

REGIONAL SCHOOL UNIT 19

TO: RSU 19 Board of Directors
FR: Robin McNeil / Mike Hammer
DT: January 20, 2021
RE: **Policy Committee Meeting Agenda**



DAY: **Tuesday**
DATE: **January 26, 2021**
TIME: 6:30 PM
PLACE: **ZOOM ONLY**

Join Zoom Meeting:

<https://us02web.zoom.us/j/81748029807?pwd=cXZlQmVFWVdXcnhWZERNOUIXUUNtUT09>

Join by phone: (US) +1 601-803-2303 PIN: 956 911 867#

AGENDA

I. Public Comment

II. Policy Review

- | | |
|-----------|--|
| A. IMB | Controversial Issues Policy (RSU 19)
Teaching About Controversial/Sensitive Issues (MSMA)
Article XXII from Teachers' Comprehensive Contract |
| B. IMB-R | Procedures for Objection to Curriculum Topic or Material |
| C. GCFB | Recruiting and Hiring of Administrative Staff |
| D. GCFB-R | Recruiting and Hiring of Administrative Procedures |

IV. Other

V. Adjournment

A.D.A. Notice: If you have a special need that must be met to allow you to fully participate in this meeting, please contact the Office of the Superintendent at least two (2) days prior to this meeting.

CONTROVERSIAL ISSUES POLICY

One of the roles of the school is to introduce and discuss issues of concern in a respectfully and discerning manner. In doing so, these issues may be called controversial because of the diversity of religious, moral, and ethical views present in the community. The RSU 19 School Board supports the discussion of controversial issues in an atmosphere of consideration and appreciation of all sides of the issue.

There are ideas, beliefs, and customs which are so cherished by cultures that they are known as values. Parents should be society's most valuable means of imparting values. It is not the function of the school to help set the values, but rather to help students identify values and their impact on people's decisions and actions. The teachers will consider the developmental appropriateness of these discussions prior to the lesson planning.

- A. The Board of Directors acknowledges the need to protect employees from censorship or restraint which interferes with their professional obligation in the implementation of the approved curriculum. The Board of Directors has trust and confidence in the professional judgment of its employees.
- B. It is the responsibility of the teacher to allow a variety of viewpoints to be represented.
- C. The handling of controversial issues in classes should be free from the assumption that there is only one correct opinion. Ideas should emerge from discussion and not from authoritative instruction. Teachers are encouraged to help students to begin to develop their own techniques for the consideration of controversial issues.
- D. A controversial issue is to be handled in an appropriate setting by a teacher prepared for this responsibility. If this is not the case, then provision must be made for an alternative means for that class to cover the material.
- E. Parents will have the opportunity to review curriculum and/or the material utilized as a part of the curriculum.
- F. Parents have the option of limiting their child's participation, in part or whole, in any discussion or course of a controversial nature. However, the wishes of the child's parents to restrict their child's participation in a class discussion will not infringe on other parents' rights to permit their children to participate in such discussion. An appropriate alternate assignment may be recommended by the teacher.
- G. Restraint and careful judgment must be exercised by the teacher when stating personal opinions to which students might ascribe more weight than is intended.

Note: Procedures for Objection to Curriculum Topic or Material are on file at the Office of the Superintendent.

1st Reading: 10/20/09
Adopted: 11/17/09

TEACHING ABOUT CONTROVERSIAL/SENSITIVE ISSUES

American academic tradition stresses the free contest of ideas as a vital element both in the development of curriculum and in classroom teaching.

Teaching Controversial Issues

Training in reflective and responsive thinking, may be incorporated in course offerings at all grade levels. This training is impossible, or at least severely hampered, if the community does not respect the principles of freedom and recognize that dissent does not necessarily mean disloyalty. However, one form of dissent which is incompatible with freedom is that which attempts to end freedom. Irrational fears do just this, and thereby may block the school in its efforts to handle controversial issues in an atmosphere of freedom and thoroughness.

