

1st Reading 11/13/2018

JLCC- Communicable/Infectious Diseases

Teachers should be alert to signs of illness and communicable disease and refer student who show such symptoms to the school nurse.

The Superintendent/school nurse shall be responsible for notifying the Maine Center for Disease Control and Prevention (CDC) of any student suspected of having a communicable disease, the occurrence of which is required to be reported pursuant to law and/or Maine Department of Health and Human Services (DHHS) rules. The building principal will be notified when a report of a communicable disease has been made.

Any student for whom the CDC has prescribed isolation or quarantine shall be excluded from school and school activities.

Students who have other types of communicable diseases shall be excluded from school and school activities as provided by law, or shall observe other protective procedures according to recommendations issued by the school physician/school health advisor.

Legal Reference: 5 MRSA § 19201 et seq.  
20-A MRSA §§ 1001(11)(A), 6301  
22 MRSA §§ 801, 802, 806, 823, 824  
Maine Dept. of Health and Human Services Rule Ch. 258 (2018)

First Reading 11/13/2018

### EBAA- Chemical Hazards

The Board is committed to providing a safe environment for students and employees. It is the policy of the Cape Elizabeth School Department (CESD) to follow safe practices in regard to the storage and handling of hazardous chemicals in its schools. The school unit will comply with all applicable Maine and federal laws and regulations concerning hazardous chemicals.

The Superintendent has responsibility for the safe handling and storage of hazardous chemicals in schools, the development of required written plans, the designation of a Chemical Hygiene Officer, and ensuring that staff is trained in respect to chemical hazards found in the workplace. Written plans shall include information regarding proper purchasing, labelling, storage, training, and disposal of hazardous chemicals.

### HAZCOM (HAZARD COMMUNICATION) STANDARDS

The school unit will comply with OSHA's Hazard Communication standard 29 CFR 1910.1200, adopted and enforced by the Maine Department of Labor, which requires a written hazard communication (HazCom) plan, including a listing of chemicals being used in the schools; training of employees that handle these chemicals being used in the schools; and, for all employees, where safety data sheets (SDS) are located, and how to read them. This standard applies to hazard communications for hazardous chemicals such as those used in cleaning and disinfection, which may be found in custodial and food service areas, among other locations.

### LABORATORY SCIENCE CHEMICALS

The school unit will comply with OSHA standard CFR 1910.1450, as adopted and enforced by the Maine Department of Labor, which addresses science laboratory chemicals. This standard applies to science laboratory chemicals commonly found in chemistry and biology laboratories in schools.

The Superintendent will appoint an employee of the school unit as Chemical Hygiene Officer for CESD. The Chemical Hygiene Officer will be responsible for developing and implementing a Chemical Hygiene Plan, to be reviewed annually, that includes procedures relevant to the identification, purchase, storage, inventory, handling, and disposal of hazardous chemicals used in science laboratories; maintenance of safety data sheets (SDS) for laboratory chemicals; and ensuring that employees with science/laboratory responsibilities are provided appropriate

training on specific hazards associated with the chemicals being used in school laboratories and how to read the SDS for these chemicals. The person appointed Chemical Hygiene Officer must be an employee of CESD, preferably a science teacher or another staff member who is knowledgeable about chemical used in school laboratories stored in the schools.

## **GRIEVANCE PROCEDURE FOR PERSONS WITH DISABILITIES**

The Board has adopted this grievance procedure to provide a local avenue for persons with disabilities to raise concerns about whether the school unit is fully meeting its obligations under state and federal laws to protect persons with disabilities. This procedure is intended to meet the requirements of the federal Rehabilitation Act (34 CFR § 104.7(b)) and the federal Americans with Disabilities Act (28 CFR § 35.107(b)).

Questions about this grievance procedure should be directed to the ADA/504 compliance coordinator as listed on the Cape Elizabeth School Department website:  
<https://www.cape.k12.me.us>

### **Step One**

A person with an identifiable disability, or someone acting on that person's behalf, may file a written grievance regarding compliance with state or federal disabilities laws with the building principal where the grievance arose, or with the ADA/504 compliance coordinator. If filed with the ADA/504 compliance coordinator, that person shall forward it to the appropriate building principal. No grievance will be heard if it involves actions that occurred more than 60 days prior to the filing of the grievance.

The building principal, after consultation with the ADA/504 compliance coordinator, shall respond in writing to the grievance within 15 working days of its receipt. Extensions of 15 working days may be allowed when necessary to address fully the issues in the grievance. The principal's written response shall be forwarded to the grievant and to the ADA/504 compliance coordinator.

### **Step Two**

If dissatisfied with the response, the grievant may obtain a review by the Superintendent of the principal's decision.

The grievant must request that review within 15 working days of the decision by the principal. The Superintendent, after consultation with the ADA/504 compliance coordinator, shall respond in writing to the grievance within 15 working days. Extensions of 15 working days may be allowed when necessary to address fully the issues in the grievance. The Superintendent's written response shall be forwarded to the grievant and to the ADA/504 compliance coordinator.

Code: IHBAL

Except for grievances regarding physical alterations to school buildings or grounds, the decision of the Superintendent shall be final. In the case of grievances regarding physical alterations to school buildings or grounds, a dissatisfied grievant may obtain a review by the School Board of the Superintendent's decision.

The grievant must request that review within 15 working days of the decision by the Superintendent. The Board shall have a reasonable time to schedule a meeting on the grievance and to issue its decision.

Nothing in this grievance procedure in any way forecloses a person with a disability from seeking redress for their concerns at any time through other legal avenues, such as through the Office for Civil Rights, the Department of Justice, the Maine Human Rights Commission or the Maine Department of Education.

Questions about other legal avenues available for persons with disabilities to pursue compliance concerns under various disabilities laws should be directed to the ADA/504 compliance coordinator.

This notice is available in large print and on audio tape from the ADA/504 compliance coordinator.

**SCHOOL SYSTEM COMMITMENT TO STANDARDS  
FOR ETHICAL AND RESPONSIBLE BEHAVIOR**

The School Board believes that promoting ethical and responsible behavior is an essential part of the school unit's educational mission. The Board recognizes that ethics, constructive attitudes, 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 the Maine Learning Results. The Board also recognizes that Maine law requires the adoption of a district-wide student code of conduct consistent with statewide standards for student behavior developed by the Commissioner of the Department of Education in compliance with 20-A MRS § 254(11).

The Board seeks to create and maintain a school climate in which ethical and responsible behavior can flourish. The Board believes that instilling a sense of ethics and responsibility in students requires setting positive expectations for student behavior as well as establishing disciplinary consequences for behavior that violates Board policy or school rules. Further, the Board believes that in order to teach ethical and responsible behavior, adults who interact with students must strive to model and reinforce ethical and responsible behavior. To that end, the Board supports an active partnership between schools and parents.

Recognizing that collaboratively identified core values are the foundation for a school culture that encourages and reinforces ethical and responsible student behavior, the Board is committed to the establishment and implementation of a process for identifying shared values and setting and enforcing standards for behavior, including prescription of consequences for unacceptable behavior. The process for identifying such shared values will invite and include the participation of Board members, school administrators, staff, parents, students, and the community. Core values will be reviewed periodically, with opportunity for public participation. The Board will direct the Superintendent/designee to develop a process to assess school system progress toward achievement of an ethical and responsible school culture.

Following the identification of core values, the Board, with input from administrators, staff, parents, students, and members of the community, will adopt a Student Code of Conduct consistent with statewide standards for student behavior<sup>1</sup> that shall, as required by law:

<sup>1</sup>The statewide standards are the “core values” identified in the report of the Commission for Ethical and Responsible Student Behavior, Taking Responsibility: Standards for Ethical and Responsible Behavior in Maine Schools and Communities. The core values are: Respect, Honesty, Compassion, Fairness, Responsibility and Courage. The Code of Conduct must be “consistent with,” not identical to, the statewide standards developed under 20 M.R.S.A. § 254(11). This provides an opportunity for communities to identify their own core values and articulate what they “look like” when applied to behavior. The core values serve as a basis for school system expectations for student conduct.

- A. Define unacceptable student behavior;
- B. Establish standards of student responsibility for behavior;
- C. Prescribe consequences for violation of the Student Code of Conduct, including first-time violations, when appropriate;
- D. Describe appropriate procedures for referring students in need of special services to those services;
- E. Establish criteria to determine when further assessment of a current Individual Education Plan (IEP) is necessary, based on removal of the student from class;
- F. Establish policies and procedures concerning the removal of disruptive or violent students from a classroom or a school bus, as well as student disciplinary and placement decisions, when appropriate; and
- G. Establish guidelines and criteria concerning the appropriate circumstances when the Superintendent/designee may provide information to the local police or other appropriate law enforcement authorities regarding an offense that involved violence committed by any person on school grounds or other school property.
- H. Establish policies and procedure to address bullying, harassment, and sexual harassment.

The Board will review the Student Code of Conduct periodically, inviting input from administrators, staff, parents, students and members of the community.

When revising the prescribed consequences for violation of the Student Code of Conduct, the Board shall consider (evaluate and revise, as deemed necessary or desirable) relevant

existing district-wide school disciplinary policies and/or consider adoption of new policies that:

- A. Focus on positive interventions and expectations and avoid focusing exclusively on unacceptable student behavior;
- B. Focus on positive and restorative interventions that are consistent with evidence-based practices rather than set punishments for specific behaviors, and avoid “zero tolerance” practices unless specifically required by federal or state laws, rules or regulations;
- C. Allow administrators to use their discretion to fashion appropriate discipline that examines the circumstances pertinent to the case at hand; and
- D. Provide written notice to the parents of student when a student is suspended from school, regardless of whether the suspension is an in-school or out-of-school suspension.

“Positive interventions” and “restorative interventions” shall have the same meaning as provided in 20-A MRSA § 1001(15).

Students, parents, staff, and the community will be informed of the Student Code of Conduct and relevant district-wide school disciplinary policies through handbooks, the school unit’s website, and/or other means selected by the Superintendent/designee.

### **Ethics and Curriculum**

The Board encourages integration of ethics into content areas of the curriculum, as appropriate. The Board encourages examination and discussion of ethical issues within content areas of the curriculum, as appropriate. The Board also encourages schools and school administrators and staff to provide students with meaningful opportunities to apply values and ethical and responsible behavior through activities.

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

Cross reference: JKD – Suspension of Students



1st Reading 11/13/2018

### ADC- Use of Tobacco Products and Electronic Nicotine Delivery Systems

The Cape Elizabeth School Department is a tobacco-free zone. In order to promote the health, welfare, and safety of students, staff, and visitors and to promote the cleanliness of all facilities, the Board prohibits smoking and all other use of tobacco products and electronic vaporizers commonly used for nicotine delivery (including but not limited to e-cigarettes, e-hookahs, vape pens, or similar devices) in school building, on school property, at school functions, on school buses or in any other school department owned or leased vehicles, at all times (24 hours per day, 365 days a year) and by all persons. This policy reflects and emphasizes the hazards of tobacco use, will assure compliance with laws, protect school community members from secondhand smoke, and role model tobacco-free lifestyles.

Employees and all other persons (students, visitors, parents, and other adults) are also strictly prohibited, under law and Board policy, from selling, distributing or in any way dispensing tobacco products and electronic nicotine delivery systems at any time while supervising students, whether on or off school property.

This policy will be communicated through a variety of efforts to educated students, school staff, parents, visitors and other adults. Tobacco-free signs will be posted in highly visible areas at facilities entrances and throughout the school property, including athletic facilities. The policy will be listed on the school website and printed in employee, student, and adult education booklets on an annual basis.

Students, all employees, parents, visitors, and other adults are required to comply with Cape Elizabeth Schools' tobacco-free policy. Enforcement of this policy will follow the standard procedure of the school for each audience. All school staff are expected to enforce the policy under the direction of the principal or an administrator. Any violation of this policy should be reported to the school administration.

Information regarding tobacco treatment resources, such as onsite counseling and the Maine Tobacco Helpline (1-800-207-1230) will be available for tobacco users who are interested in quitting.

