

REGIONAL SCHOOL UNIT 19

TO: RSU 19 Board of Directors
FR: Robin McNeil / Mike Hammer
DT: November 21, 2019
RE: **Policy Committee Meeting Agenda**



DAY: Tuesday
DATE: **November 26, 2019**
TIME: 6:30 PM
PLACE: Central Office

AGENDA

I. Public Comment

II. Policies

A. Policy Review

1. JICA (to ACAD) Hazing
2. GBJ Personnel Records and Files

B. New Policies

1. IHBB Gifted and Talented Education

III. Other

IV. 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.

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, including any willing or unwilling group initiation or membership activity that humiliates, degrades, abuses, or endangers the student”.

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.

Hazing is a behavior that targets another due to a real or perceived difference in status and includes any humiliating, degrading, abusive or endangering activity expected of a student as a condition of joining or maintaining membership in a group, regardless of whether the student is willing to participate in the activity or not. Forms of hazing have been used as initiation to certain clubs, organizations or activities. Actions that involve harassment and/or violence are prohibited. These include behaviors that cause emotional anguish or physical discomfort in order to feel like part of the group, and behaviors that have the potential to cause physical and/or emotional or psychological harm.

“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. Principals may suspend and/or recommend expulsion of students who violate this policy based upon the facts of each case and in accordance with applicable state and federal laws.

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.

First Reading: 02/21/17

Adopted: 03/21/17

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 Board. The ruling of the 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

First Reading: 02/21/17
Adopted: 03/21/17

PERSONNEL RECORDS AND FILES

RSU 19 shall maintain records of current and former employees in the Office of the Superintendent in accordance with state and federal laws and regulations.

Directory Information

As required by law, a record of directory information for each employee shall be open to inspection and copying by any person. Directory information shall contain:

- A. Name of employee;
- B. Date(s) of employment by the school unit;
- C. Regular and extra-curricular duties, courses, subjects taught, and any other responsibilities since the start of employment by RSU 19;
- D. Post-secondary education institution(s) attended;
- E. Major and minor field(s) of study as recognize by those institutions; and
- F. Degrees received and dates degrees were awarded.

Confidential Information

As required by law, all information (except Directory Information) about an employee, applicant for employment, or an employee/applicant's immediate family shall be kept confidential if it relates to the following:

- A. All information, working papers, and examinations used in the evaluation or selection of applicants for employment;
- B. Medical information of any kind, including information pertaining to diagnosis or treatment of mental or emotional disorders;
- C. Performance evaluations, personal references and other reports and evaluations reflecting on the quality or adequacy of the employee's work or general character compiled and maintained for employment purposes;
- D. Credit information;
- E. The personal history, general character or conduct of the employee or any member of the employee's immediate family;
- F. Complaints, charges of misconduct, replies thereto and memoranda and other materials pertaining to disciplinary action;
- G. Social Security number;

- H. Any teacher action plan and support system documents and reports maintained for certification purposes; and
- I. Criminal history record information.

Personnel Files

Personnel files will contain a cumulative history of the staff member's employment, including formal or informal employee work evaluations and reports relating to the employee's character, credit, work habits, compensation and benefits.

Other Confidential Personnel Records

The school unit must maintain the following confidential employee records separate from the personnel files:

- A. Medical information of any kind; and
- B. Teacher action plans and support system documents and reports maintained for certification purposes.

Disciplinary Action Information

Any written record of a decision involving an employee disciplinary action by the School Board shall not be included within any category of confidential information.

Procedures for Review of Personnel Files

For the purpose of this section, a personnel file shall include, but not be limited to, any formal or informal employee evaluations and reports relating to the employee's character, credit, work habits, compensation and benefits that are maintained by the school unit for employment purposes.

- A. The Superintendent shall, upon written request and within 15 business days, provide the employee, or his/her duly authorized representative(s) with an opportunity to review and copy his/her personnel file, if the Superintendent has a personnel file for that employee.
- B. Reviews of personnel files shall take place at the location where the personnel files are maintained and during normal office hours.
- C. ~~The cost of any copying is to be paid by the person requesting the copy.~~ The employee may obtain a copy of any material in the

personnel file at the Board's expense. Additional copies may be obtained at a cost to the employee.

- D. Access to confidential college placement records and letters of reference will be granted only to the Superintendent/designee.

Access to Personnel Files

Access to personnel files may be given to the following persons without the consent of the employee.

- A. The Superintendent or his/her designee, the employee's principal or other supervisor(s). Personnel files are not accessible to individual School Board members.
Relevant portions of a personnel file may be summarized and/or shared with the Board by the Superintendent when consideration is being given to performance evaluation, continuation of employment or disciplinary action.
- B. The general public shall have access only to the Directory Information as outlined above.

Access to personnel files will not be granted to any other persons except under the following circumstances:

- A. When the employee gives written consent for the release of his/her records. The written consent must specify the record(s) to be released and to whom they are to be released. Each request for consent must be handled separately; blanket permission for release of information will not be accepted; and
- B. Upon advice of counsel, when subpoenaed or under court order.

Records Management

The Superintendent has overall responsibility for maintaining and preserving the confidentiality of all employee/applicant records. The Superintendent may designate a staff member who shall be responsible for granting or denying access to records according to the guidelines in this policy.

Written reports shall be maintained in personnel files to document compliance with federal and state laws and regulations and School Board policies regarding employee evaluations. Once a document is properly placed in a personnel file, it shall remain in the file permanently.

Records Retention

The school unit will retain all personnel records and files in accordance with applicable laws and regulations.

Legal Reference: 20-A MRSA § 6 101
20-A MRSA § 13015
26 MRSA § 631
Chapter 10, Rules for Disposition of Local Government
Records (Maine State Archives)
Americans with Disabilities Act of 1990, 42 U.S.C.
Family and Medical Leave Act of 1993, 29 U.S.C. 2611 et
seq.

GIFTED AND TALENTED EDUCATION

RSU 19 recognizes the importance of, in accordance with state law and guidelines, identifying students of unusual ability, skill, or creativity in the following areas:

- General intellectual ability,
- Specific academic aptitude, and
- Visual and performing arts.

These are students who excel, or have the potential to excel, beyond their age peers, and who need and can benefit from specialized programming to challenge them and further develop their potential. This is expected (as per Maine Chapter 104) to be about 5% of the student population in intellectual/academic and also about 5% in the arts.

Identifying gifted and talented students, and providing appropriate differentiation to their educational program to better meet the needs of these atypical learners, is necessary to fully include them in the District's mission to:

- Inspire every student.
- Instill a motivation for learning.
- Insure contributing citizens.

The Superintendent, or designee, shall ensure that a process is in place for the screening, identification, placement, and review of identification for students in the gifted and talented program.

Legal Reference: Title 20-A: Education / Chapter 311 Gifted and Talented Students

05-071 Department of Education - Chapter 104: Educational Programs for Gifted and Talented Children

1st Reading:
Adopted: