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NONDISCRIMINATION/EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION

The South Portland Board of Education is committed to maintaining a workplace and learning environment that is free from illegal discrimination and harassment.

In accordance with applicable Federal and/or State laws and regulations, the South Portland School Department prohibits discrimination against and harassment of employees, candidates for employment, students and others with rights to admission or access to school programs, activities or premises on the basis of race, color, sex, sexual orientation, religion, ancestry or national origin, age, disability, or genetic information.

The Board of Education directs the Superintendent to conduct a continuing program to implement this policy. The South Portland School Department Affirmative Action Plan will include designation of an Affirmative Action Officer who will be responsible for ensuring compliance with all Federal and State requirements relating to nondiscrimination. The Affirmative Action Officer will be a person with direct access to the Superintendent.

The Board directs the administration to provide notice of compliance with Federal and State civil laws to all applicants for employment, employees, students, parents, and other interested persons, as appropriate.

The South Portland School Department will require all persons, agencies, vendors, contractors, and other persons and organizations doing business with or performing services for the school department to subscribe to all applicable Federal and State laws pertaining to contract compliance.

Title IX of the Education Amendments of 1972 (20 U.S.C. § 16881 et seq.)
Title VI of the Civil Rights Act of 1964 ( P.L. 88-352)
Vocational Rehabilitation Act of 1973 (20 U.S.C. § 12101 et seq.)
Americans with Disabilities Act (42 U.S.C. § 12101 et seq.)
Maine Human rights Act of 1972 ( 5 MRSA § 4571), as amended Code of Ordinances, City of South Portland, Maine, Article VI Discrimination Based on Sexual Orientation
Genetic Information Nondiscrimination Act of 2008

Cross Reference:  South Portland Department Affirmative Action Plan
ACAA Harassment and Sexual Harassment of Students
ACAB Harassment and Sexual Harassment of School Employees

Adopted: October 13, 1980
Revised: April 13, 1981
Revised: January 13, 1981
Revised: January 11, 1999
Adopted: May 14, 2001
Revised: November 9, 2009
Revised: December 10, 2012

SOUTH PORTLAND SCHOOL DEPARTMENT
THE AFFIRMATIVE ACTION PROGRAM

The following plan for providing equal employment opportunity is hereby approved by the Board for use by the Superintendent in the administration of personnel activities for all employees:

I. EMPLOYMENT

A. The Board affirms that it will employ without discrimination on the basis of race, color, religion, sex, national origin, disability, sexual orientation, or age the best-qualified candidates who are available at the salary levels established for school employment.

B. The Board further recognizes its obligation to comply with the provisions of the Equal Opportunity Act of 1972, Title IX, and the Maine Human Rights Act of 1972 as amended, and the Code of Ordinance, City of South Portland, Maine which prohibits such discrimination in employment.

C. Therefore, the Board directs all concerned to take such affirmative action as is necessary to enforce and promote the Board’s policy of equal employment opportunity by implementing a continuing program which:

1. Prevents any unlawful discrimination in recruitment, hiring, layoff, termination, upgrading, demotion, transfer, compensation, or privileges of employment;

2. Determines whether any qualified applicants or employees are being subjected to unlawful discrimination because of race, color, age, religion, sex, national origin, sexual orientation, or disability and provide for appropriate corrective action;

3. Identifies and corrects those techniques, procedures, and results of personnel actions which may have an adverse effect on the employment opportunities or status of such applicants or employees;

4. Achieves the most efficient utilization of skills that may be identified and developed among all school employees, for the purpose of rendering better service to the students of this administrative unit.

5. Recognizes that standards for termination, layoff, demotion, or discipline must be the same for all employees.

II. IMPLEMENTATION

A. The Superintendent of Schools holds primary responsibility for the operation and success of the Affirmative Action Program. The responsibility has been delegated to the Equal Employment Opportunity Officer/Affirmative Action Officer (referred to hereafter as the “Officer”).

B. The Officer’s responsibilities include, but are not limited to the following:

1. Managing the organization, implementation, and all continuing aspects of the Affirmative Action Program;

2. Disseminating information and guidelines and interpreting federal and state requirements as they apply to personnel employed by this Board.

3. Working with administrators and supervisory staff to identify and correct problem areas;
4. Maintaining records and reports relating to recruitment, hiring, interviews, disciplinary action, promotion, transfer, and termination in order to comply with existing requirements;

5. Initiating remedial action or correcting any unlawful practices which may be brought to the Officer’s attention; and

6. Reporting to the Superintendent of Schools, when necessary, any findings and recommendations for enforcing compliance with the program.

C. Each person involved with the screening, selection, hiring, and promotion of applicants or employees is responsible to the Superintendent of Schools for:

1. Prevention of unlawful discrimination and proper enforcement of this policy;

2. Identification and reporting to the Officer any problem area in interpretation or application of policy guidelines and the disposition of any charge or grievance involving alleged discrimination; and

3. Maintenance of such records, reports, and documents as the Officer may be required to conform to existing law.

III. AFFIRMATIVE ACTION GRIEVANCE PROCEDURE

As it relates to the Affirmative Action policies of the South Portland School Department, the following procedure is stated to ensure that discrimination does not take place in employment, curriculum, or co-curricular or athletic programs.

The District does not discriminate in the educational policies, programs and practices which it operates and will honor all appropriate laws relating to discrimination in regard to race/color, sex, religion, ancestry, national origin, age, physical/mental disability. In regard to employment policy the South Portland School Department will not discriminate in the area of sexual orientation as well as those state above.

Definitions:

1. Grievance – a complaint alleging any policy, procedure or practice that would be prohibited by non-discrimination laws.

2. Grievant – any student or employee of this school district who submits a grievance relevant to nondiscrimination laws or an individual or group submitting on behalf of student(s) or employee(s).

3. Claim – the charge spelled out in its entirety, of discrimination and is limited to the provisions contained within the Affirmative Action Plan.

4. AA Officer/Coordinator – the employee designated to coordinate the School Board’s efforts to comply with the Affirmative Action Program. The person with whom a grievance may be filed.

5. Respondent – the person alleged to be responsible for the violation alleged in the grievance.

6. Grievance Answer – the written statement of the respondent regarding the grievance allegation.

7. Grievance Decision – the written statement of a Hearing Officer of his/her findings regarding the validity of the grievance allegation and the corrective action to be taken.

8. Hearing Officer – the representative of the School Board who is the delegated authority for hearing/resolving grievance at a Level 3 or Level 4 proceeding.

9. Corrective Action – action taken by the School Board or its delegated representative to eliminate or modify any procedure or practice found to be in violation of nondiscriminatory regulations and/or to provide redress to any grievant injured by the identified violation.

10. Day – means a working day (excludes Saturdays, Sundays, holidays, vacations).
Filing of Grievances:

1. **Eligibility for Filing:** Any student or employee, or any individual or group acting on behalf of a student or employee may file a grievance with the Affirmative Action Officer/Coordinator or Building Principal.

2. **Informal Grievance Procedure – Level 1:**
   a. Report (not required to be in writing) incident to the appropriate discipline person (teacher, building principal, etc.). This person will meet with the person charged with the harassment and clarify specific behaviors that are unacceptable. Assign consequences and inform of further consequences if the unacceptable behavior continues.
   b. The appropriate discipline person will keep an incident report and will send a copy of that incident report to the AA Officer/Coordinator.

3. **Informal Grievance – Level 2:**
   a. Grievance may be filed with the Building Principal or AA Officer/Coordinator in writing and should be filed within six (6) months of the alleged act. The Building Principal shall contact the AA Officer/Coordinator immediately to request an information conference to discuss the grievance.
   b. The AA Officer/Coordinator shall hold a pre-grievance meeting between the respondent and grievant within five (5) days of filing to collect data and shall make reasonable effort to resolve the problem without utilizing the formal grievance procedure.
   c. This informal procedure shall not be a prerequisite to filing a formal grievance.
   d. If the matter is not resolved within ten (10) days, the formal procedure will be initiated by the grievant.

4. **Formal Grievance Procedure – Level 3 and Level 4:**
   a. The grievant shall inform the AA Officer/Coordinator that he/she is initiating the formal grievance procedure.
   b. Within five (5) days of the filing of the grievance, the AA Officer/Coordinator shall notify the respondent of the grievance and of his/her responsibility for submission of a written grievance answer within five (5) days after receipt of the grievance notification.
   c. Respondent’s Grievance Answer: The respondent shall, within five (5) days of receipt of a copy of the grievance, submit to the AA Officer/Coordinator, a written grievance answer. Such answer shall:
      1) Confirm or deny each fact alleged in the grievance and in the respondent’s answer.
      2) Indicate the extent to which the grievance has merit;
      3) Indicate acceptance or rejection of any desired redress specified by the grievant, or outline an alternative proposal for resolution.
   d. The AA Officer/Coordinator will send a copy of the grievance and the respondent’s grievance answer to the Building Principal and the Superintendent.
   e. **Level 3:**
      1) Confirm or deny each fact alleged in the grievance and in the respondent’s answer.
      2) Indicate the extent to which the grievance has merit;
      3) Indicate acceptance or rejection of any redress specified by the grievant or respondent; or
      4) Indicate that the Hearing Officer will conduct an informal hearing on the grievance before rendering a decision.
f. Level 3 – Hearing:
   1) The AA Officer/Coordinator shall arrange a date for the Level 3 Hearing and notify the grievant, the respondent and the Superintendent. The hearing shall be held within five (5) days after the appeal.
   2) Persons present at the formal hearing shall be the grievant, the respondent, any individual requested by either party to provide assistance relevant to consideration of the grievance and the AA Officer/Coordinator.
   3) Any procedures established to govern the conduct of the Level 3 hearing shall be at the discretion of the AA Officer/Coordinator.
   4) Within five (5) days of the hearing, the Superintendent shall issue a written hearing decision that includes a statement regarding the validity of the grievance allegation, and a specification of any corrective action to be taken. Copies of the decision shall be sent to the grievant, respondent, and the AA Officer/Coordinator.

g. Level 4:
   1) If the grievant rejects the Level 3 hearing decision or receives no written decision within the time specified above, he/she shall, within six (6) days of receipt of the hearing decision, notify the AA Officer/Coordinator of his/her intent to appeal to Level 4. This notification shall be in writing.
   2) The Hearing Officer serving in Level 4 hearings shall be the School Board or representatives designated by the Board.
   3) For any grievance referred for hearing at Level 4, there shall be two (2) alternative methods for grievance processing:
      a) The grievance hearing may be conducted by the Board in its entirety.
      b) The grievance hearing may be conducted by a sub-group of at least for (4) members of the Board.
      c) The hearing shall be held within fifteen (15) days after appeal of grievance to Level 4 or no later than the next regularly scheduled Board meeting.
      d) Any written materials or records submitted to the Board by the AA Officer/Coordinator shall also be transmitted to the grievant and the respondent. Both grievant and the respondent shall have the right to present such witnesses as they deem necessary to develop the facts pertinent to the grievance.
      e) Issuance of the final hearing decision shall be by written statement regarding the validity of the grievance and any corrective action to be taken within five (5) days after the Level 4 hearing. The decision shall also include a statement of the reasons on which the decision has been based. Copies of the decision shall be sent to all members of the Board, the grievant, the respondent and the AA Officer/Coordinator.
      f) The AA Coordinator shall act as grievant advocate if so desired by the grievant. If not so requested, he/she will observe the hearing and act as recorder.
      g) The final Level 4 decision shall be made by a vote of the majority of the Board.

Other Issues:

1. Confidentiality: The grievant shall determine whether any grievance procedure shall be open to the public. A grievant shall have the right to determine whether or not his/her grievance record shall be open or closed to the public.

2. Maintenance of Grievance Records:
   a. Any grievant may, at his/her expense, record any grievance hearing or proceeding on a tape recorder or similar device.
   b. Written records of each grievance shall be maintained by the AA Officer/Coordinator. These records shall be maintained on a confidential basis unless otherwise specified by the grievant.
   c. Public grievance files shall be maintained by the AA Officer/Coordinator for purposes of grievance precedents.
d. This separate public file shall indicate only the subject matter of each grievance, the resolution of the grievance, and the date of the resolution. These records, which shall be open to the public, shall not refer to any specific individuals.
e. All written records shall be maintained in the Office of the Superintendent for a minimum of three years after the resolution of the grievance.

Prohibition of Harassment:

No person shall be subjected to discharge, suspension, discipline, or harassment or any form of discrimination for having utilized or having assisted others in utilizing this grievance procedure.

Nothing in this procedure shall prevent any grievant from filing a complaint directly with:

Maine Human Rights Commission
51 State House Station
Augusta, ME 04333
(207) 287-6050

Department of Education Affirmative Action Office
23 State House Station
Augusta, ME 04333
(207) 287-5800

Director, Office of Civil Rights
Department of Education
Washington, DC 20402

IV. ADVISORY COMMITTEE

A. An Affirmative Action Advisory Committee shall be formed with the following representation:

1. One elementary and one secondary teacher selected by the Teachers Association;
2. Two non-classified employees.
3. One secondary or elementary administrator appointed by the administrators;
4. One member of the Board of Education;
5. Two secondary school students appointed by the student council
6. The Officer shall serve as ex-officio member of the committee.

B. The committee shall be elected annually in September and shall meet in October to review existing procedures and give written recommendations to the Superintendent. The committee chair and the Officer may call other meetings jointly.

C. The chair shall be elected annually.
STUDENT AFFIRMATIVE ACTION PROGRAM

The following plan for providing equal educational opportunity is hereby approved by the Board for use by the Superintendent of Schools in the administration of educational programs for all students of the South Portland School Department.

I. Student Rights

The South Portland Board of Education affirms the following student rights: “No person on the basis of sex shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity.”

A. Comparable facilities: The South Portland School Department will continue to provide separate toilets, locker rooms, and shower facilities for each sex, and such facilities for students of one sex shall be comparable to facilities provided for students of the other sex.

B. Course offerings: All course offerings shall be open to members of both sexes.

C. Physical Education: All physical education classes shall be organized to comply with Title IX. Grouping shall be done in compliance.

D. Counseling: Appraisal materials shall not be used on the basis of sex.

Adopted: May 14, 2001
Revised: December 10, 2012
HARASSMENT AND SEXUAL HARASSMENT OF STUDENTS

It is the intent of the South Portland School Board to provide all students with an equitable opportunity to learn. To that end, the Board has a significant interest in providing a safe, orderly and respectful school environment that is conducive to teaching and learning. Harassment and sexual harassment are detrimental to student learning and achievement.

Harassment, as defined in this policy, is not acceptable conduct in South Portland Schools and is prohibited. Harassment of students because of race, color, sex, sexual orientation, religion, ancestry or national origin, disability, or genetic information is prohibited. Such conduct is a violation of Board policy and may constitute illegal discrimination under state and federal laws.

**Harassment**

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

**Sexual Harassment**

Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors or pressure to engage in sexual activity, physical contact of a sexual nature, gestures, comments, or other physical, written or verbal conduct that is gender-based that interferes with a student’s education. School employees, fellow students, volunteers and visitors to the school, and other persons with whom students may interact in order to pursue school activities are required to refrain from such conduct.

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

The Superintendent or the employee designated as the Title IX Coordinator (business manager) will investigate complaints of harassment in accordance with the Affirmative Action Grievance Procedure. School employees, students, and parents shall be informed of this policy/procedure through handbooks and/or other means selected by the school administration.

Legal Reference: Title IX of the Education Amendments of 1972 (20 USC § 1681, et seq.) Title VI of the Civil Rights Act of 1964 [42 USC § 2000 (d)] 5 MRSA §§ 4602; 4681 et seq. 20 MRSA § 6553


Adopted: May 9, 1988
Revised: January 11, 1999
Adopted: May 14, 2001
Revised: December 11, 2006
Revised: December 10, 2012

SOUTH PORTLAND SCHOOL DEPARTMENT
STUDENT DISCRIMINATION AND HARASSMENT COMPLAINT PROCEDURE

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

Definitions
For purposes of this procedure:

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

How to Make a Complaint

A. Any student who believes he/she has been discriminated against or harassed should report his/her concern promptly to a teacher, guidance counselor, or a building administrator. Students who are unsure whether discrimination or harassment has occurred are encouraged to discuss the situation with a teacher, guidance counselor, or a building administrator.