Legal References: 22 MRSA § 1578(B); 1580(A)(3)  
Me. PL 470 (An Act to Reduce Tobacco Use By Minors)  
20 USC § 4301 et seq. (Pro-Children Act of 2001)  
ADOPTED: May 13, 2003  
REVISED: October 12, 2004  
August 28, 2012  
November 18, 2014

# JJIF - ATHLETIC POLICY - SANCTIONING OF SPORTS

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<https://www.addtoany.com/share?url=https%3A%2F%2Fschoolboard.cape.k12.me.us%2Fpolicies-list%2Fj-students%2F225-jjif-athletic-policy-sanctioning-of-sports&title=JJIF%20-%20ATHLETIC%20POLICY%20-%20SANCTIONING%20OF%20SPORTS%20>

**Definitions.** "Sanctioning" refers to the process whereby the school district adopts an athletic program as a school extracurricular activity and accepts some level of responsibility for coordinating and supporting the activity. There are three levels of sanctioning:

- **Club sport.** This is the first level of sanctioning. The school district arranges scheduling (practice and interscholastic), transportation, fields and liability insurance coverage. The school district also approves and evaluates coaches. The club itself or an affiliated booster organization is responsible for all costs of the program except the cost of insurance.
- **School sport.** This is the second level of sanctioning. The school district assumes the responsibilities listed above for a club sport. In addition, it hires and evaluates coaches and pays for varsity and junior varsity (if any) coaches, transportation, and fields (except ice hockey, where the costs for ice time may be shared between the district and the affiliated booster organization). The school district may also pay for the costs of officials.
- **School-sponsored sport.** This is the final level of sanctioning. The school district assumes all the responsibilities listed above for a school sport. In addition, the school district pays for some or all of the activity's uniforms and equipment. The level of responsibility for uniforms and equipment may vary from activity to activity depending on the costs involved and the individual agreement between the school district and any affiliated booster organization that shares costs for the activity. The school district does not normally pay costs (except coaches and insurance costs) associated with teams other than varsity and junior varsity teams.

**The Decision Process and the Athletic Steering Committee.** Decisions on sanctioning are made by the School Board based on the advice of the Athletic Director. In all cases, the Athletic Director consults with the Athletic Steering Committee before making a recommendation to the Board.

**Factors in Making Decisions.** In making sanctioning decisions, the Athletic Director and the School Board shall consider the following factors on a case-by-case basis:

- Is there a gender equity issue that would be addressed by the addition of a new activity?
- Is there a feeder system at lower grade levels indicative of community, family, and athlete support of the activity?
- Is the activity sponsored by the Maine Principals Association?
- How many students would likely participate in the sport?
- Are there qualified coaches able and willing to coach?
- Are there facilities for practicing and playing that can be used without undue hardship to existing teams?
- What is the particular level of logistical and financial support expected from the school? In particular, what would the total cost to the district be per student projected to participate in the program?
- Are there other athletic or non-athletic activities that are awaiting sanctioning?

**Decisions About Sanctioning.** Decisions about sanctioning are case-by-case decisions guided by the factors listed above. In every case, agreements with affiliated booster organizations must be memorialized in written agreements spelling out the respective responsibilities of the booster group and the school district.

ADOPTED: May 14, 2002

# JJIBC - ATHLETIC BOOSTER ORGANIZATIONS

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<https://www.addtoany.com/share?url=https%3A%2F%2Fschooalboard.cape.k12.me.us%2Fpolicies-list%2Fj-students%2F224-jjibc-relations-with-booster-organizations&title=JJIBC%20-%20ATHLETIC%20BOOSTER%20ORGANIZATIONS%20>

A “booster organization” is an organization of parents and/or community members that supports a school extracurricular activity financially and/or by other means. Participation is completely voluntary.

An “athletic booster organization” is a booster organization that supports an athletic activity.

## **Sanctioning and Financial Support**

The role of booster organizations in the sanctioning process and in providing financial support for an activity is defined in the Sanctioning of Sports policy.

## **Athletic Booster Organization Coordinating Committee**

There shall be organized an Athletic Booster Organization Coordinating Committee consisting of the Athletic Administrator, who shall serve as chair of the committee; the High School Principal, who shall serve as the committee’s secretary; a representative of each Athletic Booster group; a coach representative; at least one parent of an athlete in each sport without an active Athletic Booster Organization; and at least one student athlete. The committee shall meet at least twice per year.

The committee shall have two roles:

1) To draft and periodically review, subject to School Board approval, a Cape Elizabeth Athletic Booster Organization Handbook which shall address such questions as:

- The organization and decision-making process of Booster groups
- The process for seeking approval of fundraising activities
- The process for seeking approval for spirit and recognition activities, if those activities

involve the use of school grounds or facilities

- Guidelines for arriving at a healthy balance between spirit-building activities, the priority of academics, and the privacy of individual student-athletes
- Communications with the school and parents concerning Booster issues and meetings
- Other issues which the Committee feels are important and helpful to address

This handbook shall be presented for approval to the School Board and shall be reviewed annually by the Committee to determine if there is a need for changes. Any changes must also be presented to the School Board.

2) To coordinate fundraising schedules and to consider any proposals involving coordinated fundraising activities that may benefit more than one athletic program.

#### Cross Reference:

- [DF - Fundraising \(/policies-list/d-fiscal-management/131-df-fundraising\)](#)
- [DF-R - Fundraising procedure \(/policies-list/d-fiscal-management/132-df-r-fundraising-administrative-procedures\)](#)
- [DFF - Student Activities Funds \(/policies-list/d-fiscal-management/361-dff-student-activities-funds\)](#)
- [JJIF - Sanctioning of Sports \(/policies-list/j-students/225-jjif-athletic-policy-sanctioning-of-sports\)](#)
- [KJA - Relations with Booster Organizations \(/policies-list/k-school-community-relations/133-dfab-athletic-booster-organizations\)](#)

ADOPTED: May 14, 2002 [policies DFAB: Athletic Booster Orgs & JJIBC: Relations with Booster Orgs]

Revised: May 8, 2007 [policy JJIBC: Relations with Booster Orgs]

RECODED and Revised: April 12, 2016 [formerly policy DFAB: Athletic Booster Organizations]

## RELATIONS WITH BOOSTER GROUPS

[School Unit Name] recognizes the role of booster groups in assisting the schools in enriching athletic and other extracurricular activities and enabling more students to participate in such activities. For the purpose of this policy, a booster group is a parent and/or community group that is organized for the purpose of providing resources to support a particular sport or activity in the school or school system **[OR: to support the sports program at large]** and to support the school in recognizing student accomplishment in athletics and activities.

