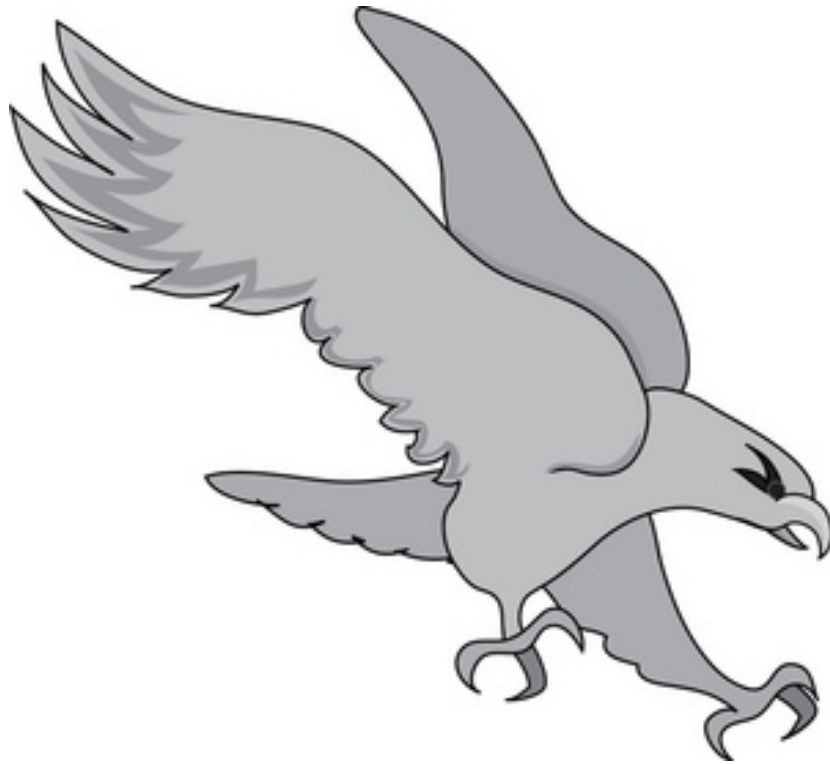


HARRINGTON ELEMENTARY SCHOOL



STUDENT / PARENT HANDBOOK

“HOME OF THE HAWKS”

2023-2024



Harrington Elementary School

1227 US HWY 1A ~ Harrington, Maine 04643

Tel: (207) 483-6681 ~ Fax: (207) 483-4589

Email: ebrooks@msad37.org

September 5, 2023

Dear Students and Families:

Welcome! It is going to be a great school year and I look forward to all the wonderful things that will be achieved at Harrington Elementary School! As parents and staff, we will lock arms in partnership to support your child this year.

Please take time to review this updated handbook and discuss the importance of good behavior. Our goal is to create a positive learning environment for all students and these guidelines and policies have been created to help with this goal. Teachers and staff will be working with students to establish routines, review rules, and set the tone for a positive tone for the year.

In the event that policies are updated, we will defer to the most up to date/adopted school board policies. A comprehensive list of these policies and other important information can be found on the MSAD #37 website: www.msad37.me/documents.

I look forward to working with you to make this a successful year!

Sincerely,

Eric M. Brooks
Principal

Be Respectful. Be Safe. Be Kind.



MAINE SCHOOL ADMINISTRATIVE DISTRICT #37 VISION STATEMENT

M.S.A.D. #37 promotes the belief that all students can learn. To facilitate this process, children need positive parental involvement, community participation, and a safe and supportive school environment.

M.S.A.D. #37 must set high, realistic goals for all students and staff. Development of self-esteem, self-discipline, respect, pride, and compassion, along with a well-rounded educational program, will enable our students to become life- long learners.

M.S.A.D. #37 TOP TEN BELIEFS

- * Children need to develop self-control and assume responsibility for their actions.
- * Students must assume ownership and responsibility for their learning.
- * Positive parental Involvement is a must.
- * Every student needs to experience success.
- * Each learner is an individual.
- * Every child can learn. It is important to validate accomplishments and recognize various capabilities.
- * Develop self-esteem and a sense of pride- pride and compassion for all.
- * The family must take primary responsibility for the student.
- * A safe and supportive environment for all students and staff.
- * It's important that students be successful.

Important Phone Numbers

Superintendent's Office/Transportation Department/Special Education: 483-2734

Harrington Elementary School: 483-6681

Narraguagus Jr/Sr High School: 483-2747

ATTENDANCE

School attendance is mandatory. A student is defined as a habitual truant if he/she is at least 7 years of age, has not completed grade 6, and has the equivalent of 7 full days of unexcused absences or 5 consecutive school days of unexcused absences during the school year.

The Maine Education and School Statutes state: A person may be excused from attendance at a public day school pursuant to section §5001-A. Excusable absence. A student's absence is excused when the absence is for the following reasons:

- A. Personal illness;
- B. An appointment with a health professional that must be made during the regular school day; C. Observance of a recognized religious holiday when the observance is required during the regular school day;
- D. A family emergency; or
- E. A planned absence for a personal or educational purpose which has been approved.

If any student accumulates 10 absences during the school year (excused or unexcused), parents may be asked to provide excusal notices from a physician. Cases of truancy will be reported to Maine Department of Education and to the Department of Health and Human Services. Excused absences or not, missing school can add up to a significant loss of learning.

If you know your child will be absent from school, please send a note ahead of time or call the school. When a student is absent, please send a signed and dated excuse note with the student the day he/or she returns to school. Without a note, the student's absence is recorded as "unexcused" and counts toward truancy. Please remember, absence does not excuse the student from making up assignments and that there is no substitution for being present. Teachers are not required to provide homework/assignments ahead of time due to planned absences, such as vacations. Students are expected to make up assignments upon return to school.

GUIDELINES FOR KEEPING SICK CHILDREN HOME FROM SCHOOL

Each day, many parents/guardians are faced with a decision: should they keep their sick children at home or send them off to school? Often the way a child looks and acts can make the decision an obvious one. The following guidelines should be considered when making the decision:

Fever: The child should remain at home with a fever greater than 100°. The child can return to school after he/she has been fever free for 24 hours (without fever-reducing medicine such as Tylenol or Motrin).

Diarrhea/Vomiting: A child with diarrhea and /or vomiting should stay at home and return to school only after being symptom-free for 24 hours.

Strep and Bacterial Infections: Following a diagnosis of strep throat or other bacterial infections, the child can return to school 24 hours after the first dose of prescribed meds. Please let the school know if your child has this type of infection as we try to look for any patterns.

COVID-19: For positive COVID cases, students should follow the latest CDC/DOE guidance in consultation with the school nurse.

A sick child cannot learn effectively and is unable to participate in classes in a meaningful way. Keeping a sick child home prevents the spread of illness in the school community and allows the child an opportunity to rest and recover.

ARRIVAL

All students shall go directly to their classroom to drop off their items and prepare to go directly outside for recess. ***Students that are dropped off should not arrive at school before 7:30 a.m.*** Breakfast is served beginning at 7:35 in the gym. Students arriving after 8:00 a.m. will be considered tardy. Please be aware of buses and students walking in the parking lot.

DISMISSALS

Regular school dismissal will be at 2:25 p.m. Students will stay in their designated areas and will be dismissed via the school-wide intercom. Typically, walkers will be called first followed by the buses. Anyone picking up a student should be careful of buses loading. Students may be dismissed early for medical and dental appointments, or family emergencies. Please send in a note stating your child will be leaving for an appointment ahead of time; this allows the teacher to send missed schoolwork home with your child. Parents must come into the school to pick their child up. A student who becomes ill during the day, or has some type of emergency, must report to the office to call home, and be dismissed from the office before going home. When a student is not going home on his or her regular conveyance, the parent/guardian must write a note giving said student permission to go elsewhere. If your child's dismissal plans change during the day, please call the office before 1:00 p.m. unless there are extenuating circumstances.

Visitations to classrooms should not be made at arrival or dismissal time. Please arrange a meeting time with your child's teacher if you would like to check in with them.

WEATHER RELATED DELAYS/EARLY DISMISSALS/CLOSINGS

If school is delayed, dismissed early, or closed, announcements will be made using Apptegy, the Remind app, and on the MSAD #37 Facebook page. A two-hour delay means that classes will start at 10:00 a.m. and typically an early release means an 11:30 a.m. dismissal.

HOMEWORK AND MAKE-UP ASSIGNMENTS

Homework may be assigned to practice skills that has been taught in school. Assignments are intended to develop good work habits, improve academic progress, and help inform parents/guardians of the school's curriculum. Work that is not completed in class may become homework. Students should work as independently as possible. Clarifying instructions, giving encouragement and reassurance are wonderful, but remember that you have already been to elementary school! Work must be returned to school the next day. Students not completing work on time may be subject to disciplinary actions. If extra assistance is needed, the student should discuss this directly with the teacher. Teachers are not required to provide homework/assignments ahead of time due to planned absences, such as vacations or extended absences. Students are expected to make up assignments upon return to school in a timely manner.

GRADING SYSTEM

M.S.A.D. #37 uses the following grading system in all elementary schools. Report cards are issued quarterly. In grades 3-6 the following grading system is used:

A = 93-100 B = 85-92 C = 75-84 D=70-74 E=0-69

All students will be ranked according to standards for each grade level.

4 – Distinction 3 - Proficient 2 – Partially Proficient 1 – Below Proficient

AWARDS/HONOR ROLL

Students are honored at Harrington Elementary School for their individual or group achievement. Students Grades 3-6 are recognized for achieving Honor Roll by receiving a certificate of achievement at the end of each quarter (B or higher in every subject). Students are also recognized at an end of the year awards ceremony. During this assembly students Grade K-2 will receive individual awards from their teachers and students Grades 3-6 will receive Honor Roll recognition along with awards for Perfect Attendance, Drama, Student Council, Band, Spelling Bee, Art, and Physical Education. Athletic Achievements are also recognized with a certificate of participation at the end of the year awards ceremony upon successful completion of the sport(s).

POWERSCHOOL FOR GRADES 3-6

PowerSchool will be updated on a weekly basis, and you will be able to log in to check your child's progress. Report cards will be sent at the end of each quarter and progress reports will be sent home between report cards. Work not submitted before grades close will result in a zero. Students should make every effort to stay caught up with assignments.

PARENT/TEACHER CONFERENCES

Conferences are held twice a year and are a valuable part of our educational process. Sign-up sheets will be provided to parent/guardians near conference dates. Parents/guardians are encouraged to communicate with teachers when there is concern with a student's progress.

ASSESSMENTS

Throughout the year, your child will take various assessments to help determine proficiency levels with topics and allow teachers to plan for instruction the best way to meet student needs. In addition to classroom and district assessments in reading, writing, spelling, social studies, science, etc., standardized assessments, such as NWEA/Through the Year, will be used in grades 3-6 periodically to assess your child's academic growth.

TITLE 1 MATH/READING/SPECIAL EDUCATION SUPPORT SERVICES

Students may be eligible for additional support services under these programs if they meet certain criteria developed by district guidelines, the Student Assistance Team, and state requirements. If your child is eligible, you will be notified and will be involved in this decision-making process. Please understand that we are always working in the best interest of your child when we are reviewing academic progress and making these decisions. At times, your student may need additional help from a teacher on certain topics, but it may not necessitate a formal intervention program.

GIFTED AND TALENTED PROGRAM

In accordance with the Maine Department of Education regulation 104, MSAD #37 will implement a Gifted and Talented Program of identified students. The Department of Education defines gifted and

talented students as the top 5% of the total student population. MSAD #37 will identify these students and provide specialized, challenging instruction through acceleration and enrichment activities and programming options. The program will be an in-class differentiation model facilitated by the classroom teacher as opposed to a pullout model.

DRESS CODE AND PERSONAL APPEARANCE

Students are expected to be neat and clean, to wear clothes that are whole and that fit properly. Students may not wear clothing that interferes with and/or detracts from the normal educational process and atmosphere of the school, or if it is offensive, attracts undue attention to the wearer, or causes a disturbance.

1. Hats and hoods are not to be worn in the building.
2. Spandex or tight-fitting clothing, worn as the outer garment, is not allowed.
3. Shorts of an appropriate length may be worn from the first day of school to Indigenous People's Day and from the end of April vacation to the last day of school. Students may not wear shorts from Indigenous People's Day to April vacation. Students are expected to go outside during recess and must be dressed appropriately for the weather. Boots, mittens, a warm hat, and a heavy jacket should be a part of a student's regular winter attire.
4. Clothing with suggestive slogans or that promote drugs and alcohol, or tobacco products are not permitted. Items of a dangerous nature are not permitted. This could be, but not limited to, large chains (not regular necklaces), items with protrusions such as spikes, or any other item that is deemed inappropriate.
5. Any garment that does not adequately cover a student's body will not be allowed. Pants are to be worn around the waist and not be hanging below the waist area. Underclothing shall not be visible.
6. Proper footwear is essential for physical education classes and daily playground use. Many fashionable or comfortable shoes, such as flip-flops, are not good choices. In the winter, students should not be wearing boots all day and should change into sneakers.

RECESS

During recesses, all students are expected to go outside when the weather permits unless the student attends a study hall to complete work, must stay in for discipline reasons, or is not able to go out because of illness or injury.

TOYS/ITEMS FROM HOME

Although we understand that children want to share their toys and new possessions with their friends, we ask that toys and other items such as, stuffed animals, trading cards, figurines, electronics, not be brought into school or on the bus. Staff will not accept responsibility for any personal items that are broken, lost or damaged in any way. When toys are brought in from home, they cause a distraction for your child and others.

EXTRA-CURRICULAR ACTIVITIES/AFTER SCHOOL PROGRAM

Harrington Elementary School students are offered extracurricular sports and activities, such as cross-country, soccer, basketball, baseball, and softball. We also host an after-school program, EdGE, that is available for students in grades one through six, Mondays – Thursdays 2:45-4:30. Participation in these activities requires adherence to all rules and policies of the programs. **Students who do not attend school may not participate in extra-curricular activities or the after-school program.**

FIELD TRIPS

Field trips must have an educational purpose and all students are expected to attend. In all instances, parents will be notified if students will be leaving the grounds, but parents/guardians will only be asked to sign a permission slip whenever their child's class goes outside M.S.A.D. #37.

PHONE CALLS/CELL PHONES

Students are discouraged from using the school phone unless it is an emergency, such as illness, with permission from their teacher or the administration. Students will not be allowed to use the phone for the purpose of changing after school plans or calling home for sneakers, books, musical instruments, assignments, etc. Parents/guardians should not call students out of class; the office will get a message to them. Parents/guardians should not call or text students' personal devices during the school day. Cell phones should be silent and put away at school.

FIRST AID/ILLNESS

At the beginning of the school year, emergency information sheets are sent home with students. This information informs the teachers and administration of what procedure you would like us to follow in case of sickness or injury to your child. We have no full-time school nurse; it is usually a half-day per week schedule. Minor bumps, scrapes, and bruises will be taken care of in the office. Students who are sick (vomiting and/or high fever) will be isolated and sent home. Parents/guardians must be available or have someone to pick their child up. If contact information changes during the school year, please notify the office.