B. School staff is expected to report to a building administrator any possible incidents of discrimination or harassment of students. Parents and other adults are also encouraged to report any concerns about possible discrimination or harassment of students. Any possible incidents of discrimination or harassment involving the building administrator should be reported directly to the Superintendent.

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

D. Students are encouraged to utilize the school unit’s complaint procedure. However, students are hereby notified that they also have the right to report complaints to the Maine Human Rights Commission, 51 State House Station, Augusta, ME 04333 (telephone: 207-624-6290) and/or to the Federal Office for Civil Rights, Regional Director, U.S. Department of Education, 5 Post Office Square, 8th Floor, Boston, MA 02110-1491 (telephone 617-289-0111).

Complaint Handling and Investigation

A. The building administrator shall promptly inform the Superintendent and the person(s) who is the subject of the complaint that a complaint has been received.

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

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

2. If the complaint is against an employee of the school unit, any applicable individual or collective bargaining contract provisions shall be followed.

3. Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.
4. The building administrator shall keep a written record of the investigation process.

5. The building administrator may take interim remedial measures to reduce the risk of further discrimination or harassment while the investigation is pending.

6. The building administrator shall consult with the Superintendent concerning the investigation, conclusions, and any remedial and/or disciplinary actions.

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

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

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

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

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

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

E. If the student’s parent/legal guardians are dissatisfied with the resolution, an appeal may be made in writing to the Superintendent within 10 school days after receiving notice of the resolution. The Superintendent shall review the investigation report and may conduct further investigation if deemed appropriate. The Superintendent’s decision shall be final.

Legal Reference:

   Americans with Disabilities Act (28 CFR § 35.07)
   Section 504 of the Vocational Rehabilitation Act (34 CFR § 104.7)
   Title IX of the Education Amendments of 1972 (20 SC § 1681, et seq.)
   Title VI of the Civil Rights Act of 1964 (PL 88-352)
   Genetic Information Non-Discrimination Act of 2008
   20 USC §1232g;
   34 CFR Part 99
   5 MRSA §§ 4571; 4602; 4681 et seq.
   20-A MRSA §§ 6001 et seq.

Cross Reference:

   AC – Nondiscrimination/Equal Opportunity and Affirmative Action
   ACAA – Harassment and Sexual Harassment of Students
   ACAD – Hazing
   JICIA – Weapons, Violence and School Safety

Adopted: June, 11, 2007
Revised: December 10, 2012
Harassment and Sexual Harassment of School Employees

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

Harassment

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

Sexual Harassment

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

A. Submission to such conduct is made either explicitly or implicitly a term or condition of an employee’s work environment or employee benefits;

B. Submission to or rejection of such conduct by an employee is used as the basis for decisions on employment benefits; and/or

C. Such conduct has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment.

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

All complaints of harassment will be investigated in accordance with the School Employee Discrimination and Harassment Complaint Procedure.

Notice and Training

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

The Superintendent is responsible for ensuring that the school unit complies with all legal requirements for posting, notification and training of employees regarding harassment and sexual harassment.
Legal Reference: Title IX of the Education Amendments of 1972 (20 USC § 1681 et seq.)
Title VI of the Civil Rights Act of 1964 (42 USC § 2000d)
Americans with Disabilities Act (42 USC § 12101 et seq.) as amended
Section 504 of the Vocational Rehabilitation Act of 1973 (29 USC § 794 et seq.) as amended
Title VII (42 USC § 2000e-2; 29 CFR § 1604.11)
Age Discrimination in Employment Act (29 USC § 623)
Genetic Information Nondiscrimination Act of 2008 (42 U.S. C. 2000ff et seq.)
5 MRSA §§ 4602; 4681 et seq.
20 MRSA § 6553
26 MRSA §§ 806-807

Cross Reference: ACAB-R - School Employee Discrimination and Harassment Complaint Procedure
AC - Nondiscrimination/Equal Opportunity and Affirmative Action
ACAD - Hazing

Adopted: May 14, 2001
Revised: November 8, 2004
Revised: November 14, 2012
HARASSMENT AND SEXUAL HARASSMENT OF EMPLOYEES
COMPLAINT PROCEDURE

This procedure has been adopted by the South Portland Board of Education in order to provide a method of prompt and equitable resolution of employee complaints of discrimination and harassment as described in policies AC – Nondiscrimination/Equal Opportunity and Affirmative Action and ACAB – Harassment and Sexual Harassment of School Employees.

Definitions

For purposes of this procedure:

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

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

How to Make a Complaint

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

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

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

C. Any employee who believes he/she has been discriminated against or harassed is encouraged to utilize the school unit’s complaint procedure. However, employees are hereby notified that they also have the right to report incidents of discrimination or harassment to the Maine Human Rights Commission, 51 State House Station, Augusta, ME 04333 (telephone: 207-624-6290) and/or to the Federal Office for Civil Rights, Regional Director, U.S. Department of Education, 5 Post Office Square, 8th Floor, Boston, MA. 02110-1491 (telephone: 617-289-0111).
Complaint Handling and Investigation

A. The supervisor receiving the complaint will promptly inform the Superintendent, building principal, and the person who is the subject of the complaint that a complaint has been received.

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

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

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

2. If the complaint is against an employee of the school unit, any rights conferred under an applicable collective bargaining agreement shall be applied.

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

4. The person charged with investigating the complaint shall keep a written record of the investigation process.

5. The building administrator / appropriate supervisor/Affirmative Action Officer may take interim remedial measures (consistent with any applicable collective bargaining agreement provisions) to reduce the risk of further harassment while the investigation is pending.

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

7. The investigation shall be completed within 21 calendar days of receiving the complaint, if practicable.
D. If Affirmative Action Officer determines that discrimination or harassment occurred, he/she shall, in consultation with the Superintendent:

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

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

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

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

Legal Reference:

- Americans with Disabilities Act (28 CFR § 35.07)
- Section 504 of the Vocational Rehabilitation Act (34 CFR § 104.7)
- Title IX of the Educational Amendments of 1972 (34 CFR § 106.8(b)
- Age Discrimination in Employment Act (34 CFR § 110.25)
- Genetic Information Nondiscrimination Act of 2008 (42 U.S.C. 2000 ff et seq.)
- Maine Human Rights Act (5 MRSA § 4571 et seq., 4681 et seq.)
- City of South Portland Ordinance 10-1101 et seq.

Cross Reference:

- AC - Nondiscrimination/Equal Opportunity and Affirmative Action
- ACAB - Harassment and Sexual Harassment of School Employees

Adopted: May 14, 2001
Revised: November 8, 2004
Revised: November 14, 2012
HAZING

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

It is the policy of the Board that injurious hazing activities of any type, either on or off school property, by any student, staff member, group or organization affiliated with the South Portland Schools, are inconsistent with the educational process and shall be prohibited at all times.

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

Persons not associated with the South Portland School Department 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 suspension, expulsion, discharge or other appropriate measures.

In the case of an organization affiliated with this school department which 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 department.

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

The Superintendent shall assume responsibility 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 as he/she carries out the provisions of this policy, that individual or organization may appeal to the full School Board. The ruling of the School Board, with respect to the provisions of this policy, shall be final.

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

Legal Reference: Title 20-A MRSA §. 6553
Cross Reference: ACAA – Harassment and Sexual Harassment of Students
ACAB – Harassment and Sexual Harassment of Employees
JICIA – Weapons, Violence and School Safety

Revised: November 19, 2002
Adopted: December 9, 2002
Revised: December 10, 2012
SCHOOL SYSTEM GOALS AND OBJECTIVES

The Board recognizes its responsibility to set goals for the efficient operation of the South Portland School Department. In discharging this responsibility, the Board will strive to ensure that the resources of the school system are directed toward meeting the educational needs of each eligible student.

The Board will develop annual goals based on input solicited from a variety of sources. These goals will be shared with the community, the staff, and the students. The administration shall develop appropriate objectives designed to achieve the stated priorities.

The Board will regularly evaluate progress toward meeting the goals and will adopt appropriate policies designed to facilitate their accomplishment.

Legal Reference: Title 20-A MRSA § 45ll

Adopted: May 14, 2001
TOBACCO USE AND POSSESSION

In order to promote the health, welfare and safety of students, staff and visitors and to promote the cleanliness of South Portland School Department facilities, the Board of Education prohibits smoking and all other use of tobacco or tobacco like products including cigarettes, cigars, any other form of tobacco, and any device used in smoking or the simulation of smoking, or any form of tobacco consumption, including but not limited to cigarette papers and pipes in school buildings, on school property, on school buses, in any school department vehicle, or at any school sponsored event at any time by any person.

In addition, students are further prohibited from possessing, selling, distributing or dispensing tobacco products tobacco or tobacco like products including cigarettes, cigars, any other form of tobacco, and any device used in smoking or the simulation of smoking, or any form of tobacco consumption, including but not limited to cigarette papers and pipes at all times on school property, in school buses or other vehicles used to transport students, and during school-sponsored events and activities, wherever they take place.

Employees and all other persons are also strictly prohibited, under law and Board policy, from selling, distributing or in any way dispensing tobacco products tobacco or tobacco like products including cigarettes, cigars, any other form of tobacco, and any device used in smoking or the simulation of smoking, or any form of tobacco consumption, including but not limited to cigarette papers and pipes to students. Employees may not use tobacco products at any time while supervising students, whether on or off school property.

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

Cross Reference: JICH – SUBSTANCE ABUSE POLICY
JICH-R – SUBSTANCE ABUSE POLICY ADMINISTRATIVE PROCEDURES

Adopted: February 13, 1995
Revised: May 14, 2001
Revised: May 12, 2008
Revised: December 10, 2012
Revised: May 9, 2016
SCHOOL DISTRICT COMMITMENT TO LEARNING RESULTS/
COMMON CORE STATE STANDARDS

The South Portland School Board hereby adopts the Learning Results/Common Core State Standards and the Maine Department of Education’s applicable rules. The Learning Results/Common Core State Standards are intended to serve as a foundation for education reform and to provide assessment of student learning, accountability and equitable opportunities for all students to access the content standards. The Board recognizes that the legislative intent of the Learning Results/Common Core is to provide children with schools that reflect high expectations and create conditions where these expectations can be met.

The Board understands that implementation of the Learning Results/Common Core State Standards have broad implications for the school unit, including curriculum, budget, professional development, student assessment, professional evaluation, and graduation requirements. Therefore, the Board is committed to examining its policies to make them consistent with the intent and goals of the Learning Results/Common Core State Standards.

The Board directs the Superintendent to develop a plan and timeline for implementing the Learning Results/Common Core State Standards and any appropriate administrative procedures. The Board further directs the Superintendent to report to the Board on a regular basis on progress toward implementing the Learning Results/Common Core.

Legal References: 20-A M.R.S.A. §§ 6208-6209
L.D. 1536, Chapter 51 Resolves
Chapters 125, 127 and 131 (Maine Dept. of Ed. Rules)

Adopted: May 14, 2001
Revised: September 2002
Revised: November 13, 2002
Revised: December 10, 2012
The Board of Education shall have general charge of all the public schools of the South Portland School Department and shall exercise such other responsibilities as specifically provided by law. The Board shall concern itself primarily with broad questions of policy rather than with administrative details. The application of policies is an administrative task to be performed by the Superintendent and his/her staff, who shall be held responsible for the effective administration and supervision of the entire school system.

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

A. Selects, employs and evaluates the Superintendent;

B. Develops and Adopts Policies: The Board is responsible for developing and adopting policies to guide and operate the school unit. The Board employs a Superintendent to carry out its policies through the implementation of regulations and administrative procedures.

C. Approves the budget, financial reports, audits, major expenditures, payment of obligations, and policies whereby the administration may formulate procedures, regulations, and other guides for the orderly accomplishment of business. The Board is responsible for preparing and adopting an annual budget to provide the resources needed to carry out the instructional and operational programs.

D. Responsible for the planning, expansion, improvement, financing, construction, and maintenance of the physical plant of the school system.

E. Approves/disapproves personnel nominations from the Superintendent and determines (where appropriate via collective bargaining) compensation and working conditions for all staff. 

F. Provides for the dissemination of information relating to the schools necessary for creating a well-informed public.

G. Responsible for adopting textbooks and courses of study as well as for setting standards, monitoring, evaluating, and reporting the results of the educational program.

H. Requires the establishment and maintenance of records, accounts, archives, management methods and procedures incidental to the conduct of school business.

Communication with Public. The Board is responsible for conducting its business in a transparent manner for informing the public about the schools, and for keeping itself informed about the wishes and concerns of the community.
Quasi-Judicial Role. The Board is responsible for holding hearings on matters such as employee
dismissals or student expulsions. The Board also hears appeals on issues that could not be resolved
by administrators or the Superintendent (such as discrimination grievances or challenged materials).
It is important to keep six things in mind regarding responsibilities as a member of a School Board:

1. Each local School Board is a legislative body within Maine state government and has only
   those powers granted by the Legislature. Board members are state agents.

2. In order to fulfill the quasi-judicial role, Board members will have access to confidential
   information about students and staff members. It is imperative that Board members refrain
   from discussing confidential matters outside of Board meetings. Board members should ask
   the Superintendent if unsure about whether certain information is confidential.

3. A School Board only has authority when it is acting together at a meeting that has been
   legally called. Individual Board members have no authority, except to vote “Yes” or “No” on
   specific motions. A School Board is not bound in any way by any action or statement of an
   individual Board member except when such statement or action is specifically authorized by the
   Board.

4. Electronic communications cannot be utilized to conduct Board business, and that Board action
   can only occur during legally called meetings.

5. Each School Board functions as a legislative body, in essentially the same way as the U.S.
   Congress, the Maine Legislature, or a local Town Council/Board of Selectmen. The Board
   makes decisions and adopts policies which have the effect of law and are just as binding.
   Decisions must be made carefully and in the best interests of the school unit’s students.

6. The Board’s role is not administrative, and Board members are not elected to operate or
   micromanage the schools. Rather, the Board employs a Superintendent and other
   administrators to implement Board policies and decisions, and then evaluates the effectiveness
   of the school unit.

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

Adopted: May 14, 2001
Revised: June 13, 2011
BYLAWS OF THE BOARD OF EDUCATION-
SUPPLEMENTARY TO CHARTER PROVISIONS

Board Organizational Meeting Board Officers
A Chair and Vice Chairman shall be elected annually at the organizational meeting, which shall be held the first Monday in December. If vacancies occur in the office of Chair or Vice Chair, the vacancy shall be filled by an election within forty (40) days. The Chair shall preside over all regular, special, and executive board meetings and shall appoint special committees. The Chair shall be an ex officio member of each committee.

Board Vacancy Caused by Absenteeism
When an elected member of the Board of Education has missed three consecutive meetings without a valid excuse the Board may by majority declare that seat vacant and request that the city council elect a new member to fill the vacated seat.

Agenda Preparation and Dissemination
Board Agendas are prepared by the Superintendent and Board Chairman and are published at least three days in advance of the meeting. Agendas are posted in all schools, city hall, the South Portland Public Library and may be viewed on Public Access TV. Items not on the agenda may be considered at a regular meeting upon a three-fifths vote of the members present.

Request to Place Item on Agenda
In order that the Board may fairly and adequately discharge its overall responsibilities, citizens or groups wishing to address the Board on a topic not otherwise on the agenda must submit a request in writing to the Superintendent at least one full week in advance of the scheduled meeting. The Board Chair may direct the Superintendent to add the item to the agenda.

Notification of Board Meetings
Public notice shall be given for all meetings of the Board of Education as outlined in the statute.

Rules of Order
Robert's Rules of Order shall govern the proceedings of the meetings of the Board except when in conflict with statutes or with bylaws and policies established by the Board. As provided by the City Charter, four members shall constitute a quorum for the transaction of business. When a quorum is present, a majority vote of not less than three votes is sufficient for the adoption of any motion, including revision of Bylaws; the Chairperson shall vote on all motions. These Bylaws make no provisions for proxy voting.

