

MSAD # 11  
Pre-K to Grade 5  
Parent, Student & Staff Handbook  
2011-2012

Gardiner: Laura E. Richards School  
Pittston: Pittston Consolidated School  
Randolph: Teresa C. Hamlin School  
South Gardiner: River View School  
West Gardiner: Helen Thompson School

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Howard Tuttle, Director of Curriculum	582-5346
Margaret Long, Director of Special Services	582-7366
Michael Flynn, Director of Child Nutrition Services	582-5346
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Lynn Izzi, Helen Thompson School	724-3930
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Communication is very important to us in MSAD # 11. There is an established process for addressing questions and concerns. It is best to address these first at the school level, directly with the teacher; then, if necessary, with the building principal. If the issue is still unresolved,

it will be forwarded to the Superintendent. By following this process, we can ensure that the situation will be addressed with those closest to the issue(s).

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**We believe:**

~that a positive learning experience is vital for children to have a successful beginning to their lifelong journey.

~that education is a shared responsibility between home and school, working as a team.

~that your involvement is both welcomed and necessary.

**MSAD # 11 MISSION STATEMENT**

We support Maine's Guiding Principles as a learning foundation for life. Our mission is to provide a safe environment that encourages all members of our community to become:

- ~Clear & Effective Communicators
- ~Self-Directed & Lifelong Learners
- ~Creative & Practical Problem Solvers
- ~Responsible & Involved Citizens
- ~Collaborative & Quality Workers
- ~Integrative & Informed Thinkers

**Check out our school's website at [www.msad11.org](http://www.msad11.org)**

**ADMINISTRATION OF MEDICATION TO STUDENTS (FILE: JLCD)**

Although the MSAD #11 Board discourages the administration of medication to students during the school day when other options exist, it recognizes that in some instances a student's chronic or short-term illness, injury, or disabling condition may require the administration of

medication during the school day. The school will not deny educational opportunities to students requiring the administration of medication in order to remain in attendance and participate in the educational program.

Parent are urged to schedule administration of medication outside school hours. When a student must take medication at school, the parent must complete a medication permission form.

Prescription medication brought to school must be clearly labeled with student's name, name of medication, dosage, time to be given, name of doctor and date when prescribed in its pharmacy labeled container.

Non prescription medication will be given only with a note from your child's doctor stating the directions and the container must be labeled with the same information as prescription medication. If medication is not labeled as specified, it will not be administered by school personnel.

#### AFFIRMATIVE ACTION INFORMATION

The MSAD # 11 School Department has committed itself to an Affirmative Action Plan which insures that all of its educational programs, employment policies and practices will be nondiscriminatory on the basis of race, gender, color national origin, religion, marital status, age, sexual orientation or disability and recognizes its obligations to comply with the provisions of all existing Federal and State legislation as it relates to discrimination.

Inquiries may be addressed to:

Diann Bailey, Title IX Affirmative Action Coordinator  
Adult Education Office (582-3774)

Juan Lavallo-Rivera  
Special Education Department (582-7366)

Questions concerning the application of nondiscrimination policies may also be referred to the US Department of Education Office for Civil Rights, 33 Arch Street, Suite 900, Boston, MA 02110-1491 or telephone (617) 289-0111.

The following information is provided to keep all members of the community informed relative to nondiscrimination policy:

~Affirmative Action is a program designed in compliance with the U.S. Civil Rights Act of 1964 and its Educational Amendments. Its purpose is to make sure that all parts of the Civil Rights Act are being observed in federally funded programs.

~Title IX prohibits discrimination on the basis of gender.

~Title VI prohibits discrimination on the basis of race, color, national origin, religion, marital status, and handicap.

~Section 504 specifically prohibits discrimination on the basis of handicapping condition.

~Title VII incorporates all of the aforementioned amendments in the work place.

Discrimination covers all issues which relate to prejudice, racism and harassment toward the above-named groups.

For further information contact the appropriate coordinators. File: ACAA-R.

#### ANIMALS IN SCHOOLS (FILE:IMG)

Permission is to be obtained in writing from the school principal before animals are brought to the school building or grounds. For the safety of all, animals must have proof of current rabies vaccinations.

#### ATTENDANCE

State law requires that a child must reach the age of five on or before October 15 to be eligible for kindergarten and that all children between the ages of seven and seventeen shall attend school. Religious holidays, illness, and family emergencies are excused absences. Please call the school before 9:00 a.m. if your child will be absent. For safety, we will call the homes of absent students if their parents have not contacted the school. If you are unable to contact the school, on the day of his/her return, your child should bring a note explaining the reason for the absence.

#### BIRTHDAYS

Birthdays are important and significant in the lives of most children. Parents and students who wish to bring treats for the entire class may do so. Please contact the classroom teacher in advance, checking for students who may have food allergies. Invitations to outside of school birthday parties which do not include the whole class are not to be distributed at school.

#### BREAKFAST AND LUNCH

Our schools offer both a breakfast and lunch program. students may receive a “pre-pay” envelope at the beginning of the school year. To make a prepayment, please complete and return the envelope with your payment to the Cafeteria Manager at your school. Checks should be made out to MSAD#11 Food Service Program. Menus and prices are sent home monthly, posted on the district web page and printed in the local newspaper.

Free and reduced lunch applications need to be completed and returned to school each year. All students from one household can be put on the same application form.

Please make sure to list what school they attend in the district. For more information or for an application, please call your child’s school or Michael Flynn at 582-5346. Applications can be sent back to school or mailed to Mr. Flynn at:

MSAD #11 Food Service Program, 150 Highland Avenue, Gardiner, ME 04345

#### BUS RIDERS (FILE: EEAA)

MSAD#11 students are expected to ride the bus to which they are assigned. Parents/guardians may request temporary changes in transportation arrangements. Such requests must be submitted in advance to the building principal. Approval is subject to available bus seating.

MSAD#11 bus drivers shall not permit any person other than a pupil, teacher, school official, mechanic or police or patrol officer to ride in his/her bus without written consent from the Superintendent's Office, School Principal or the Director of Operations.

#### BUS SAFETY & RULES

Transportation is a student privilege and safety is our main concern. All children shall act in a manner that will not jeopardize the safety of others, nor shall they distract the bus driver from his/her duties. For everyone's safety, bus drivers must be in complete control of the bus at all times; therefore, the following bus rules shall be strictly enforced:

1. Riders will take a seat and remain seated, with the aisle kept clear, until the bus stops.
2. Riders will not throw any article in or out of the bus and will not hang any body part out of a window.
3. Riders will not disturb other passengers in any manner such as pushing, slapping, grabbing etc. Rude language and obscene gestures are unacceptable.
4. Riders will respond promptly and courteously to the driver's requests.
5. Riders shall not disturb or talk to the bus driver except in an emergency.
6. After leaving the bus, riders shall go to the front of the bus and wait until the bus driver makes eye contact and signals them to cross the road. No passenger will cross in back of the bus at any time.
7. The Director of Operations will assign bus stops. Students are to be at the bus stop 5 minutes prior to pick up.

Note: In order to help provide a safe environment for students on school provided transportation, the school board supports the use of video equipment on district vehicles. Cameras may be used to monitor student behavior. If a video becomes the basis for disciplinary action, the parents of the student will be given opportunity to view the resulting video.

#### CONSEQUENCES FOR BREAKING BUS RULES

When a K-2 grade student does not comply with these rules, he/she will receive a verbal warning and may be assigned a seat, with the parent notified. Further failure to comply may result in suspension from all buses for a period of time, which is determined by the violation. For grades 3-12 similar action will occur, but, based on the violation, suspension from the bus may be immediate. The Director of Operations or designee will

discuss the violation with the student(s), record the incident and notify the parents/guardian in writing and by telephone, if possible. Parents must provide transportation to and from school for the suspended student. The Director of Operations maintains contact with the building administrator.

#### DISMISSAL FROM SCHOOL

No child is permitted to leave school before the regular dismissal time unless ill or upon written request from the parent/guardian. If someone other than a person named on your child's emergency card is to pick up your child, please send a note. A child will not be released to someone who does not have your permission.

The school office should be notified if you desire to change your child's regular route home. Please send a signed note. Without notification, we will send your child home in the usual way. For safety, your child must also show the note to the driver.

#### DRUG & ALCOHOL USE BY STUDENTS (FILE: JICH)

MSAD#11 promotes a policy of non-utilization of mood and mind altering substances which adversely affect the physical, mental and emotional health of students. The Board is committed to keeping students chemically free and to supporting state laws which strictly forbid the sale or distribution of alcohol and other drugs to minors.

Student health problems are primarily the responsibility of parents or guardians. However, the school and community share that responsibility because chemical health problems often affect the learning and development of the student.

#### ELEMENTARY SCHOOL GOALS AND OBJECTIVES

We will continue to focus on improving student achievement in the following areas:

Literacy: Guided Reading and Writing instruction

Math: Developing mathematical thinkers in the varied areas of math

Science: Physical, Life and Earth Science instruction

Soc.Studies: Our community, our state, our nation, our world

Allied Arts: Art, Music, & Physical Education

#### FIELD TRIPS

Field trips are a valuable educational experience. To insure that all students take part, parents are asked to complete a permission form for each field trip. Any student for whom permission is not obtained shall participate in appropriate alternative activities within the school during typical school hours. Parents are invited to chaperone when the trip is out of the district. Parents attending field trips are asked not to bring siblings. All arrangements for chaperones are made by the classroom teacher.

#### FIRE DRILLS (FILE: EBCB)

In order to protect the health and safety of students and staff and in compliance with the provisions of the Life Safety Code, schools at all levels, PK-12, are required to hold two fire drills during the first two weeks of school. Elementary schools will hold 8 other fire drills throughout the year. (See policy on website for full statement.)

#### FORMAL TESTING

The District assesses and collects data regarding student performance in the following areas:

English/Language Arts, Mathematics, Social Studies and Science.

In addition, students may participate in assessments as mandated by the Maine Educational Act and NCLB (No Child Left Behind) legislation.

#### HEALTH ISSUES

Please do not send your child to school if he/she is ill!

It is important that you can be contacted in case of an emergency. Please keep the office updated with your phone number, place of work, and contact people. If it is determined that an injury requires more attention or continued observation, the school nurse and parent will be contacted. If your child becomes ill at school, you will be called and your child will be dismissed.