FIRE DRILLS/EMERGENCY RESPONSE

Drills will be held periodically. Students will act in an orderly manner and report to the assigned safety zone. Students will learn the exit procedures at the beginning of the school year and these procedures will be reviewed periodically throughout the year.

SURVEILLANCE CAMERAS

The School Board authorizes the use of video surveillance equipment on school district property, school vehicles, and school contracted vehicles to ensure the health, welfare, and safety of all staff, students, and visitors to district property and/or passengers in district contracted or authorized vehicles and to deter inappropriate behavior. Cameras will also be utilized to safeguard district facilities and equipment, as well as equipment owned by staff or students. Cameras are in use at Harrington Elementary School.

REPLACEMENT OF LIBRARY BOOKS, TEXTBOOKS, AND CLASSROOM MATERIALS

Library books and textbooks are purchased by the school district for student use during the school year. Additionally, consumable workbooks are purchased and used daily. Because these materials are costly, it is expected that students treat materials with care and keep track of them.

Parents/guardians of students who lose or damage textbooks will be expected to reimburse the school for the cost of purchasing a new one. If a student loses or damages a workbook (rendering it unusable), parents will be expected to pay for replacements. If students' damage, destroy, or lose school property, parents/guardians will be responsible for replacement or repair.

BREAKFAST/LUNCH PROGRAM

Harrington Elementary School provides a nutritious lunch and breakfast (prepared at Narraguagus High School) to every student in the school that wishes to participate in this program. Meals are free and students are offered an alternative to the main entrée at lunch. Students bringing lunch from home should not bring glass and should be able to open containers easily. We do not heat up or make student lunches from home.

CLASSROOM PARTIES/CELEBRATIONS

Classrooms will hold three typical classroom celebrations this year (Halloween, Christmas, and Valentine's). At times, we may have other celebrations in accordance with our curriculum, such as a writing celebration. These events are intended for students to have fun and promote positive social interaction. Individual birthday parties cannot be held at school; please consider donating a book or supplies to the classroom instead. Please do not send home individual birthday party invitations at school unless all students in the class are invited.

BUS CONDUCT GUIDELINES

The bus driver may assign seats. Students are expected to follow the school bus safety and awareness rules outlined by the Transportation Department. Our goal is to provide a safe bus ride for all students. Parents and students should review the follow bus guidelines together:

1. Take a seat and stay seated until the bus reaches your destination.
2. Talk in a normal tone so that you do not distract the driver.
3. Keep the aisle and the emergency exits clear of all belongings.
4. Skateboards and other large sports equipment/objects are not allowed on the bus.
5. Do not throw objects from the bus or put your head or hands out of the windows.
6. Do not deface, damage, or tamper with any of the bus equipment, including emergency exits.
7. Be courteous and use appropriate language.
8. Respect others' personal space and property.
9. Students should leave toys and valuables, such as iPads, tablets, etc. at home.

The infraction of any of these rules may be grounds for suspension from a bus. Suspension from one bus in MSAD #37 means suspension from all buses in this district during regular runs. Severe infractions may be dealt with by the Superintendent and Transportation Director and may result in a lengthy suspension of the student's bus riding privileges. Students are still expected to attend school on time and regularly despite the revocation of these privileges. Please contact the Transportation Director with questions or concerns at (207) 483-2734.

COURTESY

Faculty and Staff will be addressed courteously and never by their first name. Courtesy also includes language. The use of profanity will not be tolerated. Rude and disrespectful behavior also will not be tolerated.

DISCIPLINARY MEASURES

Students at Harrington Elementary School are expected to conduct themselves in a manner that will not interfere with the rights of others to ensure an atmosphere of learning. Rules and regulations are established and maintained. For any student that violates the rules there are consequences for their actions.

Teachers are responsible for discipline in the classroom, study halls, recesses, lunchroom, and throughout the school. Students are required to respond to any member of our staff, even if it isn't their regular classroom teacher. Teachers may assign any reasonable penalty as a consequence for a student's inappropriate actions.

Students that repeatedly violate school rules or that engage in an act of a very serious nature may receive an after-school detention, an in-school suspension, or an out-of-school suspension to be administered at the discretion of the school principal. The penalty may vary according to the nature and seriousness of the rule infraction and the number of infractions the student has had previously. Please review the policy on detention, suspension, and expulsion of students in the district's Student-Related Policies Handbook. As part of our school program, we try to teach students respect and consideration for both their fellow students and the adults with whom they have contact. All playground and classroom rules are based on the premise of respect for others and insurance of safety. Most students cooperate well, but occasionally school staff must correct students. If frequent corrections must be made, we try to inform parents so that we can work together to help solve the student's problems.

PLAYGROUND RULES

1. All students shall stay in their given area. Students are not to loiter by the entrances to the building or go into the nature trail, woods, or near the sheds. Walkers and bicycle riders must leave the school grounds immediately after school is dismissed and not loiter on the school property.
2. Only one student is to be in a swing at a time and must sit in the swings, not stand, lay on their stomach, or twist the swings. Students are not to jump from the swings.
3. Students are to keep their hands off other students. There is to be no unnecessary roughness, wrestling, pushing, etc.
4. Students are to use the trash cans on the playgrounds to deposit their waste.
5. There should be no more than two at a time on the monkey bars - Use your hands only. If you cannot climb up on the bars yourself, you may not be lifted up on them. Students may not stand or sit on top of the monkey bars.
6. Baseballs or any other kind of hard covered ball is prohibited on both sides of the regular playground area. Students may however play catch on the baseball/softball field or participate in an organized softball game.
7. Students may not play in the snow unless they are properly dressed for the outside.
8. No throwing sand, snow, ice, rocks, or sticks.

PROMOTION/RETENTION/PLACEMENT

Our school believes that the placement of children in classes for a new year is a decision of great importance - one that is made by the classroom teacher after consulting with the principal and parents. In making these decisions, we want to consider all possible and relevant information so placements will be made which will ensure the greatest possible learning for each child.

The MSAD #37 administration and staff will strive to create a positive atmosphere toward learning whereby a student may progress through school according to his / her own individual needs and ability.

In situations where there is doubt as to whether to promote, retain, place, or return a student to a former grade, the teacher shall consult with the school Principal. Consideration will be given to a student's record of accomplishment, which will be the major criteria for advancement.

In cases of potential retention, the teacher shall notify the parents/guardians in writing of such possibility by the end of the second ranking period, or once such need is identified. A copy of the letter shall be placed in the student's permanent record folder. The teacher involved will arrange a conference with parents/guardians and anyone they might invite to attend.

Students who are unable to earn promotion by accomplishment will be retained in their current grade except where there are extenuating circumstances.

SUSPENSION

Only the Principal can suspend a student. The student's parents will be notified by phone and in writing. While suspended the student is not allowed to participate in or attend any school activity. The student is responsible for all school assignments during the suspension.

TOBACCO USE AND POSSESSION

To promote the health and safety of all students and staff and to promote the cleanliness of all facilities, MSAD #37 prohibits smoking and the use of all other tobacco products in school buildings and facilities, on school buses during school-sponsored events, and at all other times on school grounds by persons, including students and employees.

In addition, students are further prohibited from possessing, selling, distributing, or dispensing tobacco products in school buildings and facilities, on school grounds and buses, during school-sponsored events, and at all other times on school grounds. For the school district's policy please refer to the Appendix.

WEAPONS, VIOLENCE, AND SCHOOL SAFETY

The School Board believes that students and staff are entitled to learn and work in a school environment free of violence, threats, and disruptive behavior. Students are expected to conduct themselves with respect for others and in accordance with Board policies, school rules, reasonable unwritten behavior expectations, and applicable state and federal laws. School staff are required to immediately report incidents of prohibited conduct by students to the building administrator/designee for investigation and appropriate action.

PROHIBITED CONDUCT

Students are prohibited from engaging in the following conduct on school property, while in attendance at school or at any school-sponsored activity, or at any time or place that such conduct directly interferes with the operations, discipline, or general welfare of the school:

- A. Possession and/ or use of articles commonly used or designed to inflict bodily harm and/ or to threaten, intimidate, coerce, or harass another person. Examples of such articles include, but are not limited to firearms, BB guns, pellet guns, any other kind of gun, ammunition, explosives, crossbows, brass knuckles, switchblades, knives, chains, dubs, Kung Fu stars, nun-chucks, or replicas of these items.
- B. Use of any object although not necessarily designed to be a weapon, to inflict bodily harm and/or to threaten, intimidate, coerce, or harass another person. Examples of such articles include, but are not limited to bats, belts, picks, pencils, compasses, objects capable of ignition (e.g., matches, lighters), files, tools of any sort and replicas of weapons (including toys).
- C. Violent or threatening behavior, including but not limited to fighting, assault and /or battery, taking hostages, threats to commit violence against persons or property (e.g., verbal or written death threats, threats of bodily harm, bomb threats).
- D. Verbal or written statements (including those made on or through a computer) which threaten, intimidate, or harass others, which tend to incite violence and/or disrupt the school program.
- E. Willful and malicious damage to school or personal property,
- F. Stealing or attempting to steal school or personal property,
- G. Lewd, indecent, or obscene acts or expressions of any kind,
- H. Violations of the school unit's drug/alcohol and tobacco policies,
- I. Violations of state or federal laws; and
- J. Any other conduct that may be harmful to persons or property.

STAFF

Principal -	Eric Brooks
Administrative Assistant-	Lisa Hinkle
Pre-K-	Brenda Catheron
Pre-K Tech:	Brenda Beal
Kindergarten-	Ashley Cirone
Grade 1-	Brittney Church
Grade 2-	Natalie Beal
Grade 3-	Susan Meserve
Grade 4-6 Math	Jodi Hedberg (Pamela Whittier- long term sub, September-December)
Grade 4-6- Science/Social Studies	Jeff Chick
Grade 4-6- English/Language Arts	Brittany Ray
Resource Room-	Heather Knapp
Ed. Tech.-	Courtney Williams
Resource Room-	Anita McGray
Ed. Tech.-	Bethany Dorr
Ed. Tech.-	Autumn Marston
Reading Recovery -	Meagan Worcester (afternoons)
Title 1-	Sandy White
Title 1 -	Melissa Redimarker
Art-	Elyssa Johnson
Phys. Ed.-	Rylea Durkee
ESOL-	Cristina Perez & Janice Tenan
School Nurse-	Amanda Cirone
Speech Pathologist-	Kathy Young
Guidance-	
Social Worker-	
Music/Band-	Zachary Gorrell
Day Custodian-	Wayne Robinson
Night Custodian-	Randall Look
Lunch Server-	Tracy Redimarker

HARRINGTON ELEMENTARY SCHOOL STUDENT / PARENT HANDBOOK



APPENDIX

Included in this appendix are required RSU/MSAD #37 Policies, however, it is not a complete list of all school policies.

For a comprehensive list of school policies, please visit:

www.msad37.me/documents

2023-2024

RSU/SAD #37 POLICY BULLYING

The Board believes that bullying, including cyberbullying, is detrimental to student well-being and to student learning and achievement. It interferes with the mission of the schools to educate their students and disrupts the operations of the schools. Bullying affects not only students who are targets but also those who participate in and witness such behavior.

Bullying Prohibited

Bullying, including “cyberbullying,” is not acceptable conduct in RSU/SAD #37 and is prohibited. Retaliation for the reporting of incidents of such behavior is also prohibited.

In adopting this policy, it is not the Board’s intent to prohibit students from expressing their ideas, including religious, political and philosophical views that may offend the sensibilities of others, or from engaging in civil debate. However, the Board does not condone and will take action in response to conduct that directly interferes with students’ rights at school under applicable laws or with the educational mission, operations, discipline or general welfare of the schools.

Definition of Bullying

“Bullying” and “cyberbullying” have the same meaning in this policy as in Maine law:

Bullying

“Bullying” includes, but is not limited to a written, oral or electronic expression or a physical act or gesture or any combination thereof directed at a student or students that:

1. Has, or a reasonable person would expect it to have, the effect of:
 1. Physically harming a student or damaging a student’s property; or
 2. Placing a student in reasonable fear of physical harm or damage to his/her property;
2. Interferes with the rights of a student by:
 1. Creating an intimidating or hostile educational environment for the student; or
 2. Interfering with the student’s academic performance or ability to participate in or benefit from the services, activities or privileges provided by the school; or
3. Is based on:

1. A student’s actual or perceived characteristics identified in 5 MRSA § 4602 or 4684-A (including race; color; ancestry; national origin; sex; sexual orientation; gender identity or expression;

NEPN/NSBA Code: JICK

religion; physical or mental disability) or other distinguishing personal characteristics (such as socioeconomic status; age; physical appearance; weight; or family status); or

2. A student’s association with a person with one or more of these actual or perceived characteristics or any other distinguishing characteristics;

and that has the effect described in subparagraph A. or B. above.

Cyberbullying

“Cyberbullying” means bullying through the use of technology or any electronic communication, including but not limited to, a transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted by the use of any electronic device including, but not limited to, a computer, telephone, cellular telephone, text messaging device or personal digital assistant.

Application of Policy

This policy applies to bullying that:

1. Takes place at school or on school grounds, at any school-sponsored or school-related activity or event or while students are being transported to or from school or school-sponsored activities or events; or
2. Takes place elsewhere or through the use of technology, but only if the bullying also infringes on the rights of the student at school as set forth in the definition of “bullying.”

Consequences for Policy Violations

Students-- Students who violate this policy may be subject to disciplinary action which may include suspension, expulsion or a series of graduated consequences including alternative discipline or other behavioral interventions.

The Board retains the right to impose disciplinary consequences for bullying and other conduct that occurs at any time or place that substantially disrupts the instructional program, operations of the schools or welfare of students.

Any student violating this policy may also be subject to civil or criminal penalties.

School Employees and Others--Administrators, professional staff and all other employees who violate this policy may be subject to disciplinary action up to and including dismissal, and in accordance with any applicable collective bargaining agreements.

Volunteers, contractors and visitors who violate this policy will be barred from school property until the Superintendent is satisfied that the person will comply with Maine’s bullying law and this policy.

Any person violating this policy may also be subject to civil or criminal penalties.

Any school-affiliated organization that authorizes or engages in bullying or retaliation is subject to forfeiture of Board approval/sanctioning and/or suspension or revocation of its permission to operate on school grounds.

Staff Training

RSU/SAD #37 will provide professional development and staff training in bullying prevention and response.

Delegation of Responsibility

The Superintendent will designate the school principal and/or other school personnel to be responsible for implementation/enforcement of this policy and associated procedures on the school level.

The Superintendent/designee will be responsible for developing and implementing procedures in accordance with applicable law to implement this policy.

Dissemination of Policy

This policy, any associated administrative procedures and the names of the person(s) responsible for implementing the policy/procedure at the school level will be provided, in writing to students, parents, school employees and volunteers in handbooks, and on the school unit’s website and by such other means (if any) as may be determined by the Superintendent.