Prior to abstaining from voting on an item, a member shall state the reason for such abstention that is agreeable to the Board.
Order of Business
The order of business at all meetings of the Board shall be as follows:
1. Roll Call
2. Pledge of Allegiance
3. Report of the Secretary-approval of minutes
4. Report of the Chairperson
5. Report of the Superintendent
6. Audience of Citizens-topics on the agenda
7. Report of the Committees
8. New Business
9. Audience of Citizens-open discussion
10. Adjournment

Minutes
All actions of the Board shall be archived as a permanent official record of the Board action and shall be available for public review.

Methods of Operation
The Board of Education shall act as a legislative and appraisal body, looking to the Superintendent of Schools for recommendations on all matters coming before the Board and delegating executive functions to the Superintendent of Schools and her/his staff. The Board shall concern itself with broad questions of educational policy, and not with administrative details. The Board shall act as a committee of the whole, and individual members shall make no commitments for the Board, except when executing an assignment made by the Board.

Committees of the Board of Education
A. Standing Committees
   There shall be three standing committees of the Board.
   Educational Policy Committee
   Finance Committee
   Buildings and Ground Committee

   Annually, the Chairperson of the Board, after consulting with the Superintendent, shall appoint at least two Board members to each committee.

   The standing committees shall receive and research matters referred by the Board or the administration and formulate recommendations for consideration by the full Board.

   The Superintendent, ex officio, shall serve as an advisor to each of the standing committees and may appoint staff members and administrators to serve as advisory members to any of these committees.

B. Ad Hoc & Advisory Committees
   Annually, the Chairperson of the Board, after consultation with the Superintendent, shall appoint Board members to serve on special Ad Hoc Advisory Committees, which will be
in operation during the school year. Once established, these committees shall report back to the Board on a regular basis.

C. Special Committees
With the agreement of the Board, the Chairperson may establish special committees to research specific educational issues and report back to the full Board. Such committees may advise the Board, but may not determine policy and shall be discharged upon completion of their specific assignment.

Revision of the Bylaws of the Board of Education
The Bylaws of the Board of Education may be amended by vote of the Board at any legally called meeting of the Board.

Adopted: October 11, 1976
Revised: November 15, 1976
Revised: February 13, 1978
Revised: December 11, 1978
Revised: December 10, 1979
Revised: June 9, 1980
Revised: June 8, 1987
Revised: April 11, 1994
Revised: June 9, 2014
BOARD MEMBER AUTHORITY

Board members shall have authority only when acting as a body and have no authority except at Board meetings or when discharging a specific assignment made by a majority vote of the Board.

Legal Reference: Title 20A MRSA § 1001

Adopted: May 14, 2001
Revised: June 9, 2003
STUDENT REPRESENTATION to the BOARD of EDUCATION

The Board of Education endorses the concept of student access to the district decision-making process, to provide advice and opinions on matters of common interest, and to enhance communication and sense of community within the South Portland Schools.

To create the environment for interaction among and between student representatives, the Board of Education members and district administration, the Board of Education will provide opportunities for participation in the meetings of the Board and its subcommittees.

Two students will be recognized by the Board as non-voting representatives, although their vote by a show of hands is encouraged and documented in formal minutes on each action item at the Board meetings, they are invited to participate as voting members on standing committees, as appointed by the Board Chair.

Two students will be elected in May and will serve a one-year term. The nominations will be forwarded through the Principal to the Superintendent for submission to the Board of Education for approval.

Legal Reference: 20-A MRSA §§ 254, 1001(1A)
Adopted: October 10, 2007
Revised: November 9, 2015
STUDENT REPRESENTATION TO THE BOARD OF EDUCATION
ADMINISTRATIVE GUIDELINES

Election Process:
- Students entering their Junior or Senior years are eligible for nomination to be elected as a Student Representative to the South Portland Board of Education.
- To be nominated, students will be required to obtain twenty-five (25) signatures from students within grades 9-12. In addition, the student will have to be “sponsored” by a member of the SPHS faculty or administration, to include a recommendation by the sponsor.
- If nominated, the student will seek election from the entire student body.
- The two top vote getters will be the SPHS Student Representatives to the South Portland Board of Education.
- After service of one year on the Board of Education, student members may seek reelection. In doing so, elected members need not replicate the nomination process, but of course must be reelected to the Board in order to be seated.

Timeline:
- The election of the two Student Representative must be completed by May 31
- An orientation for Student Representatives will occur in August by the Superintendent or his/her designee.
- Student Representatives will serve a one-year term, August – July.

Attendance and Participation at Board meetings:
- Student representatives are encouraged to attend all public meetings of the Board of Education and other committees to which they have been appointed, and will be notified of the time and place of the meetings by their Board of Education mentor. They will receive information packets consistent with those received by the building principals. Participation in Board of Education meetings shall be open to the Student Representatives, who are invited and urged to make comments and inquiries pertinent to the subject under discussion, and to propose ideas and suggestions, upon being recognized to do so by the Board Chair.
- Student Representatives are non-voting representatives, although their vote by a show of hands is encouraged and documented in formal minutes on each action item at the Board meeting.
- Student Representatives will not attend executive sessions.
- Student Representatives must adhere to the same eligibility requirements used for all extra-curricular activities. Student Representatives are expected to exhibit good school and community citizenship and promote the goals and ideals of the Board of Education. If ineligibility continues (consistent with IDGJ, and IDGJ-R), the student will step down from the position, and a special election shall be held.
- Student Representatives will not participate in matters involving employment of employees of the school district.
• Student Representatives are expected to adhere to all rules governing the Board of Education including those relating to attendance and confidentiality.
• Student Representatives are invited to participate as voting members on standing committees, as appointed by the Board Chair.

Adopted: October 10, 2007
Revised: December 20, 2007
Revised: November 9, 2015
SCHOOL BOARD ELECTIONS, MEMBERSHIP

The Department of Education shall be administered by a Board of Education called the “School Board,” which shall consist of seven (7) members, one from each voting district, 2 members to be elected at large, elected in a city-wide election. Members must be qualified electors of the city and residents of the districts from which they are elected and remain inhabitants of the city during their term of office. The term of office, except as provided herein, shall be for 3 years and until their successors are duly elected and qualified.

The present members and their successors shall continue in office until their respective terms expire. It is the intent and purpose of this charter that present members of the School Board shall remain in office and upon completion of their terms of office, their successors shall be elected as provided for in this charter.

Reference: South Portland City Charter

Adopted: May 14, 2001
VACANCY

Whenever a vacancy in the School Board occurs the vacancy may be filled by a majority vote of all the members of the city council and the member so elected shall serve until the next regular municipal election when a new member shall be elected to fill the vacancy for the unexpired term, if any.

Reference: South Portland City Charter

Adopted: May 14, 2001
NEPOTISM

It shall be the policy of the Board not to elect personnel to the staff of the school system when the candidate may be the next-of-kin (spouse, parent, sibling, child) of a member of the Board or of the Superintendent. Next-of-kin, except spouses, employed by the school system as of the date of policy adoption, will be excluded from this policy.

No person shall be employed in a position which is within the jurisdiction of an administrative officer who is a member of the immediate family of such person, nor shall any person be employed in a position where a member of the immediate family is responsible, in whole or in part, for the supervision and/or evaluation of the employee.

Whenever a member of the immediate family of any employee is hired, the Board shall be notified of the relationship.

The Board may approve an exception to this policy where the Board determines that granting of such exception is in the best interest of the school system.

For the purpose of this section, the following definitions shall apply:

A. “Administrative Officer” shall mean any person who holds a supervisory position of principal or higher rank; and

B. “Member of immediate family” shall mean spouse, brother, sister, parent, son or daughter.

Legal Reference: Title 20-A MRSA § 1002

Adopted: May 14, 2001

Reviewed: December 9, 2013
SCHOOL BOARD MEMBER ETHICS

Having accepted the challenge of service on the South Portland Board of Education, I accept the principles set forth in the following code of ethics to guide me in helping to provide free public education to all the children of the State of Maine.

A. I will view service on the School Board as an opportunity to serve my community, state, and nation because I believe public education is the best means to promote the welfare of our people and to preserve our democratic way of life.

B. I will at all times think of children first and base my decisions on how they will affect children, their education, and their training.

C. I will make no disparaging remarks, in or out of the Board meetings, about other members of the Board or their opinions.

D. I will remember at all times that as an individual I have no legal authority outside the meetings of the Board, and that I will conduct my relationship with the school staff, the local citizenry and all media of communications on the basis of this fact.

E. I will recognize that my responsibility is not to operate the schools but to see that they are well operated.

F. I will seek to provide education for all children in the community commensurate with their needs and abilities.

G. I will listen to all citizens but will refer all complaints to the proper authorities, and will discuss such complaints only at a regular meeting after failure of administrative solution.

H. I will support a decision graciously once it has been made by the majority of the Board.

I. I will not criticize employees publicly, but will make such criticism to the superintendent for investigation and action, if necessary.

J. I will make decisions openly after all facts bearing on a question have been presented and discussed.

K. I will refuse to make promises as to how I will vote on a matter that should properly come before the Board as a whole.

L. I will not discuss the confidential business of the Board in my home, on the street, or in my office, the place for such discussion being the School Board meeting.
M. I will confine my Board action to policy making, planning, and appraisal, leaving the administration of the schools to the superintendent.

N. I will welcome and encourage cooperation and participation by teachers, administrators, and other personnel in developing policies that affect their welfare and that of the children they serve.

O. I will endeavor at all times to see that schools have adequate financial support within the capabilities of the community and state, in order that every child may receive the best possible education.

P. I will recognize at all times that as a member of the School Board, elected by the citizens of South Portland, I will abide by the Charter of the City of South Portland. As I am also an agent of the state, I will abide by the laws of the state and regulations which are formulated by the State Board of Education which is the body responsible for educational policies as determined by legislative acts.

Q. I will pursue appropriate measures to correct those laws, policies, and regulations that are not consistent with sound educational goals.

Adopted: May 14, 2001
Reviewed: December 9, 2013
Adopted: January 13, 2014
BOARD MEMBER CONFLICT OF INTEREST

A Board member shall not have any direct or indirect pecuniary interest (as defined by law) in a contract with the school unit, nor shall he/she furnish directly any labor, equipment, or supplies to the unit.

In the event that a Board member is employed by a corporation or business, or has a secondary interest in a corporation or business which furnishes goods or services to the schools, the Board member shall declare his or her secondary interest and refrain from debating or voting upon the question of contracting with the company.

It is not the intent of this policy to prevent the school system from contracting with corporations or businesses because a Board member is an employee of the firm. The policy is designed to prevent the placing of Board members in a position where their interest in public schools and their interest in their places of employment (or other indirect interest) might conflict, and to avoid appearances of conflict of interest even though such conflict may not exist.

A Board member may not, during the time the member serves on the Board and for one year after the member ceases to serve on the Board, be appointed to any civil office of profit or employment position which has been created or the compensation of which has been increased by the action of the Board during the time the member serves on the Board.

A member of the Board or spouse of a member may not be an employee in a public school within the jurisdiction of the Board to which the member is elected, or in a contract high school or academy located within a supervisory union in which the member is a representative on the union committee.

A member of the Board, or spouse of a member, may not serve as a volunteer when that volunteer has primary responsibility for a curricular, co-curricular or extracurricular program or activity and reports directly to the Superintendent, principal, athletic director or other school administrator in a public school within the jurisdiction of the Board to which the member is elected, or in a contract high school or academy located within a supervisory union in which the member is a representative on the school committee.

Volunteer activities of a member of the Board or member’s spouse, other than in roles that are prohibited by this section, may be prescribed by policies developed and approved by the Board.
For the purposes of this policy, the following statutory definitions apply:

A. “Employee” means a person who receives monetary payment or benefits, no matter the amount paid or hours worked, for personal services performed for a school administrative unit.

B. “Volunteer” means a person who performs personal services for a school administrative unit without monetary payments or benefits of any kind or amount. The South Portland Board of Education will adhere to City of South Portland ordinances regarding Conflicts of Interest and Personal Benefits referenced in this policy book as BCB-R.

Legal Reference:
Title 20A MRSA § 1002 ET. SEQ. 1051
Title 17 MRSA § 3104
Title 30A MRSA §§ 2251; 2604 ET. SEQ.
Code of Ordinances, City of South Portland, Maine, Article VI, Conflicts of Interest and Personal Benefits

Adopted: May 14, 2001

Reviewed: December 9, 2013

Adopted: January 13, 2014
ARTICLE VI. CONFLICTS OF INTEREST AND PERSONAL BENEFITS

Sec. 2-186. Declaration of Policy and Purpose

Our government is a representative democracy. Those who are elected, appointed and hired to serve the public accept a public trust. The public entrusts its power and resources to its servants to use only in the public interest. Public trust requires public servants to fulfill their public duties faithfully and honestly, and to subordinate any personal interest which conflicts with the public interest.

The City of South Portland recognizes that public servants are members of society and therefore share the same general personal and economic interests as all members of the community. Public servants retain their rights to publicly express their opinions on the effect of public action on their personal or economic interests or rights. Public servants and their families are entitled to engage in employment, professional or business activities, other than official duties, in order to support themselves and to maintain a continuity of professional or business activity, and are entitled to maintain investments.

The purpose of this article is to provide rules for avoidance of conflicts of interest that balance the need to avoid inappropriate personal profit of public servants with the need for the City to enter into contracts and make purchases that are in the public’s best interest, which may sometimes mean a contract or purchase with a business in which a public servant has an interest. In addition to avoiding actual conflicts of interest as defined in this Article, public servants shall disclose any relationship or interest that could reasonably give the appearance of a conflict of interest on any matter.

Sec. 2-187. Definitions

For purposes of this Article, the following terms have the following definitions:

*Benefit* means: (a) anything having a monetary benefit in excess of $50; or (b) anything, regardless of its monetary value, offered with the intent of influencing a public servant in the performance non-performance of an official action.

*Purchasing authority* means: the authority to make a final decision approving or denying a purchase or contract.

*Public servant* means: any elected official, appointed Board member, the City Manager, City Clerk, Corporation Counsel, Superintendent of Schools, all school principals, all department heads, the Assessor, the Code Enforcement Officer, the purchasing agent for the City and all City or School Department employees with authority to make purchasing decisions for amounts exceeding $200.
Household member means: a person who is related to a public servant by blood, marriage or affinity and who lives in the same household as the public servant.

**ARTICLE VI. CONFLICTS OF INTEREST AND PERSONAL BENEFITS**

**Sec. 2-188. Conflicts of Interest and Personal Benefits Prohibited**

A. Except as otherwise permitted under applicable federal, state or local laws or policies, no public servant shall participate in any official action in which s/he or a household member has a direct financial interest.

B. No public servant or household member of a public servant shall accept or receive any benefit from any person under circumstances in which a reasonable person would infer that the benefit is intended to influence the public servant in the performance of his or her official duty.

**Sec. 2-189. Participation and Vote Prohibited**

No public servant serving on a Board shall participate in the discussion, debate, deliberation or vote or otherwise take part in the decision-making process on any agenda item before the Board in which the public servant or a household member has a direct financial interest or could receive a direct benefit or about which the public servant cannot act fairly in the best interests of the public.

**Sec. 2-190. Public Contracts and Purchasing**

A. If a public servant or household member has a financial interest in or a direct financial benefit from any contract or purchase with the City with a value greater than $200, and the public servant has purchasing authority regarding the purchase or contract or is in a position to make a recommendation regarding the purchase to the purchasing authority, the public servant shall disclose such interest. This disclosure shall be made as soon as the public servant knows of the solicitation of a bid or contract, the bidding of a contract, the negotiation of a contract, or the approval of the contract or issuance of a purchase order by the appropriate City authority.

B. For purchases or contracts in amounts greater than $200 but less than $10,000, the public servant with purchasing authority regarding the purchase shall not enter into a contract or make any purchase from which s/he or a household member has a direct financial interest or from which s/he or a household member will derive direct financial benefit.

C. The City is prohibited from making any purchase or entering into any contract involving services or property in an amount of $10,000 or more with a business in which a public servant or a household member has a direct financial interest or from which a public servant or household member will derive direct financial benefit.
D. Any contract entered into in violation of this section may be voided by the City in an action commenced within one year of the date and authority approving of the contract knew or reasonably should have known that a violation of this occurred.