Only those booster groups that have been approved by the Board may use the name and or logo of the [School Unit Name] or its schools. The Superintendent may make recommendations to the Board concerning the approval of groups seeking booster status.

In order to be approved as a booster group, a group must meet the following criteria:

- A. The group must be comprised of **[OR: operated by]** adults rather than students;
- B. The group must provide details of the structure of the organization including its purpose and goals, the intended use of funds generated, the names of its officers and its bylaws;
- C. The booster president or designee must make application to the Superintendent **[OR: building principal or \_\_\_\_\_]** for all uses of school facilities for fund raising projects, in accordance with the Board's facilities use policy and procedures;
- D. Use of school facilities by the group will comply with all policies and regulations established by the Board and, as applicable, the Maine Principals Association;
- E. No monies collected by booster group fund raising activities will be deposited directly to student athletic/activity accounts;
- F. All fundraising activities must be approved in advanced by the [Superintendent **[OR: building principal or \_\_\_\_\_]**];
- G. No fundraising activities will be conducted within the school during school hours by the group;

- H. All funds raised by the group must be used to achieve the stated purposes of the group;
- I. The group must maintain bank, financial and tax exempt status separate from the school. The organization will provide to the Board annually or upon request a complete set of financial records or detailed treasurer's report;
- J. Booster groups may not lawfully use the school's sales tax exemption for purchases or sales;
- K. Booster group gifts should enhance activities for both boys and girls. The Board will consider gender equity and budget implications before accepting booster group donations;
- L. Any booster group plan or project that would require expansion, renovation or construction of school facilities or would increase maintenance costs for facilities shall require Board approval;
- M. Any booster group plan to provide awards or recognition to teams or individual students must be approved by the Board before any public announcement is made;
- N. Booster groups will not directly pay coaches or officials, purchase equipment or pay for transportation; and
- O. Booster groups will not select coaches, assistant coaches or activity advisors or influence the selection of coaches, assistant coaches or activity advisors.

The Board reserves the right to revoke the approval of any booster group if it is found that the group's operations and purposes are inconsistent with Board policies.

**[NOTE: This policy has been coded JJIBC for the purpose of keeping all of the athletic policies together. An alternative code for this policy is KJA.]**

Cross Reference:   EFE—Competitive Food Sales  
                          JJI—Philosophy of Athletics

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.



**IMAGE MANAGEMENT (LOGOS)**

The logos of the District and its individual school sites, divisions and departments are the sole and exclusive property of the District. No person, group, organization or association may use, in any manner whatsoever, any District logo without the express written permission of the Superintendent or his/her designee specifying the nature, extent, purpose and duration of such use.

In the event the use of any District logo involves a profit-making venture, irrespective of the legal status of the user, the terms and conditions of such use shall be provided in a mutually acceptable written agreement between the parties.

In all other cases, the Superintendent or his/her designee may allow the use of any District logo by a person, group, organization or association provided such use will directly or indirectly benefit the District.

## **BOMB THREATS**

The Board recognizes that bomb threats are a significant concern to the school unit. Whether real and carried out or intended as a prank or for some other purpose, a bomb threat represents a potential danger to the safety and welfare of students and staff and to the integrity of school property. Bomb threats disrupt the instructional program and learning environment and also place significant demands on school financial resources and public safety services. These effects occur even when such threats prove to be false.

Any bomb threat will be regarded as an extremely serious matter and treated accordingly. The Board directs the Superintendent to react promptly and appropriately to information concerning bomb threats and to initiate or recommend suitable disciplinary action.

### **A. Conduct Prohibited**

No person shall make, or communicate by any means, whether verbal or non-verbal, a threat that a bomb has been, or will be, placed on school premises. Because of the potential for evacuation of the schools and other disruption of school operations, placement of a bomb or of a "look-alike" bomb on school premises will be considered a threat for the purpose of this policy.

**[OPTIONAL: It is also a violation of Board policy to communicate by any means that any toxic or hazardous substance or material has been placed, or will be placed, on school premises with the intent to endanger the safety and welfare of students or staff and/or to disrupt the operations of the schools. For the purpose of this policy, "toxic or hazardous substance or material" means any material or substance, including biomedical materials or organisms, that, when placed as threatened, could be harmful to humans.]**

### **B. Definitions**

1. A "bomb" means an explosive, incendiary or poison gas bomb, grenade, rocket, missile, mine, "Molotov cocktail" or other destructive device.
2. A "look-alike bomb" means any apparatus or object that conveys the appearance of a bomb or other destructive device.

3. A “bomb threat” is the communication, by any means, whether verbal or non-verbal, that a bomb has been, or will be, placed on school premises, including possession or placement of a bomb or look-alike bomb on school premises.
4. “School premises” means any school property and any location where any school activities may take place.

C. Development of Bomb Threat Procedures

The Superintendent/designee shall be responsible for developing and implementing procedures specific to bomb threats as part of the school unit’s emergency management plan. These procedures are intended to inform administrators and staff of appropriate protocols to follow in the event that a bomb threat is received and should include provisions to address:

1. Threat assessment (for the purpose of identifying a response that is in proportion to the threat, in light of what is necessary to ensure safety);
2. Building evacuation and re-entry (including selection of potential alternative sites for those who are evacuated);
3. Incident “command and control” (who is in charge, and when);
4. Communications contacts and mandatory bomb threat reporting;
5. Parent notification process;
6. Training for staff members; and
7. Support services for students and staff.

The initial bomb threat procedure will be subject to approval by the Board. The Superintendent/designee will be responsible for overseeing a review or evaluation of bomb threat procedures prior to the Board’s required annual approval of the school unit’s emergency management plan, or following implementation of the procedure in response to a specific threat.

D. Reporting of Bomb Threats

A student who learns of a bomb threat or the existence of a bomb on school premises must immediately report such information to the building principal, teacher, the School Resource Officer or other employee in a position of authority.

An employee of the school unit who learns of a bomb threat shall immediately inform the building administrator. The building administrator shall immediately take appropriate steps to protect the safety of students and staff in accordance with the school unit's bomb threat procedure, as developed under Section C, and inform the Superintendent of the threat.

All bomb threats shall be reported immediately to the local law enforcement authority, as provided in the bomb threat procedures.