If a child has symptoms of a contagious disease, such as measles or chicken pox, s/he will be excluded from school until the child has recovered. Other diseases requiring a doctor's recommendation are conjunctivitis, skin rashes, impetigo, ring worm, and other conditions which might be contagious.

Lice can be a problem whenever people are together in large groups. It can occur even on the cleanest of heads. If your child is found to have lice, you will be called. After treatment, the school nurse or designee will check a child's head upon his/her return to school. If live lice are found, the parent will be contacted to request additional treatment be given.

#### LIBRARY

Every student is allowed to sign out one book at a time. When the book is returned, it may be renewed or the student may select a new one. Students and parents are responsible for the books signed out. If a book is lost or badly damaged, a bill will be issued for the price of book replacement.

#### “NO SCHOOL” ANNOUNCEMENTS

On mornings when storms prevent school from being held, “no school” bulletins will be announced several times on stations WABK, WMME, Channels 6, 8, & 13 and on our district website. If you have registered with the School Messenger automated system, you will be notified by telephone, email, and/or text. The decision to have no school will be made as early as possible. Please listen for the announcement and do not call the schools, superintendent, principal, or teachers.

Occasionally, the weather becomes so inclement during the school day that children will be dismissed early. Radio announcements will be made. Parents need to complete an Emergency

Dismissal Form and instruct their children on what to do and where to go when school is canceled early.

#### PHOTOGRAPHS AND VIDEO

There are times throughout the school year when your child may be photographed or videotaped. Please complete the "Media Use" permission form. These forms will be kept on file in the office.

#### RECESS

Recess is part of the elementary school program. It is a time for children to develop social and physical skills in a semi-structured setting. Whenever possible, the children go outside for recess. Weather conditions are considered before a decision for outside recess is made. Students should dress appropriately for varying weather conditions. All students in school will attend recess unless there is a note from the doctor.

#### SMOKING BY STUDENTS (FILE: ADC-R)

The Board of Directors prohibit the use of tobacco in any form in direct proximity to school grounds, at school events and school sanctioned events and on school buses at all times. Also, possession of tobacco products by students under 18 is prohibited

#### STUDENT ABSENCES AND EXCUSES

Every student is expected to attend school punctually and regularly and to conform to the regulation of the school with respect to attendance and tardiness. No pupil shall be permitted to leave school before the regular time of dismissal unless ill or upon written request from the parent or guardian.

The only legitimate excuses for absences or tardiness shall be:

- A. Illness of the pupil or appointment with a health professional
- B. Family emergency
- C. Observance of a recognized religious holiday
- D. Planned absence for a personal or educational purpose which has been approved
- E. Inclement weather rendering the safety of the student questionable going to and from school.

#### STUDENT COMPUTER AND INTERNET RULES (FILE: IJNDB)

Students in our elementary schools have access to computers, networks, and internet services. This access is considered a privilege and comes with certain rules and responsibilities. Each student and parent must sign on agreement to abide by the policies of MSAD #11 in order to enjoy such access. (Please see the complete policy on the MSAD #11 website.)

#### STUDENT DISCIPLINE (FILE: JK)

One goal of education is to help individuals develop the self-discipline needed to become contributing and responsible members of the community. Achievement of this goal is the shared responsibility of the individual, the family and the school. We both want and need parental support to help maintain appropriate behavior as outlined in the District Code of Conduct. We ask parents to help support our message that violence, harassment and assault are never appropriate or justifiable.

Discipline, the process of teaching individuals to develop and demonstrate responsible decision-making skills, is an integral part of this goal. Discipline is used to develop respect for oneself and the rights of others and to foster responsibility for an acceptance of the consequences of one's behavior. However, discipline should not be used to deprive students of any academic opportunities. In the school setting, effective discipline assures that each student and staff member has a right to be free from fearful or abusive treatment by others. Behavior that interferes with these rights will not be tolerated. Good discipline also ensures that members of the school community can learn and work without interference in a pleasant, safe and comfortable environment.

Teachers have the responsibility to use appropriate behavioral interventions, subject to the approval of the building principal or designee, to foster appropriate discipline and to support the District discipline policy. Physical force shall not be used as punishment. Staff members shall use every resource available to give guidance to their students and may refer only marked cases of discipline for administrative action.

In cases where a student is referred to the building principal for administrative action, the principal, assistant principal or their designee may use the following measures, in any order, including expulsion recommendations, depending on the nature and severity of the violation.

A. **BEHAVIORAL INTERVENTION:** The principal or designee shall use at his/her discretion suitable strategies to assist the student in understanding the peaceful resolution of conflict and appropriate school behavior.

B. **TEMPORARY IN-SCHOOL SUSPENSION:** The principal or designee may remove a student from a classroom or school activity (such as lunch, recess) where the student behaved inappropriately.

C. **IN-SCHOOL SUSPENSION:** The principal or designee may remove a student from a series of classrooms or school activities where the student's behavior was not appropriate.

D. OUT-OF-SCHOOL SUSPENSION: The principal or designee may remove a student from school for a period of time up to ten (10) school days. On the third out-of-school suspension, a referral will be made to the superintendent for a meeting with the parents(s)/ guardian(s), and student before re-entering school. All out-of-school suspensions are subject to Policy JKD: Suspension of Students

E. EXPULSION: Student expulsions will be handled according to board policy JKE. Any student who has received three administrative disciplinary referrals may be referred to the Response to Intervention Team. A profile of students with chronic disciplinary histories will be forwarded at the time of transfer of the student to another school. Documentation may identify problems, attempted interventions and changed behavior.

#### STUDENT DISCRIMINATION AND HARASSMENT PROCEDURE (File: ACAA)

The following section outlines for students the process which will be used for handling complaints alleging discrimination or harassment.

A. A “complaint” is defined as an allegation that a student has been discriminated against or harassed on the basis of race, color, sex, sexual orientation, religion, national origin or disability.

B. “Discrimination or harassment” means discrimination or harassment on the basis of race, color, sex, sexual orientation, religion, national origin or disability.

Step One: Any student who believes s/he has been discriminated against or harassed should report her/his concern promptly to the building administrator. Students who are unsure whether discrimination or harassment has occurred are encouraged to discuss the situation with the administrator. The building administrator will investigate and attempt to resolve the complaint within three working days.

Step Two: If the complaint is not resolved satisfactorily or the complainant wishes to bypass the building administrator, s/he may file a complaint with the district’s affirmative action officer. The complaint will be investigated and completed within 21 working days, if practical.

If the Affirmative Action Officer determines that discrimination or harassment occurred, s/he shall in consultation with the superintendent:

1. determine what disciplinary action should be taken against the person who engaged in discrimination or harassment.
2. inform the student who made the complaint (and his/her parents/guardians) of the results of the investigation in accordance with state and federal privacy laws.

If the student’s parents/guardians are dissatisfied with the resolution, an appeal may be made to the School Board within 14 school days of receiving notice of the decision. The Board will consider the appeal in executive session, to the extent permitted by law, at its next regular meeting or at a special meeting. The Superintendent shall submit the investigation report and

any other witnesses or documents that s/he believes will be helpful to the Board. The student, his/her parents/guardians and representatives shall be allowed to be heard. The person against whom the complaint was made shall be invited and allowed to be heard. The Board's decision shall be final.

Step Three: A student may at any time file a complaint with the Maine Human Rights Commission, 51 State House Station, Augusta, ME 04333-0051, call 207-624-6050 or contact the federal office for Civil Rights, Regional Director, US Department of Education, SW McCormack POCH Room 222, Boston, MA 02109-4557, phone # 617-223-9622.

Considerations: Each school staff is expected to report possible incidents of discrimination or harassment of students. Parents and other adults are also encouraged to report any concerns. Students and others will not be retaliated against for making a complaint. Any retaliation by students of school staff will result in disciplinary measures up to and including expulsion. The Superintendent or designee may take interim remedial measures to reduce the risk of further discrimination or harassment while the investigation is pending. (See website for full statement.)

#### STUDENT DRESS (FILE: JICA)

Students are expected to adhere to standards of cleanliness and dress that are compatible with the safe and respectful school learning environment. Any type of headwear is not to be worn in the school building. Clothing must be neat and clean with markings that are not offensive. Dresses and shorts should not be tight or too revealing. (See website for full policy.)

Building principals are responsible to ensure that the classroom learning environment is free from distractions/disruptions. Students whose apparel, hair style/color or other accessories are deemed unsuitable for classroom wear may be asked to make appropriate changes.

#### STUDENT EDUCATION RECORDS & INFORMATION (FILE: JRA)

MSAD#11 has established a policy regarding student records which is in compliance with the Family Educational Rights and Privacy Act of 1974 (FERPA). This policy assures confidentiality for students and their parents. Only the people involved in your child's education have the right to see your child's school record. Listed below are the most important parts of the policy.

1. Certain facts about students are classified as "directory information". This includes such information as name, address, phone number and age. Directory information may be released to the public unless the parent sends a note to the principal refusing to allow this

information to be released. The school department will not release directory information for any commercial purposes.

2. When a student moves to a new school district, MSAD#11 will send all the student's records to the new school.
3. If you wish to inspect your child's records, contact your school's office and sign a request form. An appointment will be made for you to view the records when someone is available to help interpret the records for you.
4. If you feel that your child's right to privacy has not been protected, or if you have other concerns about the school's record-keeping procedures, please contact your school principal.

#### STUDENT SUPPORT SERVICES/GUIDANCE SERVICES:

Each elementary school has the part-time services of a guidance counselor to help students, parents and teachers develop a positive learning experience. The program consists of a variety of services and activities, including classroom lessons, individual and group counseling, parent and teacher consultation, group guidance, information services and referral services to other programs and services. Referrals can come from students, teachers, parents or other school personnel. Out-of-school counseling is offered by various agencies in the area.

#### INDIVIDUALIZED EDUCATION PROGRAMS (FILE: IHBA)

If you have a concern that your child may have a disability that is interfering with his/her education, you should discuss your concern with the classroom teacher. Students with disabilities have an equal opportunity to participate in regular education programs. Creating the least restrictive environment is the goal of the special education program.