E. On an affirmative vote of a majority of City Councilors present and voting, the provisions of this section may be waived upon a finding that a contract otherwise in violation of this section is in the best interest of the City. If the public servant or household member who has the conflict of interest is a City Councilor, that Councilor must abstain from participation and vote on this matter.

Adopted: May 14, 2001
BOARD OF EDUCATION USE OF ELECTRONIC COMMUNICATION

Use of electronic communication by members of the Board of Education should conform to the same standards of judgment, propriety and ethics as other forms of School Board-related communication. Board members shall comply with the following guidelines when using electronic communication in the conduct of Board responsibilities:

A. The Board of Education shall not use electronic communication as a substitute for deliberations at Board meetings or for other communications or business properly confined to Board meetings or in any way to defeat the purposes of the Freedom of Access Act.

B. Board members should be aware that electronic communication and any attachments received or prepared for use in Board business or containing information relating to Board business are likely to be regarded as public records which may be inspected by any person upon request, unless otherwise made confidential by law.

C. Board members should avoid reference to confidential information about employees, students or other matters in electronic communications because of the risk of improper disclosure. Board members should comply with the same standards as school employees with regard to confidential information.

Legal Reference: 1 MRSA § 401 ET. SEQ.
20-A MRSA § 6001-6002
20 USC § 1232g

Cross Reference: GBJ--Personnel Records and Files
JRA—Student Educational Records
KDB Public’s Right To Know/Freedom Of Access
BCA School Board Member Ethics

Adopted: August 14, 2000
Revised: 2001
Revised: May 14, 2001
Revised: March 10, 2014
EXECUTIVE SESSIONS

Except as provided by law, all meetings of the Board shall be open to the public, and all persons shall be permitted to attend the meetings. The Board may hold executive sessions upon the vote of 3/5 of the members present and voting, and the motions to go into executive session shall indicate the nature of the business of the executive session. Deliberations may be conducted in executive sessions only on those matters defined in the law. No final action shall be taken in executive session.

Legal Reference: Title 1 MRSA SEC. 401 ET SEQ.

Cross Reference: BDC-E-EXECUTIVE SESSION LAW

Adopted: January 13, 1989
Revised: 2001
Revised: May 14, 2001
EXECUTIVE SESSION LAW

I. To Enter Executive Session, a Board must:

A. Start with a public meeting.

B. Have a public recorded vote of 3/5 of members present and voting.

C. State the precise nature of business in motion to enter executive session. The nature of each matter must be stated if more than one.

II. Restrictions During Executive Session:

A. Only matters stated in the motion may be considered.

B. No official actions shall be finally approved.

C. No public record shall be kept.

III. Items which may be discussed in executive session:

A. Discussion or consideration of employment, appointment, assignment, duties, compensation, evaluation, resignation, disciplining, promotion, demotion or dismissal of public officials, appointees or employees or the investigation of charges or complaints against persons, subject to the following conditions:

1. Only when public discussion could be reasonably expected to cause damage to the reputation or violate the individual’s right to privacy.

2. Person charged or investigated has right to be present.

3. Person charged or investigated may request in writing that the investigation be conducted in open session, such requests must be honored.

4. Any person bringing charges shall be permitted to be present (does not specify participation).

B. Discussion or consideration of suspension or expulsion of a student, the cost of whose education is paid from public funds. The student and legal counsel (and parents or guardian if student is a minor) shall be permitted to be present if student, parents, or guardian so desire.
C. Discussion or consideration of the condition, acquisition or the use of real
or personal property only if premature disclosure would prejudice the
bargaining position of the body or agency.

D. Board discussion of labor contracts and proposals and meetings may be
held in executive session. (Negotiations between the representatives of a
public employer and public employees are closed unless opened by
agreement of both parties.

E. Consultations between a body or agency and its attorney concerning legal
rights, pending litigation, and settlement offers, when premature public
knowledge would give the Board substantial disadvantage.

F. Discussion of records made, maintained, or received by the body or
agency, when access by the general public is prohibited by statute.

Legal Reference: Title 1 MRSA, § 405

Cross Reference: BDC – EXECUTIVE SESSIONS

Adopted: January 13, 1989
Revised: 2001
Revised: May 14, 2001
PUBLIC PARTICIPATION AT BOARD MEETINGS

Regular, special and emergency meetings of the School Board are open to the public. This Board, as an elected representative body of the school unit, wishes to provide opportunity for citizens to express interests and concerns related to the matters under consideration by the Board. The public is cordially invited to attend and participate as set forth in this policy.

Board meetings are conducted for the purpose of carrying out the official business of the School Department. The meetings are not public forum meetings (as are town meetings), but are meetings which are held for the Board to do its business in public. The minutes of each public meeting will record the action taken and will show how the Board voted on each item presented for action. The journal of minutes is open and available to the public during normal business hours in the Office of the Superintendent of Schools.

Orderly conduct of a meeting does not permit spontaneous discussion from the audience nor among Board members. Individuals or organizations desiring to make requests, presentations or proposals on matters before the Board will be provided that opportunity.

Generally, opportunities for public participation will be provided in two places on the agenda. Opportunities to speak on agenda items will take place prior to the Board’s vote on those items. Comments on items not on the agenda will take place prior to adjournment.

The intent of this policy is to allow a fair and adequate opportunity for the public to be heard, to provide adequate time for the Board to obtain necessary information on a subject before it, and to see that time allowed for open discussion does not interfere with the fulfillment of the scheduled agenda of the Board.

An agenda shall be published in advance of each meeting in accordance with Board policy. Copies are to be posted, or available at the Superintendent’s office and in each school, city hall, the public library or other appropriate public facilities. Anyone desiring additional information about any item on the agenda should direct such inquiries to the Office of the Superintendent.

The following “ground rules” are to further guide public participation at meetings:

A. All speakers are to identify themselves as they begin talking. They will not be permitted to participate in gossip, make defamatory comments, or use abusive or vulgar language. The Board Chair will maintain the prerogative to discontinue any presentation which violates any of the public participation guidelines.

B. No complaints or allegations will be allowed concerning any personnel or any person connected to the school system. If appropriate, concerns about an individual will be handled in a conference where the rights and interests of all parties will be appropriately regarded.

C. All speakers are to address the Board Chair and may direct questions or comments to Board Members or other officers of the school system only upon approval of the chair. Members of the Board and the Superintendent have the
privilege of asking questions of any person who addresses the Board. Such questions must be addressed through the chair.

D. The Chair may limit the time given to comments on a particular topic as well as the time any individual may speak.

E. In the event of a sizable audience, the chair may require persons interested in speaking to so indicate by signing up to speak, so they may be called on in the most expedient order.

F. Comments and suggestions will be welcomed and given consideration by the Board. Speakers may offer objective comments on school operations and programs that concern them. Generally, the Board may hear but not discuss or act on an item not on the agenda. Personnel and/or personal matters or complaints will not be entertained in a public meeting but will be deferred to established resolution procedures.

G. Citizens, employees, and others with a legitimate interest in the Board’s business are welcome to participate as provided in this policy. Others may be recognized to speak at the Board’s discretion. Employees or employee groups will not be permitted to discuss matters for which other, more appropriate forums, are provided.

H. Generally, duplication or repetition of comments to the Board should be avoided in order to make the most efficient use of the time in meetings. Groups or organizations are requested to be represented by designated spokespersons.

Legal Reference:  Title 1 MRSA §. 401, ET SEQ. – FREEDOM OF ACCESS
Cross Reference: BDC – EXECUTIVE SESSION  
BDDA – NOTIFICATION OF BOARD MEETINGS  
BDCC – AGENDA PREPARATION AND DISSEMINATION  
BDDD – QUORUM  
BDDE – RULES OF ORDER  
BDDG – MINUTES

Adopted: April 14, 1975
Revised: October 13, 1980
Revised: November 10, 1997
Revised: 2001
Revised: May 14, 2001
POLICY DISSEMINATION

Board of Education policies are maintained in up-to-date order in looseleaf notebook form in each principal’s office. It is the responsibility of principals to notify teachers of policy changes as they are made, and it is the responsibility of all personnel to familiarize themselves with policy. Copies of the Board of Education Policies will be available at all school libraries, the public library and in City Hall.

The principal or his/her designee and the classroom teacher shall have the responsibility for informing all students of the policies and rules and regulations to which they are subject.

Students shall have the responsibility to know and respect the policies and rules and regulations of the school. Students shall have the further responsibility to behave in a manner appropriate to good citizenship.

Adopted: March 8, 1976
Revised: 2001
Revised: May 14, 2001
ADMINISTRATION IN POLICY ABSENCE

In cases when action must be taken within the South Portland School Department and the Board has provided no guidelines for administrative action, the Superintendent shall have the power to act.

His/her decisions, however, shall be subject to review by action of the Board at its next regular meeting or a special meeting, if needed. It shall be the duty of the Superintendent to inform the Board promptly of such action and the need for policy.

Cross Reference: CBA – Duties & Responsibilities of the Superintendent
Cross Reference: CHD – Administration in the Absence of Policy

Adopted: May 14, 2001
SUSPENSION OF POLICIES

Any procedure or policy may be suspended or amended at any meeting with a three-fifths vote of the Board.

Adopted: May 14, 2001
POLICY REVIEW AND EVALUATION

These procedures and policies shall be reviewed each year and revised as needed.

Adopted: May 14, 2001
POLICY DEVELOPMENT

It is the intent of the Board to develop written policies to serve as guidelines and goals for the successful and efficient functioning of the South Portland School Department.

The Board considers policy development its chief function, along with providing the wherewithal—such as personnel, buildings, materials, and equipment—for the successful administration, application and execution of its policies.

The Board accepts the definition of policy set forth by the National School Boards Association:

“Policies are principles adopted by the School Board to chart a course of action. They tell what is wanted; they may include why and how much. Policies should be broad enough to indicate a line of action to be followed by the administration in meeting a number of problems, yet narrow enough to give clear guidance. Policies are guides for action by the administration, which then sets the rules and regulations to provide specific directions to school district personnel.”

It is the Board’s intention that its policies serve as sources of information and guidance for people who are interested in or connected with the South Portland School Department.

The policies are framed, and are meant to be interpreted, in terms of state statute, rules of the State Board of Education, and all other regulatory agencies within our local, county, state, and federal levels of government. The policies are also framed, and are meant to be interpreted, in terms of those educational objectives, procedures, and practices which are broadly accepted by leaders and authorities in the public education field.

Changes in needs, conditions, purposes, and objectives will require revisions, deletions, and additions to the policies of the current Board and those of the future. The Board will welcome suggestions for ongoing policy development.

Cross Reference: BFC – POLICY ADOPTION AND AMENDMENT

Adopted: June 12, 1989
POLICY ADOPTION

Except for policy actions to be taken on emergency measures, the adoption of Board policies shall follow the following sequence:

1. Educational Policies Committee prepares new or revised policies for consideration.

2. Announcement and distribution of proposed new or revised policies as an item on a regular Board agenda.

3. Opportunity offered for concerned groups or individuals to react to policy proposals as part of a regular Board agenda.

4. Discussion and final action by the Board on policy proposals.

The final vote to adopt or not to adopt shall take place at a regular Board meeting unless the item is tabled for additional public input. In the latter case, the policy will be voted upon at the next regular meeting of the Board of Education.

1. Prior to enactment, all policy proposals shall be titled and coded as appropriate to subject and in conformance with the codification system used in the Board policy manual.

2. Insofar as possible, each policy statement shall be limited to one subject.

3. Policies and amendments adopted by the Board shall be attached to and made part of the minutes of the meeting at which they are adopted and shall also be included in the policy manual of the district.

4. Policies and amendments to policies shall be effective immediately upon adoption unless a specific effective date is provided in the adopted resolution.

Emergency Procedure

In the event that it is not practical for the Educational Policies Committee to endorse a policy, the Board may waive this procedure and take immediate action to adopt new or revised policies. When such action is necessary, the Superintendent shall inform concerned groups or individuals about the reasons for this necessity.

Annual Reaffirmation of Policies

The Board’s set of written policies shall be readopted at each annual organizational meeting, subject to the understanding that all policies not established by law and/or contractual arrangements may be changed through Board action as described above.

Adopted: June 12, 1989
NEW BOARD MEMBER ORIENTATION

A new Board Member or a member-elect of the school system shall be afforded the fullest measures of courtesy and cooperation by the Board and staff. They shall make every feasible effort to assist the new member to become fully informed about the Board’s functions, policies, procedures, and current issues.

A. In the interim between appointment/election and actually assuming office, the new member will be invited to attend all meetings and functions of the Board, including executive sessions, and is to receive all reports and communications normally sent to Board Members. It is anticipated that the Board Member-Elect will agree to fully assume the responsibility of maintaining confidentiality to the same degree as when officially sworn in.

B. New members will be encouraged to attend appropriate orientation workshops. Activities involving the possible reimbursement of expenses should be cleared first with the Board Chair.

C. The new member is to be provided with copies of all appropriate publications and aids, the Board Policy Manual, and publications of the national and state School Boards associations including the MSBA Board Member Handbook.

D. The Board Chair and members of the administrative staff will also confer with the new member as necessary on special problems or concerns.

Adopted: May 14, 2001
BOARD MEMBER DEVELOPMENT OPPORTUNITIES

On-going development and in-service education are critical aspects of the overall operation of a school system. It is recognized that the Board Members of this school system, like administrators, teachers and other school personnel, need to be well informed and to stay current on education issues. Continually enhancing Boards members skills is necessary to make each the best that he/she can be.

Participation is encouraged in appropriate local, regional, state and national programs sponsored by the Maine School Boards Association, the Maine School Management Association, The National School Boards Association and other recognized leaders in education. This Board is committed to the further development on behalf of the children in our schools. Adequate funds are to be budgeted annually to fulfill that important responsibility of school governance.

Reasonable expenses incurred by Board Members when giving of their time to obtain in-service education shall be reimbursed in accordance with existing policy and budget allocations.

Members shall briefly report to the Board and the public at a meeting subsequent to a formal in-service experience. This is to share knowledge gained and to inform the community of the benefits from such expenditures to enhance the ability to oversee the school system effectively. Written reports, by Board Members or about in-service education events attended, shall appear in school and community publications when appropriate as part of the school system’s public information program.

The Board is committed to the individual and collective seeking of good advice, reliable information and feasible solutions to problems. The Board’s needs are included with those of the staff for a well-developed, comprehensive in-service education program to assist all who are responsible for effective and enlightened school leadership.

Adopted: May 14, 2001
COMPENSATION

The annual compensation of School Board members shall be one thousand dollars ($1,000.00). The effective date of this amendment shall be January 1, 1987.

Adopted: May 14, 2001
SCHOOL SUPERINTENDENT

A primary function of the School Board is to select a Superintendent of schools. To select a Superintendent, a majority vote of all of the members of the Board shall be required. He/She may be appointed to a contract of up to five years in accordance with the laws of the State of Maine.

The Superintendent shall executive officer of the Board. In addition, under Maine Statutes he/she shall serve as secretary ex officio to the Board. He/she shall attend all meetings and have the right to speak on all subjects, but shall have no vote.

The Superintendent shall administer and supervise the public educational system of the town. He/She shall have discretionary authority, subject to later approval by the Board, to act upon all emergency matters and those as to which his/her power and duties are not particularly set forth or limited.

The Superintendent shall devote his/her entire working time to the duties of the position. He/She may without violation of the provisions of this section, perform educational functions outside the town with approval of the Commissioner of Education and the Board.

Legal Reference: Title 20A MRSA SEC.1001
Title 20A MRSA SEC.1053

Adopted: May 14, 2001
AUTHORIZATION TO HIRE

The Superintendent shall offer contracts to outstanding candidates as a matter of expediency whenever normal procedures would tend not to be in the best interest of the school department.

The appointments will be confirmed by the Board of Education at its next regular or special meeting.

Adopted: May 14, 2001
AUTHORIZATION TO ACCEPT RESIGNATIONS

The Superintendent is authorized to accept, on behalf of the Board, resignations from school system employees when such a resignation is tendered between Board meetings, and it is not convenient to defer action on the resignations until the next scheduled meeting. The Superintendent shall acknowledge receipt of and accept the resignation in writing and present the resignation and acceptance to the Board at its next subsequent meeting for the Board’s information and action, as necessary.