- A. It is the responsibility of the schools to make provision for the study of controversial issues.
 - 1. The policy on controversial issues should be defined in terms of the rights of students rather than in terms of the rights of teachers.
 - 2. The study should be emphasized in the high school, when most students are mature enough to study the significant controversial issues facing our society.
 - 3. The study should be objective and scholarly with a minimum emphasis on opinion and a maximum emphasis on facts and critical thinking.

- B. In the study of controversial issues the students have the following rights:
 - 1. The right to study any controversial issue which has political, economic, or social significance and concerning which (at the appropriate level) he/she should begin to have an opinion;
 - 2. The right to have free access to all relevant information;
 - 3. The right to form and express opinions on controversial issues without thereby jeopardizing relations with the teacher or the school; and

4. The right to study under competent instruction in an atmosphere free from bias and prejudice.
- C. The teacher employs the same methods in handling controversial issues as characterize the best teaching at any time.
1. The teacher, in selecting both the content and the method of instruction, is mindful of the maturity level of the students.
 2. The teacher has assured him/herself that the controversial subject to be discussed belongs within the framework of the curriculum to be covered, that the subject is significant as well as meaningful for the students, and that through the discussion, students will have the opportunity to grow.
 3. The teacher handles the classroom presentation in ways that will ensure a wide range of information and interpretation for the students' consideration and strives to present a balance among many points of view.
 4. The teacher does not use the classroom as a personal forum. He/she does not employ the techniques of the demagogue or the propagandist for attention, for control, or simply for color. The teacher has the right to identify and express his/her own point of view in the classroom as long as he/she indicates clearly that it is his/her own.
 5. The teacher emphasizes keeping an open mind, basing one's judgment on known facts, looking closely at facts to evaluate them in terms of the subject under discussion, and being ready to change one's opinion should new facts come into light.
 6. The emphasis always is on the method of forming an opinion as much as on the opinion formed.

Adopted: _____

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

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

PROCEDURES FOR OBJECTION TO CURRICULUM TOPIC OR MATERIAL

Persons who object to RSU 19's selection materials and who wish a particular item to be reviewed must follow the following procedure:

1. If a person who has a question or objection to curriculum topic(s) or materials should first address the concern with the classroom teacher.
2. If not satisfied with the results of this meeting, the persons must submit a parent's objection to curriculum topic or material form to the building principal. Forms are available in the principals' office.
3. The principal, upon receipt of the form, will notify the complainant to set up a meeting with the principal, classroom teacher, and the complainant to address these concerns and document this in writing.
4. If unable to reach a mutually agreed upon compromise, the principal will appoint a review committee comprised of the building principal, a faculty member, community member, board member, and a central office representative (either curriculum coordinator or district library/media specialist) for further study.
5. The committee will review the complaint and submit a written report and recommendation to the principal within thirty (30) working days from the date of the original submission of the form to the principal. This report will be forwarded to the complainant and the Superintendent of Schools.
6. Complainants who are dissatisfied may file a written request for review by the Superintendent of Schools within ten (10) working days from the date the complainant received the committee's written report.
7. The Superintendent of Schools will render a decision within fourteen (14) working days of the receipt of the complainant's request.
8. If the complainant does not accept the Superintendent's decision, the complainant has five (5) working days from the receipt of the Superintendent's decision to request, in writing, review by the RSU 19 Board of Directors.
9. The Board of Directors will have thirty (30) working days, from the receipt of the written request, in which to review and render a decision. The decision of the Board of Directors of RSU 19 will be final.

During the investigation, the materials will remain in normal use.

All decisions are to be forwarded to the complainant by certified, return receipt mail.

Working days are defined as days when the RSU 19 Central Office is open.

1st Reading: 10/20/09

Adopted: 11/17/09

**ARTICLE XXII
PERSONAL AND ACADEMIC FREEDOM**

- A. The personal life of a teacher is not an appropriate concern or attention of the Board except as it may directly prevent the teacher from performing properly their assigned functions during the workday.
- B. Teachers shall be guaranteed freedom in classroom presentations and discussions provided only that said material is relevant to the course content, and the Board had approved the course.

**ARTICLE XXIII
DUES-DEDUCTION FROM SALARY**

- A. The Board agrees to deduct from teachers' salaries money for local, state and/or national association services and programs, and to transmit the monies promptly to such associations. Authorization shall be continuous unless a teacher revokes such authorization by giving notice to the Association in writing.
- B. The Association shall certify to the Board in writing the current rate of local, state, and national member dues. In the event any association changes the rate of its membership dues, the local Association shall give the Board and its membership written notice prior to the effective date of such change.

**ARTICLE XXIV
MISCELLANEOUS PROVISIONS**

- A. This agreement constitutes a contract for the term of said agreement, and the Board shall carry out the commitments contained herein and give them full force and effect as Board policy.
- B. If any provision of this agreement or any application of this agreement to any teacher or group of teachers is held to be contrary to law, then such provisions or application shall not be deemed valid and subsisting, except to the extent permitted by law, but all other provisions or applications shall continue in full force and effect.

In the event any provision of the contract is held to be invalid by a court decision, then the parties shall meet within ten (10) days after such a decision to renegotiate such provision, unless mutual agreement is reached to renegotiate such provision at a date to be determined by both parties.

- C. Any individual contract between the Board and an individual teacher, hereafter executed, shall be subject to and consistent with the terms and conditions of this agreement.
- D. The Board and the Association agree that they will not discriminate against employees on the basis of race, creed, color, sex, sexual orientation, physical or mental disability, Association activity, marital status, age, national origin, or Genetic Information (GINA) or any other characteristic prohibited by law.

RECRUITING AND HIRING OF ADMINISTRATIVE STAFF

~~In response to An Act to Promote Equity of Opportunity for Women in Administrative Positions in the Public School System (PL 1990, Chap. 889),~~ The Board affirms its commitment to the strict prohibition of discrimination in employment on the basis of race, color, sex, sexual orientation, national origin, religion, sexual orientation, ancestry or national origin, age, or disability, pregnancy, or genetic information, and to the principle of affirmative action to obtain wide and representative candidate pools.

In accordance with 20-A MRSA, § 1001-(13), the Superintendent shall prepare a procedure designed to ensure nondiscriminatory practice in recruitment and hiring for all positions requiring administrator certification, as well as to result in selection of the most qualified candidates. This procedure shall be attached hereto as GCFB-R, and shall be reviewed periodically.

Moreover, upon each occasion of administrative vacancy, the Superintendent shall review the procedure and make appropriate adaptations as may be warranted by special circumstances. In the case of a vacancy in the Superintendent's position, the Board shall review the procedure, adapting as appropriate.

In accordance with 20-MSRA, § 4502-(4-A), the ~~unit~~RSU's Affirmative Action Plan shall include: a description of the status of the ~~unit~~RSU's nondiscriminatory administrator hiring practice; and plans for in-service training programs on gender equity for teachers, administrators and the School Board.

Legal Reference: 5 MRSA § 4576 (Maine Human Rights Act)
 20-A MRSA §§ ~~6, 254.8-10, 256.1, 7,~~ 1001-(13), 4502-(4-A),
 13011-(6),
~~13019-A.1D, 13019-B.1C~~

Cross Reference: AC-Nondiscrimination/Equal Opportunity and Affirmative Action
~~GBJC—Retention of Application Materials~~
 GCFB-R – Recruiting and Hiring of Administrative Staff
 Administrative Procedure

RECRUITING AND HIRING OF ADMINISTRATIVE STAFF PROCEDURES

These procedures implement Board policy GCFB and are designed to establish a thorough, efficient and nondiscriminatory practice for the recruiting and hiring of the most qualified candidates for administrative positions.

A. Job Description Development/Review

To ensure that a written role description of the vacant position accurately represents the current functions and needs, the Superintendent/designee (the Board in a Superintendent search) is to:

1. Conduct a review of (if none exists, develop) the job description, with input from persons affected by the position;
2. Include the criteria (skills, knowledge, abilities) required to perform the duties/responsibilities of the position; and
3. List the minimum qualifications (training, education and experience) for the position.

B. Recruitment

To attract a strong pool of qualified candidates, the Superintendent/designee is to advertise (except in the circumstances described in J. below) by:

1. Posting notice of the vacancy within the unit;
2. Placing a display advertisement in appropriate print media, considering at least one appearance in a major Maine weekend or Sunday newspaper; and
3. Identifying and notifying other possible sources of potential candidates, such as professional associations, educational administration programs and placement offices at colleges and universities in Maine and other states, and the Maine Department of Education.

C. Screening/Interviewing

To ensure that a fair and efficient screening process will occur, the Superintendent /designee and Board Chair is to:

1. Ensure that all applications are reviewed by more than one

individual with attention given to an unbiased regard for the criteria and qualifications in the job description;

2. Appoint a screening/interview panel with representation as deemed appropriate to the particular vacancy (including representatives from the Board/Administration, RSU 19 staff and public as appropriate).
3. Provide orientation on confidentiality and equity issues to screeners/ interviewers;
4. Eliminate all candidates who do not meet the minimum qualifications;
5. Conduct preliminary reference checks, as appropriate;
6. Select candidates for interview based on the degree to which they meet the criteria and demonstrate the skills, knowledge and abilities outlined in the job description; and
7. Provide orientation on the process including the function and extent of responsibility of the panel, the weighting of criteria and the nomination/hiring procedure; and
8. Conduct training to ensure that panel members are aware of the legal aspects of interviewing, including confidentiality and equity issues.

The interviewing panel is to:

1. Design interview questions which match the criteria and the duties/ responsibilities outlined in the job description; and
2. Provide equal opportunity for the candidates to respond to the same questions/questioners.

D. Selection

The interview panel is to:

1. Individually assess the candidates according to their answers to the job description-related questions, rating and commenting on each using a specially prepared form corresponding to the questions/criteria; and
2. Submit a report to the Superintendent, including the individual rating forms as well as a list (usually 2 to 4) of candidates to be

considered further for the position.

The Superintendent/designee is to:

1. Have reference contacts made, as appropriate, to check perceived strengths and weaknesses of the candidates;
2. Review the material on the finalist candidates to determine whether additional information is needed;
3. Conduct final interviews of any or all finalists, as deemed necessary;
4. Select the most qualified candidate who fits the criteria and the duties/responsibilities outlined in the job description, based on his/her own professional judgment along with those of the interview panel (or, reject all finalist, reopen the position and begin the process anew); and
5. Have any further reference checks made, as appropriate.

E. Nomination/Employment

The Superintendent is to:

1. Notify and obtain agreement of the successful candidate, pending Board approval;
2. Inform the interview panel; and
3. Nominate and employ the successful candidate in accordance with state law and local policies.

F. Notification

The Superintendent/designee may:

1. Notify the nominee of the Board approval and employ the administrator; and
2. Notify the other candidates interviewed.

G. Orientation and Support

To ensure that the new administrator is provided with the proper information about the system and job expectations, the Superintendent/designee is to provide an orientation that includes

expectations of the duties/responsibilities of the position along with the policies and procedures of ~~the local school unit~~ **RSU 19**.

H. Record Keeping

To ensure that the confidentiality of employee and applicant records are properly maintained, the Superintendent is to provide for the maintenance in secure files of all applications and documentation of the hiring, screening and interviewing process for a period of ~~three (3)~~ two (2) years.

I. Confidentiality

To ensure that confidentiality is maintained throughout and permanently following the hiring process, the Board, all employees involved, and any other participants are to maintain absolute confidentiality about candidates, including names, in accordance with state law (20-A MRSA § 6101) and will sign an appropriate agreement. The Board is to assume responsibility through the Superintendent for providing adequate orientation at appropriate stages of the process, including at the completion.

J. Hiring of Current Employees

The school unit may forego one or more of the steps set forth in sections B-E of this procedure and appoint a person who is currently employed by the unit to fill an administrative position only if the Superintendent, after consultation with the School Board, or the Board in a Superintendent search, determines that the following circumstances exist:

1. The currently employed candidate is exceptionally well qualified for the position; and
2. The decision to forego all or part of the recruitment and screening processing will not detract from the goals of this policy.