With parents' written permissions, an evaluation is completed. The evaluations are used to determine whether the student has a disability and/or is eligible for special education services. If eligible, an Individualized Educational Plan (IEP) is developed and includes the student's educational goals and objectives, possible program modifications and support services that will assist the student.

#### RESPONSE TO INTERVENTION Team (RTI):

The MSAD #11 RTI team serves as a resource for teachers, families, and administrators in addressing a variety of student learning and behavioral needs. The RTI will review and monitor the student's status and suggest appropriate interventions to encourage success.

SECTION 504 of the REHABILITATION ACT of 1973:

Section 504/ADA prohibits discrimination against persons with disabilities, including both students and staff members, by school districts receiving federal financial assistance. Included in the U.S. Department of Education regulations for Section 504 is the requirement that students with disabilities be provided with a free appropriate public education. These regulations require identification, evaluation, provision of appropriate services and procedural safeguards in every public school in the United States.

TITLE I:

Each elementary school has a full-time literacy specialist to oversee the Title I program. This program provides supplemental and remedial help to students in the areas of language arts and math. Students qualify based on assessments, informal testing, and teacher recommendations.

S-U-P-E-R KIDS IN MSAD #11

Students Understanding Personal Excellence and Responsibility

Throughout the year, elementary school will focus on nine skills/values:

Responsibility - September	Teamwork - February
Respect - October	Effective Communicator - March
Positive Attitude - November	Problem Solving - April
Caring - December	Citizenship - May
Pursuit of Quality - January	

TRUANCY (FILE: JHB)

A student is habitually truant if s/he is required to attend school or alternative instruction under Maine compulsory attendance law (20-A MRSA 5001-A) and s/he: is at least 7 years of age and has not completed grade 6 and has the equivalent of 7 full days of unexcused absences or 5 consecutive days of unexcused absences during a school year.

On an annual basis, each building principal or designee will publish and distribute to students and parents/guardians a handbook which includes the district discipline policy and administrative disciplinary referral procedures as contained in this policy.

VISITORS (FILE: KI)

Parents and interested citizens are welcome to visit the public schools during the school day. In order to avoid interruption of the instructional program and to promote the safety of students and staff, building principals shall institute administrative procedures concerning visitors to the schools. Such procedures shall be subject to the approval of the Superintendent. It is

understood that procedures may vary from school to school due to differing considerations such as the age of the students and the building layout and location.

**WEAPONS, VIOLENCE & SCHOOL SAFETY POLICY (FILE: JICIA)**

The Board believes that students and staff are entitled to learn and work in a school environment free of violence, threats and disruptive behavior. Students are expected to conduct themselves with respect for others and in accordance with Board policies, school rules, reasonable unwritten behavior expectations and applicable state and federal laws.

School and staff are required to immediately report incidences of prohibited conduct by students to the building administrator or designee for investigation and appropriate action. (See policy on website for full statement.)

**MSAD # 11 CODE OF CONDUCT**

As a member of the MSAD #11 community, I have:

A RIGHT:	&	A RESPONSIBILITY:
TO BE SAFE	&	TO ACT SAFELY & HELP OTHERS
TO BE RESPECTED	&	TO TREAT OTHERS WITH KINDNESS
TO BE HEARD	&	TO LISTEN WITH CONSIDERATION
TO LEARN	&	TO BE ACCEPTING OF INDIVIDUAL DIFFERENCES, KNOWING OTHERS HAVE THE SAME RIGHTS AS I DO

It is important for students to understand that our schools and buses have rules so that everyone can learn and play together in a safe environment. Our basic rule: Treat others as you want to be treated!

**SAMPLE: ELEMENTARY SCHOOL DAY SCHEDULE**

(Times may vary from school to school within the MSAD #11 district)

8:10 Students may arrive at school. Adult supervision begins.

8:30 The school day begins; lunch count taken; the day organized

8:30 - 3:00 The days are filled with academics, allied arts (art, music, physical education), lunch, recess and other activities.

(For the safety of our students, all doors, except the main door, are

locked during school hours.)

3:00            Students are dismissed to a designated adult or to their buses.

It is important for students to arrive on time each day and remain at school until the end of the school day.

Late arrivals and early dismissals interrupt the flow of the school day for everyone.

## **Appendix**

**File: AC**

**NONDISCRIMINATION/EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION**

The RSU #11 Board is committed to maintaining a workplace and learning environment that is free from illegal discrimination and harassment.

In accordance with applicable Federal and/or State laws and regulations, RSU #11 prohibits discrimination against and harassment of employees, candidates for employment, students and others with rights to admission or access to school programs, activities or premises on the basis of race, color, sex, sexual orientation, religion, ancestry or national origin, age, or disability. For the purpose of this policy, “sexual orientation” means a person’s actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression.

[NOTE: The Maine Human Rights Act (5 M.R.S.A. § 4551 et seq.) prohibits discrimination on the basis of sexual orientation. This policy includes the definition of “sexual orientation” provided in 5 M.R.S.A. § 4553(9-C).]

The RSU #11 Board delegates to the Superintendent the responsibility for implementing this policy. The RSU #11 Affirmative Action Plan will include designation of an Affirmative Action Officer who will be responsible for ensuring compliance with all Federal and State requirements related to nondiscrimination. The Affirmative Action Officer will be appointed by the Superintendent and will be a person with direct access to the Superintendent.

The Superintendent/Affirmative Action Officer shall be responsible for ensuring that notice of compliance with Federal and State civil rights laws is provided to all applicants for employment, employees, students, parents and others, as appropriate.

Legal Reference: Equal Employment Opportunities Act of 1972 (P.L. 92-261) amending Title VII of the Civil Rights Act of 1964 (42-U.S.C.

§ 2000(e) et seq.)

Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.)

Title VI of the Civil Rights Act of 1964 (P.L. 88-352)

Age Discrimination in Employment Act of 1967 (29 U.S.C. § 621 et seq.)

Equal Pay Act of 1963 (29 U.S.C. § 206)

Vocational Rehabilitation Act of 1973 (29 U.S.C. § 794 et seq.)

Americans with Disabilities Act (42 U.S.C. § 12101 et seq.)

Maine Human Rights Act (5 MRSA § 4551, et seq.)

Cross Reference: RSU #11 Affirmative Action Plan

ACAA-Harassment and Sexual Harassment of Students

ACAB-Harassment and Sexual Harassment of School Employees

Adopted: October 2, 2008

Revised: December 3, 2009

**File: ACAA**

## **HARASSMENT AND SEXUAL HARASSMENT OF STUDENTS**

Harassment of students because of race, color, sex, sexual orientation, religion, ancestry or national origin, or disability is prohibited. Such conduct is a violation of RSU #11 Board policy and may constitute illegal discrimination under state and federal laws.

### Harassment

Harassment includes but is not limited to verbal abuse based on race, color, sex, sexual orientation, religion, ancestry or national origin, or disability. Harassment that rises to the level of physical assault, battery and/or abuse is also addressed in the RSU #11 Board policy JICIA – Weapons, Violence and School Safety.

### Sexual Harassment

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. School employees, fellow students, volunteers and visitors to the school, and other persons with whom students may interact in order to pursue school activities are required to refrain from such conduct.

Harassment/sexual harassment of students by school employees is considered grounds for disciplinary action, up to and including discharge. Harassment/sexual harassment of students by other students is considered grounds for disciplinary action, up to and including expulsion. The Superintendent will determine appropriate sanctions for harassment of students by persons other than school employees and students.

The Superintendent or Administrator/Supervisor/Affirmative Action Officer will investigate complaints of harassment in accordance with the Student Harassment Complaint Procedure. School employees, students, and parents shall be informed of this policy/procedure through

handbooks and/or other means selected by the school administration.

Legal Reference: Title IX of the Education Amendments of 1972 (20 USC § 1681, et seq.)

Title VI of the Civil Rights Act of 1964 (42 USC § 2000(d))

5 MRSA §§ 4602; 4681 et seq.

20-A MRSA § 6553

Cross Reference: ACAA-R - Student Harassment Complaint Procedure

AC - Nondiscrimination/Equal Opportunity and Affirmative Action

ACAD – Hazing

JICIA - Weapons, Violence and School Safety

Adopted: November 2003

Revised: October 6, 2005; December 3, 2009

**File: ACAA-R**

## **STUDENT DISCRIMINATION AND HARASSMENT COMPLAINT PROCEDURE**

This procedure has been adopted by the RSU #11 Board in order to provide a method of prompt and equitable resolution of student complaints of discrimination or discriminatory harassment as described in policies AC – Nondiscrimination/Equal Opportunity and Affirmative Action and ACAA – Harassment and Sexual Harassment of Students.

### Definitions

For purposes of this procedure:

A. A “Complaint” is defined as an allegation that a student has been discriminated against or harassed on the basis of race, color, sex, sexual orientation, religion, ancestry, national origin, or disability; and

B. “Discrimination or harassment” means discrimination or harassment on the basis of race, color, sex, sexual orientation, religion, ancestry, national origin, or disability.

### How to Make a Complaint

A. Any student who believes he/she has been discriminated against or harassed should report his/her concern promptly to the Principal/Affirmative Action Officer. Students who are unsure

whether discrimination or harassment has occurred are encouraged to discuss the situation with the Principal/Affirmative Action Officer.

B. School staff is expected to report possible incidents of discrimination or harassment of students to the administration. Parents and other adults are also encouraged to report any concerns about possible discrimination or harassment of students.

C. Students and others will not be retaliated against for making a complaint. Any retaliation by students or school staff will result in disciplinary measures, up to and including expulsion or dismissal.

D. Students are encouraged to utilize the school unit's complaint procedure. However, students are hereby notified that they also have the right to report complaints to the Maine Human Rights Commission, 51 State House Station, Augusta, ME 04333 (telephone: 207-624-6050) and/or to the federal office for Civil Rights, Regional Director, U.S. Department of Education, SW McCormack POCH Room 222, Boston, MA 02109-4557 (telephone: 617-223-9622).

#### Complaint Handling and Investigation

A. The Principal/Affirmative Action Officer shall promptly inform the Superintendent and the person(s) who is the subject of the complaint that a complaint has been received.

B. The Principal/Affirmative Action Officer may pursue an informal resolution of the complaint with the agreement of the parties involved. The informal resolution is subject to the approval of the Superintendent, who shall consider whether the informal resolution is in the best interest of the school unit in light of the particular circumstances and applicable policies and laws.