Adopted: May 14, 2001
RECRUITMENT AND APPOINTMENT OF SUPERINTENDENT

The Board shall establish its own procedures for recruitment prior to the election of a new Superintendent, but shall include:

(1) Public advertisement in newspapers of at least the Portland area.
(2) A screening process by members of the Board or at its discretion, by a consultant from outside the South Portland School System.
(3) An interview with each finalist prior to election.

Legal Reference:  Title 20-A MRSA Section 1001

Adopted: October 13, 1980
Revised: April 13, 1981
Revised: April 2001
Revised: May 14, 2001
EVALUATION OF THE SUPERINTENDENT OF SCHOOLS

The Board will evaluate the performance of the Superintendent as a regular and scheduled activity. The purpose of this evaluation process is to:

- Promote professional excellence
- Identify areas of job performance
- Assess the Superintendent’s level of achievement in those areas
- Provide a basis for improvement in the performance of duties and responsibilities
- Establish a context within which to make effective personnel decisions

Process
The Superintendent of schools shall be evaluated annually by the Board of Education. The evaluation shall be based on the Superintendent’s effectiveness in carrying out the responsibilities delineated in his/her job description and on the progress made in achieving the goals cooperatively developed with the Board of Education.

Evaluation of the Superintendent should be at a scheduled meeting of the Board of Education in executive session. The evaluation should be a composite of the individual Board member’s opinions.

Both parties should prepare for the evaluation—the Superintendent by conducting a self-evaluation, and the Board of Education by examining various sources of information relating to the Superintendent’s performance. The Board’s evaluation should be supported by specific examples of the Superintendent’s conduct/performance, and should represent the perspective of the majority of the Board.

After a discussion with the Superintendent and completion of the evaluation process, the Board Chair shall prepare a final written evaluation of the Superintendent’s performance for the previous school year. A copy of this summary report shall be signed by the Board Chair on behalf of the Board. Signed copies of the form shall be distributed as follows:

- Copy placed in the Superintendent’s personnel file
- Copy given to the Superintendent

Mid-Year Assessment:
At the request of the Superintendent or the Board of Education, a mid-year assessment may take place. An executive session will be called by the Chair.

Areas of Evaluation:
The Board of Education will use the following standards to set goals and to evaluate the Superintendent.
The Superintendent is an educational leader who promotes the success of all students by:

- Standard 1: facilitating the development, articulation, implementation, and stewardship of a vision of learning that is shared and supported by the school community.
- Standard 2: advocating, nurturing, and sustaining a school culture and instructional program conducive to student learning and staff professional growth.
- Standard 3: ensuring management of the organization, operations, and resources for a safe, efficient, and effective learning environment.
- Standard 4: collaborating with families and community members, responding to diverse community interests and needs, and mobilizing community resources.
- Standard 5: acting with integrity, fairness, and in an ethical; manner.
- Standard 6: understanding, responding to, and influencing the larger political, social, economic, legal, and cultural context.

1(The full description of these standards can be viewed within the Interstate School Leaders Licensure Consortium (ISLLC) Standards).

**Evaluation Format**
The format of the evaluation will be developed by the Board of Education and shared with the Superintendent.

**Goal-setting**
Using the evaluation of performance for a given year and new priorities established by the Board of Education, the Board and the Superintendent will cooperatively develop clearly understood performance goals for the ensuing year. Progress toward these goals will be included as part of the next Board of Education evaluation of the Superintendent.

Cross Reference: Superintendent’s Job Description

- **Adopted:** July 11, 1988
- **Revised:** July 8, 1991
- **Revised:** 2001
- **Revised:** May 14, 2001
- **Revised:** May 10, 2010

EVALUATION OF ADMINISTRATIVE STAFF

Principals, Assistant Principals, and Directors shall be evaluated annually by the Superintendent and by the Assistant Superintendent or appropriate central office staff. Evaluations shall be based in part on job description and in part on goals and objectives cooperatively developed by persons to be evaluated and the Superintendent or the Assistant Superintendent.

Adopted: July 13, 1987
Revised: 2001
Revised: May 14, 2001
FISCAL MANAGEMENT GOALS

The Board recognizes that money and money management comprise the foundational support of the whole school program. To make that support as effective as possible the Board intends:

A. To encourage advance planning through the best possible budget procedures;
B. To explore all practical and legal sources of dollar income;
C. To guide the expenditure of funds so as to achieve the greatest educational returns;
D. To require maximum efficiency in accounting and reporting procedures; and
E. To maintain a level of per pupil expenditure needed to provide high quality education.

As trustee of local, state and federal funds allocated for use in education, the Board has the responsibility to project the funds and use them wisely.

Adopted: June 11, 2001
ANNUAL BUDGET

The Board recognizes that financial resources and the proper management of same are fundamental to the support of school programs and operations. With this in mind the Board will develop and present an annual operating budget as directed by applicable laws.

The annual budget will be for a 12 month period covering the fiscal year July 1 through June 30.

The Board shall designate the Superintendent as its budget officer, but he/she may delegate portions of such responsibility to the business manager, who shall serve as the Superintendent’s adviser on financial planning.

The three general areas of responsibility of the budget officer are budget preparation, budget presentation and budget administration.

Legal Reference: TITLE 20A MRSA SEC. 15617 ET SEQ.

Adopted: June 11, 2001
BUDGET ADOPTION PROCEDURES

The budget shall include, in addition to operating expenses and expected income for the ensuing year, the sums required for meeting bonds falling due, interest on the bonds and other obligations, rentals and other fixed charges. These proposals shall be thoroughly explained and the citizens shall be given an opportunity to be heard.

The school budget shall be consistent with the provisions of Sec. 510 of the South Portland City Charter.

Legal Reference: South Portland City Charter
Title 20A MRSA Sec. 15617-4 ET SEQ.

 Adopted: June 11, 2001
FUNDING PROPOSALS AND APPLICATIONS

Authorization to apply for outside sources of funding (local, state, federal) must have the prior approval of the Board.

Adopted: June 11, 2001
FREE ADMISSIONS

The issuing of passes to high school athletic contests shall be under the jurisdiction of the Superintendent of Schools and the Athletic Director.

Passes will be issued to citizens of South Portland sixty-five years of age or older who file a request for the same with the Athletic Director - proof of age may be required, i.e. driver’s license or birth certificate.

Adopted: March 10, 1969
Revised: April 11, 1977
Revised: February 9, 1998
Revised: 2001
Revised: June 11, 2001
INCOME FROM SCHOOL SALES AND SERVICES

Each request for the sale of books, magazines and other materials must be cleared through the building administrator. Each request will be decided on its own merits.

No student shall be required to purchase materials, and any sales which are approved shall be handled in such a way that no parent or student shall feel under any pressure to make purchases.

A simple running account is to be kept showing all money received for supplies sold to students.

All money received is to be turned in to the school treasurer or the building administrator for accounting per school system policies and practices.

Adopted: Prior to 1985
Revised: 2001
Revised: June 11, 2001
GIFTS FROM THE PUBLIC

Awards, grants and/or bequests, equal to or in excess of $250.00, for the benefit of school organized and school sanctioned activity groups may be accepted on behalf of schools with the approval of the South Portland Board of Education.

Gifts accepted on behalf of the schools in the amount less than $250.00 will be communicated with the Board of Education.

Adopted: May 14, 1970
Revised: June 9, 1975
Revised: 2001
Revised: June 11, 2001
Revised: April 10, 2005
TUITION RECEIVABLES

The purpose of this policy is to establish what actions will be taken in the event that a private tuition bill has not been paid.

The previous year’s tuition bill must be paid in full before a student is allowed to return to South Portland Schools.

One-half of the tuition charged must be paid prior to September 1 of that school year before the student can enter a South Portland school. The second half must be paid at the start of the second semester and no later than January 23.

Adopted: June 11, 2001
BONDED EMPLOYEES

All employees of the South Portland School Department are bonded through the policy of the City of South Portland in the amount of $100,000 whenever it is necessary to handle money as part of their job performance.

Adopted: June 9, 1975
Revised: January 12, 1998
Revised: 2001
Revised: June 11, 2001
FISCAL ACCOUNTING AND REPORTING

The Superintendent shall be ultimately responsible for properly accounting for all funds of the school system.

The accounting used shall be in accordance with requirements of the Maine Department of Education and with good accounting practices, providing for the appropriate separation of accounts, funds and special monies.

The Board shall receive monthly financial statements from the Superintendent showing the financial condition of the school system.

It shall be the duty of the business manager to direct and supervise the preparation of monthly and annual reports to the Superintendent and the Board; to advise principals and other administrators periodically of expenditures related to budget appropriations; and to prepare financial reports required by the Maine Department of Education. The business manager shall maintain all financial records.

Adopted: June 11, 2001
ACCOUNT BOOKS

Each school shall be responsible for keeping a financial account book recording all monies received and expended by teachers and the principal. (Financial account book will be provided by the school department.) All transactions will be appropriately identified by headings in columns. It shall be the responsibility of the building principal to keep the records as determined by the central office. Records will be turned over to the Superintendent of Schools upon request for auditing (usually in June).

Adopted: June 9, 1975
INVENTORIES

Inventory of property and equipment shall be taken on an annual basis. The inventory system shall serve both the functions of control and conservation.

Responsibility for this shall be with the Superintendent through the business manager, to whom principals and supervisors shall be accountable for the maintenance of proper inventories in their schools.

Adopted: June 11, 2001
AUDITS

The school system’s books shall be audited annually by the City of South Portland, based on the July 1 to June 30 fiscal year. The business manager shall be responsible for working with auditors in their conduct of annual or other audits as required.

Legal Reference: TITLE 20A MRSA SEC. 6051 ET SEQ.

Adopted: June 11, 2001
PURCHASING

The school system, in its operation, must by necessity purchase many items. These purchases must be carried out in an orderly and responsible manner. Because the school system is a public entity, purchases must also be made with the awareness of the public’s “right to know.” The following, therefore, seeks to implement a policy that takes into account these many facets.

Quotation – bid – R. F. P.

For the purposes of this policy, a bid or request for a quotation will be considered as one and the same. Request for Proposal (RFP) is a form of bid request in which the specifications of work to be performed or item to be rendered will be described by the submitting person or party.

Number of Bids and Advertising

In requesting bids, at least three will be routinely sought. These may be from local people, business, or firms or from those outside of town. Every effort will be made to identify local parties who may be interested in providing articles and local parties who may be interested in providing articles and services to the school system and seek their bids. In the event that two or more parties cannot submit bids, then notices of the item or services sought will be advertised in local paper(s).

Sole Source

There are exceptions to every rule and there are times that only one supplier will be or can be used. If a class has standardized on a certain computer, for example, it would not be advantageous to seek bids from other manufacturers for an additional unit. Likewise, a certain product or line is clearly superior to others and faculty and / or staff may feel that this is the only brand that is acceptable. In this case, a “sole source” purchase would be permissible. Sole source purchases may only be authorized by the business manager or Superintendent.

Dollar Limit

The efficient operation of any enterprise requires that many purchases be made each day. To require that each and every one be placed out to bid would cause tremendous delays and inefficiencies. Therefore, purchases of $10,000 or more must be placed out to bid. The grouping of smaller items, such as office supplies, to allow for them to be bid out should be encouraged. Purchases between $801-$10,000 must be informally bid (quotes).
Opening of Bids

The policy of the school system will be to schedule the opening of bids at a convenient time during the day. The bids will be opened at a specified time after which no other bids will be entertained. The results will be tabulated and analyzed by the Superintendent or his / her authorized representative.

There are times when it is mutually advantageous to submit bids or quotations jointly. Examples of this might be fuel oil, paper, or other items where large volumes bring reduced prices. The other parties or a spokesperson for all the parties in this case may place an item out for bid on behalf of the school system. The bids, once opened, then are handled as are all others with a review and award.

Awarding of Bids

The awarding of the contract for the service or items to be purchased will be to the person, firm or company that provides the best service or item at the least cost to the school system. All bids of fifteen thousand dollars or more shall be awarded by the Board. Bids of lesser amounts may also be awarded by the Board when circumstances or Board wishes dictate.

Bid Format

The school system will use a bid cover sheet and format that outlines the procedures for submitting a bid.

Adopted: June 11, 2001
Cross Reference: City of South Portland Code of Ordinances Section 2
PURCHASING AUTHORITY

No staff member shall purchase materials in the name of the school department for his or her own personal use. All expenditures of school funds must be approved in advance by the Superintendent. Failure to follow this procedure will result in the individual making the purchases becoming personally responsible for expense.

Adopted: Date of Manual Adoption
Revised: February 9, 1998
Revised: 2001
Revised: June 11, 2001
PETTY CASH ACCOUNTS

In order to facilitate refunds and minor purchases, the Board authorizes a petty cash fund in each school and in the Superintendent’s Office.

The custodian for such accounts at the schools will be the building administrator. The account custodian at the Superintendent’s Office will be the business manager.

Each transaction must be supported with proper receipts by the account custodian.

Justifiable expenditures from the petty cash accounts will include but not be limited to: miscellaneous materials and supplies ($50 maximum) for office supplies, stamps and freight. All items purchased with petty cash funds should meet the criteria of an expedient measure and must not be used to circumvent established policy on purchasing authority.

The petty cash funds will be replenished as funds and are to be reimbursed to each account through accounts payable after approval by the Superintendent/designee and the business manager.

Adopted: June 11, 2001
PURCHASING PROCEDURES

All purchases are handled through the Central Office. All staff members are expected to follow appropriate procedures as established by the Central Office.

Adopted: Date of Manual Adoption
Revised: February 9, 1998
Revised: 2001
Revised: June 11, 2001
SCHOOL PROPERTIES DISPOSAL PROCEDURE

Surplus property shall be disposed of in the following manner:

A. Items having a resale value:

   1. Other municipal departments shall have first option on surplus property. The charge assessed for surplus property transferred to them shall be determined by the City of South Portland after consultation with appropriate school personnel.

   2. Surplus property, including books, to be offered for sale shall be disposed of by sealed bid, public auction, or public sale. Public notice of any sale of surplus property shall be made at least one week in advance of the date of an auction, sale, or opening of sealed bids.

   3. Any surplus property which is offered for public sale and is not sold may be disposed of at the discretion of the Purchasing Agent.

B. Items having no resale value or of insufficient value:

   1. Salvageable parts may be removed and stored or used in restoring compatible school equipment to an operable condition. The remainder of the item may be disposed of at the discretion of the Purchasing Agent.

   2. Worn and outdated books may be offered to students, charitable organizations, other schools, and the general public.

   3. Surplus property may be disposed of at the discretion of the Purchasing Agent.

All revenues which result from the sale of surplus property shall be credited as miscellaneous income except in those instances where law requires that it be credited to a specific account.

Legal Reference: TITLE 20A MRSA SEC. 4102 ET SEQ.
Cross Reference: South Portland Code of Ordinances, Sec. 2-170
Adopted: June 11, 2001
Revised: May 31, 2002

SOUTH PORTLAND SCHOOL DEPARTMENT
SUPPORT SERVICES GOALS

Support services are essential to the successful function of a school system. Management of auxiliary operations is therefore an important responsibility of the administration. It should be remembered, however, that education is the school system’s central function; all support services shall be provided, guided, and evaluated by this requirement.

In order to provide support services that are truly supportive of the educational program, the Board establishes these broad goals:

A. To provide a physical environment for teaching and learning that is safe and pleasant for students, staff, and public;
B. To provide safe transportation for students to and from school and nutritious meals for students; and
C. To provide support services, resources, and assistance to fulfill the needs of the educational program.

Adopted: June 11, 2001
SAFETY PROGRAM

It shall be the policy of the Board to take every reasonable precaution to protect the safety of all students, employees, visitors and others present on school property or at school-sponsored events.

The practice of safety shall be considered part of the instructional plan of the schools by virtue of educational programs in traffic and pedestrian safety, driver education, fire prevention, emergency procedures, etc., appropriately geared to students at different grade levels.

Each building administrator shall be responsible for the supervision of a safety program for his/her school, and the Superintendent shall have overall responsibility for the safety program of the school system. General areas of emphasis shall include, but not be limited to: in-service training; accident record-keeping; plant inspection; driver and vehicle safety programs; fire prevention; school site selection; and emergency procedures and traffic safety problems relevant to students, employees, and the community.

Adopted: June 11, 2001
DIRECTOR OF BUILDINGS AND GROUNDS

The Board of Education requests that the Fire Chief and the Building Inspector make four inspections a year of all school buildings and render reports to the Director of Buildings and Grounds following each inspection.

Revised: May 12, 1975
Revised: 2001
Revised: June 11, 2001
REPORTING OF HAZARDS

This policy was developed to assure that the South Portland School Department is in compliance with Chapter 22 Title 26 Maine Revised Statutes Annotated, 1984 Public Law Chapter 826 Chemical Substance Identification Law.

It will be the policy of the South Portland School Department to have readily available for inspection all Material Safety Data Sheets (MSDS) for all substances as outlined by Title 26, MRSA, § 1709.

A. The MSDS shall be available to any employee during regular working hours.

B. A copy of the MSDS shall be in plain sight at any work station or storage area where substances are found.

C. It will be the policy of the South Portland School Department to obtain all MSDS for all products when purchased.
   1. If the item or substance is new, then the MSDS will be reviewed before the item or substance is allowed in the workplace.
   2. If warranted by the review of the MSDS, all employees concerned will be retrained accordingly.
   3. All MSDS will be updated on an annual basis.

D. It will be the policy of this unit to introduce, maintain and periodically update a documented training program in accordance with the Chemical Substance Identification Law.

The following are the minimum guidelines for the training program:

1. Explain the provisions of the law in detail;

2. Identify any workplace where hazardous chemicals or substances are present;

3. Describe methods of detecting the presence or release of a hazardous chemical in the work area;

4. Describe and explain the physical health hazards and any potential health hazards in the workplace;
5. Availability of written communications and related documents concerning hazardous substances, including how to read a MSDS;

6. Describe and explain methods employees can use to protect themselves from these hazards, including the purpose, proper use and limitation of personal protective equipment;

7. Explain the labeling system and the MSDS;

8. Describe and explain all emergency procedures.

**REPORTING OF HAZARDS**

It will be required for all custodians to attend all training programs. Documentation of attendance will be required and maintained. Documentation of each training seminar will also be required.

All chemicals or substances that fall within the guidelines of Chapter 22 will be labeled as required. Containers not properly labeled will not be allowed in the workplace until such time as labels are placed on them.

All employees will be given a copy of the Maine law, a list of hazardous chemical substances used in the workplace, and a copy of this policy.

All new employees will be trained before starting work.

When it becomes necessary to dispose of dangerous chemicals, the system will do so through an agency which has been licensed by the state to remove and dispose of chemicals.

When it becomes necessary to store chemicals awaiting their removal from the school system, storage shall be in an approved tank or building.

The South Portland School Department will, as a matter of policy in all contracts with outside contractors, inform the contractor of the hazardous chemicals to which the contractor may be exposed along with appropriate protective measures. The South Portland School Department will also request the same information about contractors’ chemicals.

This policy will be reviewed annually.

Legal Reference: Title 26  MRSA  Sec. 1709, ET SEQ.

Adopted: June 11, 2001
Revised: May 31, 2002
FIRST AID

“First Aid” is defined as immediate and temporary treatment and care in the event of an accident or injury, before a physician’s care can be obtained. Because of the presence of children and staff engaged in a variety of activities together, accidents and injuries at school are expected.

The Superintendent shall establish and implement procedures for handling accidents and injuries, which shall make clear the responsibilities of various school personnel. They shall be based on “Recommended Procedures for Emergency Care,” “Guidelines for Managing School Emergencies” and other documents included by the state in the SCHOOL HEALTH MANUAL. Also, there shall be a system for accident reporting, for maintaining emergency health and contact information on each student in the school system, and the designation and first-aid training of appropriate individuals in the schools.

Legal Reference: Title 20A MRSA Sec. 4009
Adopted: June 11, 2001
FIRST AID, EMERGENCY AND ACCIDENT CARE

Protocol:

The South Portland School Health Services Personnel shall follow guidelines delineated in The School Health Manual developed by MDESC and DHS and Local School Health Manual.

Manner In Which The Policy Will Be Enacted:

1. Minor injuries may be managed by the school principal or his / her designee utilizing the accepted procedures with notification of appropriate nurse.
2. Treatment of serious injuries should be given by licensed medical personnel whenever available, i.e. physician, nurse, EMT.
3. Accident reports will be completed by the principal or his / her designee. Copies will be distributed to the student’s file, school nurse, and Superintendent’s office.

Notice of Injury:

Parents / guardians will be notified by the principal or his / her designee. Copies will be distributed to the student’s file, school nurse and Superintendent’s office.

Guidelines / Forms:

Local School Health Manual located in each school, Central Office and School Nurse’s Office.

1. In the event of serious accident, the building administrator shall immediately notify the home, the appropriate school nurse and the Office of the Superintendent of Schools. The administrator shall complete the necessary accident report form and submit it to the Office of the Superintendent of Schools.
2. Emergency information for each student will be readily accessible and will include the following:
   a. Name, home address, and business address of parent or guardian.
   b. Telephone number (home and business)-(be alert for unlisted numbers).
   c. Name, address, and telephone number of person responsible for student if parent or guardian is not available.
   d. Confidential Health Listing identifying known conditions which may affect the child’s health while at school.
   e. Authorization for school to take the most prudent action in any extreme emergency. If neither a parent nor a person designated by the parent is available and if hospital attention is required, a teacher or the principal shall accompany the student to the hospital.
3. First Aid Directions to be followed:
   a. Recommended Procedures for Emergency Care, as jointly published by
      the State Department of Education, the State Department of Human
      Services and the Maine Association of Physical Education and Recreation,
      have been amended and approved by the School Physician. A poster size
      chart will be posted in each school.
   b. Emergency Recommendations: First Aid, as developed by the Health
      Services Department have been approved by the School Physician. Copies
      will be available en each school and distributed to each staff member.
   c. Guidelines for Handling Body Fluids in Schools should be followed to
      minimize transmission of communicable disease.
FIRST AID

The building administrator or his/her designee shall be notified immediately of an injury to any pupil in the school building or on the school premises.

A report of the injury and first aid given shall be made in writing, with a copy sent to the Superintendent and a duplicate copy retained in the school files.

If the pupil is to be sent home, the building administrator shall first determine if the parent/guardian is at home to receive the pupil.

The pupil should not be sent home unless some responsible person in the household is there to receive him/her. In case the pupil is not able to go home unassisted, the building administrator shall require the parent to call for the child or shall provide proper supervision in seeing that the child is escorted safely home.

In the case of serious injury requiring the immediate attention of a physician, the following procedure shall be followed:

A. The school nurse and school physician shall be called immediately and the family notified.
B. If the school physician is not available, the family shall be contacted and the pupil sent to the family physician on the instruction of the parent/guardian.
C. Students will be transported to the nearest hospital by the South Portland Rescue Unit.
D. The parent shall be responsible for any fees in connection with (B) and (C) above.

Legal Reference: Title 20A MRSA Sec. 4009
Adopted: June 11, 2001
ACCIDENT REPORTING

In the event of serious accident, the building administrator shall immediately notify the home, the appropriate school nurse and the Office of the Superintendent of Schools. The administrator shall complete the necessary accident report form and submit it to the Office of the Superintendent of Schools.

Revised: 2001
Adopted: June 11, 2001
SOUTH PORTLAND SCHOOL DEPARTMENT

STUDENT ACCIDENT REPORT FORM

Name: ___________________________ Date of Accident: _______________________

School: ___________________________ Grade: _____ Teacher: ____________

Location: (check one) Time of Accident: _______________________
playground playscape

Teacher:
gym/p.e. classroom (specify) Witness: ____________________________

hall stairs

other (specify)

Person Completing Form: ____________________________

Description of Accident: ______________________________________________

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Immediate Action Taken: ________________________________________________

Parent Notified: _____ Yes ________No Nurse Notified: _____ Yes ___No

Nurse’s Assessment (when indicated): __________________________________________

Date:_______ Nurse’s Signature: ____________________________

Date:_______ Principal’s Signature: ____________________________

Follow-Up: ______________________________________________

Original: File in Student Cumulative Record
Copy to: Assistant Superintendent of Schools
Revised: April, 2002

SOUTH PORTLAND SCHOOL DEPARTMENT
CRISIS INTERVENTION POLICY

A crisis impacts all members of a school community. Therefore, a Crisis Intervention Team shall provide an appropriate response in support of the school community and its members while ensuring accurate and sensitive communication.

It is the policy of the South Portland Board of Education to have established a District Crisis Team (CIT-D). This District Team shall establish and train a Building Crisis Intervention Team (CIT-B) consisting of the principal, secretary, nurse, guidance counselor or social worker, one teacher and an alternate.

The goals of the Crisis Intervention Team are:

1. to plan an appropriate response and to ensure accurate and sensitive communications in the event of a crisis
2. to identify educational needs
3. to provide emotional and physical support throughout a crisis
4. to provide whatever resources are necessary throughout a crisis

The CIT-D shall consist of no more than 10 members representing a cross section of the school community. Members serve for two years and may extend membership or invite another staff member to replace him/her.

 Adopted: May 14, 1990
 Revised: May, 2001
 Revised: June 11, 2001

SOUTH PORTLAND SCHOOL DEPARTMENT
Important Guidelines for Crisis Intervention

Crisis Procedure Checklist

School Team Coordinator
Building Principal
Building Crisis Intervention Team

Media Liaison
Superintendent or Designee

Police or Rescue Liaison
To be used if crisis warrants

Message Center
Office in each school site. All visiting support personnel should check in with office for assignment and identification.

Site Based Phone Tree
Should include notifying all staff, including bus drivers, physical plant personnel, food service employees, and volunteers.

Crisis Procedure Checklist

1. Verify – Superintendent or Designee.
   Privacy of the family takes precedence.
2. Notify via phone tree and schedule team meeting.
3. Assess degree of impact.
   a. how many sites directly involved
   b. notify all staff
   c. magnitude of event
   d. who should be involved
   e. delegate responsibility to others
      i. written bulletins or letters
      ii. phone calls
      iii. classroom presentations
   f. notify other school systems
   g. prepare statement to be made available to office staff for incoming phone inquiries and media referrals
4. Designate counseling area at each site.
   a. designate support personnel
   b. establish procedure for self referral
5. Identify at-risk students. Maintain list
   In guidance or nurse’s office at appropriate site,
Crisis Procedure Checklist (continued)

6. In case of death, discuss plans for personal effects of deceased and involve family whenever possible.

7. Set up staff debriefing schedule.

8. Prepare statement to be made available to office staff for incoming phone inquiries and media referrals.

9. Delete name of deceased from computer and any files.

10. Meet to debrief and to discuss following day’s activities.

   a. what happened that day
   b. what are students’ and staff’s issues and concerns
   c. plans for memorial service, if appropriate

11. Meet for post-crisis debriefing, critique and long-term follow-up
CRISIS INTERVENTION PROCEDURE

Step 1    Protect the privacy and wishes of the family.
Step 2    Verify the information regarding the crisis. One person (principal or designee)
          Shall contact appropriate resources for verification.
Step 3    Notify the CIT-D chairperson who will notify the Superintendent or designee.
          The Superintendent is the only person authorized to release information to the
          media.
Step 4    Convene CIT-B to determine:

          **Phase I**
          1. The nature and extent of the event
          2. Number of buildings involved (siblings?)
          3. Who should be involved (other CIT-B, community agencies and services)
          4. Delegate responsibility

Step 5    Initiate Action Through Appropriate Team Members
          1. Communicate accurate information to teachers
          2. Teacher (or other adults) Communicate appropriate information to students
          3. Teachers ask for extra assistance from specialists as needed (CIT-D)
          4. Teachers help students process feelings in homerooms whenever possible
          5. Teachers give information about resource people where students can go throughout the day

After Day One

Step 6    Reconvene CIT-B
          1. Team debriefing
          2. Assess student and teachers needs
          3. Adjust what will be done on following days

          **Phase II**

Evaluate

Step 7    Convene final CIT-B meeting
          1. Determine plan of action for further staff development
          2. Establish long range plan for students needing extended intervention

          The CIT-D Chairperson

Step 8    Convenes final CIT-D/CIT-B meeting
          1. Evaluate the process
          2. Plan to address identified needs

Adopted:      May 14, 1990
Revised:      May, 2001
Revised:      June 11, 2001
COMPREHENSIVE EMERGENCY MANAGEMENT PLAN

The Superintendent and building administrators shall be responsible for developing, in consultation with staff and persons or agencies with expertise in planning for and responding to emergencies, a comprehensive emergency management plan that identifies and addresses all hazards and potential hazards that could reasonably be expected to affect the school unit and school facilities.

The Superintendent and building administrators shall be responsible for ensuring that the plan is implemented in each school and evaluated on an annual basis and after each incident when the plan is used. It is understood that specific procedures may vary from school to school due to differences in school facilities and the ages of students.

As required by law, the Board will approve the plan annually. Any substantive changes in the plan shall be subject to the approval of the Board.

The following information pertaining to the South Portland School Department Comprehensive Emergency Management Plan is considered public information:

A. A description of the scope and purpose of the Plan and the process used for developing and updating it;

B. General information on auditing for safety and preparedness;

C. Roles and responsibilities of school administrators, teachers and staff and the designated chain of command during an emergency; and

D. Strategies for conveying information to parents and the general public during an emergency.

Except as specified in paragraphs A through D above, those portions of the Comprehensive Emergency Management Plan and any other records describing security plans, security procedures or risk assessments prepared specifically for the purpose of preventing or preparing for acts of terrorism shall not be considered public information under the Freedom of Access Act but only to the extent that the release of such information could reasonably be expected to jeopardize the physical safety of school unit personnel or the public. For the purpose of this policy, “terrorism” is defined as in 1 M.R.S.A. § 402(3)(L) as “conduct that is designed to cause serious bodily injury or substantial risk of bodily injury to multiple persons, substantial damage to multiple
structures whether occupied or unoccupied or substantial physical damage sufficient to disrupt the normal functioning of a critical infrastructure.”

Legal Reference: 20-A MRSA § 1001(16)

Cross Reference: EBCC Bomb Threats
EBCE Fire Drills

Adopted: June 11, 2001
Revised: April 14, 2008

This is a required policy.Reviewed 12/07
EMERGENCY SAFETY DRILLS

BUILDING EVACUATION DRILLS

In order to protect the safety of students and school personnel and in compliance with Maine Department of Education regulations, schools at all levels preK-12 are required to hold two emergency evacuation drills during the first two weeks of schools, and eight drills will be held thereafter to include both of the following two exceptions:

a) When the weather is severe, the emergency evacuation drills shall be permitted to be postponed.

b) The full number of emergency evacuation drills will be required; however, not less than four shall be conducted before the drills are deferred due to weather considerations.

Emergency evacuation procedures will be incorporated into the school department’s Comprehensive Emergency Management Plan. The principals shall confer with the Fire Chief from time to time on matters pertaining to safety within their buildings and arrange for suitable school safety programs and or drills at regularly scheduled intervals. This will include special planning for the egress of students and staff in wheelchairs or who have other special needs requiring advanced planning.

Written procedures for emergency evacuation drills shall be posted in all buildings, in each classroom, and all offices.

Principals shall keep a record of all emergency evacuation drills held in their schools, stating the date and time the drill was held and the time required for evacuation of the building. This information will be reported to the Superintendent or his/her designee after each drill. Fire officials will be notified before each drill and will also receive a copy of the report for each drill.

The Superintendent/designee will be responsible for ensuring that school personnel receive an annual orientation concerning emergency evacuation procedures. The building principal will be responsible for ensuring that teachers familiarize students with designated evacuation routes prior to the first emergency evacuation drill of the school year.