The Superintendent shall be responsible for reporting any bomb threat to the Department of Education within two business days of the incident. Reports will include the name of the school, the date and time of the threat, the medium used to communicate the threat, and whether or not the perpetrators have been apprehended.

E. Student Disciplinary Consequences

Making a bomb threat is a crime under Maine law. Any student suspected of making a bomb threat shall be reported to law enforcement authorities for investigation and possible prosecution. Apart from any penalty imposed by law, and without regard to the existence or status of criminal charges, a student who makes a bomb threat shall be subject to disciplinary action by the school.

The administration may suspend and/or recommend for expulsion any student who makes a bomb threat. The making of a bomb threat will be considered deliberately disobedient and deliberately disorderly within the meaning of 20-A M.R.S.A. § 1001(9) and will be grounds for expulsion if found necessary for the peace and usefulness of the school.

In addition, a student who is found after hearing by the Board to have brought a bomb to school shall be expelled from school for at least one year in accordance with 20-A M.R.S.A. § 1001(9-A) and Policy JICIA, except that the Superintendent may modify the requirement for expulsion based on individual circumstances.

A student who has been identified through the IEP process as having a disability and whose conduct in violation of this policy is related to the disability shall be disciplined as provided in Policy JKF.

F. Aiding Other Students in Making Bomb Threats

A student who knowingly encourages, causes, aids or assists another student in making or communicating a bomb threat shall be subject to the disciplinary consequences described in Section E of this policy.

G. Failure to Report a Bomb Threat

A student who fails to report information or knowledge of a bomb threat or the existence of a bomb or other destructive device in a school building or on school property may be subject to disciplinary consequences, which may include suspension and/or expulsion.

H. Staff Disciplinary Consequences

A school system employee who makes or communicates a bomb threat will be reported to appropriate law enforcement authorities and will be subject to disciplinary action up to and including termination of employment. Disciplinary action taken shall be consistent with collective bargaining agreements, other employment agreements and Board policies.

A school system employee who fails to report information or knowledge of a bomb threat or the existence of a bomb on school premises will be subject to discipline up to and including termination of employment.

I. Civil Liability

The school unit reserves the right to bring suit against any individual responsible for a violation of this policy and to seek restitution and other damages as permitted by law.

J. Lost Instructional Time

Instructional time lost as a result of a bomb threat will be rescheduled at the earliest appropriate (or: practicable) opportunity, as determined by the Board.

**[Or: as determined by the Superintendent in consultation with the Board.]**

**[Or: as determined by the Superintendent within parameters set by the Board.]**

Time lost may be rescheduled on a weekend or vacation day, or after what would normally be the last day of the school year, except on days when schools must be closed as required by law.

**[NOTE: The Board and Superintendent should take into consideration the terms of applicable collective bargaining or other employment agreements, potential conflicts with holiday or vacation periods or with planned school events, and school bus schedules in determining an appropriate make-up time.]**

K. Notification Through Student Handbook

All student handbooks shall address the school unit's bomb threat policy and procedures and explain the educational consequences of bomb threats. In addition, student handbooks shall notify students and parents that bomb threats violate Board policy and civil and criminal law.

**[NOTE: Boards should be sure that the school system's Student Code of Conduct identifies the making of bomb threats as unacceptable behavior, describes the disciplinary consequences associated with bomb threats, and provides that students suspected of making bomb threats will be reported to law enforcement authorities.]**

Legal References: 18 U.S.C. §§ 921; 8921  
17-A M.R.S.A. § 210  
20-A M.R.S.A. §§ 263; 1001(9); 1001(9-A); 1001(17); 1001(18)  
Ch. 125 § 10.06 (Me. Dept. of Ed. Rules)

Cross References: EBCA – Crisis Response Plan  
JKD – Suspension of Students  
JKE – Expulsion of Students

Cross References (cont.):

JKF – Suspension/Expulsion of Students with Disabilities  
JICIA – Weapons, Violence and School Safety  
Student Code of Conduct

Adopted: \_\_\_\_\_

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# KF - COMMUNITY USE OF SCHOOL FACILITIES

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It is the philosophy of the Town of Cape Elizabeth and its officials, that our facilities are community facilities. These facilities are available to citizens, groups and organizations. Policies and procedures are to balance the intended use, the demand for various uses, the need to maintain and upkeep the facilities and contents, and to provide a safe environment for general use.

There shall be guidelines for the non-school use of the facilities. Rates for rental to commercial groups, non-profit agencies, and community organizations shall be developed and implemented by the Director of Facilities & Transportation.

Community Services schedules the use of all school facilities during non-school hours.

## Cross Reference:

- [KF-R – Use of Facilities Guidelines \(/policies-list/k-school-community-relations/255-kf-r-guidelines-and-application-forms-fields-and-all-other-facilities\)](#)
- KF-E – Application for Use of Facilities

## Guidelines and Application Forms:

- [Fields \(https://docs.google.com/viewer?a=v&pid=sites&srcid=Y2FwZWVsaXphYmV0aHNjaG9vbHMub3JnfGZ0ZHxneDo5Yjk5OTY3ZjIzZjI0OTE\)](https://docs.google.com/viewer?a=v&pid=sites&srcid=Y2FwZWVsaXphYmV0aHNjaG9vbHMub3JnfGZ0ZHxneDo5Yjk5OTY3ZjIzZjI0OTE)
- [All other facilities \(https://docs.google.com/viewer?a=v&pid=sites&srcid=Y2FwZWVsaXphYmV0aHNjaG9vbHMub3JnfGZ0ZHxneDo1YWUwZGUwZjU5MTNmNDk2\)](https://docs.google.com/viewer?a=v&pid=sites&srcid=Y2FwZWVsaXphYmV0aHNjaG9vbHMub3JnfGZ0ZHxneDo1YWUwZGUwZjU5MTNmNDk2)



Legal Reference: TITLE 20A MRSA SEC. 1001

ADOPTED: October 9, 1984

REVIEWED: Dec. 13, 1994

RECODED: June 1998

REVISED: October 9, 2007

## COMMUNITY USE OF SCHOOL FACILITIES

For the purpose of this policy, “school facilities” include buildings and grounds, parking lots, playing fields and fixed equipment.

It is the Board’s desire that the local taxpayers who provide the school should be able to obtain maximum use of the facilities, to the extent consistent with the primary educational function of the school. It is intended that community uses for educational, recreational, social, civic, and philanthropic and like purposes be approved by the administration, in accordance with this policy, the implementing regulations, and a fee schedule approved annually by this Board.