C. The complaint will be investigated by the Affirmative Action Officer unless the Superintendent chooses to investigate the complaint or designates another person to investigate it on his/her behalf. Any complaint about an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. Any complaint about the Superintendent should be submitted to the Chair of the RSU #11 School Board, who should consult with legal counsel concerning the handling and investigation of the complaint.

1. The person who is the subject of the complaint will be provided with an opportunity to be heard as part of the investigation.

2. If the complaint is against an employee of the school unit, any applicable individual or

collective bargaining contract provisions shall be followed.

3. Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

4. The Principal/Affirmative Action Officer shall keep a written record of the investigation process.

5. The Principal/Affirmative Action Officer may take interim remedial measures to reduce the risk of further discrimination or harassment while the investigation is pending.

6. The Affirmative Action Officer shall consult with the Superintendent concerning the investigation, conclusions, and any remedial and/or disciplinary actions.

7. The investigation shall be completed within 21 business days of receiving the complaint, if practicable.

D. If the Affirmative Action Officer determines that discrimination or harassment occurred, he/she shall, in consultation with the Superintendent:

1. Determine what remedial action is required, if any;

2. Determine what disciplinary action should be taken against the person(s) who engaged in discrimination or harassment, if any; and

3. Inform the student who made the complaint in writing of the results of the investigation and its resolution (in accordance with applicable state and federal privacy laws).

E. If the student's parents/legal guardians are dissatisfied with the resolution, an appeal may be made in writing to the Superintendent within 14 business days after receiving notice of the resolution. The Superintendent shall review the investigation report and may conduct further investigation if deemed appropriate. The Superintendent's decision shall be final.

Legal Reference: Americans with Disabilities Act (28 CFR § 35.07)

Section 504 of the Vocational Rehabilitation Act (34 CFR § 104.7)

Title IX of the Education Amendments of 1972 (20 USC § 1681 et seq.)

Title VI of the Civil Rights Act of 1964 (PL 88-352)

20 USC § 1232g;

34 CFR Part 99

5 MRS § 4571; 4602; 4681 et seq.

20-A MRSA §§ 6001 et seq.

Cross Reference: AC - Nondiscrimination/Equal Opportunity and Affirmative Action  
ACAA - Harassment and Sexual Harassment of Students

Adopted: January 9, 1992

Revised: January 7, 1993; November 2003; December 3, 2009

**File: ACAB**

## **HARASSMENT AND SEXUAL HARASSMENT OF SCHOOL EMPLOYEES**

Harassment of school employees because of race, color, sex, sexual orientation, religion, ancestry or national origin, age, or disability is prohibited. Such conduct is a violation of RSU #11 Board policy and may constitute illegal discrimination under state and federal laws.

### Harassment

Harassment includes but is not limited to verbal abuse, threats, physical assault and/or battery based on race, color, sex, sexual orientation, religion, ancestry or national origin, age, or disability. Under the Maine Civil Rights Act, violence or threats of violence against a person or their property based on their sexual orientation are also illegal.

### Sexual Harassment

Unwelcome sexual advances, suggestive or lewd remarks, requests for sexual favors, and other verbal and physical conduct of a sexual nature constitute sexual harassment when:

- A. Submission to such conduct is made either explicitly or implicitly a term or condition of an employee's work environment or employee benefits;
- B. Submission to or rejection of such conduct by an employee is used as the basis for decisions on employment benefits; and/or
- C. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Any employee who engages in harassment or sexual harassment will be subject to disciplinary action, up to and including discharge.

All complaints of harassment will be investigated in accordance with the School Employee

## Discrimination and Harassment Complaint Procedure.

### Notice and Training

Annually, each employee shall receive a copy of this policy and the School Employee Discrimination and Harassment Complaint Procedure. This may be accomplished by including the policy/procedure with employee paychecks or by using other appropriate means to ensure that each employee receives a copy. All newly hired employees shall be provided training about sexual harassment in accordance with Maine law.

The Superintendent is responsible for ensuring that the school unit complies with all legal requirements for posting, notification and training of employees regarding harassment and sexual harassment.

Legal Reference: Title IX of the Education Amendments of 1972 (20 USC § 1681 et seq.)

Title VI of the Civil Rights Act of 1964 (42 USC § 2000d)

Americans with Disabilities Act (42 USC § 12101 et seq.)

Section 504 of the Vocational Rehabilitation Act of 1973 (29 USC § 794 et seq.)

Title VII (42 USC § 2000c-2; 29 CFR § 1604.11)

Age Discrimination in Employment Act (29 USC § 623)

5 MRSA §§ 4602; 4681 et seq.

20-A MRSA § 6553

26 MRSA §§ 806-807

Cross Reference: ACAB-R - School Employee Discrimination and Harassment Complaint Procedure

AC - Nondiscrimination/Equal Opportunity and Affirmative Action

ACAD - Hazing

Adopted: November 2003

Revised: October 6, 2005; December 3, 2009

**File: ACAB-R**

## **EMPLOYEE DISCRIMINATION AND HARASSMENT COMPLAINT PROCEDURE**

This procedure has been adopted by the RSU #11 Board in order to provide a method of prompt and equitable resolution of employee complaints of discrimination and harassment as described in policies AC – Nondiscrimination/Equal Opportunity and Affirmative Action and

## ACAB – Harassment and Sexual Harassment of School Employees.

### Definitions

For purposes of this procedure:

A. “Complaint” is defined as an allegation that an employee has been discriminated against or harassed on the basis of race, color, sex, sexual orientation, age, religion, ancestry, national origin or disability; and

B. “Discrimination or harassment” means discrimination or harassment on the basis of race, color, sex, sexual orientation, age, religion, ancestry, national origin or disability.

### How to Make a Complaint

A. Any employee who believes he/she has been harassed or discriminated against is encouraged to try to resolve the problem by informing the individual(s) that the behavior is unwelcome or offensive and by requesting that the behavior stop. This shall not prevent the employee, however, from making an immediate formal complaint.

B. Any employee who believes he/she has been discriminated against or harassed should report their concern promptly to their supervisor/administrator. If the employee is uncomfortable reporting concerns to their supervisor/administrator, he/she may report the concern to the Affirmative Action Officer. The report should be made in writing.

Employees who are unsure as to whether unlawful discrimination or harassment has occurred are encouraged to discuss their concerns with their supervisor/administrator. Employees will not be retaliated against for reporting suspected discrimination or harassment.

C. Any employee who believes he/she has been discriminated against or harassed is encouraged to utilize the school unit’s complaint procedure. However, employees are hereby notified that they also have the right to report incidents of discrimination or harassment to the Maine Human Rights Commission, 51 State House Station, Augusta, ME 04333 (telephone: 207-624-6050) and/or to the federal Office for Civil Rights, Regional Director, U.S. Department of Education, S.W. McCormack POCH Room 222, Boston, MA 02109-4557 (telephone: 617-223-9622).

### Complaint Handling and Investigation

A. The Supervisor/Administrator will promptly inform the Superintendent and the person who

is the subject of the complaint that a complaint has been received.

B. The Supervisor/Administrator may pursue an informal resolution of the complaint with the agreement of the parties involved. The informal resolution is subject to the approval of the Superintendent, who shall consider whether the informal resolution is in the best interest of the school unit in light of applicable policies and law.

C. The complaint will be investigated by the Supervisor/Administrator, unless the Superintendent chooses to investigate the complaint or designates another person to investigate it on his/her behalf. Any complaint about an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. Any complaint about the Superintendent should be submitted to the Chair of the RSU #11 School Board, who should consult with legal counsel concerning the handling and investigation of the complaint.

1. The person who is the subject of the complaint will be provided with an opportunity to be heard as part of the investigation.
2. If the complaint is against an employee of the school unit, any rights conferred under an applicable collective bargaining agreement shall be applied.
3. Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.
4. The Supervisor/Administrator shall keep a written record of the investigation process.
5. The Supervisor/Administrator may take interim remedial measures (consistent with any applicable collective bargaining agreement provisions) to reduce the risk of further harassment while the investigation is pending.
6. The Supervisor/Administrator shall consult with the Superintendent concerning the investigation, conclusions, and any remedial and/or disciplinary actions.
7. The investigation shall be completed within 21 days of receiving the complaint, if practicable.

D. If the Supervisor/Administrator determines that discrimination or harassment occurred, he/she shall, in consultation with the Superintendent:

1. Determine what remedial action is required, if any;
2. Determine what disciplinary action should be taken against the person(s) who engaged in

harassment, if any; and

3. Inform the employee who made the complaint in writing of the results of the investigation and its resolution (in accordance with applicable state and federal privacy laws).

E. If the employee who made the complaint is dissatisfied with the resolution, he/she may appeal to the Superintendent within 14 calendar days after receiving notice of the resolution. The Superintendent shall review the investigation report and may conduct further investigation if deemed appropriate. The Superintendent's decision shall be final.

Legal Reference: Americans with Disabilities Act (28 CFR § 35.07)

Section 504 of the Vocational Rehabilitation Act (34 CFR § 104.7)

Title IX of the Educational Amendments of 1972 (34 CFR § 106.8(b))

Age Discrimination in Employment Act (34 CFR § 110.25)

Maine Human Rights Act (5 MRSA § 4571 et seq., 4681 et seq.)

Cross Reference: AC - Nondiscrimination/Equal Opportunity and Affirmative Action

ACAB - Harassment and Sexual Harassment of School Employees

Adopted: December 3, 2009

## **File: ACAD**

### **HAZING**

Maine statute 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.”

Injurious hazing activities of any type, either on or off school property, by any student, staff member, group or organization affiliated with this school unit, are inconsistent with the educational process and shall be prohibited at all times.

“Harassing behavior” includes acts of intimidation and any other conduct that recklessly or intentionally endangers the mental or physical health of a student or staff member.

“Acts of intimidation” include extortion, menacing, direct or indirect threats of violence, incidents of violence, bullying, statements or taunting of a malicious and/or derogatory nature that recklessly or intentionally endanger the mental or physical health of another person, and

property damage or theft.

No administrator, faculty member, or other employee of the school unit shall encourage, permit, condone, or tolerate injurious hazing activities. No student, including leaders of students' organizations, shall plan, encourage, or engage in injurious hazing activities.

