of the school unit first. If there is time remaining in the public comment period once all residents have had the opportunity to speak, the Board will permit comments from non-residents. Individuals who wish to speak are required to fill out the sign-in form available at each Board meeting, prior to the beginning of the public comment period, and review a copy of this policy. Each individual will be required to state their name and town/city of residence before beginning their remarks.

3. In order to make efficient use of meeting time, the Board requests that groups or organizations be represented by designated spokespersons.

4. Individuals shall stand behind the podium during their allotted time for comment. Speakers will not be permitted to approach the Board or walk or stand elsewhere around the room during their comment period. Speakers must be recognized by the Board Chair, and all public comments should be addressed to the Board Chair.

5. The Board Chair is responsible for ensuring the orderly conduct of Board meetings and for ensuring compliance with this policy, including the following rules of order:

a. Speakers are expected to follow rules of common etiquette and decorum for the forum – a school business meeting at which students may be present – and are required to refrain from (i) using indecent and/or obscene language, (ii) engaging in disruptive conduct, including but not limited to inciting criminal conduct, shouting, threatening others using words or by other actions, making defamatory comments, exceeding the allotted time limits, talking over or interrupting others, offering repetitive comments, and offering comments on matters unrelated to school or education matters. For purposes of this policy, the following definitions apply:

Indecent – the remark is uttered before 10:00 p.m. and describes or depicts sexual or excretory activities or organs in a patently offensive manner as measured by contemporary community standards.

Obscene – the remark appeals to the prurient (i.e., shameful, morbid, or unwholesome fascination with sex, nudity, or excretory functions) interest; depicts or describes sexual conduct in a patently offensive way; and, taken as a whole, lacks serious literary, artistic, political or scientific value.

b. Discussion of personnel matters is not permitted during the public comment period due to the privacy, confidentiality and due process rights of school unit employees. For purposes of this policy, "discussion of a personnel matter" means any discussion, whether positive or negative, of the job performance or conduct of a school unit employee (whether the employee is named directly or, in the judgment of the Board Chair, the identity of the employee can be reasonably identified due to the content of the remarks).

c. Discussion of matters involving individual students are also not permitted during the public comment period due to the privacy, confidentiality, and due process rights of the school unit's students.

d. All concerns about personnel matters and/or student matters should be directed to the Superintendent or another appropriate administrator outside of Board meetings, in accordance with RSU 5 Policy KEB- Complaints About School Personnel, so that they can be addressed through an alternative channel and in a manner consistent with privacy, confidentiality, and due process rights of the individuals involved.

e. The Board Chair will stop any public comment that is contrary to these rules.

f. Individuals who disrupt a Board meeting may be asked to leave in order to allow the Board to conduct its business in an orderly manner. The Board Chair may request the assistance of law enforcement if necessary to address disruptions or safety concerns.

Legal Reference: 1 MRSA § ~~401 et seq. 405~~
20-A MRSA § 1001 (20)
20-A MRSA § 6101

Cross Reference: BE - Board of Directors Meetings
BEC – Executive Session
~~BEDA – Notification of Board of Directors Meetings~~
BEDB – Agenda
BEDBA – Agenda Format
~~BEDD – Rules of Order~~
KE – Public Concerns and Complaints
KEB- Complaints About School Personnel

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