The Superintendent is responsible for developing administrative regulations which provide for: timely applications; uses which do not interfere with educational or extracurricular programs of the public school students; preference to local, not-for-profit organizations; and the acceptance of appropriate responsibility and liability.

The following provisions apply to community use:

- A. A certificate of insurance shall be required as appropriate to the particular use;
- B. No alcoholic beverages may be brought onto school property at any time;
- C. Tobacco is not allowed on school property;
- D. School facilities may not be used for any illegal purposes;
- E. Community adults and children are free to use outdoor grounds and facilities for recreation whenever not otherwise scheduled. However, formal approval of buildings and grounds use will only be granted to recognized organizations and groups;
- F. Any approval of the use of school facilities is to require the signing of a *Facility Use Agreement* setting forth the conditions of use;
- G. Application for use is to be made through the Principal, with final approval determined by the Superintendent; and

- H. Repeat use may be denied to any group which has not demonstrated appropriate conduct and care.

Facility use may be granted without rental charge, as follows:

- A. Not-for-profit educational, recreational, cultural and fraternal organizations having a significant number of members who are community residents;
- B. Not-for-profit groups which present programs that are designed to be educationally, recreationally or culturally beneficial to local citizens; and
- C. Municipal-sponsored groups and organizations.

Other groups shall pay rent, in advance, on a multi-increment scale which reflects highest amounts for groups engaging in a profit-making enterprise on school grounds.

The following may be requested of any group:

- A. Reimbursement for incidental expenses (e.g., utilities);
- B. A deposit with the application, refundable after leaving the facility in satisfactory condition;
- C. Reimbursement for property damage and any cleaning and repair costs;
- D. Reimbursement for custodian or other staff costs when necessary to the use of the facility; and
- E. Fees for rental of equipment.

Adopted: \_\_\_\_\_

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# BCC - NEPOTISM

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For the purposes of this policy, the following definitions shall be used:

- A. "Employee" means a person who receives monetary payment or benefits, no matter the amount paid or hours worked, for personal services performed for the School Department. (This does not include part-time and/or seasonal employees of Community Services who do not report directly to the Director of Community Services.)
- B. "Administrators and Supervisors" includes the Special Education Director, Athletic Administrator, Director of Community Services, and School Principals, Assistant Principals, Business Manager, Facilities Manager, Professional Development and Curriculum Facilitator, Technology Coordinator, Custodial Supervisor and Food Service Supervisor.
- C. "Immediate Family" includes spouse, brother, sister, parent, son, daughter, or domestic partner.
- D. "Extended Family" includes grandparent, grandchild, uncle, aunt, niece, nephew or in-law.

## 1. Board Members

Immediate and extended family members of Board members shall not be employed by the School Department, subject to the following exemptions:

- a. Immediate and extended family members, except spouses, who are employed as of the date of policy adoption, for as long as they remain continuously employed.
- b. Employees who are employed on the date that an immediate or extended family member of theirs is elected to the Board.
- c. Board members are expected to recuse themselves from participating in any personnel action involving an immediate or extended family member employed by the School Department.

## 2. Superintendent

Immediate and extended family members of the Superintendent shall not be employed by the School Department, subject to the following exemptions:

- a. Employees who are employed on the date that an immediate or extended family member of theirs is elected to the Superintendency.
- b. If a member of the Superintendent's immediate or extended family is employed under paragraph (a), appropriate measures shall be taken by the Board to avoid a conflict.

## 3. Administrators and Supervisors

No person shall be employed in a position within the jurisdiction of an administrator or supervisor who is a member of that person's immediate or extended family. Nor shall any person be employed in a position in which a member of the immediate or extended family of that person is responsible, in whole or in part, for his/her supervision or evaluation. This provision is subject to the following exemption:

- a. Employees who are employed as of the date of policy adoption, for so long as they remain continuously employed. In such cases, appropriate measures shall be taken to avoid a conflict.

## 4. All School Employees

The Board shall be notified if an employee has an immediate or extended family relationship with any other School Department employee or Board member before the Board takes any employment action affecting that employee.

## 5. Exceptions to Policy

The Board may approve an exception to this policy (except for the statutory prohibition against employment of Board members' spouses) if there is a determination that it is in the best interest of the School Department and appropriate measures can be taken to avoid a conflict. It is the intent of the Board that this provision be narrowly construed and used only in rare circumstances.

Cross Reference:

BCB – Board Member Conflict of Interest

Legal Reference: 20-A MRSA SECTION 1002

ADOPTED: January 14, 1992

Recoded: June 1998

REVISED: April 9, 2004

Reviewed: March 12, 2013

**NEPOTISM**

**Employment**

It shall be the policy of the [**School Unit Name**] Board not to employ as school unit staff any person who is a member of the immediate family of a Board member or of the Superintendent. Immediate family of Board members or the Superintendent who are employed by the school unit on the date of adoption of this policy are not affected by this paragraph.

By Maine law (20-A M.R.S.A. § 1002(2)), a Board member's spouse is precluded from employment under any circumstances in any public school within the jurisdiction of the Board to which the member is elected.

**[FOR SCHOOL UNIONS ONLY, ADD: A Board member's spouse may not be employed by any other Board in School Union \_\_\_ [insert school union number].**

**Supervision and Evaluation**

No person shall be employed in or assigned to a position that is within the administrative supervision of a member of his/her immediate family, nor in a position in which he/she is supervised or evaluated, in whole or in part, by a member of his/her immediate family.

**[OPTIONAL:**

**Exceptions**

**In extraordinary circumstances, the Board may approve an exception to the prohibitions on the employment of immediate family so long as the candidate is qualified for the position to which he/she has applied, the hiring is in the best interest of the school system and its students, and the candidate is not the spouse of a Board member.]**

**Volunteers**

Under Maine law (20-A M.R.S.A. § 1002(2-A)), a board member or a board member's spouse may not serve as a volunteer when that volunteer has primary responsibility for a curricular, co-curricular, or extracurricular program or activity and reports directly to the superintendent, principal, athletic director, or other school administrator within the jurisdiction of the Board.