Students who violate this policy may be subject to disciplinary action which may include suspension, expulsion, or other appropriate measures. Administrators, professional staff, and all other employees who violate this policy may be subject to disciplinary action up to and including dismissal.

In the case of an organization affiliated with this school unit that authorizes hazing, penalties may include rescission of permission for that organization to operate on school property or to receive any other benefit of affiliation with the school unit.

Persons not associated with this school unit who fail to abide by this policy may be subject to ejection from school property and/or other measures as may be available under the law.

These penalties shall be in addition to any civil or criminal penalties to which the violator or organization may be subject.

The Superintendent/designee shall be responsible for administering this policy. In the event that an individual or organization disagrees with an action—or lack of action—on the part of the Superintendent/designee as he/she carries out the provisions of this policy, that individual or organization may appeal to the RSU #11 Board. The ruling of the RSU #11 Board with respect to the provisions of this policy shall be final.

This right to appeal does not apply to student suspensions of 10 days or less or to matters submitted to grievance procedures under applicable collective bargaining agreements.

A copy of this policy shall be included in all school, parent, and employee handbooks or otherwise distributed to all school employees and students.

Legal Reference: 20-A MRSA § 6553

Cross Reference: ACAA - Harassment and Sexual Harassment of Students

ACAB - Harassment and Sexual Harassment of Employees

JICIA - Weapons, Violence and School Safety

Adopted: October 19, 1994

Revised: April 12, 2001; October 6, 2005; December 3, 2009

**File: ADC-R**

## **TOBACCO USE AND POSSESSION ADMINISTRATIVE PROCEDURE**

The purpose of the following administrative procedure is to effectuate the mandates imposed by the various federal and state laws in addition to this RSU #11 Board's "Tobacco Use and Possession" policy.

### **I. PROHIBITED CONDUCT**

#### **A. Students**

The use, possession, sale, dispensing or distribution of tobacco products by all students is prohibited in school buildings and facilities, during school-sponsored events, on school grounds and buses, and at all other times.

#### **B. Employees and All Other Persons**

The use of tobacco products by employees and all other persons is prohibited in school buildings, facilities, and on school buses during school-sponsored events and at all other times on school grounds. In addition, employees and all other persons are strictly prohibited, under law and this RSU #11 Board's policy/administrative procedure, from selling, dispensing, or distributing tobacco products to students.

### **II. ENFORCEMENT**

In order to enforce the tobacco products policy, the following guidelines shall be utilized by the Principal of a school in which prohibited conduct occurs. The Principal shall report any violations of this policy/procedure, as promptly as practicable, to the Superintendent.

#### **A. Student Violations**

##### **1st Violation**

1. Parents/legal guardians shall be sent written notice regarding the tobacco violation which shall be signed by the parent/legal guardian and returned to the school.

2. The student may be suspended for up to five days, depending on the situation and the age of the student.

3. The Superintendent/designee may refer students to the Law Enforcement Agency for use or possession of tobacco or tobacco products as he/she deems necessary. However, the Superintendent/designee shall refer to the Law Enforcement Agency any student reasonably suspected of selling, dispensing, or distributing tobacco products.

4. The student will not be allowed to participate in any extracurricular activities as outlined in the student/athletic handbooks. When applicable, the student must attend athletic practices but cannot compete in any events during the suspension/detention period as outlined in the respective handbooks.

#### 2nd Violation

1. Parents/legal guardians shall be sent written notice regarding the tobacco violation which shall be signed by parent/legal guardian and returned to the school. A parent/legal guardian shall also be required to meet with the Principal within five days of the violation.

2. The student may be suspended for five to ten days, depending on the situation and the age of the student.

3. The Superintendent/designee may refer students to the Law Enforcement Agency for use or possession of tobacco or tobacco products as he/she deems necessary. However, the Superintendent/designee shall refer to the Law Enforcement Agency any student reasonably suspected of selling, dispensing, or distributing tobacco products.

4. Restrictions on extracurricular activities are as outlined above.

#### 3rd Violation

In addition to the above identified sanctions, students may be removed from extracurricular activities for the remainder of the year and may be referred to the RSU #11 School Board for expulsion.

#### C. Other Persons in Violation

All other persons violating this policy (e.g., employees, visitors) shall be immediately directed to cease volatile behavior. In addition, all persons suspected of selling, distributing or in any

way dispensing tobacco products to students shall be referred to a law enforcement agency.

Any employee violating this policy shall be subject to appropriate disciplinary measures.

### III. NOTICES

This RSU #11 Board's policy and corresponding disciplinary actions for infractions of this policy shall be printed in employee and student handbooks. Parents/guardians shall also be sent notification in writing of this RSU #11 Board's tobacco policy and administrative procedures. A tobacco free campus statement shall be read at the beginning of each adult education course and at each athletic contest. Those adults using tobacco products at games or events will be asked by police or administration to extinguish any such products. Tobacco free signs will be posted at all entrances of school buildings, school playgrounds, and athletic fields.

### IV. PROHIBITIONS AGAINST ADVERTISING

RSU #11 prohibits any form of tobacco advertising in school buildings, at school functions, and in school publications. Moreover, students are prohibited from wearing or displaying any type of tobacco promotion material. Students wearing such clothing will be asked to remove or change the inappropriate apparel.

Legal Reference: 20 USC § 6081-6084 (Pro-Children Act of 1999-Goals 2000)

22 MRSA 9 1578-B

ME IPL 470 (An Act to Reduce Tobacco Use by Minors)

Adopted: December 3, 2009

**File: EEAE**

### **VIDEO CAMERAS ON SCHOOL PREMISES**

The RSU #11 Board recognizes the school district's continuing responsibility to maintain order in the schools and to ensure the safety of staff and students. This is particularly true after school hours, late evenings and weekends when there is diminished supervision of the facilities. After carefully balancing the need for discipline, safety, and security with students' interests in privacy, the RSU #11 Board supports the limited use of video cameras to monitor activity in the halls, lobbies, and external areas adjacent to the buildings.

A video monitor may be used in the office area to improve the supervision of the areas

identified above. Occasionally it may be necessary to videotape inappropriate behavior. When the resulting videotapes are used as a basis for discipline, parents/guardians will be notified and given the opportunity to view the tape of their child. Students in violation of school discipline/conduct codes shall be dealt with in accordance with established RSU #11 Board policy, administrative procedures, and established school practices. In the event that the behavior is unlawful (e.g., weekend breaking and entering) appropriate law enforcement may be called, and the videotape will be shared with them.

Notice of use of video cameras in the school will be provided to all students, parents, and staff in appropriate handbooks on an annual basis. Moreover, notice that video observation may take place will be posted in any school using such equipment.

Any recording used in a disciplinary proceeding may be retained as part of a student's disciplinary record, being disposed of as other such documentation except when special circumstances warrant longer retention. In regard to such video recordings the school system will comply with all applicable provisions of state and federal law concerning student records.

The Superintendent will be responsible for the development of regulations regarding review of video recordings made on school premises. Such regulations will provide for procedures for review when significant violations of the student conduct code occur. Regulations will also address the retention of video tapes, the security of video cameras and recordings, specifying the school official(s) to be responsible for purchase, installation, maintenance, and replacement of equipment, scheduling and placement of cameras requests for viewing, and any necessary follow-up.

Adopted: March 13, 1997

Revised: December 7, 2006; June 3, 2010

**File: EEAEF**

## **VIDEO CAMERAS ON TRANSPORTATION VEHICLES**

The RSU #11 Board recognizes the school unit's continuing responsibility to maintain order on school transportation vehicles to ensure the safety of staff and students. After carefully balancing the need for discipline and safety with students' interests in privacy, the RSU #11 Board supports the use of video cameras on school transportation vehicles. In an effort to reduce student behavior violations, the cameras may be used to monitor student behavior

during transport to and from school, extracurricular activities and field trips.

When the resulting video tapes are used as a basis for discipline, parents/guardians will be notified and given the opportunity to view the portion of the tape pertaining to the alleged violation. Students in violation of school discipline/conduct codes shall be dealt with in accordance with established RSU #11 Board policy, administrative procedures, and school practices.

Notice of use of video cameras for disciplinary purposes in school transportation vehicles will be provided all students, parents and staff in appropriate handbooks on an annual basis. Moreover, notice that video observation may take place will be posted in each transportation vehicle.

Any recording used in a disciplinary proceeding will be retained as part of a student's disciplinary record, being disposed of as other such documentation except when special circumstances warrant longer retention. In regard to such video recordings, the school unit will comply with all applicable provisions of state and federal law concerning student records.

The Superintendent will be responsible for the development of administrative procedures regarding review of video recordings made on school transportation vehicles. Such procedures will provide a process for review when significant violations of the student discipline/conduct code occur. Procedures will also address the retention of video tapes, the security of video cameras and recordings, specifying the school official(s) to be responsible for purchase, installation, maintenance, and replacement of equipment, scheduling and placement of cameras on transportation vehicles, requests for viewing and any necessary follow-up.

Cross Reference: JRA - Student Records

Adopted: March 2, 1995

Revised: December 7, 2006; June 3, 2010

**File: IJNDB**

## **STUDENT COMPUTER AND INTERNET USE**

MSAD #11's computers, network, and Internet access are provided to support the educational mission of the schools and to enhance the curriculum and learning opportunities for students and staff. This policy and the accompanying rules also apply to laptops issued directly to

students, whether they are used at school or off school premises.

Compliance with MSAD #11's policies and rules concerning computer and Internet use is mandatory. Students who violate these policies and rules may have their computer privileges limited, suspended, or revoked. The building principal is authorized to determine, after considering the circumstances involved, whether and for how long a student's computer privileges will be altered.

Violations of this policy MSAD #11's computer and Internet rules may also result in disciplinary action, referral to law enforcement, and/or legal action.

MSAD #11 computers remain under the control, custody, and supervision of the school district at all times. The school district monitors all computer and Internet activity by students. Students have no expectation of privacy in their use of school computers, whether they are used on school property or elsewhere.

MSAD #11 uses filtering technology designed to block materials that are obscene or harmful to minors, and child pornography. Although MSAD #11 takes precautions to supervise student use of the Internet, parents should be aware that MSAD #11 can't reasonably prevent all instances of inappropriate computer and Internet use by students in violation of Board policies and rules, including access to objectionable materials and communication with persons outside of the school. The school district is not responsible for the accuracy or quality of information that students obtain through the Internet.