Legal Reference: Cross Reference:

AC - Nondiscrimination, Equal Opportunity
ACAA-R - Harassment and Sexual Harassment of Students
ACAD - Hazing
ADF - School District Commitment to Learning Results
CHCAA - Student Handbooks
JI - Student Rights and Responsibilities
JICC - Student Conduct on Buses
JICIA - Weapons, Violence and School Safety
JK - Student Discipline
JKD - Suspension of Students
JKE - Expulsion of Students
KLG - Relations with Law Enforcement Authorities

Adopted: Revised:

November 27, 2006 March 27, 2013

RSU/SAD #37

BULLYING – ADMINISTRATIVE PROCEDURE

This procedure is intended as guidance for school administrators in carrying out their responsibilities when bullying is alleged to have occurred. It provides important definitions as well as steps for reporting, investigating and responding to allegations of bullying.

Bullying behavior alleged to be based on race, color, ancestry, national origin, sex, sexual orientation, religion or disability should be addressed under the procedures set forth in the Student Harassment and Sexual Harassment procedure, ACAA-R, rather than under this procedure.

Definitions

The following terms are defined in Maine law (20-A MRSA § 6554):

Bullying--“Bullying” includes, but is not limited to a written, oral or electronic expression or a physical act or gesture or any combination thereof directed at a student or students that:

1. Has, or a reasonable person would expect it to have, the effect of:
 1. Physically harming a student or damaging a student’s property; or
 2. Placing a student in reasonable fear of physical harm or damage to his/her property;
2. Interferes with the rights of a student by:
 1. Creating an intimidating or hostile educational environment for the student; or
 2. Interfering with the student’s academic performance or ability to participate in or benefit from the services, activities or privileges provided by the school; or
3. Is based on:
 1. A student’s actual or perceived characteristics identified in 5 MRSA § 4602 or 4684- A (including race; color; ancestry; national origin; sex; sexual orientation; gender identity or expression; religion; physical or mental disability) or other distinguishing personal characteristics (such as socioeconomic status; age; physical appearance; weight; or family status); or

2. A student's association with a person with one or more of these actual or perceived characteristics or any other distinguishing characteristics; and that has the effect described in subparagraph A. or B. above.

Cyberbullying

"Cyberbullying" means bullying through the use of technology or any electronic communication, including but not limited to, a transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted by the use of any electronic device including, but not limited to, a computer, telephone, cellular telephone, text messaging device or personal digital assistant.

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

The determination whether particular conduct constitutes bullying requires reasonable consideration of the circumstances, which include the frequency of the behavior at issue, the location in which the behavior occurs, the ages and maturity of the students involved, the activity or context in which the conduct occurs, and the nature and severity of the conduct.

Retaliation

"Retaliation means" an act or gesture against a student for asserting or alleging an act of bullying. "Retaliation" also includes reporting that is not made in good faith on an act of bullying (i.e., the making of false allegations or reports of bullying).

School Grounds

"School grounds" means a school building; property on which a school building or facility is located; and property that is owned, leased or used by a school for a school-sponsored activity, function, program, instruction or training. "School grounds" also includes school-related transportation vehicles.

Alternative Discipline

"Alternative discipline" means disciplinary action other than suspension or expulsion from school that is designed to correct and address the root causes of a student's specific misbehavior while retaining the student in class or school, or restorative school practices to repair the harm done to relationships and persons from the student's misbehavior.

Bullying Reports

Students and Parents/Guardians

Students who believe they have been bullied, or who have witnessed or learned about an act of bullying should report this behavior to the building principal.

Parents/guardians may report bullying on behalf of their children or when they have witnessed or are aware of the occurrence of bullying.

Reports of bullying may be made anonymously, but no disciplinary action shall be taken against a student solely on the basis of an anonymous report.

Any student who has been determined to have made a false report of bullying will be subject to disciplinary consequences.

School Employees

For the purposes of this procedure, “school employees” includes coaches, advisors for cocurricular or extracurricular activities and volunteers.

All school employees are expected to intervene when they see acts of bullying in progress and are required to report incidents of bullying they have witnessed or become aware of to the building principal as soon as practicable.

School employees who fail to report bullying or who have made a false report of bullying will be subject to disciplinary consequences up to and including termination, in accordance with any applicable collective bargaining agreement.

Others

Contractors, service providers, visitors or community members who have witnessed or become aware of bullying are encouraged to report such incidents to the building principal.

Form of Reports

Complaints or reports of bullying may be made orally or in writing, but all reports will be recorded in writing by school personnel authorized to receive complaints or reports, using the school unit’s reporting form (JICK-E1).

School employees are required to make reports of bullying to the principal in writing. Although students, parents and others, as identified above, may make bullying reports anonymously, all persons reporting incidents of bullying are encouraged to identify themselves.

Bullying reports may be made anonymously, but in no instance will action be taken against any person or organization affiliated with the schools solely on the basis of an anonymous report.

The building principal will forward a copy of the report to the Superintendent by the end of the next school day.

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Interim Measures

The building principal may take such interim measures as he/she deems appropriate to ensure the safety of the targeted student and prevent further bullying and will inform the parents of the targeted student of measures taken.

Investigation

The principal will ensure that all reports of bullying and retaliation are investigated promptly and that documentation of the investigation, including the substance of the complaint or report and the outcome of the investigation is prepared and forwarded to the Superintendent within a reasonable period of time.

Response to Bullying by Students

If bullying has been substantiated, the building principal or designee as appropriate under the circumstances will determine the appropriate disciplinary consequences, which may include detention, suspension or expulsion; alternative discipline; remediation; and/or other intervention.

Alternative discipline includes but is not limited to:

1. Meeting with the student and the student’s parents;

2. Reflective activities, such as requiring the student to write an essay about the student's misbehavior;
3. Mediation when there is mutual conflict between peers, rather than one-way negative behavior, and when both parties freely choose to meet;
4. Counseling;
5. Anger management;
6. Health counseling or intervention;
7. Mental health counseling;
8. Participation in skills building and resolution activities, such as social-emotional cognitive skills building, resolution circles and restorative conferencing;
9. Community service; and In-school detention or suspension, which may take place during lunchtime, after school or on weekends.

If the bullying behavior appears to be a criminal violation, the building principal will notify local law enforcement authorities.

If bullying has been substantiated, the building principal will provide written notification to:

1. The parents/guardians of the targeted student, including the measures being taken to ensure the student's safety; and to
2. The parents/guardians of the student found to have engaged in bullying, including the process for appeal.

All communications to parents must respect the confidentiality of student and employee information as provided by federal and Maine law and regulations.

Appeals

Any appeal of the building principal's decisions in regard to consequences for bullying must be submitted, in writing, within 14 calendar days of the parental notification. The Superintendent will review the investigation report and actions taken and decide whether to sustain or deny the appeal. The Superintendent's decision shall be final.

Cross Reference: ACAAA-R – Student Harassment and Sexual Harassment Procedure JICK – Bullying

NEPN/NSBA Code: GBEBB

MSAD #37 POLICY STAFF CONDUCT WITH STUDENTS

The MSAD #37 Board expects all staff members, including teachers, coaches, counselors, administrators, and others to maintain the highest professional, moral, and ethical standards in their conduct with students. For the purposes of this policy, staff members also include school volunteers.

The purpose of this policy is to ensure that interactions and relationships between staff members and students are based upon mutual respect and trust; an understanding of the appropriate boundaries between adults and students in and outside of the educational setting; and consistency with the educational mission of the schools.

The Board understands that staff members may interact with and have friendships with families of students outside of school. This policy is not intended to prohibit such interactions, provided that professional boundaries are maintained at all times.

Staff members are expected to be sensitive to the appearance of impropriety in their conduct with students and are encouraged to discuss issues with the building principal or their supervisor whenever they are unsure whether particular conduct may constitute a violation of this policy.

Unacceptable Conduct

Examples of unacceptable conduct by staff members that are expressly prohibited include but are not limited to the following:

- A. Any type of sexual or inappropriate physical contact with students or any other conduct that might be considered harassment under the Board's policy on Harassment and Sexual Harassment of Students;
- B. Singling out a particular student or students for personal attention and friendship beyond the normal teacher-student relationship;
- C. For non-guidance/counseling staff, encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, staff members are expected to be supportive but to refer the student to appropriate guidance/counseling staff. In either case, staff involvement should be limited to a direct connection to the student's school performance;
- D. Engaging in sexual banter, allusions, jokes, or innuendos with students;
- E. Asking a student to keep a secret;
- F. Disclosing personal, sexual, family, employment concerns, or other private matters to one or more students;
- G. Addressing students with terms of endearment, pet names, or otherwise in an overly familiar manner; and
- H. Permitting students to address you by your first name, nickname or otherwise in an overly familiar manner.
- I. "Friending" students or engaging in any other interactions on social media or through digital applications (outside of any school-approved activity);
- J. Communicating with students on non-school matters through phone calls, email, text messages, Messenger or any other digital methods, or by notes, letters or any other means (unless the student's parent approves of the activity, e. g, in the context of employment or participation in community activities);

Before engaging in the following activities, staff members should consult with the building principal or their supervisor, as appropriate:

- K. Being alone with individual students out of the view of others;
- L. Driving students home;
- M. Inviting or allowing students to visit the staff member's home;
- N. Visiting a student's home, unless on official school business that is known and agreed to by the parent;

- O. Exchanging personal gifts (beyond the customary student-teacher gifts); and/or
- P. Socializing or spending time with students (including but not limited to activities such as going out for meals or movies, shopping, traveling, and recreational activities) outside of school-sponsored events except as participants in organized community activities.

Reporting Violations

Students and/or their parents/guardians are strongly encouraged to notify the Superintendent or building principal if they believe a teacher or other staff member may be engaging in conduct that violates this policy.

Staff members must promptly notify the Superintendent or building principal if they become aware of a situation that may constitute a violation of this policy.

Disciplinary Action

Staff violations of this policy may result in disciplinary action up to and including dismissal.

Violations involving sexual or other abuse will also result in referral to the Department of Human Services and/or law enforcement in accordance with the Board's policy on Reporting Child Abuse and Neglect.

School Unit Obligation to Report to Maine Department of Education

Any staff member holding a credential should be aware that violation of this policy may result in revocation or suspension of a certificate if it endangers the health, safety or welfare of a student.

The Superintendent/designee will notify the MDOE immediately if a credential holder is disciplined, suspended or terminated as a result of a "covered investigation" (as defined in 20-A MRSA § 13025) in which the school unit determined that a student's health, safety or welfare was endangered.

As soon as practicable, the school unit will provide to the MDOE any final report produced in support of the school unit's decision to discipline, suspend or terminate the credential holder. The credential holder may submit a written rebuttal to the report to the MDOE.

The Superintendent/designee will notify the MDOE immediately if a credential holder who is the subject of a covered investigation leaves the school unit's employment for any reason prior to the conclusion of the covered investigation.

Dissemination of Policy

This policy shall be included in all employee, student and volunteer handbooks.

Cross Reference: ACAA - Harassment and Sexual Harassment of Students
 GCSA - Staff Computer/Internet Use
 JLF - Reporting Child Abuse and Neglect

Adopted: June 28, 2023

MSAD 37 STUDENT USE OF CELL PHONES AND OTHER ELECTRONIC DEVICES

The Board recognizes that many students possess cell phones and other electronic devices. These devices may not be used in any manner that disrupts the instructional process or violates Board policies or school rules.

MSAD #37 shall not be responsible for the loss, theft or damage to cell phones or other electronic devices that students bring with them to school or school activities or use on school transportation.

The following provisions apply to student use of cell phones and other electronic devices:

- A. Students are prohibited from using privately-owned electronic devices including but not limited to cell phones, "smart phones," I-Pods, MP3 players, handheld computers/PDAs, and electronic games at school or during school activities except when the teacher or building principal specifically authorizes students to use such personal devices for a specific purpose.
- B. The use of cameras or the camera/video function on any device is strictly prohibited in locker rooms, bathrooms, and other places where privacy is generally expected. In all other school locations, permission must be granted before photographing videoing another person.
- C. School administrators may designate appropriate times and places during which cell phones and other listening and viewing devices may be used (e.g., during lunch periods, study halls, or on school buses traveling to school activities).
- D. The use of a cell phone or other electronic device in any manner that violates Board policy or school rules is prohibited. This includes but is not limited to harassment, cheating and violations of the student code of conduct. If a Board policy or school rule is violated, the teacher or school administrator may confiscate the device for the remainder of the school day. Student cell phones and other electronic devices may be subject to search if there is reasonable suspicion of a violation.
- E. Students who violate Board policy or school rules will be subject to disciplinary consequences which may include:
 - 1. Confiscation of the device until the end of the school day;
 - 2. A conference with the student's parent/guardian;
 - 3. Exclusion of the device from school for an extended period of time;
 - 4. Penalties up to suspension or expulsion from school, depending upon the nature and circumstances of the violation and the student's prior disciplinary record; and
 - 5. Referral to law enforcement.

The Superintendent/designee may develop additional rules to implement this policy. The policy and rules will be communicated to students and parents through the student handbook and/or the student code of conduct.

Cross Reference: JIC–Student Code of Conduct

JIH–Questioning and Searches of Students

Adopted: February 27, 2019

NEPN/NSBA Code: JICH

MSAD #37 POLICY DRUG AND ALCOHOL USE BY STUDENTS

The School Board and staff of the MSAD #37 School Department support a safe and healthy learning environment for students which is free of the detrimental effects of drugs and alcohol. Accomplishing this goal requires a cooperative effort among school staff, students, parents, law enforcement and organizations concerned with the use of drugs and alcohol by school-aged youth.

In order to promote the safety, health and well-being of students, the School Board endorses a three-pronged approach to address the issue of drug and alcohol use; prevention/education; intervention and discipline.

Prohibited Conduct

No student shall distribute, dispense, possess, use or be under the influence of any alcoholic beverage, malt beverage, fortified wine or other intoxicating liquor. Nor shall a student manufacture, distribute, dispense, possess, use or be under the influence of any narcotic drug/substance, hallucinogenic drug/substance, inhaled substances, amphetamine, barbiturate, marijuana, anabolic steroid, any other controlled substance defined in federal and state laws/regulations, any look-alike substance, or any substance that is represented to be a controlled substance.

These prohibitions apply to any student who is on school property, who is in attendance at school or at any school-sponsored activity, or whose conduct at any time or place directly interferes with the operations, discipline or general welfare of the school.

Disciplinary Action

Principals may suspend and/or recommend expulsion of students who violate this policy, based upon the facts of each case and in accordance with established disciplinary procedures. Students may also be referred to law enforcement authorities for investigation and/or prosecution.

Prevention/Education

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

Intervention

Students will be assisted in addressing their drug/alcohol problems and in continuing their educational program. Students will be provided with information and referral, if necessary, to aid them in obtaining assistance from appropriate community organizations. Student records concerning such interventions shall be kept confidential as required by state and federal laws.

Policy Communication

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

Legal Reference:

Cross Reference:

21 USC § 812 (Controlled Substances Act)
21 CFR Part 1300.11-15
Pub.L.No. 101-226 (Drug-Free Schools and Communities Act)

Amendments of 1989) 17-A MRSA § 1101

42 USC § 290dd-2
42 CFR § 2.1 et seq.
20-A MRSA §§ 1001(9); 4008

GBEC – Drug-Free Workplace
JICH-R – Drug and Alcohol Use by Students Administrative Procedure JICIA – Weapons, Violence and School Safety
JKD – Suspension of Students
JKE – Expulsion of Students
JLCD – Administering Medication to Students
JRA – Student Records

Adopted: Revised:

June 28, 2000 February 25, 2009

MSAD #37 PROCEDURE DRUG AND ALCOHOL USE BY STUDENTS ADMINISTRATIVE PROCEDURE

EDUCATION PREVENTION PROGRAMS

The Board supports a comprehensive K-12 chemical health education and prevention program.