**Definitions**

For the purpose of this policy:

- A. "Immediate family" means spouse, brother, sister, parent, son, or daughter.
- B. "Administrative supervision" refers to the authority of a person in the position of principal or higher.

Legal Reference: 20-A M.R.S.A. § 1002

Cross Reference: BCB - Board Member Conflict of Interest

Adopted: \_\_\_\_\_

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# BBAA - School Board Member Authority and Responsibilities

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Members of the Board have authority only when acting as a board legally in session and the Board shall not be bound in any way by any action or statement on the part of any individual board member; provided however, a member or members of the Board shall have authority to act on behalf of the Board when such authority has been delegated to such member(s) by the Board.

Legal Reference: 20-A M.R.S.A. § 1001-1003

ADOPTED: February 12, 2013

# JJIAB - PRIVATE SCHOOL STUDENTS - ACCESS TO PUBLIC SCHOOL COCURRICULAR, INTERSCHOLASTIC AND EXTRACURRICULAR ACTIVITIES

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The Board recognizes that Maine law sets standards for access to public school cocurricular, interscholastic and extracurricular activities by students enrolled in equivalent instruction programs in private schools.

For the purpose of this policy, “student enrolled in equivalent instruction program” means a student otherwise eligible to attend school in that school administrative unit, including a student who resides in the unorganized territory, when the student is enrolled in an equivalent instruction program in a private school that:

- A. Is recognized as an equivalent instruction alternative under 20-A MRSA § 5001-A(3)(1)(a) or (b) (i.e., a private school approved for attendance purposes under 20-A MRSA § 2901 or a private school recognized by the Department of Education as providing equivalent instruction); and
- B. Is not a member of an association that promotes, organizes or regulates statewide interscholastic activities in both public and private schools.

## **PARTICIPATION IN COCURRICULAR ACTIVITIES**

“Cocurricular activities,” for the purpose of this policy, are activities that are sponsored by the school, are directly related to the curriculum and support achievement of the learning standards established by law, Board policy and or administrative action. Examples of such activities include the math club, science fairs and foreign language clubs.

A student enrolled in an equivalent instruction program as defined in this policy is eligible to participate in cocurricular activities sponsored by the Cape Elizabeth School Department provided that:

- A. The student or his/her parent/guardian applies in writing to and receives written approval from the school principal/designee; and
- B. The student currently meets, and agrees to meet in the future, established behavioral, disciplinary, attendance and other rules applicable to all students.

The principal/designee has reasonable discretion to grant or withhold approval based on factors including: whether the activity is already filled with enrolled students, additional costs that would be caused by the student’s participation, the student’s behavioral and academic record provided by the private school, safety, and any other factors that involve the best interests of the school. The principal/designee’s decision shall not be subject to appeal or reconsideration unless it is in violation of the law or a Board policy.

## **PARTICIPATION IN EXTRACURRICULAR ACTIVITIES**

“Extracurricular activities,” for the purpose of this policy, are school-sponsored activities for which participants are selected by staff supervising the activities, including those teams, both athletic and academic, that participate in interscholastic competition.

A student enrolled in an equivalent instruction program as defined in this policy is eligible to try out for extracurricular and interscholastic activities sponsored by the Cape Elizabeth School Department provided that the following requirements are met/satisfied:

- A. The student applies for and receives written approval from the principal/designee;
- B. The student agrees to abide by equivalent rules of participation as are applicable to regularly enrolled students participating in the activity and provides evidence that the rules of participation are being met.
- C. The student complies with the same physical examination, immunization, insurance, age, and semester eligibility requirements as regularly enrolled students participating in the activity. All required documentation must be made available upon request by the school unit.
- D. The student meets equivalent academic standards as those established for regularly enrolled students participating in the activity and provides evidence that the academic standards are being met.
- E. The student abides by the same transportation policy as regularly enrolled students participating in the activity.

The principal/designee will be responsible for approving or withholding approval of applications to try out for an extracurricular activity.

The criteria for selection of participants shall be determined by the staff members (coaches, advisors and their supervisors) responsible for the activities. Tryouts are by nature competitive. Eligibility to try out does not guarantee participation. Decisions resulting in non-selection of individual students shall not be subject to appeal or reconsideration unless they are in violation of law or Board policy.

#### **VERIFICATION OF ELIGIBILITY**

To permit verification that the student has met eligibility requirements under this policy, the student's parent (or the student, if 18 years old) must authorize the private school to provide to the principal all information necessary to determine whether the student meets the requirements.

#### **DELEGATION OF AUTHORITY**

In order to maintain an efficient and orderly method for processing applications for participation, the Board authorizes the Superintendent/designee to develop procedures, as appropriate, for the principal/designee's use in determining whether students have met eligibility requirements and for granting or withholding approval of participation.

The Cape Elizabeth School Department has no obligation to notify or provide information concerning eligibility for participation in school-sponsored cocurricular, interscholastic or extracurricular activities to students enrolled in equivalent instruction in private schools.

#### **APPEALS**

Appeals from administration and application of the Board policy are heard by the Board, whose decision is final and binding. Appeals that question the Board's policy compliance with legal requirements must be made to the Commissioner, whose decision is final and binding.

Legal Reference: 20-A MRSA §§ 2901, 5001-A, 5021-A(3)

Cross Reference:

- [JJIAB-E1: Application for Participation in cocurriculars \(/policies-list/j-students/219-jjiab-e1-private-school-students-application-for-participation-in-cocurriculars\) \(pdf\)](#)
- [JJIAB-E2: Application for Participation in extracurriculars \(/policies-list/j-students/220-jjiab-e2-private-school-students-application-for-participation-in-extracurricular\) \(pdf\)](#)
- [JJIAB-E3: Verification of Eligibility for Participation in cocurriculars \(/policies-list/j-students/221-jjiab-e3-private-school-students-verification-of-eligibility-for-participation-in-cocurriculars\) \(pdf\)](#)
- [JJIAB-E4: Verification of Eligibility for Participation in extracurriculars \(/policies-list/j-students/222-jjiab-e4-private-school-students-verification-of-eligibility-for-participation-in-extracurricular\) \(pdf\)](#)

ADOPTED: December 13, 2011

### **SCHOOL BOARD POWERS AND RESPONSIBILITIES**

The School Board shall have general charge of all the public schools of this unit and shall exercise such other responsibilities as specifically provided by law.

The Board shall concern itself primarily with broad questions of policy rather than with administrative details. The application of policies is an administrative task to be performed by the Superintendent and his/her staff, who shall be held responsible for the effective administration and supervision of the entire school system.

The Board, functioning within the framework of laws, court decisions, attorney generals' opinions, and similar mandates from the state and national levels of government, and recognizing the authority of the state, fulfills its mission as the governing body of a political subdivision by acting as follows in the execution of its duties:

- A. Enacts policy;
- B. Selects, employs and evaluates the Superintendent;
- C. Provides for the planning, expansion, improvement, financing, construction and maintenance of the physical plant of the school system;
- D. Prescribes the minimum standards needed for the efficient operation and improvement of the school system;
- E. Requires the establishment and maintenance of records, accounts, archives, management methods and procedures incidental to the conduct of school business;
- F. Approves the budget, financial reports, audits, major expenditures, payment of obligations, and policies whereby the administration may formulate procedures, regulations, and other guides for the orderly accomplishment of business;
- G. Estimates the funds necessary from taxes for the operation, support, maintenance and improvement of the school system;
- H. Adopts courses of study;

- I. Provides staff and instructional aids;
- J. Evaluates the educational program to determine the effectiveness with which the schools are achieving the educational purposes of the school system;
- K. Provides for the dissemination of information relating to the schools necessary for creating a well-informed public; and
- L. Approves/disapproves personnel nominations from the Superintendent and determines (where appropriate via collective bargaining) compensation and working conditions of all staff.

Legal Reference: 20-A MRSA § 1001  
20-A MRSA § 1476 (RSU)

Adopted: \_\_\_\_\_

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**PRIVATE SCHOOL STUDENTS—ACCESS TO PUBLIC SCHOOL  
COCURRICULAR, INTERSCHOLASTIC AND EXTRACURRICULAR  
ACTIVITIES**

The Board recognizes that Maine law sets standards for access to **[OR: eligibility for]** public school cocurricular, interscholastic and extracurricular activities by students enrolled in equivalent instruction programs in private schools.

For the purpose of this policy, “student enrolled in equivalent instruction program” means a student otherwise eligible to attend school in that school administrative unit, including a student who resides in the unorganized territory, when the student is enrolled in an equivalent instruction program in a private school that is recognized as an equivalent instruction alternative under 20-A MRSA § 5001-A(3)(1)(b).

**I. PARTICIPATION IN COCURRICULAR ACTIVITIES**

“Cocurricular activities,” for the purpose of this policy, are activities that are sponsored by the school, are directly related to the curriculum and support achievement of the learning standards established by law, Board policy and or administrative action. Examples of such activities include the math club, science fairs and foreign language clubs.

A student enrolled in an equivalent instruction program as defined in this policy is eligible to participate in cocurricular activities sponsored by **[School unit name]** provided that **[OR: so long as]**:

- A. The student or his/her parent/guardian applies in writing to and receives written approval from the school principal/designee.
- B. The student currently meets, and agrees to meet in the future, established behavioral, disciplinary, attendance and other rules applicable to all students.
- C. The private school the student attends does not provide the same cocurricular activity.

The principal/designee may withhold approval only if the school does not have the capacity to provide the student with the opportunity to participate in the cocurricular activity.

If approval is withheld, the principal/designee will provide a written explanation to the student or student’s parent/guardian stating the reason for the decision to withhold approval.

## II. PARTICIPATION IN EXTRACURRICULAR ACTIVITIES

“Extracurricular activities,” for the purpose of this policy, are school-sponsored activities for which participants are selected by staff supervising the activities, including those teams, both athletic and academic, that participate in interscholastic competition.

A student enrolled in an equivalent instruction program as defined in this policy is eligible to try out for extracurricular and interscholastic activities sponsored by [School unit name] provided that **[OR: so long as]** the following requirements are met/satisfied:

- A. The student applies for and receives written approval from the principal/designee.
- B. The student agrees to abide by equivalent rules of participation as are applicable to regularly enrolled students participating in the activity and provides evidence that the rules of participation are being met.
- C. The student complies with the same physical examination, immunization, insurance, age, and semester eligibility requirements as regularly enrolled students participating in the activity. All required documentation must be made available upon request by the school unit.
- D. The student meets equivalent academic standards as those established for regularly enrolled students participating in the activity and provides evidence that the academic standards are being met.
- E. The student abides by the same transportation policy as regularly enrolled students participating in the activity.
- F. The private school the student attends does not provide the same extracurricular or interscholastic activity

The principal/designee will be responsible for approving or withholding approval of applications to try out for an extracurricular activity. The principal/designee may withhold approval only if the school does not have the capacity to provide the student with the opportunity to participate in the cocurricular activity.

If approval is withheld, the principal/designee will provide a written explanation to the student or the student’s parent/guardian stating the reason for the decision.



The criteria for selection of participants shall be determined by the staff members (coaches, advisors and their supervisors) responsible for the activities. Tryouts are by nature competitive. Eligibility to try out does not guarantee participation.

Decisions resulting in non-selection of individual students shall not be subject to appeal or reconsideration unless they are in violation of law or Board policy.

#### VERIFICATION OF ELIGIBILITY

To permit verification that the student has met eligibility requirements under this policy, the student's parent (or the student, if 18 years old) must authorize the private school to provide to the principal all information necessary to determine whether the student meets the requirements.

#### DELEGATION OF AUTHORITY

In order to maintain an efficient and orderly method for processing applications for participation, the Board authorizes the Superintendent/designee to develop procedures, as appropriate, for the principal/designee's use in determining whether students have met eligibility requirements and for granting or withholding approval of participation.

**[School unit name]** has no obligation to notify or provide information concerning eligibility for **[OR: access to] [OR: the law regarding access to]** participation in school-sponsored cocurricular, interscholastic or extracurricular activities to students enrolled in equivalent instruction in private schools.

#### APPEALS

Except as otherwise provided in this policy, appeals from administration and application of the Board policy are heard by the Board, whose decision is final and binding. Appeals that question the Board's policy compliance with legal requirements must be made to the Commissioner, whose decision is final and binding.

Legal Reference: 20-A MRSA §§ 2901, 5001-A, 5021-A(3)

Cross Reference: KE – Public Concerns and Complaints

Adopted: \_\_\_\_\_