BUS EVACUATION DRILLS

Maine Department of Education regulations require that, at least twice a year, students who are transported in school buses be instructed in safe riding practices and participate in emergency evacuation drills. The Director of Transportation will be responsible for arranging the times and locations of such drills. Bus evacuation drills must be conducted in the school parking lot or other safe location. The Director of Transportation, in consultation with the Director of Instructional Support and/or Assistant Director of Instructional Support, will determine appropriate evacuation procedures for students with disabilities. The first evacuation drill will occur within the first three weeks of the school year.
BUILDING LOCKDOWN DRILLS

In compliance with the South Portland School Department Comprehensive Emergency Management Plan, schools at all levels preK – 12 will conduct a Lockdown Drill once during each school year. This may be an “Internal Lockdown” drill or “External Lockdown” drill. Principals shall keep a record of all lockdown drills held in their schools, stating the date and time the drill was held. This information will be reported to the Superintendent or his/her designee after each drill. Fire officials will also receive a copy of the report for each drill.

Legal Reference: Ch. 125 § 10.2 (Me. Dept. of Ed. Rule)
Ch. 81 § 2(B) (Me. Dept. of Ed. Rule)

Cross-Reference: EBCC Bomb Threats
EBCA Comprehensive Emergency Management Plan

Adopted: Prior to 1985
Revised: April 1999
Revised: May, 2001
Revised: June 11, 2001
Revised: July 13, (Renamed and Recoded – Replaces EBCE – Fire Drills)
BOMB THREATS

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

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

A. Conduct Prohibited

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

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

B. Definitions

1. A “bomb” means an explosive, incendiary or poison gas bomb, grenade, rocket, missile, mine, “Molotov cocktail” or other destructive device.
2. A “look-alike bomb” means any apparatus or object that conveys the appearance of a bomb or other destructive device.
3. A “bomb threat” is the communication, by any means, whether verbal or non-verbal, that a bomb has been or will be, placed on school premises, including possession or placement of a bomb or look-alike bomb on school premises.
4. “School premises” means any school property and any location where any school activities may take place.
Development of Bomb Threat Procedures

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

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

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

C. Reporting of Bomb Threats

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

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

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

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

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

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

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

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

E. Aiding Other Students in Making Bomb Threats

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

F. Failure to Report a Bomb Threat

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

G. Staff Disciplinary Consequences

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

H. Civil Liability

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

I. Lost Instructional Time

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

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

J. Notification Through Student Handbook

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

Legal References: 18 U.S.C. §§ 921;8921
17-A M.R.S.A. § 210
20-A M.R.S.A. §§ 263; 1001(9); 1001(9-A); 1001(17); 1001(18)

Cross References: EBCA – Crisis Response Plan
JKD – Suspension of Students
JKE – Expulsion of Students
JKF – Suspension/Expulsion of Students with Disabilities
JICIA – Weapons, Violence and School Safety
Student Code of Conduct

Adopted: Prior to 1985
Revised: September, 2002
Revised: September 9, 2002
EMERGENCY CLOSINGS

When there is no school due to stormy weather or other emergency situations the following schedule is utilized.

- 7:05 a.m. All schools closed for the day
- 11:30 a.m. All schools closed for the afternoon

Timely notice of school cancellations shall be given to radio, as well as, television stations in the Greater Portland area.

The decision as to whether or not to close school is made at an early hour. Because the weather may change, parents of small children especially are expected to exercise individual judgment based on the distance to travel and the physical condition of the child. Older children should learn to protect themselves from the weather and should be able to attend school on most days.

Adopted: Prior to 1985
Revised: 2001
Adopted: June 11, 2001
AUTOMATED EXTERNAL DEFIBRILLATORS (AED’s)

The Board recognizes that from time to time medical emergencies may arise that warrant the use of an automated external defibrillator (AED). The South Portland School Department may acquire one or more AED’s for use by qualified personnel in its schools and at athletic events hosted by its schools.

Unless otherwise provided by law, an AED may be used only by a person:

1. Who has successfully completed a course approved by the American Red Cross, the American Heart Association or the Maine Department of Public Safety; and

2. Who has made a reasonable attempt to summon appropriate emergency services personnel when communication is possible.

The superintendent shall be responsible for developing, in consultation with the school physician, protocols for the use, storage, location, testing and maintenance of the school unit’s AEDs, and the training and designation of school unit employees as authorized users.

Only those employees documented as having completed required training shall be authorized to use an AED.

Legal Reference: 20- M.R.S.A. § 4009
22- M.R.S.A. § 2150-C

Adopted: October 12, 2005
BUILDINGS AND GROUNDS SECURITY

The police department is to be notified immediately if unauthorized persons who arouse suspicion are detected upon school grounds or within school buildings.

After 4:00 p.m., each school shall designate a specific door to be used as an exit/entrance. That door and only that door is to be used.

Custodians on night duty at the middle and senior high schools between the hours of 4:00 p.m. and 7:00 a.m. shall call the police department every hour on the hour as a safety and security precaution.

Adopted: July 10, 1940
Revised: June 9, 1975
Revised: 2001
Revised: June 11, 2001
PEST MANAGEMENT IN SCHOOL FACILITIES
AND ON SCHOOL GROUNDS

The Board recognizes that structural and landscape pests can pose significant problems for people and school unit property, but that use of some pesticides may raise concerns among parents, students and staff. It is therefore the policy of South Portland School Department to incorporate Integrated Pest Management (IPM) principles and procedures for the control of structural and landscape pests. A copy of this policy shall be kept in every school and made available upon request to staff, parents, students and the public.

IPM is a systematic approach to pest management that combines a variety of methods for managing pests including monitoring; improved horticultural, sanitation and food storage practices; pest exclusion and removal; biological control; and pesticides.

For the purpose of this policy, “pests” are populations of living organisms (animals, plants or microorganisms) that interfere with use of school facilities and grounds. “Pesticide” is defined as any substance or mixture of substances intended for preventing, destroying, repelling or mitigating any pests and any substance or mixture of substances intended for use as a plant regulator, defoliant or desiccant.

The objective of the school unit’s IPM program is to provide effective pest control while minimizing pesticide use. The goals of the IPM program include managing pests to reduce any potential hazards to human health; preventing loss or damage to school structures or property; preventing pests from spreading beyond the site of infestation to other school property; and enhancing the quality of life for students, staff and others.

The Superintendent and/or designee shall develop and implement a Pest Management Plan consistent with the following IPM principles and procedures:

A. Appointment of an IPM Coordinator

The Superintendent/designee will appoint an IPM Coordinator for the school unit. The IPM Coordinator will be the primary contact for pest control matters and will be responsible for overseeing the implementation of the IPM plan, including making pest control decisions.

The IPM Coordinator will consult with the building principal and/or Superintendent before a decision is made to do a pesticide application for which notice is required and before providing notification of the planned application.

The IPM Coordinator’s responsibilities may include:

1. Recording and monitoring data and pest sightings by school staff and students;
2. Coordinating pest management with pest control contractors;

3. Recording and ensuring that maintenance and sanitation recommendations are carried out where feasible;

4. Ensuring that any pesticide use is done according to the school unit’s Pest Management Plan and Chapter 27 Me. Dept. of Agriculture Board of Pesticides Control Rules (“Standards for Pesticide Applications and Public Notification in Schools”);

5. Making the school system’s pest management policy available in every school building;

6. Having available for parents and staff a copy of the Maine regulation pertaining to pesticide applications in schools (Chapter 27 Me. Dept. of Agriculture Board of Pesticides Control “Standards for Pesticide Applications and Public Notification in Maine Schools”) and a record of prior pesticide applications and information about the pesticides used.

7. Initiating and coordinating notification of parents and staff of pesticide applications according to the school unit’s notification procedure and posting notification signs as appropriate; and

8. Recording all pesticides used by either a professional applicator or school staff and maintaining other pest control data.

B. Identification of Specific Pest Thresholds

Routine inspection and accurate identification of pests are needed to recognize potential problems and determine when action should be taken.

Action thresholds for specific sites will be determined on a case-by-case basis by the IPM Coordinator in consultation with the building principal and/or Superintendent, and if necessary, with the advice of a professional pest control expert.

As pest management objectives will differ from site to site (e.g.: maintaining healthy turf and specific playing surfaces on athletic fields, carpenter ant control in buildings, or maintenance of ornamental plants), differences should be considered before setting an action threshold.
C. Pesticide Applicators

Any person who applies pesticides in school buildings or on school grounds, including school personnel, must possess a Maine pesticide applicators license and should be trained in the principles and practices of IPM. All pesticide use must be approved by the school unit’s IPM Coordinator. Applicators must follow state regulations and label precautions and must comply with the IPM policy and pest management plan.

[NOTE: School personnel do not need to be licensed for normal or routine cleaning practices, for emergency stinging insect control or use of repellants for personal protection. However, school personnel do need to be licensed if they will be using pesticides in school facilities or on school grounds.]

D. Selection, Use and Storage of Pesticides

Pesticides should be used only when needed. Non-chemical pest management methods will be implemented whenever possible to provide the desired control. The choice of using a pesticide will be based on a review of other available options (sanitation, exclusion, mechanical means, trapping, biological control) and a determination that these options have not worked or are not feasible. When it has been determined that a pesticide must be used to achieve pest management goals, the least hazardous effective pesticide should be selected. Application should be conducted in a manner that, to the extent practicable using currently available technology, minimizes human risk.

Decisions concerning the particular pesticide to be used and the timing of pesticide application should take into consideration the use of the buildings or grounds to be treated.

Pesticide purchases should be limited to the amount expected to be used for a specific application or during the year. Pesticides will be stored and disposed of in accordance with label directions and state and federal regulations. Pesticides must be stored in an appropriate, secured location not accessible to students or unauthorized personnel.
E. Notification of Students, Staff and Parents of Use of Pesticides

A notice will be provided to staff, students and parents within the first two weeks of the school year briefly explaining the school unit’s IPM/pesticide use policy including provisions for notification to parents and staff of specific planned pesticide applications in school buildings or on school grounds.

When required by regulations, the school will notify staff, students and parents/guardians at least five days in advance of planned pesticide treatments in the school or on school grounds, including playgrounds and playing fields.

When required by regulations, signs will be posted at each point of access to the treated area and in a common area of the school at least two working days prior to the application and for at least 48 hours following the application in accordance with applicable Maine Board of Pesticides Control regulations.

F. Recordkeeping

When a pesticide has been used, records pertinent to the application including labels and material safety data sheets will be maintained at a designated central location for two years following application. Records are to be completed on the day the pesticide is applied. Pest surveillance records should be maintained to verify the need for pesticide treatments.

Legal Reference: 7 MRSA §§ 601-625
22 MRSA §§ 1471-A-1471-X
Ch. 27 Me. Dept. of Agriculture Board of Pesticides Control Rules (Standards for Pesticide Applications and Public Notification in Schools)

Cross Reference: EBAA - Chemical Hazards

Adopted: October 15, 2003
PEST MANAGEMENT NOTIFICATION

The South Portland School Department uses an Integrated Pest Management (IPM) approach to the control of insects, rodents, microorganisms, weeds and other pests in school buildings and on school grounds. IPM combines a variety of methods for managing pests including monitoring, improved sanitation and food storage practices, pest exclusion and removal, biological control, and pesticides. The objective of the IPM program is to provide effective pest control while minimizing pesticide use.

**Pesticides**
Non-chemical pest management methods will be implemented whenever possible. However, sometimes pesticide use may be necessary to control a pest problem. When that happens, the school will use the least hazardous effective pesticide feasible.

**Notification**
When required by law, parents/guardians and school staff will be notified at least five days* in advance of specific pesticide applications. When required by law, pesticide application notices will be posted in school and on school grounds.

Notification need not be given for pesticide applications recognized by law or regulations to pose little or no risk of exposure to students or staff.

A copy of the school system’s IPM/Pest Management policy is available for review in the school office. The school also keeps records of prior pesticide applications and the pesticides used. You may review these records, a copy of the policy and Maine’s “Pesticides in Schools” regulation (Chapter 27 of the Department of Agriculture Board of Pesticides Control “Standards for Pesticide Applications and Public Notification in Schools”) by contacting our IPM Coordinator in the maintenance office: 871-0565

For further information about pests, pesticides and notification you may contact the Board of Pesticides Control at 207-287-2731 or go to [www.state.me.us/agriculture/pesticides/schoolipm](http://www.state.me.us/agriculture/pesticides/schoolipm)

Revised: October 15, 2003
NOTICE OF PLANNED PESTICIDE APPLICATION

The following notice is provided in compliance with State regulations establishing standards for pesticide applications and notification in schools.

[Product name], EPA registration number [000000], containing [chemical name] will be applied by [name of pest control company or licensed applicator] to [area in building or on school property where pesticide will be applied] during [approximate time of day and date of application] for the purpose of controlling [type of pest].

For additional information regarding this application, you may contact maintenance office at 871-0565.

This application is consistent with South Portland School Department’s Integrated Pest Management (IPM) program. The objective of the IPM program is to provide effective pest control while minimizing pesticide use. The goals of the IPM program include managing pests to reduce any potential hazards to human health; preventing loss or damage to school structures or property; preventing pests from spreading beyond the site of infestation to other school property; and enhancing the quality of life for students, staff and others.

Legal Reference: Ch. 27 § 4, Department of Agriculture Board of Pesticides Control Rule (Standards for Pesticide Applications and Public Notification in Schools)

Revised: October 15, 2003
CUSTODIAL SERVICES

The Parks and Recreation Department will not be assessed for use of school facilities. The Parks and Recreation Department will, however, assume the responsibility of arranging payment for all custodial services that may be required. The rate of payment shall be determined in accordance with provisions of the negotiated agreement between the Board of Education and its Maintenance and Custodial Personnel.

When parent-teacher groups are having routine meetings, custodial services will not be necessary providing the principal has arranged for safety and security measures and providing the parent-teacher groups leave the facilities in a clean and orderly condition. Whenever custodial services are needed, they shall be in accordance with the aforementioned negotiated agreement.

When no custodian is on duty, the principal of the school involved or his designee shall be responsible for unlocking the school prior to the meeting and for securing the building at the conclusion of the meeting.

Adopted: October 12, 1970
Revised: May 12, 1975
PLAYGROUNDS

Playground equipment, other than that purchased and maintained by the South Portland Parks and Recreation Department, may be, subject to the approval of the Superintendent of Schools, purchased by schools, parents’ clubs, the City or requisitioned through the school department. Said equipment becomes the property of the city and school department. Supervision of the use of these pieces of equipment shall be the responsibility of the school.

Adopted: Prior to 1986
Revised: May 2001
Revised: June 11, 2001
MAINTENANCE AND CONTROL OF INSTRUCTIONAL MATERIALS

Students shall be held accountable for damaged and lost books and materials assigned or loaned to them and for damages to school property.

In the case of broken windows and other damage to school property, the students responsible and/or their parents may be assessed double the actual cost of the damage if the breakage and/or damage is willfully or carelessly caused.

Legal Ref: Title 20-A MRSA Section 6807

Adopted: April 11, 1977
Revised: July 9, 1979

SOUTH PORTLAND SCHOOL DEPARTMENT
LOST AND FOUND PROPERTY

Each school shall make provisions for lost and found articles. Every effort will be made to return lost items to the owner. In cases where items are unclaimed, they will be periodically donated during the school year to the City Welfare Department, Salvation Army, Abilities and Goodwill, etc. or given to some needy family at the close of the school year.

Adopted: Prior to 1985
Revised: May, 2001
Revised: June 11, 2001
WASTE MANAGEMENT AND RECYCLING

Resource conservation is to be made an integral part of the physical operation of the school system and of the school curriculum. The practice of discarding materials used in school facilities is wasteful of natural resources, energy and money. It is also the function of the schools to set an example of stewardship of our natural resources and to develop responsible citizenship in our students.

It shall be the policy to implement the following actions:

A. The school system will integrate the concept of resource conservation, including waste reduction and recycling, into the environmental education curriculum at all levels.

B. The amount of waste of consumable materials is to be decreased by:
   1. Reduction of the consumption of consumable materials wherever possible;
   2. Full utilization of all materials prior to disposal; and
   3. Minimization of the use of non-biodegradable products wherever possible.

C. The school system will cooperate with, and participate in, recycling efforts being made by the local and state governments. As systems for the recovering of waste and recycling are developed, the school system will participate by appropriately separating and allowing recovery of recyclable waste products.

D. The school system will purchase, where financially viable, recycled products and will also encourage suppliers, both private and public, to make recyclable products and unbleached paper products available for purchase by public schools.