1. A chemical health education and awareness program will be instituted for all students focusing on chemical-free alternatives, self-esteem, decision making and coping skills.
2. Administrative procedures shall be implemented to address student violations of policy JICH throughout MSAD #37.
3. Early intervention, referral and follow-up will be offered to students who may have chemical dependency problems or be affected by such problems. Strategies may include referral to the guidance counselor.

K-12 ADMINISTRATIVE PROCEDURE

I. DISCIPLINARY ACTION

A. Type One: Possession/Use

1. First Offense:

1. a) Verification of student use/possession by administrator and/or his/her designee;
2. b) Administrator and/or his/her designee meets with student;
3. c) Notify parents/guardians and Superintendent; request meeting with parents/guardians;
4. d) Notify police, if appropriate;
5. e) Disciplinary action—suspension of 1-10 days at discretion of administrators and/or possible referral to the Board for a disciplinary hearing; and,
6. f) For the first violation of any type, a student will be ineligible to participate in athletics and/or other extra-curricular activities or to represent MSAD #37 for six weeks from the date of the infraction (if there are fewer than six weeks remaining in the activity period, the suspension carries over to the next season. Whether or not the student is able to try out for that sport will be at the discretion of the administration). The student must continue

to attend, but not participate in, practices during his/her suspension, but will not be allowed to participate in games.

All of the following conditions must be met before a student will be reinstated to athletics:

- i. The student must participate in a minimum of three sessions with a counselor, social worker or chemical dependency specialist. The student's parent(s) must also participate in a consultation with this counselor, social worker or specialist. The counselor, social worker or specialist will prepare a confidential written assessment and plan of action for the student. The plan of action may include a referral of the student for a drug screen.
- ii. Prior to reinstatement, the counselor, social worker, or specialist must submit a form to the Principal indicating whether or not the student has complied with the plan of action.
- iii. Prior to reinstatement, the student and his/her parent(s) must attend a meeting with the Principal and the Athletic Director.
- iv. If all of the above conditions are met by the fourth week of the suspension, the student may request to be reinstated to athletics early. The decision to reinstate the student early will be made at the sole discretion of the Principal and the Athletic Director. This early reinstatement option is only available to students for the first violation.

Second Offense:

- a) Verification of student use/possession by administrator and/or his/her designee;
- b) Administrator and/or his/her designee meets with student;
- c) Notify parents/guardians and Superintendent; request meeting with parents/guardians;
- d) Notify police, if appropriate;
- e) Refer to Department of Human Services, Child Protective Services, if appropriate.
- f) Disciplinary action—suspension of 1-10 days at discretion of administrators and referral to the Board for a disciplinary hearing.,

For the second violation of any type, the student will be suspended from athletics and/or any extracurricular activity or to represent MSAD #37 for 12 months from the date of the infraction. All of the following conditions must be met before a student will be reinstated to athletics.

The student must participate in a minimum of five sessions with a clinical counselor, social worker or chemical dependency specialist. The student's parent(s) must also participate in a consultation with the counselor, social worker or specialist. The counselor, social worker or specialist will prepare a confidential written assessment and plan of action for the student. The plan of action may include a referral of the student for a drug screen.

Prior to reinstatement, the counselor, social worker or specialist must complete a form indicating whether or not the student has complied with the plan of action.

Prior to reinstatement, the student and his/her parent(s) must attend a meeting with the Principal and Athletic Director.

Third Offense:

- 1. a) Verification of student use/possession by administrator and/or his/her designee;
- 2. b) Administrator and/or his/her designee meets with student;
- 3. c) Notify parents/guardians and Superintendent; request meeting with parents/guardians;
- 4. d) Notify police, if appropriate;
- 5. e) Refer to Department of Human Services, Child Protective Services, if appropriate.
- 6. f) Disciplinary action—suspension of 1-10 days at discretion of administrators and referral to the Board for a disciplinary hearing; and,
- 7. g) A third violation will result in the student being barred from athletic participation for the remainder of their period of high school eligibility.

B. Type Two: Furnishing and/or Selling 1. Offenses

1. a) Any employee of SAD #37 will confiscate any substance and will immediately notify the appropriate administrator and/or his/her designee;
2. b) Verification of student use/possession by administrator and/or his/her designee;
3. c) Administrator and/or his/her designee meets with the student;
4. d) Notify parents/guardians and Superintendent; request meeting with parents/guardians;
5. e) Notify police, if appropriate;
6. f) Refer to Department of Human Services, Child Protective Services, if appropriate;
7. g) Disciplinary action—suspension of 1-10 days at discretion of administrators and referral to the Board for a disciplinary hearing.

II. K-12 VOLUNTARY REFERRAL

Students are encouraged to self-refer to any school employee. Employees will listen to student” concerns and contact the building principal/designee who will take appropriate action. Such a referral must be made prior to any observation/report concerning the students use of illegal substances. Students who self- refer for the first time may not be suspended or dismissed from any extra-curricular, co-curricular, and non-academic activities if they are willing to participate in a counseling program at their expense approved by the school.

APPEAL PROCESS

If a student and the parents/guardians are dissatisfied with the disciplinary action, they may appeal as follows: 1. Level One—School Principal or Designee

1. If the complainants are not satisfied with the disciplinary action, they may, within 30 days of the disciplinary action, present their claim as a formal appeal **in writing** to the principal or his/her designee.
2. The administrator or his/her designee shall, within five (5) working days after receipt of the written appeal, render his/her decision and the reasons in writing to the complainants.

2. Level Two—Superintendent of Schools

1. If the complainants are not satisfied with the disposition of their appeal at Level One, they may, within three (3) working days after the decision or within eight (8) working days after their formal appeal to the principal or his/her designee, file their **written** appeal with the Superintendent of Schools.
2. The Superintendent shall, within ten (10) working days after receipt of the appeal, meet with the complainant person(s) for the purpose of resolving the appeal.
3. The Superintendent shall, within ten (5) working days after this meeting, render his/her decision and the reasons therefore in writing to the complainant.

3. Level Three—School Board

1. If the complainant are not satisfied with the disposition of their appeal at Level Two, they may, within five (5) working days after the decision, or within ten (10) working days after the meeting with the Superintendent, appeal to the School Board.
2. The hearing shall be held before the local School Board at its next regular meeting or at a special Board meeting at the discretion of the Superintendent within ten (10) working days.
3. This hearing will be in private (Executive Session).
4. After hearing all available evidence, the School Board will meet to deliberate. The Superintendent of Schools will notify the party involved of the final action taken by the School Board in writing within five (5) working days of the School Board meeting considering the appeal.

MAINE SCHOOL ADMINISTRATIVE DISTRICT #37
1020 Sacarap Road
Harrington ME 04643

ANNUAL NOTICE OF STUDENT EDUCATION RECORDS AND INFORMATION RIGHTS (FERPA)

The Family Educational Rights and Privacy Act ("FERPA") provides certain rights to parents and eligible students (18 years of age or older) with respect to the student's education records.

A. Inspection of Records

Parents/eligible students may inspect and review the student's education records within 45 days of making a request. Such requests must be submitted to the building administrator in writing and must identify the record(s) to be inspected. The building administrator will notify the parent/eligible student of the time and place where the record(s) may be inspected in the presence of school staff. Parents/ eligible students may obtain copies of education records at a cost of \$0.10 per page.

B. Amendment of Records

Parents/eligible students may ask MSAD #37 to amend education records they believe are inaccurate, misleading or in violation of the student's right to privacy. Such requests must be submitted to the building administrator in writing, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the building administrator decides not to amend the record as requested, the parent/eligible student will be notified of the decision, their right to request a hearing and information about the hearing process.

C. Disclosure of Records

MSAD #37 must obtain a parent/eligible student's written consent prior to disclosure of personally identifiable information in education records except in circumstances permitted by law or regulations as summarized below.

1. Directory Information

MSAD #37 designates the following student information as directory information that may be made public at its discretion: name, participation and grade level of students in officially recognized activities and sports, height and weight of student athletes, dates of attendance in the school unit, honors and awards received, and photographs and videos relating to student participation in school activities open to the public (except photographs and videos on the Internet). Parents/eligible students who do not want MSAD #37 to disclose directory information must notify the Superintendent in writing within 10 days of the first student day of the school year or within 10 days after enrollment, that such information is not to be designated directory information with respect to that student. This opt-out request will remain in effect unless and until it is rescinded.

Any such requests should be sent to the Superintendent at the following address: Superintendent of Schools, 1020 Sacarap Road, Harrington, ME 04643

2. Military Recruiters/Institutions of Higher Education

Military recruiters and institutions of higher education are entitled to receive the names, addresses and telephone numbers of secondary students and MSAD #37 must comply with any such request, provided that parents have been notified of their right to request that this information not be released without their prior written consent. Parents/eligible students who do not want MSAD #37 to disclose this information without their prior written consent must notify the Superintendent in writing by thirty (30) days of enrollment, whichever is later.

Any such notice should be sent to: Superintendent of Schools , 1020 Sacarap Road, Harrington, ME 04643

3. School Officials with Legitimate Educational Interests

Education records may be disclosed to school officials with a “legitimate educational interest.” A school official has a legitimate educational interest if he/she needs to review an education record in order to fulfill his/her professional responsibility. School officials include persons employed by the School Department as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); members of the Board of Education; persons or companies with whom the School Department has contracted to provide specific services (such as attorneys, auditors, medical consultants, evaluators or therapists); a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks; and volunteers who are under the direct control of the School Department with regard to education records.

MSAD #37 is required by the Commissioner of Education to collect and report student social security numbers as a way to provide school units with data about the long-term effectiveness of teaching and programs from early childhood through to college and the work force. MSAD #37 will be asking parents to provide written consent to use their child’s social security number for these purposes. Parents are not required to provide a social security number. If a parent does not provide a social security number for a student, the child will still be enrolled in the school. Every student has a right to a public education, regardless of whether or not a social security number is provided. No child’s social security number may be used for longitudinal data purposes without prior written parental consent. When a student turns 18 years of age, the written consent must be obtained from the student and the rights previously accorded to the parent are accorded to the student.

4. Health or Safety Emergencies

In accordance with federal regulations, MSAD #37 may disclose education records in a health or safety emergency to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals without prior written consent.

5. Other School Units

As required by Maine law, MSAD #37 sends student education records to a school unit to which a student applies for transfer, including disciplinary records, attendance records, special education records and health records (except for confidential health records for which consent for dissemination has not been obtained).

6. Other Entities/Individuals

Education records may be disclosed to other entities and individuals as specifically permitted by law. Parents/eligible students may obtain information about other exceptions to the written consent requirement by request to the Superintendent or building administrator.

C. Publishing on the Internet

Under Maine law, MSAD #37 shall not publish on the Internet without written parental consent any information, whether directory or otherwise, that identifies a student including, but not limited to, the student’s full name, photography, personal biography, e-mail address, home address, date of birth, social security number and parents’ names.

E. Complaints Regarding School Department Compliance with FERPA

Parents/eligible students who believe that MSAD #37 has not complied with the requirements of FERPA have the right to file a complaint with the U.S. Department of Education.

Legal Reference:

The office that administers FERPA is:

Family Policy Compliance Office U.S. Department of Education 400 Maryland Avenue, SW Washington, DC 20202

20 U.S.C. § 7908

34 C.F.R. § 99.7

20-A M.R.S.A. § 6001

Adopted: Revised: Revised:

8/27/2008 5/19/2010 10/29/10

HARASSMENT AND SEXUAL HARASSMENT OF STUDENTS

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

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

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

A. Harassment

Harassment includes, but is not limited to, verbal abuse and other offensive conduct based on race, color, sex, sexual orientation, gender identity, religion, ancestry or national origin, or disability. Harassment that rises to the level of physical assault, battery and/or abuse, and/or bullying behavior are also addressed in Board Policies JICIA – Weapons, Violence and School Safety and JICK – Bullying.

B. Sexual Harassment

Sexual harassment is addressed under federal and state laws/regulations. The scope and definitions of sexual harassment under these laws differ, as described below.

1. TITLE IX SEXUAL HARASSMENT

Under the federal Title IX regulations, sexual harassment includes the following conduct on the basis of sex which takes place within the context of the school unit's education programs and activities:

- a. "Quid pro quo" sexual harassment by a school employee: Conditioning a school aid, benefit or service (such as a better grade or a college recommendation) on an individual's participation in unwelcome sexual conduct;

- b. “Hostile environment” sexual harassment: Unwelcome conduct based on sex that a reasonable person would determine is so severe, pervasive and objectively offensive that it effectively denies an individual’s equal access to the school unit’s education programs and activities; or
- c. Sexual assault, dating violence, domestic violence and stalking as these terms are defined in federal laws.

2. Sexual Harassment Under Maine Law

Under Maine law, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature in the following situations:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of a student’s educational benefits;
- b. Submission to or rejection of such conduct by a student is used as the basis for decisions on educational benefits; or
- c. Such conduct has the purpose and effect of substantially interfering with a student’s academic performance or creates an intimidating, hostile or offensive environment.

C. Reports and Complaints of Harassment or Sexual Harassment

All school employees are required to report possible incidents of harassment or sexual harassment involving students to the Affirmative Action Officer/Title IX Coordinator. Failure to report such incidents may result in disciplinary action.

Students, parents/legal guardians and other individuals are strongly encouraged to report possible incidents of harassment or sexual harassment involving students to the Affirmative Action Officer/Title IX Coordinator. The Affirmative Action Officer/Title IX Coordinator is also available to answer questions and provide assistance to any individual who is unsure whether harassment or sexual harassment has occurred.

All reports and complaints of harassment or sexual harassment against students shall be addressed through the Student Discrimination/Harassment and Title IX Sexual Harassment Procedures (ACAA-R).

Legal Reference: Americans with Disabilities Act (42 U.S.C. §12101 et seq., as amended; 28 C.F.R. § 35.107)
 Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. § 794 et seq., as amended; 34 C.F.R. § 104.7)
 Title IX of the Education Amendments of 1972 (20 USC § 1681, et seq.); 34 C.F.R. Part 106
 Clery Act (20 U.S.C. §1092(f)(6)(A)(v) - definition of sexual assault)
 Violence Against Women Act (34 U.S.C. § 1092(f)(6)(A)(v) – definition of sexual assault;
 34 U.S.C. § 12291(a)(10) – dating violence; 34 U.S.C. §12291(a)(3) – definition of stalking;
 34 U.S.C. §12291(a)(8) – definition of domestic violence)
 Title VI of the Civil Rights Act of 1964 (42 USC § 2000d)

Maine Human Rights Act, 5 MRSA § 4551 et seq.
20-A MRSA § 6553
MHRC/MDOE Joint Rule Chapter 94-348 and 05-071, ch. 4

Cross Reference: ACAA-R – Student Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedures
AC – Nondiscrimination/Equal Opportunity and Affirmative Action
ACAD – Hazing
GBEB – Staff Conduct with Students
JFCK – Student Use of Cellular Telephones and Other Electronic Devices
JICIA – Weapons, Violence and School Safety
JICK – Bullying

Adopted: February 16, 2000
Revised: October 31, 2001
Revised: February 25, 2009
Revised: January 29, 2020
Revised: October 28, 2020

NEPN/NSBA CODE: ACAA

MSAD #37 HAZING POLICY

Maine statute defines injurious hazing as “any action or situation, including harassing behavior, that recklessly or intentionally endangers the mental or physical health of any school personnel or a student enrolled in a public school.”