In the interest of student safety, MSAD #11 also educates students about online behavior, including interacting on social networking sites and chat rooms, and issues surrounding cyber bullying awareness and response.

The Superintendent is responsible for implementing this policy and the accompanying "acceptable use" rules and for documenting student Internet safety training. The Superintendent/designee may implement additional administrative procedures or school rules consistent with Board policy to govern the day-to-day management and operations of the

school district's computer system.

Students and parents shall be informed of this policy and accompanying rules via student handbooks, the school website, and/or other means selected by the Superintendent.

Cross Reference: JICIA-Weapons, Violence, Bullying and School Rules

GCSA – Employee Computer and Internet Use

IJNDB-R – Student Computer and Internet Use Rules

Adopted: June 3, 2004

Revised: May 3, 2007; June 2, 2011

**File: IJNDB-R**

## **MSAD #11 STUDENT COMPUTER AND INTERNET USE RULES**

All students are responsible for their actions and activities involving MSAD #11 computers networks, Internet services, computer files, passwords and accounts.

The rules are intended to provide general guidelines and examples of prohibited uses, but do not attempt to state all required or prohibited activities by users. Students, parents and school staff who have questions about whether a particular activity is prohibited are encouraged to contact a building administrator or the Director of Technology. These rules apply to all school computers and all school-provided laptops wherever used, and all uses of school servers, Internet access, and networks regardless of how they are accessed.

### **A. Acceptable Use**

1. Student access to MSAD #11's computers, networks and Internet services are provided for educational purposes; research consistent with MSAD #11's educational mission, curriculum and instructional goals.

2. Board policies, school rules and expectations concerning student conduct and/or communications apply to students using school computers, on or off school property.
3. Students are also expected to comply with specific instructions from the teacher or other supervisory staff member/volunteer when accessing MSAD #11's computers, networks and Internet services.

#### B. Prohibited Uses

Unacceptable use of school computers includes, but is not limited to the following:

1. Accessing or Communicating Inappropriate Materials –Students may not access, submit, post, publish, forward, download, scan or display materials or messages that are defamatory, abusive, obscene, vulgar, sexually explicit, sexually suggestive, threatening, discriminatory, harassing, bullying and/or illegal materials or messages.
2. Illegal Activities –Students may not use MSAD #11's computers, networks and Internet services for any illegal activity or in violation of any other Board policies, procedures and/or school rules. The District assumes no responsibility for illegal activities of students while using school computers.
3. Violating Copyrights or Software Licenses – Students may not copy, download, or share any type of copyrighted materials (including music, images, or films) without the owner's permission (see Board policy/procedure EGAD – Copyright Compliance); or copy, download software without the express authorization of the Director of Technology. Unauthorized copying of software is illegal and may subject the copier to substantial civil and criminal penalties. The school district assumes no responsibility for copyright violations by students.
4. Plagiarism- Students are prohibited from representing as one's own work any materials obtained on the Internet (such as term papers, articles, music, images, etc.). When Internet sources are used in student work, the author, publisher and website must be identified.
5. Misuse of Passwords/Unauthorized Access –Students may not share passwords; use other users' accounts; or attempt to circumvent network security systems.
6. Malicious Use/Vandalism –Students may not engage in any malicious use, disruption or harm to MSAD #11's computers, networks and Internet services, including, but not limited to,

physically marking, damaging, or altering computers, hacking activities, creation/uploading of computer viruses.

7. Use for Non-School-Related Purposes – Students may not use MSAD #11 computers, network, and Internet services for any personal reasons not connected with the educational program or school assignments.

8. Unauthorized Access to Blogs/Social Networking Sites, Etc. – Students may not access blogs, social networking sites, etc. to which student access is prohibited.

#### C. Compensation for Losses, Costs, and/or Damages

The student and his/her parents are responsible for compensating MSAD #11 for any losses, costs, or damages incurred by the school unit for violations of Board policies/procedures and school rules while the student is using MSAD #11 computers, including the cost of investigating such violations. The school district assumes no responsibility for any unauthorized charges or costs incurred by the student while using school computers.

#### D. Student Security

A student is not allowed to reveal his/her full name, address or telephone number, social security number or other personal information on the Internet while using a school computer without prior permission from a teacher. Students should never agree to meet people they have contacted through the Internet without parental permission. Students should inform their supervising teacher or parent if they access information or messages that are dangerous, inappropriate or make them uncomfortable in any way.

#### E. System Security

The security of MSAD #11's computers, networks and Internet services is a high priority. Any user who identifies a security problem must notify her/his teacher, supervisor, or building administrator. The student shall not demonstrate the problem to others or access unauthorized material.

#### F. No Expectation of Privacy

MSAD #11 retains control and supervision of all computers, networks and Internet services owned or leased by MSAD #11 at all times. MSAD #11 reserves the right to monitor all equipment/computer and Internet activity by students. Students have no expectations of privacy in their use of school computers, including e-mail, stored files and Internet access logs.

#### G. Additional Rules For Equipment/Laptops Issued To Students

1. Laptops are loaned to students as an educational tool and may be used for purposes specifically authorized by school staff and/or the MLTI (Maine Learning Technology Initiative) program.
2. Parents are required to attend an informational meeting before a laptop will be issued to their child. Both the student and his/her parent must sign the school's acknowledgement form.
3. Students and their families are responsible for proper care of laptops, cases, and chargers at all times, whether on or off school property, including costs associated with repairing or replacing the laptop. MSAD #11 offers an optional Laptop Protection program for parents to cover replacement costs and/or repair costs for damages not covered by the laptop warranty. The Laptop Protection program does not cover damage to laptops caused by malicious behavior. Parents who choose not to participate in the Laptop Protection plan should be aware that they are responsible for any costs associated with the loss, theft, or damage to a laptop issued to their child.
4. If the laptop is lost or stolen, it must be reported to the teacher and building administrator immediately. Additionally, if a laptop is stolen, a report should be made to the Gardiner police and the Director of Technology immediately.
5. The MSAD #11 School Board's policy and rules concerning computer and Internet use apply to all users of school laptops at any time or any place, on or off school property. Students are responsible for obeying any additional rules concerning care of laptops issued by school staff.
6. Violation of policies or rules governing the use of computers, or careless use of a laptop may result in a student's laptop being confiscated and/or a student only being allowed to use the laptop under the direct supervision of school staff. The student will also be subject to disciplinary action for violations of Board policies or school rules.
7. Parents may have access to their child's login password. Parents are responsible for

supervising their child's use of the laptop and Internet access when in use at home.

8. The laptop may only be used by the student to whom it is assigned and to the family members, to the extent permitted by the MLTI program.

9. All use of school-loaned laptops by all persons must comply with the school's Student Computer use Policy and Rules.

10. Laptops must be returned in acceptable working order at the end of the school year or whenever requested by school staff.

#### H. MLTI Laptop Sign Out Procedures

In order to take a MLTI computer home, parents and students must attend a Maine Learning Technology Initiative (MLTI) Family Orientation meeting offered by the District. Parents and students must sign and return the MSAD #11 Take Home form.

1. The student must check out his/her laptop, carrying case, and power adapter from supervising teacher. If this teacher is not available to check out the laptop, arrangements can be made with another classroom teacher. Substitutes and support staff cannot sign out laptops to students.

2. In advance, the student must request to take their laptop home, to ensure the teacher's availability after school.

3. Sign out times for the computer will be immediately after school, unless alternative arrangements have been made with the assigned teacher. Special arrangements, such as a parent picking up a laptop, must be made in advance for those students who are involved in an extra curricular activity. Laptops are not permitted in locker rooms, on playing fields, courts, etc.

4. The laptop, carrying case, and power adapter will be signed back in before or during the homeroom on the first school day following the day it was signed out. If the laptop is not returned to school with the student, an immediate call to the parent/guardian will be made in order to have the laptop brought to school immediately. Failure to bring the computer back on time will result in the school revoking the privilege of signing out the laptop for home use.

5. Students are responsible for bringing their laptops to school fully charged.

## I. Additional Rules for Use of Privately Owned Computers by Students

1. A student who wishes to use a privately owned computer in school must complete a Student Request to Use Privately-Owned Computer form. The form must be signed by the following: student, parent/guardian, building administrator, and technology department personnel. There must be an educational basis for any request.
2. The technology department staff will determine whether a student's privately owned computer meets the MSAD #11 network requirements.
3. Requests may be denied if it is determined that there is not a suitable educational basis for the request and/or the demands on the school's network or staff would be unreasonable.
4. The student is responsible for proper care of her/his privately owned computer, including any costs of repair, replacement, or modifications needed to use the computer at school.
5. MSAD #11 is not responsible for damage, loss, or theft of any privately owned computer.
6. Students are required to comply with all Board policies, administrative procedures, and school rules while using privately owned computers at school. This applies whether the computer is used on or off of the school network and/or Internet.
7. Students have no expectation of privacy in their use of privately owned computer while at school. MSAD #11 reserves the right to search a student's privately owned computer if there is a reasonable suspicion that the student has violated Board policies, administrative procedures or school rules, or engaged in other misconduct while using the computer.
8. Violation of any Board policies, administrative procedures or school rules involving a student's privately owned computer may result in the revocation of the privilege of the computer at school and/or disciplinary action.
9. MSAD #11 may confiscate any privately owned computer used by a student in school without authorization as required by these rules. The contents of the computer may be searched in accordance with applicable laws and policies.

Cross Reference: IJNDB – Student Computer and Internet Use

Adopted: June 3, 2004

Revised: May 3, 2007; June 2, 2011

**File: JI**

## **STUDENT RIGHTS AND RESPONSIBILITIES**

Students have certain legal rights under federal/state constitutions and statutes as interpreted in pertinent court decisions. In connection with these rights are responsibilities that must be assumed by students. Among these rights and responsibilities are the following:

- A. Civil rights, including the right to equal educational opportunity and freedom from discrimination; the responsibility not to discriminate against others;
- B. The right to attend free public schools in accordance with provisions of Maine statutes and policies of the MSAD #11 Board; the responsibility to attend school as required by law;
- C. The right to due process with respect to suspension, expulsion, or an administrative decision which a student believes has injured his/her rights; the responsibility to observe school rules and regulations essential for permitting others to learn at school;
- D. The right to free inquiry and expression and to voice grievances; the responsibility to observe reasonable rules regarding these rights and to express themselves in a manner that does not materially or substantially disrupt the operation of the school or conflict with the school's basic educational mission;
- E. The right to privacy regarding the content of student records—as defined by the Family Educational Rights and Privacy Act—and the right to dress as he/she pleases within reasonable guidelines related to health, safety, and the avoiding of potential disruption; and
- F. The right to be free from unreasonable searches and seizures; the responsibility to comply with school rules and policies.

It is the MSAD #11 Board's belief that as part of the educational process, all students should be made aware of their legal rights and also of the legal authority of the MSAD #11 Board to make or delegate authority to its staff to make rules and regulations regarding the orderly operation of the schools. As such, this policy shall be included in school handbooks or otherwise communicated to students and parents at the beginning of each school year. The MSAD #11 Board expects all staff to abide by this policy in order to most effectively achieve mutual respect of rights and the acceptance of responsibility.

This MSAD #11 Board policy is designed for educational and informational purposes and is not intended to create, expand, or restrict any student rights or responsibilities.

Cross Reference: JIC - Student Conduct

JIH - Student Searches, Interrogations and Arrests

JK - Student Discipline

Adopted: January 8, 2009

**File: JICA-R**

## **STUDENT DRESS ADMINISTRATIVE PROCEDURE**

Students are expected to adhere to standards of cleanliness and dress that are compatible with a safe and respectful school learning environment. The MSAD #11 Board has established the following specific restrictions and requirements for student dress. In addition, school administrators are authorized to impose additional restrictions when, in their judgment, a student's dress disrupts the educational process or poses a threat to health or safety.

### A. Headwear

Caps, hats, hoods, bandanas and sports or winter headbands are not to be worn in the school building

### B. Outside Coats and Jackets

Outside coats and jackets (excluding jean jackets) are not to be brought to class except by permission of the teacher.

### C. Shirts, Blouses, Sweatshirts

Shirts, blouses, and sweatshirts must be neat and clean, shall be tucked in in those areas where loose clothing presents a hazard, and may be marked or printed commercially or by the student. These markings are not to be offensive.

### D. Pants, Skirts, Dresses, Jeans, Shorts

Pants, skirts, dresses, jeans, and shorts shall be neat and clean and shall not be ripped, torn, or raveled or offensively marked. Unduly tight, short, revealing clothing, as well as athletic gym-type shorts, are not to be worn. Baggy clothing and long coats that could present a safety risk to the student or could be used to conceal weapons or other contraband are not allowed.

#### E. Footwear

The type of footwear to be worn shall include shoes, boots, work boots, moccasins, loafers, sneakers, and sandals. There are not to be offensive markings on them. Footwear with cleats or hobnails is not to be worn.

#### F. Clothing with Logos, Pictures, or Messages

No references to drugs, alcohol, tobacco, sexual activity, or illegal acts are allowed. The school administration has the authority to prohibit other logos, pictures, or messages which they determine to be disruptive to the school's learning environment.

#### G. Jewelry and Accessories

No jewelry or accessories that could be used as a weapon, mar or destroy school property, or pose a safety risk to the student or others will be allowed.

Determinations of individual instances will be made by the administration. All school time lost on such occasions must be made up after school on the same day or days following upon judgment of the administration. Repeated infractions will be subject to further disciplinary action.

#### A. Gang-Related Clothing and Insignia

Gang-related clothing and insignia (including but not limited to the wearing or display of "colors," flags, bandanas, symbols, signs, emblems or any article of clothing, jewelry, footwear, or other item that is evidence of membership or affiliation in a gang) are not allowed in school.

A "gang" is defined as an association or group of individuals, whether formal or informal, which identifies itself through the use of a name, unique appearance or language, identifying sign or symbol, the claiming of geographical territory or the espousing of a distinctive belief system that can lead to criminal or violent activity, and whose members individually or collectively engage in or have engaged in a pattern of criminal or violent activity.

Particular clothing may be required or permitted for health and safety reasons for students participating in physical education, certain extracurricular activities, work around machines or other activities.

Students who come to school dressed inappropriately will receive a warning, and depending upon the infraction, may be sent home to change.

Administrators have the authority to suspend students for severe and or repeated infractions of the dress code. Students committing infractions that directly interfere with the operations, discipline or general welfare of the school may be disciplined in accordance with other applicable Board policies, including MSAD #11's expulsion policy.

A summary of this policy will be published annually in student handbooks.

Adopted: October 7, 1975

Revised: 9/3/81; 7/6/89; 8/4/94; 6/22/00; 4/12/01; 1/9/09

**File: JICB**

### **CARE OF SCHOOL PROPERTY BY STUDENTS**

Textbooks, other school property, and facilities are available to students for their use. Each student is responsible for loss or damage beyond normal wear. Students will be billed for the replacement costs of such materials.

If reimbursement is not forthcoming within a reasonable time:

A. Damage to school property may be recovered in a civil action to obtain the permitted "double the damage;" or

B. Costs of lost, destroyed or damaged school books and instructional appliances may be recovered by requesting the municipal assessor to include the value in the next municipal tax of the delinquent parent.

The Superintendent shall see that students and parents are notified annually of their responsibilities under this policy, such as by publication in pupil/parent handbooks.

Legal Reference: 20-A MRSA §§ 6805-6807

Adopted: Prior to 1985

Revised: August 7, 1986; August 4, 1994; January 8, 2009

**File: JICH**

### **DRUG AND ALCOHOL USE BY STUDENTS**

The MSAD #11 Board of Directors and staff support a safe and healthy learning environment for students which is free of the detrimental effects of drugs and alcohol. Accomplishing this goal requires a cooperative effort among school staff, students, parents, law enforcement, and organizations concerned with the use of drugs and alcohol by school-aged youth.

In order to promote the safety, health, and well-being of students, the MSAD #11 Board endorses a three-pronged approach to address the issue of drug and alcohol use: prevention/education, intervention, and discipline. It is vitally important for the students, parents, staff, and community members to understand that the MSAD #11 Board considers the use of, possession, purchase, sale, and/or trafficking of drugs and alcohol to be an exceptionally serious infraction which may warrant punishment up to and including expulsion. The Superintendent is responsible for developing appropriate administrative procedures, curricula, and programs to implement this policy.

#### A. Prohibited Conduct

No student enrolled in and attending any program in MSAD #11 shall distribute, dispense, possess, use, or be under the influence of any alcoholic beverage, malt beverage, fortified wine, or other intoxicating liquor. Nor shall a student manufacture, distribute, dispense, possess, use, or be under the influence of any narcotic drug, hallucinogenic drug or mushroom, amphetamine, barbiturate, marijuana, anabolic steroid, any other controlled substance defined in federal and state laws/regulations, any look-alike substance or designer drug such as ecstasy, any substance that is represented to be a controlled substance, or other harmful substances such as aerosol sprays.

These prohibitions apply to any student who is on school property, who is in attendance at school or at any school-sponsored activity, or whose conduct at any time or place directly interferes with the operations, discipline, or general welfare of the school. Students attending school, school-sponsored activities on or off school property shall be asked to take a breathalyzer test upon request when school staff reasonably suspect that a student may be violating this policy.

This policy does not apply to students taking medications in compliance with MSAD #11 Board Policy JLCD—Administering Medications to Students.

#### B. Disciplinary Action

Positive test results of an administered breathalyzer test at school

functions or school sponsored events shall result in the student's parents being notified, and the student being expelled from the event.

Based upon the facts of each case and in accordance with established disciplinary procedure, grades 6-12 principals will suspend students who violate this policy and discuss appropriate next steps with the Superintendent up to and including an expulsion hearing for the first offense. Second offense goes to the Board for an expulsion hearing from school. Students will also be referred to law enforcement authorities for investigation and/or prosecution.

All students who are determined to be selling and/or furnishing drugs and/or alcohol will be suspended pending an expulsion hearing before the MSAD #11 School Board.

When a student is expelled from school for an infraction of this policy, the MSAD #11 Board or the administration may advise the student and his/her parents that the following will be favorably considered when the student applies for readmission: satisfactory evidence, through testing or other means, that the student has remained drug and alcohol-free during the period of expulsion; and satisfactory evidence that the student has participated successfully in an appropriate substance abuse treatment program. See JICH-R—Drug and Alcohol Use by Students Administrative Procedure for further details regarding disciplinary procedures.

#### C. Prevention/Education

The school district will provide students with appropriate information and activities focused on educating students about drugs and alcohol and preventing their use. Programs shall teach students that the use of drugs and alcohol is wrong and harmful; how to resist peer pressure; and address the legal, social, and health consequences of drug and alcohol abuse.

#### D. Intervention

MSAD #11 has established Student Assistance Teams to assist students with drug/alcohol problems. Students and parents will be provided with information and referral, if necessary, to aid them in obtaining assistance from appropriate community organizations. Student records concerning interventions shall be kept confidential as required by state and federal laws. The MSAD #11 Board expects parents and students to work in a positive, cooperative fashion to assist students in achieving sobriety and chemical/drug-free behavior.

#### E. Policy Communication

The Superintendent shall distribute this policy and appropriate related information to staff, students, and parents on an annual basis through handbooks and/or other means selected by the Superintendent and building administrators.

Legal Reference: 21 USC § 812 (Controlled Substances Act)

21 CFR Part 1300.11-15

Pub.L.No. 101-226 (Drug-Free Schools and Communities Act Amendments of 1989)

17-A MRSA § 1101

42 USC § 290dd-2

42 CFR § 2.1 et seq.

20-A MRSA §§ 1001(9); 4008

Cross Reference: GBEC – Drug-Free Workplace

JICH-R – Drug and Alcohol Use by Students Administrative Procedure

JICIA – Weapons, Violence and School Safety

JKD – Suspension of Students

JKE – Expulsion of Students

JLCD – Administering Medication to Students

JRA – Student Records

Adopted: March 7, 2002

Revised: December 6, 2007; October 2, 2008; November 20, 2008; April 2, 2009; November 4, 2010

**File: JICK**

## **BULLYING**

It is the intent of the MSAD #11 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 is detrimental 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 and witness such behavior.

The MSAD #11 Board also believes that promoting ethical and responsible behavior is an essential part of the school unit's educational purpose. Ethics, responsible behavior and

“character” are important if a student is to leave school as a “responsible and involved citizen” as described in the Guiding Principles of Maine’s system of Learning Results. Bullying interferes with the accomplishment of this goal.

Finally, the MSAD #11 Board recognizes the well-publicized incidents of violence and threatened violence that have occurred nationally in the past several years. As research suggests a link between bullying and school violence, the MSAD #11 Board seeks to avoid such incidents and instead take a systematic approach to bullying prevention and intervention.

It is not the MSAD #11 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 MSAD #11 Board does not condone and will take action in response to conduct that interferes with students’ opportunity to learn, the educational mission of the MSAD #11 schools, and the operation of the schools.

#### Bullying Prohibited

Bullying, as defined in this policy, is not acceptable conduct in MSAD #11 schools and is prohibited. Any student who engages in conduct that constitutes bullying shall be subject to disciplinary consequences up to and including suspension and expulsion. A student’s bullying behavior may also be addressed through other behavioral interventions.

#### Bullying Defined

For the purpose of this policy, “bullying” means any physical act or gesture or any Verbally, written, or electronically communicated expressions that:

A. A reasonable person should expect will have the effect of:

1. Physically harming a student or damaging a student’s property;
2. Placing a student in reasonable fear of physical harm or damage to his/her property; or
3. Substantially disrupting the instructional program or the orderly operations of the school; or

B. Is so severe, persistent, or pervasive that it creates an intimidating, hostile

Educational environment for the student who is bullied.

#### Application of Policy

This policy applies to bullying that takes place at school or on school grounds, at any school-sponsored activity or event, or while students are being transported to or from school or school-sponsored activities or events. It also applies to bullying that occurs at any other time or place that substantially disrupts the instructional program, operations of the school, or welfare of students.

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

- A. Physical contact or injury to another person or his/her property;
- B. Threats of harm to a student, to his/her possessions, or to other individuals, whether transmitted verbally, in writing, or through cyberspace;
- C. Blackmail, extortion, demands for protection money, or involuntary Loans or donations;
- D. Non-verbal threats and/or intimidations such as use of aggressive or Menacing gestures;
- E. Stalking;
- F. Blocking access to school property or facilities;
- G. Stealing or hiding books, backpacks, or other possessions;
- H. Repeated or pervasive taunting, name-calling, belittling, mocking, put-downs, or demeaning humor relating to a student's race, color, ethnicity, gender, sexual orientation, ancestry, religion, disability, or other personal characteristics, whether or not the student actually possesses them, that could reasonably be expected to result in disruption of the instructional program or operations of the schools, or that results in a hostile educational environment for the student.

[NOTE: Some of the actions that constitute bullying may also be addressed in other Board policies, such as ACAA-Student Harassment and Sexual Harassment

or JICIA-Weapons, Violence and School Safety. Federal and/or state law and the Board's basic nondiscrimination policy, AC, provide protection for students based on the "protected categories" listed in paragraph "H" above.]

For the purpose of this policy, bullying does not mean mere teasing, put-downs, "talking trash," trading of insults, or similar interactions among friends, nor does it include expression of ideas or beliefs so long as such expression is not lewd, profane, or does not interfere with students' opportunity to learn, the instructional program, or the operations of the schools. This does not preclude teachers or school administrators from setting and enforcing rules for civility, courtesy, and/or responsible behavior in the classroom and the school environment.

The determination 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.

#### Delegation of Responsibility

The Superintendent/designee will be responsible for developing and implementing procedures for:

- A. Student and parent reporting of bullying to staff and school administrators;
- B. Staff reporting of bullying to school administrators;
- C. Review of reports and investigation of bullying incidents;
- D. Intervention with and/or discipline of students who engage in bullying;
- E. Support for students who are victims of bullying;
- F. Training staff and student in bullying prevention; and
- G. Periodic evaluation of bullying prevention, intervention, and training efforts in MSAD #11 schools and reporting to the MSAD #11 Board upon request.

#### Reporting

Students who have been bullied or who observe incidents of bullying are

Encouraged to report this behavior to a staff member or school administrator.  
Staff should report bullying to the building principal.

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

#### Responding to Bullying

In determining the appropriate response to students who engage in bullying behavior, school administrators should consider the ages and maturity of the students involved, the type of behaviors, the frequency and/or pattern of behaviors, the context in which the incident occurred, and other relevant circumstances. consequences may range from positive behavioral interventions up to and including suspension, expulsion, and/or reports to law enforcement officials.

#### Dissemination of Policy

Notice of what constitutes bullying, the MSAD #11 Board's prohibition against Bullying, and the consequences for students who bully shall be communicated To students and parents through the Student Code of Conduct and Student Handbook.

Legal Reference: 20-A MRSA § 1001(15)(H)

P.L. 2005, ch. 207 § 4-5

Cross Reference: AC-Nondiscrimination, Equal Opportunity

ACAA-Harassment and Sexual Harassment of Students

ACAD-Hazing

ADF-School District Commitment of Learning Results

JI-Student Rights and Responsibilities

JICC-Student Conduct on Buses

JICIA-Weapons, Violence and School Safety

JK-Student Discipline

JKD-Suspension of Students

JKE-Expulsion of Students

Student Code of Conduct

Adopted: September 7, 2006

**File: JIH**

### **Questioning and Searches of Students**

The MSAD #11 School Board seeks to maintain a safe and orderly environment in the schools. School administrators may question and/or search students in accordance with this policy and accompanying administrative procedure.

Students, their personal property, and their vehicles may be searched upon reasonable suspicion that they possess any items or substances which are prohibited by law, MSAD #11 Board policies and/or school rules, or which interfere with the operations, discipline or general welfare of the school.

When special circumstances exist, including but not limited to a suspected ongoing violation of the MSAD #11 Board's drug/alcohol or weapons policies, or when a potential threat to safety is identified, school administrators may search groups of students or the entire student body without individualized suspicion.

Student use of all school storage facilities, including but not limited to lockers, desks and parking lots, is a privilege granted by the school. All storage facilities are school property and remain under the control, custody, and supervision of the school. Students have no expectation of privacy in school storage facilities or for any items placed in such storage facilities. School administrators have the authority to inspect and search storage facilities and their contents on a random basis, with or without reasonable suspicion, and without notice or consent. Canine patrols may be used to conduct searches anywhere on school property.

If a search produces evidence that a student has violated or is violating the law, MSAD #11 Board policies and/or school rules, such evidence may be seized and impounded by school administrators and appropriate disciplinary action may be taken. Evidence may be forwarded to law enforcement authorities as required by law or as deemed appropriate by school administrators.

A student who refuses to comply with a search directive may be subject to disciplinary action, including the disciplinary consequences for the suspected violation.

The Superintendent is authorized to develop and implement, with input from legal counsel,

administrators, and/or other appropriate persons, any administrative procedures necessary to carry out this policy.

This policy and the accompanying procedure will be included in student/parent handbooks.

Cross Reference: JIH-R – Questioning and Searches of Students

JICH- Drug and Alcohol Use by Students

JICIA – Weapons, Violence, and School Safety

JK – Student Discipline

KLG – Relations with Law Enforcement Authorities

Adopted: December 6, 2007

**File: JK**

## **STUDENT DISCIPLINE**

It is essential for schools to maintain a safe and orderly environment that supports student learning and achievement. Good discipline allows the schools to discharge their primary responsibilities to educate students and promote citizenship and ethical behavior. All students are expected to conduct themselves with respect for others and in accordance with MSAD #11 Board policies, school rules, and applicable state and federal laws. Disciplinary action may be taken against students who violate policies, rules, or laws, and/or whose conduct directly interferes with the operations, discipline or general welfare of the school.

The MSAD #11 Board expects the following principles to guide the development and implementation of school rules and disciplinary procedures.

- A. Discipline should emphasize positive reinforcement for appropriate behavior, as well as appropriate consequences for misbehavior. The focus should be on providing a school environment where students are engaged in constructive learning and interactions with others.
- B. Expectations for student behavior should be clear and communicated to school staff, students and parents.
- C. Consequences for misbehavior should be in proportion to the offense, fair and consistently enforced.
- D. Parents should be actively involved in the process of preventing and resolving disciplinary problems at school.

Physical force and corporal punishment shall not be used as disciplinary methods.

However, school personnel may use reasonable force to control the behavior of a student who presents an immediate threat of physical harm to him/herself or others, to remove a student from a situation where the student is violent or presents an immediate danger to others, or to prevent damage or destruction of school property. Force, including physical restraint [OR: measures to physically restrain a student's freedom of movement] should not be used beyond the point necessary to prevent the student from harming him/herself or others.

Any staff member who uses force to control the behavior of a student shall immediately contact the building principal to report the incident, the reasons for the use of force and the specific measures taken. The building principal shall notify the student's parent and the Superintendent as soon as practicable following the incident.

Teachers are authorized to make and enforce rules for effective classroom management and to foster appropriate student behavior, subject to the direction and approval by the building principal/designee.

School-wide rules shall be developed by the building principal with appropriate input from school staff, students and parents and subject to approval by the Superintendent. Principals shall provide for the suspension or other serious disciplinary action against students in accordance with MSAD #11 Board policies, administrative procedures and Maine law.

To reduce disciplinary problems and the potential for violence in the schools, the Superintendent may develop procedures for conflict resolution which may be accomplished through peer mediation, counseling, parent involvement, services of community agencies or other activities suitable to the school district.

Legal Reference: 17-A MRSA § 106

20-A MRSA § 4009

Ch. 125.23 (B)(5)(1) (Maine Dept. of Ed. Rule)

Cross Reference: AC - Nondiscrimination/Equal Opportunity and Affirmative Action

ACAA – Student Harassment and Sexual Harassment

EBCA – Comprehensive Emergency Management Plan (Crisis Response Plan)

JICIA Weapons, Violence and School Safety

JKB - Student Detention

JKD - Suspension of Students

JKE - Expulsion of Students

JKF - Suspension/Expulsion of Students with Disabilities

JKAA – Time Out Rooms and Therapeutic Restraint

Adopted: May 5, 2011