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

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

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

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

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

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

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

Administrators, faculty members, students, and all other employees who fail to abide by this policy may be subject to disciplinary action, which may include suspensions, expulsion, or other appropriate measures.

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.

MSAD #37 (9/10) NEPN/NSBA CODE: EBD-A

Pest Control

Because pesticides pose risks, the school uses an alternative approach to merely applying pesticides. Control of insects, rodents and weeds at our school focuses on making the school buildings and grounds an unfavorable place for pests to live and breed. Through maintenance and cleaning, we will reduce or eliminate available food and water sources and hiding places for the pests. We will also routinely monitor the school area to detect pest problems and prevent the pests from becoming established. Some techniques we will use include pest monitoring, sanitation, pest exclusion, proper food storage, pest removal, and—as a last resort—pesticides. This holistic approach is often called Integrated Pest Management (IPM).

Pesticide Use

Sometimes pesticide use may be necessary to control a pest problem. When that happens, the school will use the lowest risk products available. If higher risk pesticides must be used, notices will be posted at application sites and parents, guardians and staff have a right to know.

Your Right to Know

Parents, legal guardians, and school staff will be notified of specific pesticide applications made at the school. To receive notification, you must request to be placed on the notification registry. Notification will be given at least five days before planned pesticide applications. Pesticide application notices will also be posted in school and on school grounds. Notification need not be given for pesticide applications recognized by law to pose little or no risk of exposure to children or staff.

The school also keeps records of pesticide applications and information about the pesticides used. You may review these records, a copy of the School's Integrated Pest Management Policy and the Pesticides in Schools regulation (CMR 01-026 Chapter 27) by contacting this office at 483-2734.

If you have any questions, please contact us. For further information about pests, pesticides and your right to know, you may call the Board of Pesticides Control at 207-287-2731 or visit the Maine School IPM web site at www.thinkfirstspraylast.org/schoolipm. Please contact the school if you wish to fill out a request for notification of specific pesticide applications.

MSAD #37 POLICY

EDUCATION OF HOMELESS CHILDREN AND YOUTH

SAD #37 recognizes its statutory obligation to provide a free, public education to homeless children and youth. Homeless students will not be segregated or stigmatized on the basis of their homelessness. In cooperation with other school units, SAD #37 will provide homeless students with suitable programs which assure equal access to education. Such education shall be provided according to the best interests of the homeless student, meaning that, to the extent feasible, the student's education shall continue in the school the student last attended before becoming homeless, unless doing so is contrary to the wishes of the student's parent or guardian.

SAD #37 shall file with the Maine Department of Education as part of its annual Title I plan, a description of services that will be provided to homeless children. The Superintendent will designate a Liaison for Homeless Children and Youth who will coordinate the school unit's services for homeless students. The Liaison will be responsible for identifying and enrolling homeless students so they receive the educational services for which they are eligible.

The Superintendent is authorized to develop and implement any administrative procedures necessary to carry out this policy, consistent with applicable statutes and regulations.

Legal References: 42 U.S.C. 11431 et. Seq. (The McKinney-Vento Homeless Assistance Act)
 20-A M.R.S.A. 13-A, 261 and 5205
 ME. Dept. of Ed. Reg. 14

Adopted: October 31, 2007

PARENT INVOLVEMENT IN TITLE I

The Board endorses the parent involvement goals of Title I and encourages the regular participation by parents/guardians in all aspects of the school system's Title I programs.

For the purpose of this policy, "parents/guardians" includes other family members involved in supervising the child's schooling.

I. DISTRICT-LEVEL PARENT INVOLVEMENT POLICY

In compliance with federal law, the school unit will develop jointly with, and distribute to parents of children participating in the school system's Title I programs a written district-level parent involvement policy.

Annually, parents/guardians will have opportunities to participate in the evaluation of the content and effectiveness of the school unit's parent involvement policy and in using the findings of the evaluation to design strategies for more effective parent involvement and to make recommended revisions to the policy.

II. SCHOOL-PARENT INVOLVEMENT POLICY

As required by law, each school in the school unit that receives Title I funds shall jointly develop with parents/guardians of children served in the program a school parent/guardian involvement policy, including "School-Parent Compact" outlining the manner in which parents, school staff, and students will share the responsibility for improved student academic achievement in meeting State standards. The school policy will be distributed to parents/guardians of children participating in the school's Title I programs.

The "School-Parent Compact" shall:

1. Describe the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment enabling children in the Title I program to meet the State's academic achievement standards;
2. Indicate the ways in which parents will be responsible for supporting their children's learning, such as monitoring attendance, homework completion, monitoring television watching, volunteering in the classroom, and participating, as appropriate, in decisions related to their children's education and positive use of extra-curricular time; and
3. Address the importance of parent-teacher communication on an ongoing basis, with, at a minimum, parent-teacher conferences, frequent reports to parents, and reasonable access to staff.

III. PARENT INVOLVEMENT MEETINGS

Each school receiving Title I funds shall convene an annual meeting to which all parents/guardians of eligible children shall be invited to inform them about the school's participation in Title I and to involve them in the planning, review, and improvement of the school's Title I programs and the parent involvement policy.

In addition to the required annual meeting, at least one (1) other meeting shall be held for parents/guardians of students participating in Title I programs.

These meetings shall be used to provide parents with:

1. Information about programs the school provides under Title I;
2. A description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the proficiency level students are expected to meet;
3. Opportunities to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children; and

4. The opportunity to submit comments to the district level if they are dissatisfied with the school-wide Title I program.

IV. PARENT RELATIONS

Parents/guardians of children identified for participation in a Title I program shall receive from the building principal/teacher and Title I staff an explanation of the reasons supporting their child's selection, a set of objectives to be addressed, and a description of the services to be provided. Parents will receive regular reports on their child's progress and be provided opportunities to meet with the classroom and Title I teachers. Parents may also receive training, materials, and suggestions as to how they can assist in the education of their children at home.

V. DELEGATION OF RESPONSIBILITY

The Superintendent/designee shall be responsible for ensuring that the school unit's Title I plan, programs, and parent involvement policies comply with applicable law and regulations and for developing administrative procedures, as needed, to implement this policy.

Legal References: 20 U.S.C. § 6318 Adopted: November 17, 2004

NEPN/NSBA Code: KBF

RSU/SAD #37 TITLE I SCHOOL-LEVEL PARENT INVOLVEMENT POLICY The Harrington School will:

1. Involve parents in the planning, review, and improvement of the school's parental involvement policy, in an organized, ongoing and timely way. The school will have at least two Title I parent nights each school year. These events will revolve around reading and math activities and strategies that support, encourage and enhance student learning.
2. Hold an annual Title I meeting as part of the annual School Open House to inform parents of the school's participation in Title 1 and explain the requirements of Title 1 and the right of parents to be involved in Title 1 programs. The school will offer a flexible number of additional parental involvement meetings during parent/teacher conferences, following award ceremonies or at other flexible times so that as many parents as possible are able to attend. The school will invite to these meetings, via letters and notices, all parents of children participating in Title 1 and will encourage them to attend.
3. Provide information to parents of Title 1 students in an understandable and uniform format, including alternative formats upon the request of parents with disabilities, and to the extent practicable, in a language the parents can understand.
4. Provide to parents of Title 1 students information in a timely manner about Title 1 programs that may include a description and explanation of the school's curriculum, the forms of academic assessment used to measure children's progress and the proficiency levels students are expected to achieve. This information will be in the student handbook, sent home to Title I students' parents and available at the school.
5. On the request of parents, provide additional opportunities for meetings for parents to formulate suggestions, and to participate, as appropriate, in decisions about the education of their children. The school will respond to any such suggestions as soon as practicably possible. Parents will have an opportunity to meet with staff during November and April conferences. Parents will be provided with an annual survey in order to gather feedback regarding our Title I programming.
6. Provide to each parent a quarterly individual student report about the performance of their child in math, language arts and reading.
7. Provide each parent timely notice when their child has been assigned or has been for four or more consecutive weeks instructed by a teacher who is not highly qualified within the meaning of the term under Title 1 regulations.

Legal Reference: 20 U.S.C. § 6318 Adopted: August 28, 2013

NEPN/NSBA Code: KBF-E2

MSAD #37
TOBACCO USE AND POSSESSION ADMINISTRATIVE PROCEDURE

The purpose of the following administrative procedure is to effectuate the mandates imposed by the various federal and state laws in addition to this Board's "Tobacco Use and Possession" policy. It applies equally to electronic cigarettes and other devices designed to deliver nicotine through inhalation or "vaping," or used to simulate smoking.

I. PROHIBITED CONDUCT

A. Students

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

B. Employees and All Other Persons

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

II. ENFORCEMENT

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

A. Student Violations

1st Violation

1. Verification of student use/possession by administrator and/or his/her designee;
2. Administrator and/or his/her designee meets with student;
3. Notify parents/guardians and Superintendent.
4. Suspension of 1-10 days. Upon return to school the student will be required to meet with guidance to receive educational information on the legal and health risks associated with possession and/or use of tobacco products.
5. For the first violation, a student will be ineligible to participate in athletics and/or other extra-curricular activities or to represent MSAD #37 for six weeks from the date of the infraction (if there are fewer than six weeks remaining in the activity period, the suspension carries over to the next season. Whether or not the student is able to try out for that sport will be at the discretion of the administration). The student must continue to attend, but not participate in, practices during his/her suspension, ~~but~~ and will not be allowed to participate in games.
6. Prior to reinstatement, the student and his/her parent(s) must attend a meeting with the Principal and the Athletic Director.
7. If all of the above conditions are met by the fourth week of the suspension, the student may request to be reinstated to athletics early. The decision to reinstate the student early will be made at the sole discretion of the Principal and the Athletic Director. This early reinstatement option is only available to students for the first violation.

2nd Violation

1. Verification of student use/possession by administrator and/or his/her designee;
2. Administrator and/or his/her designee meets with student;

TOBACCO USE AND POSSESSION ADMINISTRATIVE PROCEDURE

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PROHIBITED CONDUCT

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

B. Employees and All Other Persons

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

1. ENFORCEMENT

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

A. Student Violations

1st Violation

1. Verification of student use/possession by administrator and/or his/her designee;
2. Administrator and/or his/her designee meets with student;
3. Notify parents/guardians and Superintendent.
4. Suspension of 1-10 days. Upon return to school the student will be required to meet with guidance to receive educational information on the legal and health risks associated with possession and/or use of tobacco products.
5. For the first violation, a student will be ineligible to participate in athletics and/or other extra-curricular activities or to represent MSAD #37 for six weeks from the date of the infraction (if there are fewer than six weeks remaining in the activity period, the suspension carries over to the next season. Whether or not the student is able to try out for that sport will be at the discretion of the administration). The student must continue to attend, but not participate in, practices during his/her suspension, ~~but~~ **and** will not be allowed to participate in games.
6. Prior to reinstatement, the student and his/her parent(s) must attend a meeting with the Principal and the Athletic Director.
7. If all of the above conditions are met by the fourth week of the suspension, the student may request to be reinstated to athletics early. The decision to reinstate the student early will be made at the sole discretion of the Principal and the Athletic Director. This early reinstatement option is only available to students for the first violation.

2nd Violation

1. Verification of student use/possession by administrator and/or his/her designee;

2. Administrator and/or his/her designee meets with student;
3. Notify parents/guardians and Superintendent.
4. One to ten days' suspension. Upon return to school the student will be required to meet with guidance to receive educational information on the legal and health risks associated with possession and/or use of tobacco products.
5. For the second violation, a student will be ineligible to participate in athletics and/or other extra-curricular activities or to represent MSAD #37 for 12 months from the date of the infraction.
6. Prior to reinstatement, the student and his/her parent(s) must attend a meeting with the Principal and the Athletic Director.

3rd Violation

1. Verification of student use/possession by administrator and/or his/her designee;
2. Administrator and/or his/her designee meets with student;
3. Notify parents/guardians and Superintendent.
4. One to ten days' suspension. Before returning to school the student will be required to enroll in a smoking cessation program.
5. A third violation will result in the student being barred from athletic participation for the remainder of their period of high school eligibility.

B. Student Referral to Law Enforcement Agency

The Superintendent or his/her designee reserves the right to refer students to a law enforcement agency, on a case-by-case basis, as he/she may deem necessary. However, the superintendent/ designee shall refer to a law enforcement agency any student reasonably suspected of selling, dispensing or distributing tobacco products or vaping devices/products.

C. Other Persons in Violation

All other persons violating this policy, e.g., employees, visitors, shall be immediately directed to cease violative behavior. In addition, all persons suspected of selling, distributing or in any way dispensing tobacco products or vaping devices/products to students shall be referred to a law enforcement agency.

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

NOTICES

This Board's policy and corresponding disciplinary actions for infractions of this policy shall be printed in employee and student handbooks. Parents/guardians shall also be sent notification in writing of this Board's tobacco/vaping policy and administrative procedures. Notices shall be signed by _____ parents/legal guardians and returned to the school where they shall be kept on file by the school unit.

Legal References: 20 USC 6081-6084 (Pro-Children Act of 1994)
 22 MRSA §§ 1542, 1578(B), 1580(A)(3)
 Me. PL 470 (An Act to Reduce Tobacco Use By Minors)

TOBACCO-FREE SCHOOLS: USE AND POSSESSION OF TOBACCO AND ELECTRONIC SMOKING DEVICES

The Board recognizes that research shows that tobacco continues to be the leading cause of preventable disease and death in Maine and the United States, for both users and those exposed to second-hand smoke. The Board is also aware that a growing body of evidence suggests that the chemicals present in the aerosols (“vapor”) produced by electronic smoking devices, may pose significant long-term risks to health, as well the risk of addiction to nicotine.

The Board is committed to providing a safe and healthy environment for students, staff, and visitors to the schools, including members of the community who use school facilities for recreational and other purposes.

To that end, and in compliance with applicable state and federal laws, all persons are prohibited from smoking and tobacco use in school buildings, on any school grounds (including parking lots), on school buses and school-owned or leased vehicles, and at all school sponsored events at all times.

DEFINITIONS:

For the purpose of this policy:

“Tobacco use” means smoking or the carrying or possession a tobacco product (22 MRSA §1578-B (1)(D)).

“Smoking” includes carrying or having in one’s possession a lighted or heated cigarette, cigar or pipe or heated tobacco or plant product intended for human consumption through inhalation whether natural or synthetic in any manner or any form. “Smoking” includes the use of an electronic smoking device (22 MRSA § 1541(6)).

“Tobacco product” means any product that is made from or derived from tobacco, or that contains nicotine, that is intended for human consumption or is likely to be consumed, whether smoked, heated chewed, absorbed, dissolved inhaled or ingested by any other means, including but not limited to, a, cigar, hookah, pipe tobacco, chewing tobacco, snuff or snus. “Tobacco product” also means an electronic smoking device and any component or accessory used in the consumption of a tobacco product such as filters, rolling papers, pipes and liquids used in electronic smoking devices whether or not they contain nicotine (22 MRSA § 1551(3)) .

All persons are prohibited from selling, distributing, or dispensing tobacco products to students in school building, on school grounds or at school-sponsored events at all times.

CONSEQUENCES FOR VIOLATION

STUDENTS:

The Superintendent/designee(s) shall be responsible for developing age-appropriate disciplinary guidelines for students violating this policy and for employing strategies, as practicable, to address prevention, education, and information about community programs for cessation assistance.

The Superintendent or his/her designee reserves the right to refer students to a law enforcement agency, on a case-by-case basis, as he/she may deem necessary. However, the Superintendent/designee shall refer to a law enforcement agency any student reasonably suspected of selling, dispensing or distributing tobacco products or vaping devices/products.

Parents/guardians will be notified of all violations involving their student and action taken by the school.

STAFF:

RSU/SAD #37 ADMINISTRATIVE PROCEDURE
REFERRAL AND USE OF GENERAL EDUCATION INTERVENTIONS – ADMINISTRATIVE PROCEDURE

These procedures are established for the purpose of meeting the obligations of RSU/SAD #37 under state regulations and the Board's policy IHBA governing referral and use of general education interventions.

I. REFERRAL

RSU #37 shall refer to the IEP Team all school-age students suspected of having a disability that requires special education and related services. Referrals to the IEP Team may be made by a child's parent, by professional school staff, or by others with knowledge of the child. Referrals should be made and processed consistent with these procedures.

Referrals by parents. A parent may refer his or her child to the IEP Team at any time. That referral shall be made in writing directly to the office of the Director of Special Services. Should the parent seek to make a referral through other professional staff (such as teachers, guidance counselors, or administrators), that professional staff member shall directly assist the parent in making the referral in writing to the office of the Director of Special Services. Should a parent attempt to make a referral orally, professional staff shall assist the parent in reducing that referral to writing and submitting it to the office of the Director of Special Services.

A parent referral shall be processed consistent with these procedures and governing timelines even if the child is receiving interventions pursuant to the school unit's general education interventions. Those general education interventions shall continue during the referral process, however.

Referrals by staff. Any professional employee of the school unit may refer a child to the IEP Team regardless of the results of initial child find activities, but only after completion of any general education intervention process used by the school unit. The school unit may move directly forward with the referral process in those circumstances where the school unit and parent agree to do so. Even in that situation, however, general education interventions will continue during the referral process.

Professional school staff shall prepare a referral in writing and shall submit that referral directly to the office of the Director of Special Services.

Referrals by others. Individuals or agency representatives (including representatives of the Department of Health and Human Services) with knowledge of the child may refer that child to the IEP Team regardless of the results of initial child find activities, but only after completion of any general education intervention process used by the school unit. The school unit may move directly forward with the referral process in those circumstances when the school unit and parent agree to do so. Even in that situation, however, general education interventions will continue during the referral process.

Should such a person attempt to make a referral orally, professional staff shall assist that person in reducing that referral to writing and submitting it to the office of the Director of Special Services.

Receipt of Referral. Regardless of the source of the referral, a referral is received by the school unit on the date that the written referral is received by the Office of the Director of Special Services. It shall be signed and dated by the Director of Special Services/designee, thereby indicating the date of the receipt of that referral.

Time Line for Processing Referral. Once the referral has been received in the office of the Director of Special Services, the IEP Team shall review existing evaluation data and determine the need for additional evaluations. The IEP Team may conduct its review without a meeting. If additional evaluations are needed, the school unit must send a "consent to evaluate" form to the parent within 15 school days of receipt of the referral. Also upon receipt of the referral (from any source), the school unit shall send the parent its Written Notice form documenting that referral.

Once the office of the Director of Special Services receives the signed consent for evaluation back from the parent, the school unit shall have 45 school days to complete the evaluation and to hold an IEP Team meeting to determine whether the student qualifies for special education services. If the student is identified as a child with a disability in need of special education, the Team should develop an IEP for that child either at that same meeting, or within 30 calendar days of determining that the student is eligible.

The local unit shall implement the IEP as soon as possible following the IEP Team meeting when the child is found eligible, but no later than 30 calendar days after that meeting.

Transfer Students. Students who have already been identified as in need of special education services and who transfer into the school unit from another school unit within Maine (and who had an IEP that was in effect in a previous school unit in Maine) shall on enrollment and in consultation with the parent be provided with FAPE (including services comparable to those described in the child's IEP from the previous school unit) until the local unit either adopts the child's IEP from the previous unit or develops, adopts and implements a new IEP.

Students who have already been identified as in need of special services and who transfer into the school unit from another school unit from outside of Maine (and who had an IEP that was in effect in a previous school unit in another state) shall on enrollment and in consultation with the parent be provided with FAPE (including services comparable to those described in the child's IEP from the previous school unit) until the local unit conducts an evaluation (if determined to be necessary by this school unit) to determine whether the student is eligible for special education, and if so, develops, adopts and implements a new IEP.

If the transfer student's current IEP from his or her prior school unit is not available, or is believed to be inappropriate by either the parent or the school, the local unit should develop a new IEP through appropriate procedures within a short time after the student enrolls at the school.

If a child transfers into the school unit after the referral time line has begun in the previous school unit but before an eligibility determination has been made, the time line referenced above for completing that process shall not apply if the local unit is making sufficient progress to ensure a prompt completion of the evaluation, and the parent and school unit agree to a specific time when the evaluation will be completed and the eligibility decision made.

II. GENERAL EDUCATION INTERVENTIONS

General education interventions are general education procedures involving regular benchmark assessment of all children, using curriculum based measurements, to monitor child progress and identify those children who are at risk of failing. Children who are at risk receive responsive interventions in the general education program that attempt to resolve the presenting problems of concern. General educators are encouraged to confer with specialists and teaching

professionals, but general education personnel are responsible for the implementation of the intervention.

RSU #37 shall implement general education interventions. These interventions shall include:

- a. Documentation that every child, prior to entering the general education intervention process, was provided with appropriate instruction in reading, including the essential components of reading instruction (as defined in section 1208(3) of the Elementary and Secondary Education Act of 1965 (ESEA), appropriate mastery based instruction in math, appropriate instruction in the writing process, and positive behavioral supports;
2. A team-based decision-making process;
3. Screening at reasonable intervals to determine whether all children are progressing toward meeting the content standards of the parameters for essential instruction and graduation requirements;
4. Data Analysis of screening results focusing on determining to what extent all children are progressing toward meeting the content standards of the parameters for essential instruction and graduation requirements and identifying which children are not making adequate progress towards these goals and are in need of targeted general education interventions;

5. A determination as to whether a child's assessed difficulties are likely the result of linguistic or cultural differences;
6. Provision of research-based general education interventions targeted at the child's presenting academic and/or behavioral concerns as determined by screening results;
7. Repeated formative assessments of student response to targeted interventions, conducted at reasonable intervals, that generate rate based measurable data for both specifying academic and behavioral concerns and monitoring child progress during general education interventions;
8. Documentation that parents were notified about the process, given the opportunity to participate in instructional decision-making, and kept informed of their child's progress during targeted general education interventions;
9. A team shall review the child's progress no later than 60 school days after the start of formal general education interventions and approximately every 30 school days thereafter. At each meeting the team shall review data on the child's progress to determine if modifications to the general education interventions are needed and/or if a referral to special education is indicated: and
10. Provisions for targeted general education interventions to continue during any subsequent special education referral.

The parent of a child receiving general education interventions may request that the agency conduct a full and individual evaluation for possible special education eligibility determination at any time during RSU #37's established general education intervention process.

The general education interventions developed through this pre-referral process shall continue in the event of a referral while the referral is being handled by the IEP Team, and the resulting data shall become part of the child's special education file.

References: Ch. 101, §§ II (17), III, IV (2)(D), (E), V (4)(A) (Maine Dept. of Ed. Rules) (May 2012)

Cross Reference: IHBAA Referral and Use of General Education Interventions IHBAC Child Find

Adopted: June 14, 2000
 Revised: October 31, 2001
 Revised: January 28, 2008
 Revised: August 28, 2013

NEPN/NSBA Code: IHBA

MSAD #37 POLICY INDIVIDUALIZED EDUCATION PROGRAMS

It shall be the policy of MSAD #37 to maintain a complete individualized education program ("IEP") for each student who has been identified with a disability and in need of special education services under state and federal special education laws, and who is in attendance at MSAD #37's public schools. MSAD #37 shall develop these IEPs in a manner consistent with the procedural requirements of state and federal special education laws.

Student IEPs shall be reasonably calculated to provide the identified student with educational benefits in the least restrictive educational environment. MSAD #37 shall ensure that such IEPs are in effect within 30 days of when a student is first identified as in need of special education services, and in effect no later than the beginning of each school year for subsequent IEP's. All IEPs must be reviewed at least annually, as prescribed by state and federal special education laws.

References: 20 U.S.C. §§ 1414(d); 34 C.F.R. § 300.340 to .350 (Mar. 1999); Me. Dep't of Educ. Reg. ch. 101, § 1.4, 10.1 to 10.5 (Nov. 1999).

Adopted: April 26, 2000 Revised: June 14, 2000 Revised: April 30, 2008

RSU/SAD #37 POLICY
PROMOTION, RETENTION, AND ACCELERATION OF STUDENTS

The MSAD #37 administration and staff will strive to create a positive atmosphere toward learning whereby a student may progress through school according to his/her own individual needs and ability.

It is the Board's intent to provide sequential instructional programming that provides equitable opportunity for students to learn the knowledge and skills that will enable them to meet the content standards of the system of Learning Results at each grade level. The Board recognizes that at every grade level, there are differences among students in their intellectual, physical, social, and emotional development and that individual students may be more proficient in some content areas of the Learning Results than in others.

While most students will advance from one grade to another at the end of the academic year, some students may benefit from retention or acceleration. Decisions concerning promotion, retention, or acceleration of a student should be consistent with the best educational interest of that student.

In situations where there is doubt as to whether to promote, retain, place, or return a student to a former grade, the teacher shall consult with the school Principal. Consideration will be given to a student's record of accomplishment which will be the major criteria for advancement.

Criteria

The following criteria will be used in making decisions concerning promotion, retention and acceleration. Although all listed criteria may be considered in the decision-making process, because of the relationship between a student's achievement of the content standards of the system of Learning Results and his/her future success in school, more consideration shall be given to that criterion.

1. Achievement of the content standards of the Learning Results as demonstrated through classroom assessments, common assessments, standardized tests, and other elements of the Local Assessment System;
2. Participation and success in remedial programs, tutoring, summer school, and/or other opportunities for success;
3. Potential benefit from repetition of a grade or learning experiences;
4. Potential for success if accelerated;
5. Attendance;
6. Social and emotional maturity;
7. Health;
8. Age in relation to grade placement;

9. Program options;
10. Student attitude; and
11. Parental concerns

Retention

In cases of potential retention, the teacher shall notify the parents/guardians in writing of such possibility by the end of the second ranking period, or following that when such need is identified. A copy of the letter shall be placed in the student's permanent record folder. A conference with parents/guardians and anyone they might invite to attend will be arranged by the teacher involved.

Students who are unable to earn promotion by accomplishment will be retained in their current grade except where there are extenuating circumstances.

Acceleration

Decisions regarding acceleration shall be made by the principal in consultation with the student's teacher(s), the Gifted and Talented Education Coordinator, and other professional staff or consultants, as appropriate. A parent who is dissatisfied with the principal's decision may appeal to the Superintendent. The Superintendent's decision shall be final.

Appeals

1. Parents/guardians may request an appeal hearing with the Superintendent with regard to decisions made by teachers and Principals to retain, place, return to former grade, or promote students. This request should be in writing and should explain in reasonable detail a basis for the appeal. The request should be addressed to the Superintendent no later than July 15.
2. The Superintendent shall research the situation and meet with the parents/ guardians for the purpose of exchanging information. The Superintendent will make a decision on the appeal no later than August 15. The Superintendent's decision shall be final.

Legal Reference: CH. 127 (Maine Dept. of Ed. Rule)

Adopted: Revised: Revised:
October 31, 1990
June 14, 2000
August 28, 2013

NEPN/NSBA CODE: ACAA-R

MSAD #37

STUDENT DISCRIMINATION/HARASSMENT AND TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES

The Board has adopted these student procedures in order to provide prompt and equitable resolution of reports and complaints of unlawful discrimination and harassment of students, including sexual harassment, as described in policies AC – Nondiscrimination/Equal Opportunity and Affirmative Action and ACAA – Harassment and Sexual Harassment of Students.

Complaints alleging unlawful harassment or discrimination against employees based on a protected category should be addressed through the Board's Employee Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedures (ACAB-R).

Any individual who is unsure about whether unlawful discrimination or harassment has occurred and/or or which complaint procedure applies is encouraged to contact the Affirmative Action Officer/Title IX Coordinator.

Denise Vose, Affirmative Action Officer/Title IX Coordinator
1020 Sacarap Road, Harrington ME 04643
Telephone: 207-483-2749; E-mail: dvose@msad37.org

I. DEFINITIONS

For purposes of these complaint procedures, the following definitions will be used. The Affirmative Action Officer/Title IX Coordinator shall assess all reports and complaints to ensure that they are addressed under the appropriate policy and complaint procedure.

A. Discrimination/Harassment Complaint Procedure Definitions

1. “Discrimination or harassment”: Discrimination or harassment on the basis of an individual’s membership in a protected category, which, for students, includes race, color, sex, sexual orientation, gender identity, religion, ancestry, national origin or disability.
2. “Discrimination”: Treating individuals differently or interfering with or preventing them from enjoying the advantages or privileges afforded to others because of their membership in a protected category.

“Harassment”: Oral, written, graphic, electronic or physical conduct relating to an individual’s actual or perceived membership in a protected category that is sufficiently severe, pervasive or persistent so as to interfere with or limit that individual’s ability to participate in the school unit’s programs or activities by creating a hostile, intimidating or offensive environment.
3. “Sexual harassment”: Under Maine law, this means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature in the following situations:
 - d. Submission to such conduct is made either explicitly or implicitly a term or condition of a student’s educational benefits;
 - e. Submission to or rejection of such conduct by a student is used as the basis for decisions on educational benefits; or
 - f. Such conduct has the purpose and effect of substantially interfering with a student’s academic performance or creates an intimidating, hostile or offensive environment.
4. “Sexual orientation”: Under Maine law, this means a person’s “actual or perceived heterosexuality, bisexuality, homosexuality or gender identity or expression.”
5. “Gender identity”: Under Maine law, this means “the gender-related identity, appearance, mannerisms or other gender-related characteristics of an individual, regardless of the individual’s assigned sex at birth.”
6. “Complaint” is defined as an allegation that a student has been discriminated against or harassed on the basis of race, color, sex, sexual orientation, gender identity, religion, ancestry, national origin or disability (and not otherwise addressed in the Title IX regulations and Section 3 of ACAA-R).
7. Complaints of bullying not involving the protected categories or definitions described above may be addressed under Board Policy JICK – Bullying and Cyberbullying of Students.

B. Title IX Sexual Harassment Complaint Procedure Definitions

1. “Sexual Harassment”: Under the federal Title IX regulations, sexual harassment includes the following conduct on the basis of sex which takes place within the context of the school unit’s education programs and activities:

- d. “Quid pro quo” sexual harassment by a school employee: Conditioning a school aid, benefit or service (such as a better grade or a college recommendation) on an individual’s participation in unwelcome sexual conduct;
 - e. “Hostile environment” sexual harassment: Unwelcome conduct based on sex that a reasonable person would determine is so severe, pervasive and objectively offensive that it effectively denies an individual’s equal access to the school unit’s education programs and activities; or
 - f. Sexual assault, dating violence, domestic violence and stalking as these terms are defined in federal laws.
- 2. “Report”: Under the Title IX regulations, any individual may make a report of sexual harassment involving a student, whether the individual is the alleged victim or not. School employees are required to report possible incidents of sexual harassment involving a student. A report must be made to the Affirmative Action Officer/Title IX Coordinator. A report triggers certain actions by the AAO/Title IX Coordinator for the alleged victim of sexual harassment, but an investigation is not conducted unless a “Formal Complaint” is filed.
 - 3. “Formal Complaint”: Under the Title IX regulations, the alleged victim of sexual harassment can file a written complaint that triggers the complaint procedure in Section 3 of ACA-R. Only a student and/or their parent/legal guardian (and in certain circumstances, the AAO/Title IX Coordinator) may file a formal complaint.
 “Student”: For the purposes of this procedure, a student is an individual who is enrolled or participating in the school unit’s education programs and activities, or is attempting to enroll or participate.

II. DISCRIMINATION/HARASSMENT COMPLAINT PROCEDURE

This procedure should be used for any complaint of unlawful harassment or discrimination complaint based on a protected category which does not involve Title IX sexual harassment (which is addressed in Section 3).

A. How to Make A Complaint

- 1. School employees are required to promptly make a report to the AAO/Title IX Coordinator if they have reason to believe that a student has been discriminated against or harassed.
- 2. Students (and others) who believe that they, or another student has been harassed or discriminated against should report their concern promptly to the AAO/Title IX Coordinator.
- 3. The individual making the report must provide basic information in writing concerning the allegation of harassment or discrimination (i.e., date, time, location, individual(s) who allegedly engaged in harassment or discrimination, description of allegation) to the AAO/Title IX Coordinator.

4. If an individual is unsure as to whether unlawful discrimination or harassment has occurred, or who need assistance in preparing a written complaint, they are encouraged to discuss the matter with the AAO/Title IX Coordinator.
5. Individuals will not be retaliated against for reporting suspected discrimination or harassment, or for participating in an investigation. Retaliation is illegal under federal and state nondiscrimination laws, and any retaliation will result in disciplinary action, up to and including discharge for employees, and expulsion for students.
6. Individuals are encouraged to utilize the school unit's complaint procedure. However, individuals are hereby notified that they also have the right to report incidents of discrimination or harassment to the Maine Human Rights Commission, 51 State House Station, Augusta, Maine 04333 (telephone: 207-624-6290) and/or to the federal Office for Civil Rights, U.S. Department of Education, 5 Post Office Square, 8th Floor, Boston, MA 02109-3921 (telephone: 617-289-0111).

B. Complaint Handling and Investigation

1. The AAO/Title IX Coordinator will promptly inform the Superintendent and the person who is the subject of the complaint (respondent) that a complaint has been received.
2. The AAO/Title IX Coordinator may pursue an informal resolution of the complaint with the agreement of the parties involved. Any party to the complaint may decide to end the informal resolution process and pursue the formal process at any point. Any informal resolution is subject to the approval of the parties and the Superintendent, who shall consider whether the resolution is in the best interest of the school unit and the parties in light of the particular circumstances and applicable policies and laws.
3. The AAO/Title IX Coordinator may implement supportive measures to a student to reduce the risk of further discrimination or harassment to a student while an investigation is pending. Examples of supportive measures include, but are not limited to, ordering no contact between the individuals involved or changing classes.
4. The complaint will be investigated by a trained internal or external individual designated by the Superintendent and the AAO/Title IX Coordinator. Any complaint about an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. Any complaint about the Superintendent should be submitted to the Chair of the Board, who should consult with legal counsel concerning the handling and investigation of the complaint.
5. The investigator shall consult with the AAO/Title IX Coordinator as agreed during the investigation process.
6. The respondent will be provided with an opportunity to be heard as part of the investigation. The complainant shall not be required to attend meetings with the respondent, but may choose to do so as part of an informal resolution process.
7. The complainant and the respondent may suggest witnesses to be interviewed and/or submit materials they believe are relevant to the complaint.

8. If the complaint is against an employee of the school unit, any rights conferred under an applicable collective bargaining agreement shall be applied.
9. Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.
10. The investigation shall be completed within 40 calendar **[or business]** days of receiving the complaint, if practicable. Reasonable extensions of time for good reason shall be allowed.
11. The investigator shall provide a written report and findings to the AAO/Title IX Coordinator.

C. Findings and Subsequent Actions

1. The AAO/Title IX Coordinator shall consult with the Superintendent concerning the investigation and findings.
2. If there is a finding that discrimination or harassment occurred, the AAO/Title IX Coordinator, in consultation with the Superintendent shall:
 - a. Determine what remedial action, if any, is required to end the discrimination or harassment, remedy its effect and prevent recurrence; and
 - b. Determine what disciplinary action should be taken against the individual(s) who engaged in discrimination or harassment, if any.
3. Inform the complainant and the respondent in writing of the results of the investigation and its resolution (in accordance with applicable state and federal privacy laws).

D. Appeals

1. After the conclusion of the investigation, the complainant or respondent may seek an appeal of the findings solely on the basis of either: (a) prejudicial procedural error or (b) the discovery of previously unavailable relevant evidence that could significantly impact the outcome.
2. Appeals must be submitted in writing to the Superintendent within five calendar **[or business]** days after receiving notice of the resolution.
3. Upon receipt of a valid appeal, the Superintendent shall provide notice to the other party, along with an opportunity to provide a written statement within five calendar **[business]** days.
4. The Superintendent shall review the available documentation and may conduct further investigation if deemed appropriate.
5. The Superintendent's decision on the appeal shall be provided to the parties within 10 calendar **[or business]** days, if practicable. The Superintendent's decision shall be final.

[Note: The Board should decide whether to allow appeals of the Superintendent's decisions to the Board. We recommend discussing this option with legal counsel before drafting such language.]

E. Records

The AAO/Title IX Coordinator shall keep a written record of the complaint process.

III. TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURE

This section should be used only for complaints of Title IX sexual harassment as defined in Section 1.B.1.

A. How to Make A Report

1. School employees who have reason to believe that a student has been subjected to sexual harassment is required to promptly make a report to the AAO/Title IX Coordinator.
2. Students, parents/legal guardians or other individuals who believe a student has been sexually harassed are encouraged to make a report to the AAO/Title IX Coordinator.
3. If the individual making the report is the alleged victim, or if the alleged victim is identified by the individual making the report, the AAO/Title IX Coordinator will meet with the alleged victim to discuss supportive measures that may be appropriate in the particular circumstances and explain the process for filing a formal complaint.
 - a. Supportive measures are individualized measures designed to ensure the student can continue to access educational programs and activities (such as requiring no contact between individuals or changing classes).
 - b. Supportive measures may be continued even if the alleged victim chooses not to file a formal complaint, if appropriate under the particular circumstances.
4. The school unit cannot provide an informal resolution process for resolving a report unless a formal complaint is filed.
5. Individuals will not be retaliated against for reporting sexual harassment, or for participating in an investigation. Retaliation is illegal under federal and state nondiscrimination laws, and any retaliation will result in disciplinary actions, up to and including discharge for employees, or expulsion for students.
6. Any student (or their parent/legal guardian) who believes they have been the victim of sexual harassment is encouraged to utilize the school unit's complaint procedure. However, students (and their parents/legal guardians) are hereby notified that they also have the right to report sexual harassment to the Maine Human Rights Commission, 51 State House Station, Augusta, Maine 04333 (telephone: 207-624-6290) and/or to the federal Office for Civil Rights, U.S. Department of Education, 5 Post Office Square, 8th Floor, Boston, MA 02109-3921 (telephone: 617-289-0111).

7. The Superintendent shall be informed of all reports and formal complaints of sexual harassment.

B. How to Make A Formal Complaint

1. An alleged student victim and/or their parent/legal guardian may file a formal written complaint requesting investigation of alleged Title IX sexual harassment. The written complaint must include basic information concerning the allegation of sexual harassment (i.e., date, time, location, individual(s) who allegedly engaged in sexual harassment, description of allegation).

Students who need assistance in preparing a formal written complaint, are encouraged to consult with the AAO/Title IX Coordinator.

2. In certain circumstances, the AAO/Title IX Coordinator may file a formal complaint even when the alleged victim chooses not to. Examples include if the respondent (person alleged to have engaged in sexual harassment) has been found responsible for previous sexual harassment or there is a safety threat within the school unit). In such cases, the alleged victim is not a party to the case, but will receive notices as required by the Title IX regulations at specific points in the complaint process.
3. In accordance with the Title IX regulations, the AAO/Title IX Coordinator must dismiss a formal complaint under this Title IX procedure if: a) the conduct alleged in the formal complaint does not constitute sexual harassment under the Title IX regulations and this policy; or b) if the conduct alleged did not occur within the scope of the school unit's education programs and activities, or c) did not occur in the United States.
4. In accordance with the Title IX regulations, the AAO/Title IX Coordinator may dismiss a formal complaint under this Title IX procedure if: a) a complainant withdraws the formal complaint, or withdraws particular allegations within the complaint; b) the respondent is no longer employed by or enrolled in the school unit; or c) there are specific circumstances that prevent the school unit from gathering evidence sufficient to reach a determination regarding the formal complaint. However, if the conduct potentially violates other policies or laws, it may be addressed through the applicable Board policy/procedure.
5. If a formal complaint is dismissed under this Title IX procedure, the AAO/Title IX Coordinator will promptly and simultaneously send written notices to the parties explaining the reasons. Parties have the opportunity to appeal dismissals in accordance with subsection I below.
6. If the conduct alleged in a formal complaint potentially violates other laws, Board policies and/or professional expectations, the school unit may address the conduct under Section 2 or another applicable Board policy/procedure.

C. Emergency Removal or Administrative Leave

The Superintendent may remove a student from education programs and activities on an emergency basis, or place an employee on administrative leave during the complaint procedure:

1. If there is a determination (following an individualized safety and risk analysis) that there is an immediate threat to the physical health or safety of an individual arising from the allegations of sexual harassment. Examples of such circumstances might include, but are not limited to, a continued threat of violence against a complainant by a respondent, or a respondent's threat of self-harm due to the allegations.
2. The respondent (and in the case of a student, their parent/legal guardian will be provided notice of the emergency removal or administrative leave, and will be provided an opportunity to challenge the decision following the removal (this is an opportunity to be heard, not a hearing). The respondent has the burden to demonstrate why the emergency removal or administrative leave was unreasonable.
3. Any such decision shall be made in compliance with any applicable disability laws, including the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act and the Americans with Disabilities Act.

D. Notice to Parties of Formal Complaint

1. The Title IX Coordinator will provide to the parties written notice of the formal complaint and allegations of sexual harassment potentially constituting prohibited conduct under the Title IX regulations and this procedure. The notice shall include:
 - Notice regarding the complaint procedure and the availability of an informal resolution process;
 - Sufficient details known at the time (including identities of parties, if known; the conduct alleged; and the date and location of the alleged incident, if known), with sufficient time to prepare before any initial interview (not less than five calendar days);
 - As required by the Title IX regulations, a statement that the respondent is presumed not responsible for the alleged conduct and that a determination of responsibility will be made at the conclusion of the complaint); and that the parties may inspect and review evidence;
 - Notice that the parties may each have an advisor of their choice (who may be an attorney), and that the parties may inspect and review evidence;
 - Notice that knowingly making false statements or submitting false information during the complaint process is prohibited and may result in disciplinary action;
 - Notice of the name of the investigator, with sufficient time (no less than three calendar **[or business]** days) to raise concerns of conflict of interest or bias.
2. If additional allegations become known at a later time, notice of the additional allegations will be provided to the parties.
3. The AAO/Title IX Coordinator will discuss supportive measures with each party and implement such measures as appropriate.

E. Informal Resolution Process

After a formal complaint has been filed, and if the AAO/Title IX Coordinator believes the circumstances are appropriate, the AAO/Title IX Coordinator may offer the parties the opportunity to participate in an informal resolution process to resolve the complaint without

completing the investigation and determination process. Informal resolutions cannot be used to resolve a formal complaint where a student is the complainant and the respondent is an employee.

Informal resolutions can take many forms, depending on the particular case. Examples include, but are not limited to, facilitated discussions between the parties; restorative justice; acknowledgment of responsibility by a respondent; apologies; disciplinary actions against a respondent or a requirement to engage in specific services; or supportive measures. Both parties must voluntarily agree in writing to participate in an informal resolution process, and either party can withdraw from the process at any time. The Superintendent must agree to the terms of any informal resolution reached between the parties. If an informal resolution agreement is reached, it must be signed by both parties and the school unit. Any such signed agreement is final and binding according to its terms.

If an informal resolution process does not resolve the formal complaint, nothing from the informal resolution process may be considered as evidence in the subsequent investigation or determination.

F. Investigation

1. The complaint will be investigated by a trained internal or external individual designated by the Superintendent and AAO/Title IX Coordinator. Any complaint about an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. Any complaint about the Superintendent should be submitted to the Chair of the Board, who should consult with legal counsel concerning the handling and investigation of the complaint.
2. The investigator shall consult with the AAO/Title IX Coordinator as agreed during the investigation process.
3. If the complaint is against an employee of the school unit, rights conferred under an applicable collective bargaining agreement shall be applied, to the extent they do not conflict with the Title IX regulatory requirements.
4. Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.
5. The investigator will:
 - a. Meet with each party after they have received appropriate notice of any meeting and its purpose, with sufficient time to prepare.
 - b. Allow parties to have their advisor at all meetings related to the complaint, although advisors may not speak on behalf of a party or interfere with the process.
 - c. Allow parties a reasonable opportunity to identify witnesses and submit favorable and unfavorable evidence.

- d. Interview witnesses and conduct such other activities that will assist in ascertaining facts (site visits, review of documents, etc.).
 - e. Consider evidence that is relevant and directly related to the allegations in the formal complaint.
 - f. During the course of the investigation, provide both parties with an equal opportunity to inspect and review any evidence that is obtained in the investigation that is directly related to the allegations in the formal complaint (including evidence which the school unit does not intend to rely upon in reaching a determination of responsibility), and favorable and unfavorable evidence.
 - g. Prior to completion of the investigation report, provide each party and advisor (if any) the evidence subject to inspection and review, and provide the parties with ten calendar days to submit a written response.
 - h. Consider the parties' written responses to the evidence prior to completing the investigation report.
 - i. Create an investigative report that fairly summarizes relevant evidence and send the report to the parties and advisors (if any), for their review and written responses within ten calendar days of receipt.
 - j. After receipt of the parties' written responses (if any), forward the investigation report and party responses to the assigned decision maker.
6. The investigation shall be concluded within 40 calendar days if practicable. Reasonable extension of time for good reason shall be allowed.

G. Determination of Responsibility

- 1. The decision maker shall provide the parties with the opportunity to submit written, relevant questions that the party wants asked of another party or witness within five calendar days of when the decision maker received the investigation report and party responses.
 - a. The decision maker shall explain to a party proposing questions if the decision maker excludes a question as not relevant.
- 2. Each party shall be provided the opportunity to review the responses of another party and/or witness, and to ask limited written follow-up questions within five calendar days of receiving the answers.
- 3. Each party will receive a copy of the responses to any follow-up questions.
- 4. The decision maker shall review the investigation report, the parties' responses and other relevant materials, applying the preponderance of the evidence standard ("more likely than not"). [Note: School units can use the clear and convincing standard, but we

recommend retaining the preponderance standard that school units use in most other cases.]

5. The decision maker shall issue a written determination, which shall include the following:
 - a. Identification of all the allegations potentially constituting sexual harassment as defined in the Title IX regulations and this policy;
 - b. A description of the procedural steps taken from receipt of the formal complaint through the determination, including notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and meetings held;
 - c. A determination regarding responsibility as to each allegation and findings of fact supporting the determinations;
 - d. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the school unit imposes on the respondent, and whether remedies designed to restore or preserve equal access to the school unit's programs and activities will be provided to the complainant;
 - e. The school unit's appeal procedure and permissible bases for the parties to appeal the determination.
6. The written determination shall be provided to the parties simultaneously. The determination concerning responsibility becomes final either on the date that the school unit provides the parties with the written determination of the results of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which the appeal would no longer be considered timely.

H. Remedies, Discipline and Other Actions

1. Remedies

Remedies are measures used to ensure that the complainant has equal access to the school unit's education programs and activities following the decision maker's determination. Such remedies may include supportive measures, and may include other appropriate measures, depending upon the determination and the needs of the complainant. The Title IX Coordinator is responsible for implementing remedies and providing any needed assistance to the Complainant.

2. Discipline and Other Actions - Students

The following are of the types of discipline and other actions that may be imposed on a student when there is a determination that they are responsible for one or more violations involving sexual harassment:

- In or out of school suspension.

- Expulsion.
- Restorative justice.
- Requirement to engage in education or counseling program.

3. Discipline and Other Actions – Employees

The following are examples of the types of disciplinary actions that may be imposed on an employee when there is a determination that they are responsible for one or more violations involving sexual harassment:

- Written warning.
- Probation.
- Demotion.
- Suspension without pay.
- Discharge.

The following are examples of other types of actions that may be imposed on an employee when there is a determination of responsibility:

- Performance improvement plan.
- Counseling.
- Training.
- Loss of leadership/stipend position.

I. Appeals

The parties have the opportunity to appeal a determination regarding responsibility, and from dismissals of formal complaints. Under the Title IX regulations, appeals are allowed on the following grounds:

1. A procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal of the formal complaint was made, that could affect the outcome of the matter; or
3. The Title IX Coordinator, investigator, or decision maker had a conflict of interest or bias for or against complainants or respondents generally, or the individual complainant or respondent that affected the outcome of the matter.

An appeal must be filed in writing within five calendar days of receiving the determination, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

1. Appeals must be filed with the Superintendent, who will consider the appeal.
2. The Superintendent shall notify the other party in writing of the appeal and will allow both parties to submit a written statement in support of, or challenging, the determination of the decision maker.

3. The Superintendent shall conduct an impartial review of the appeal, including consideration of the written record of the matter, and may consult with legal counsel or other school unit officials in making their decision.
4. The Superintendent shall issue a written decision describing the result of the appeal and rationale for the result, and provide the written decision simultaneously to the parties. The decision will either deny the appeal; grant the appeal and remand to the decision maker for further consideration; or grant the appeal by revising the disciplinary or other action(s).

J. Records

Records in connection with sexual harassment reports and the complaint process shall be maintained for a minimum of seven years.

Legal Reference: Americans with Disabilities Act (42 U.S.C. §12101 et seq., as amended; 28 C.F.R. § 35.107)
 Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. § 794 et seq., as amended; 34 C.F.R. § 104.7)
 Title IX of the Education Amendments of 1972 (20 USC § 1681, et seq.); 34 C.F.R. Part 106
 Clery Act (20 U.S.C. §1092(f)(6)(A)(v) - definition of sexual assault)
 Violence Against Women Act (34 U.S.C. § 1092(f)(6)(A)(v) – definition of sexual assault;
 34 U.S.C. § 12291(a)(10) – dating violence; 34 U.S.C. §12291(a)(3) – definition of stalking;
 34 U.S.C. §12291(a)(8) – definition of domestic violence)
 Title VI of the Civil Rights Act of 1964 (42 USC § 2000d)
 Maine Human Rights Act, 5 MRSA § 4551 et seq.
 20-A MRSA § 6553
 MHRC/MDOE Joint Rule Chapter 94-348 and 05-071, ch. 4

Cross Reference: ACAA-R – Student Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedures
 AC – Nondiscrimination/Equal Opportunity and Affirmative Action
 ACAD – Hazing
 GBEB – Staff Conduct with Students
 JFCK – Student Use of Cellular Telephones and Other Electronic Devices
 JICIA – Weapons, Violence and School Safety
 JICK – Bullying

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RSU/SAD #37 ADMINISTRATIVE PROCEDURE

PROCEDURES ON PHYSICAL RESTRAINT AND SECLUSION

These procedures are established for the purpose of meeting the obligations of MSAD #37 under state law/regulations and Board Policy JKAA governing the use of physical restraint and seclusion. These procedures shall be interpreted in a manner consistent with state law and regulations.

1. **Definitions**--For purposes of these procedures, the terms “physical restraint” and “seclusion” shall have the meanings defined in Policy JKAA. Definitions for other important terms in this procedure include:
 - A. **Emergency:** A sudden, urgent occurrence, usually unexpected, but sometimes anticipated, that requires immediate action.
 - B. **Risk of injury or harm:** A situation in which a student has the means to cause physical harm or injury to him/herself or others and such injury or harm is likely to occur, such that a reasonable and prudent person would take steps to protect the student and others against the risk of such injury or harm.
 - C. **Dangerous behavior:** Behavior that presents risk of injury or harm to a student or others.
 - D. **Serious bodily injury:** Any bodily injury that involves: (1) A substantial risk of death; (2) Extreme physical pain; (3) Protracted and obvious disfigurement; or (4) Protracted loss or impairment of the function of a bodily member, organ or mental faculty.

2. Physical Restraint

To the extent possible, physical restraint will be implemented by staff certified in a training program approved by the Maine Department of Education. If untrained staff have intervened and initiated a physical restraint in an emergency, trained staff must be summoned to the scene to assume control of the situation if the emergency continues.

This procedure does not preclude law enforcement personnel from implementing physical restraints in carrying out their professional responsibilities.

A. Permitted Uses of Physical Restraint

1. Physical restraint may be used only as an emergency intervention when the behavior of a student presents a risk of serious physical injury or harm to the student or others, and only after other less intrusive interventions have failed or been deemed inappropriate. The physical restraint must end immediately upon the cessation of the imminent risk of serious physical injury to the student or another person, and should involve the least amount of force necessary to protect the student or other person.

RSU/SAD #37 POLICY

USE OF PHYSICAL RESTRAINT AND SECLUSION

The MSAD #37 School Board has adopted this policy and the accompanying procedures to implement the standards for use of physical restraint and seclusion with students, as required by state law and regulations, and to support a safe school environment. Physical restraint and seclusion, as defined by this policy, may only be used as an emergency intervention when the behavior of a student presents an imminent risk of serious physical injury or harm to the student or others.

State law and MDOE Rule Chapter 33 do not restrict or limit the protections available to school officials under 20-A M.R.S.A. § 4009, but those protections do not relieve school officials from complying with this policy and the accompanying procedure.

The Superintendent has overall responsibility for implementing this policy and the accompanying procedure, but may delegate specific responsibilities as he/she deems appropriate.

1. **Definitions**--The following definitions apply to this policy and procedure:

- A. **Physical restraint:** A personal restriction that immobilizes or reduces the ability to a student to move their arms, legs, or head freely.

Physical restraint does not include any of the following:

1. Physical escort: A temporary, voluntary, touching or holding of the hand, wrist, arm, shoulder or back to induce a student to walk to a safe location.
2. Physical prompt: A teaching technique that involves voluntary physical contact with the student and that enables the student to learn or model the physical movement necessary for the development of the desired competency.
3. The use of adaptive devices or mechanical supports to achieve proper body position, balance or alignment to allow greater freedom of movement than would be possible without the use of such devices or supports.
4. The use of seat belts, safety belts or similar passenger restraints, when used as intended during the transportation of a child in a motor vehicle.
5. Restraints used by law enforcement officers in the course of their professional duties are not subject to this policy/procedure or MDOE Rule Chapter 33.

- B. **Seclusion:** The involuntary isolation or confinement of a student alone in a room or clearly defined area from which the student does not feel free to go or is physically prevented from leaving, with no other person in the room or area with the student.

Seclusion does not include: A timeout: An intervention where a student requests, or complies with an adult request for a break.

2. **Procedures for Implementing Physical Restraint and Seclusion**

The requirements for implementing physical restraint and seclusion, as well as incident notices, documentation and reporting are included in the accompanying procedure, JKAA-R.

RSU/SAD #37 POLICY

TRUANCY

1. TRUANCY DEFINED

A student is truant if he/she is required to attend school or alternative instruction under Maine compulsory attendance law (20-A MRSA § 5001-A) and he/she:

- A. Has completed grade 6 and has the equivalent of 10 full days of unexcused absences or 7 consecutive school days of unexcused absences during a school year; or
- B. Is at least 6 years of age and has not completed grade 6 and has the equivalent of 7 full days of unexcused absences or 5 consecutive school days of unexcused absences during a school year. Truancy under this paragraph is considered “child abuse and neglect” under Maine law and is reportable to the Department of Health and Human Services (DHHS) when the truancy is the result of neglect by a person responsible for the child; or
- C. A child 5 years of age or older and under 6 years of age who is enrolled, and who has not withdrawn from a public day school, is required to attend that school during the time it is in session. Such a child will be considered truant if he/she has the equivalent of 7 full days of unexcused absences or 5 consecutive school days of unexcused absences during a school year. Truancy under this paragraph is considered “child abuse and neglect” under Maine law and is reportable to the Department of Health and Human Services (DHHS) when the truancy is the result of neglect by a person responsible for the child.

2. ATTENDANCE COORDINATORS

In accordance with Maine law, the Superintendent shall appoint one or more attendance coordinators. The duties of the attendance coordinator include, but are not limited to:

- A. Interviewing a student whose attendance is irregular and meeting with the student and the parents to determine the cause of the irregular attendance and filing a written report with the principal;
- B. Filing an annual report with the Superintendent summarizing school year activities, findings and recommendations regarding truants;
- C. Serving as a member of the dropout prevention committee; and
- D. Serving as the liaison between the school and the local law enforcement agency in matters pertaining to student absenteeism under Maine law.

3. TRUANCY PROCEDURES

As required by law, the following procedure shall be followed when a student is truant.

- A. The principal, upon determining that a student is truant, shall notify the Superintendent of the student’s truancy within five school days of the last unexcused absence.

- B. Within in five school days of notification, the Superintendent/designee will refer the student who has been determined to be truant to the school's student assistance team.
- C. The student assistance team will meet to determine the cause of the truancy and assess the effect of the student's absences, as well as any future absences for the student. If it is determined that a negative effect exists, the student assistance team shall develop an intervention plan to address the student's absences and the negative effect of these absences.

An intervention plan may include, but is not limited to:

- 1. Frequent communication between the teacher and the family;
 - 2. Changes in the learning environment;
 - 3. Mentoring;
 - 4. Student counseling;
 - 5. Tutoring, including peer tutoring;
 - 6. Placement into different classes;
 - 7. Evaluation for alternative education programs;
 - 8. Attendance contracts;
 - 9. Referral to other agencies for family services; and
10. Other interventions including but not limited to referral to the school attendance coordinator, student assistance team, or dropout prevention committee.
- D. The student and his/her parents/guardians shall be invited to attend any meetings scheduled to discuss the student's truancy and the intervention plan. Failure of the student or the student's parent(s) to appear at scheduled meetings does not preclude school administrators from implementing a plan to address a student's truancy.
 - E. If the Superintendent/designee is unable to correct the student's truancy, the Superintendent/designee shall serve or cause to be served upon the parent(s) in-hand or by registered mail a written notice that the student's attendance is required by law. The notice shall:
 - 1. State that the student is required to attend school pursuant to 20-A MRSA §5001-A (the compulsory attendance law);
 - 2. Explain the parent's right to inspect the student's attendance records, attendance coordinator's reports, and principal's reports;
 - 3. Explain that the failure to send the student to school and maintain the student in regular attendance is a civil violation in accordance with 20-A MRSA § 5053-A and will jeopardize the student's status in the grade he/she is in;
 - 4. State that the Superintendent/designee may notify local law enforcement authorities of a violation of 20-A MRSA § 5053-A and the Department of Health and Human Services (DHHS) of a violation under and 20-A MRSA § 5051-A(1)(C); and
 - 5. Outline the plan developed to address the student's truancy and the steps that have been taken to implement that plan.

- F. Prior to notifying local law enforcement authorities, the Superintendent/ designee shall schedule at least one meeting of the student assistance team as required by law and section 3C of this policy and may invite a local prosecutor.
- G. If after three school days after the service of the notice described in paragraph 3E of this policy the student remains truant and the parent(s) and student refuse to attend the meeting referred to in section 3D, the Superintendent/designee shall report the facts of the unlawful absence to local law enforcement authorities. Local law enforcement may proceed with enforcement action against the parent unless the student is at once placed in an appropriate school or otherwise meets the requirements of the compulsory attendance law.
- H. When a student is determined to be truant and in violation of the compulsory attendance law, and the student assistance team has made a good faith attempt to meet the requirements, the Superintendent shall notify the Board of the student's truancy.

4. ANNUAL REPORT TO COMMISSIONER

The Superintendent shall submit an annual report regarding truancy to the Commissioner by October 1. The report must identify the number of truants in the school administrative unit in the preceding school year; describe the school unit's efforts to deal with truancy; account for actions brought to enforce the truancy law including the number of truants referred to the student assistance team; and include any other information on truancy requested by the Commissioner.

Legal Reference: 20-A MRSA §§ 5001-A; 5051-A-5054-A to 5054
22 MRSA § 4002(1); (6)(B-2)

Cross Reference: JEA – Compulsory Attendance
JFC – Dropout Prevention—Student Withdrawal from School

Revised: April 27, 2022