E. Representatives of the school system will actively advocate, where appropriate, for resource conservation practices to be adopted at local, regional and state levels.

Adopted: June 11, 2001
STUDENT TRANSPORTATION SERVICES

The extent and limitations of student transportation shall be determined in keeping with the statutes and within the scope of the fiscal appropriations as set by the Board of Education for such services.

Handicapped students shall be provided with transportation in keeping with their needs and as recommended by the Pupil Evaluation Team and approved by the Board of Education.

Legal Ref: Title 20 – 1 MRSA Section 5401

Adopted: November 13, 1978
Revised: May, 2001
Revised: June 11, 2001
BUSBING

Busing shall be provided for students of kindergarten through grade 5 who live more than 1 mile and students of grades 6-12 if they live more than 1 ½ miles from their respective schools. The South Portland Police Department’s measured mile will be accepted as the standard and measured in each case by the shortest route. Exceptions to this policy may be made when, in the judgment of the Superintendent of Schools and the Board of Education, there exists a situation or condition that may endanger the safety of students or where individual cases of hardship can be identified.

Legal Reference: Title 20-A MRSA Section 5401

Adopted: June 9, 1978
Revised: June 1, 1982
Revised: July 11, 1983
Revised: October 11, 1995
Revised: 2001
Revised: June 11, 2001
BUS SAFETY

Two or more vehicles should travel in a caravan in sight of each other. That will insure that in case of a breakdown the disabled vehicle will have a means of contacting some assistance. If the breakdown occurs close to home, a spare bus will be called. If the breakdown occurs close to the destination, one bus will proceed, drop off its passengers and return to pick up the passengers of the disabled vehicle. While awaiting assistance, the disabled vehicle should be parked as close to the road shoulder as possible, or in the breakdown lane, with flares set up. Passengers and driver should stay on the bus and maintain orderly conduct until assistance arrives. The only exception to this would be if the driver feels there is a danger by remaining on the bus. Bus drivers are in charge of conduct on the bus during the regular runs. On chaperoned trips, student conduct is the responsibility of the chaperones.

Adopted: Not dated in previous policy book
Revised: June 2001
Revised: June 11, 2001
SPECIAL USES OF SCHOOL BUSES

The school buses may be used to transport students to school sponsored activities when not needed for transportation to and from regular school activities.

The Parks and Recreation Department shall be permitted to use school buses to transport children for the summer recreation program provided that said Department agrees to be responsible for the maintenance of the buses; that they be returned in operable condition, and that the buses are driven only by properly licensed employees of the city.

Revised: June 9, 1975
Revised: May, 2001
Revised: June 11, 2001
DRUG AND ALCOHOL TESTING FOR BUS DRIVERS

The safety and well being of our drivers, employees and the general public requires that our drivers perform their duties free from the effects of alcohol and/or drugs. A drug-free workplace is especially important to the transportation industry. A driver who uses or abuses alcohol and/or drugs is a hazard to this school department, the general public, students, and other employees and him/herself.

In order to ensure the safe transportation and provide for an efficient and drug-free workplace while complying with the Federal Motor Carrier Safety Regulations, South Portland School Department has adopted this policy.

Program Administrator:

The Business Manager has been designated by this company as the Alcohol/Drug Testing Program Administrator. In this function the Business Manager will be responsible to answer any questions from the drivers, administrators, or the public in general.

The program Administrator will handle all information on all tests of covered drivers as confidential. The Program Administrator may provide such information as necessary to the supervisor to enable him/her to take proper disciplinary action as warranted. The Program Administrator may also release test information to a Substance Abuse Professional to use to evaluate and recommend appropriate follow-up.

In accordance with federal law and regulations, South Portland School district shall be responsible for implementing a drug and alcohol testing program that meets all applicable requirements of the Omnibus Transportation Employee Testing Act of 1991. Further, South Portland School District extends the testing requirement to all district employees who transport students using school district vehicles.

School employees who operate a motor vehicle requiring a commercial driver’s license are subject to a drug and alcohol testing program that fulfills the requirements of the federal regulations.

These district regulations reflect several requirements of the federal drug testing regulations but are not intended in any way to modify or limit the procedures for drug and alcohol testing specifically addressed in federal regulation. District personnel will adhere to the detailed provisions of federal regulation in administering the district’s drug and alcohol program.
References to tests in these regulations include both drug and alcohol tests unless the context specifies otherwise. The terms drugs and controlled substances are interchangeable and have the same meaning. Drugs refers to marijuana, cocaine, opiates, phencyclidine (PCP) and amphetamines (including metamphetamines).

Pre-Employment Drug Tests:

The tests will be required of an applicant only after a position has been offered. Employment with the district is conditional upon the applicant receiving a negative drug test result.

An employee may be exempt from the pre-employment drug test if he or she has participated in a drug testing program within 30 days prior to the application for employment and while participating in that program was tested for drugs within the last 6 months (from the date of application) or participated in a random drug testing program in the previous 12 months, provided that the district has been able to make all verifications required by law.

Post-accident tests:

It is the responsibility of the employee to report for post-accident drug and alcohol testing as soon as practicable following an accident which occurs while the employee is performing district safety sensitive functions in which any person involved has been fatally injured or a citation for a moving traffic violation arising from the accident has been issued within 32 hours, to an employee:

1. The employee will report to the designated collection site for post-accident drug and alcohol testing as soon as practicable following the occurrence of the accident;
2. If alcohol testing has not been administered within 2 hours, the district will prepare and maintain on file a record stating the reasons the test was not promptly administered;
3. If alcohol testing is not administered within 8 hours, the district will cease attempts to administer an alcohol test and will prepare and maintain on file a record specifying why the test was not administered;
4. If drug testing has not been administered within 32 hours following the accident, the district will cease attempts to administer such tests and will document why the test was not administered;
5. The employee will inform the Director of Transportation or designated district official as soon as practicable following the accident.
The district will provide employees with necessary post-accident testing information, procedures instructions as part of its employee training and program. Additionally, written instructions to follow in the event of an accident will be provided in all vehicles as appropriate. Instructions will include locations of drug specimen collection and alcohol testing sites and telephone numbers of Director of Transportation and other district officials to contact.

The employee shall remain readily available for testing or may be deemed by the district to have refused to submit to testing. Such refusal is treated as if the district received an alcohol test result of 0.04 or greater or received a positive drug test. Nothing in this requirement shall be construed to require the delay of necessary medical attention for injured people following an accident or to prohibit an employee from leaving the scene of an accident or to obtain necessary emergency medical care.

Results of a breath or blood test for the use of alcohol or a urine test for the use of drugs conducted by on-site federal, state and/or local law enforcement officials having independent authority for the test shall be considered to meet necessary requirements provided results of the test are obtained by the district and the tests conform to all applicable federal, state and or local requirements.

An employee who has actual knowledge of an accident in which his/her performance has not been discounted as a contributing factor is prohibited from using alcohol for eight (8) hours after the accident or until the employee undergoes a post-accident test.

Random Tests:

Tests will be conducted on a random basis at unannounced times throughout the year. Random tests for alcohol will be conducted just before, during or just after the performance of safety-sensitive functions. Random tests for drugs do not have to be conducted in immediate proximity to performing safety sensitive functions. Once notified of selection for drug testing, a driver must proceed to a collection site to provide a urine specimen.

Drivers will be selected by a scientifically valid random process, and each driver will have an equal chance of being tested each time selections are made. The number of bus drivers selected for random testing will be in accordance with federal regulations.

Reasonable suspicion tests:

Tests must be conducted when the properly trained Director of Transportation or designated district official has reasonable suspicion that the driver has violated the district’s alcohol or drug prohibitions. This reasonable suspicion must be based on specific, contemporaneous, articulable observations concerning the driver’s appearance, behavior, speech or body odors. The observations may include indications of chronic and withdrawal effects of controlled substances.
Alcohol tests will be authorized for reasonable suspicion only if the required observations are made during, just before or just after the period of the work day when the driver must comply with alcohol prohibitions. If the alcohol test is not administered within two hours of the determination of reasonable suspicion, the district will prepare and maintain a record explaining why this was not done.

Attempts to conduct alcohol tests will terminate after 8 hours. An alcohol test may not be conducted by the person who determines that reasonable suspicion exists to conduct such a test.

The Director of Transportation or designated district official who makes a finding of reasonable suspicion also must make a written record of his observations leading to a reasonable suspicion within 24 hours of the observed behavior or before the results of the drug tests are released, whichever is earlier.

Enforcement:

Any driver who refuses to submit to post-accident, random, reasonable suspicion, or follow-up tests will not be allowed to perform or continue to perform safety-sensitive functions.

A driver who in any other way violates district prohibitions related to drugs and alcohol will receive from the district the names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs available to evaluate and resolve drug alcohol-related problems. The employee will be evaluated by a substance abuse professional who will determine what help, if any, the driver needs to resolve such a problem.

Any substance abuse professional who determines that a driver needs assistance will not refer the driver to a private practice person or organization in which he/she has a financial interest except under circumstances allowed by law.

Before the driver is returned to safety-sensitive duties, if at all, the district must insure that the employee:

1. Has been evaluated by a substance abuse professional.
3. Has taken a return-to-duty drug and alcohol test with a result indicating an alcohol concentration level of less than 0.02
4. Is subject to unannounced follow-up drug and alcohol tests. The number and frequency of such follow-up testing will be as directed by the substance abuse professional and consist of at least 6 tests in the first 12 months following the driver’s return to duty. Follow-up tests may be extended up to 60 months following return to duty.
5. A second subsequent alcohol or drug test or refusal to submit to testing will result in disciplinary action up to and including dismissal.
6. Drivers unable to perform their duties due to a failed alcohol or drug test or refuses to submit to testing will be placed on unpaid leave of absence.

Return-to-Duty Tests:

A drug or alcohol test will be conducted when a driver who has violated the district’s drug or alcohol prohibition returns to performing safety-sensitive duties.

Employees whose conduct involved the misuse of drugs may not return to duty in a safety-sensitive function until the return-to-duty drug test produces a verified negative result.

Employees whose conduct involved alcohol may not return to duty in a safety-sensitive function until the return-to-duty test produces a verified result that meets the federal and district standard.

Follow-up Tests

A driver who violates the district’s drug and alcohol prohibition and subsequently identified by a substance abuse professional as needing assistance in resolving a drug or alcohol problem will be subject to unannounced follow-up testing as directed by the substance abuse professional in accordance with the law.

Records

Employee drug and alcohol test results and records will be maintained under strict confidentiality and released only in accordance with law. Upon written requests, a driver will receive copies of any records pertaining to his/her use of drugs or alcohol, including any records pertaining to his/her drug or alcohol tests. Records will be made available to a subsequent employer or other identified persons only as expressly requested in writing by the driver.
Notifications

Each driver will receive educational materials that explain the requirements of the code of Federal Regulations, Title 49, Part 382, together with a copy of the district’s policy and regulations for meeting these regulations. Representatives of employee organizations will be notified of the availability of this information. The information will identify:

1. The person designated by the district to answer questions about the material.
2. Categories of drivers who are subject to the drug and alcohol testing requirements.
3. Sufficient information about the safety-sensitive functions performed by drivers to make clear for what period of the work day driver compliance is required.
4. Specific information concerning driver conduct that is prohibited.
5. Circumstances under which a driver will be tested for drugs and/or alcohol.
6. Procedures that will be used to test for the presence of drugs and alcohol, protect the driver and the integrity of the testing processes, safeguard the validity of test results and insure that test results are attributed to the correct driver.
7. The requirements that a driver submit to drug and alcohol tests administered in accordance with federal regulations.
8. An explanation of what constitutes a refusal to a drug or alcohol test and the attendance consequences.
9. Consequences for drivers found to have violated the drug and alcohol prohibitions including the requirement that the driver be removed immediately from safety-sensitive functions and the procedures for referral, evaluation, and treatment.
10. Consequences for drivers found to have an alcohol concentration of 0.02 or greater but less than 0.04.
11. Information concerning the effects of drugs and alcohol on an individual’s health, work and personal life; external and internal signs and symptoms of a drug and alcohol problem, and available methods of intervening when a drug or alcohol problem is suspected including confrontation, referral to a substance abuse professional and/or referral to administrative officials.

Each driver must sign a statement, annually, certifying that he/she has received a copy of the above materials.

The district will inform drivers annually that drug and alcohol tests are performed.

The district will notify a driver of the results of a pre-employment drug test if the driver requests such results within 60 calendar days of being notified of the disposition of his/her employment application.
The district will notify a driver of the results of random, reasonable suspicion, and post-accident drug tests if the test results are verified positive. The district also will tell the driver which controlled substances were verified as positive.

Drivers will inform their supervisors if at any time they are using a controlled substance which their physician has prescribed for therapeutic purposes. Such a substance may be used only if the physician has advised that driver that it will not adversely affect his/her ability to safely operate a commercial motor vehicle.


Approved: May 8, 1995
Revised: September 11, 1995
Revised: November 9, 1999
Revised: 2001
Revised: June 11, 2001
Revised: February 20, 2003
ACKNOWLEDGEMENT:

I certify that I received a copy of the Drug & Alcohol Testing for Bus Drivers Policy, and written material concerning the effects of alcohol and controlled substance on an individual’s work and personal life, signs and symptoms of a drug or alcohol problem including a co-workers, and the methods to deal with a substance abuse problem.

Date ___________________________  Driver’s Signature ___________________________

Revised: 2001
VIDEO CAMERAS ON TRANSPORTATION VEHICLES

The South Portland Board of Education recognizes the district’s responsibility to maintain order on school transportation vehicles to ensure the safety of staff and students. After carefully balancing the need for discipline and safety with students’ interests in privacy, the Board supports the use of video cameras on school transportation vehicles. In an effort to reduce student behavior violations, the cameras may be used to monitor student behavior during transport to and from school and extracurricular activities.

When the resulting video tapes are used as a basis for discipline, parent or guardians will be notified and given the opportunity view the tape of their child. Students in violation of school discipline and conduct codes shall be dealt with in accordance with established Board policy, administrative regulations, and established school practices.

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

All tapes will be maintained by the Director of Transportation. The Director may provide access to tapes only upon request by a South Portland administrator.

Tapes may be viewed by students and or parents under the direct supervision of a district administrator. Only those segments of the relevant portion of the tape appropriate to the discussion will be viewed.

Tapes will be erased at the end of a school year. However, the Superintendent of Schools may retain an individual tape beyond the end of a school year should there be outstanding issues concerning discipline on a bus.

Adopted: June 14, 1995
Revised: 2001
Revised: June 11, 2001
FOOD SERVICES MANAGEMENT

Federally approved lunch programs are provided at the South Portland Schools. Students may purchase lunches at prices which are established by the Food Services Director and are in keeping with the federal guidelines. All procedures relative to orders, collections, banking, etc., are the responsibility of the Food Services Director or his/her designee. Free or reduced price lunches are available at all schools when the appropriate application has been approved.

Legal Ref: Title 20 – A MRSA Section 6602

Adopted: June 9, 1975
Revised: May 2001
Adopted: June 11, 2001
Revised: May 31, 2002
FREE AND REDUCED PRICE FOOD PROGRAMS

The school system shall take part, as feasible, in the National School Lunch and other food programs which may become available to assure that all children for whom this School Board is responsible shall have the opportunity to receive proper nourishment.

Parents shall be advised that this program is available and eligibility criteria shall be made public.

In accordance with the guidelines for participation in these programs, and in accordance with the wishes of the Board, no child who a teacher believes is improperly nourished shall be denied a free lunch, or other food, simply because proper application has not been received from his/her parents or guardian.

It shall be the policy in our schools that when school lunch is desired, payment is expected on that day or in advance by/for pupils not eligible for free lunches. Should there be any difficulty in obtaining such payment, the matter is to be resolved by direct contact with the parent (or student, if emancipated). No student is to be denied food as a disciplinary measure.

The administration shall establish and publish, as appropriate, procedures which conform with state and federal requirements and the intent of this policy regarding participation in programs for free/reduced price meals and supplementary food.

Adopted: June 11, 2001
COMPETITIVE FOOD SALES - SALES OF FOODS IN COMPETITION WITH THE SCHOOL FOOD SERVICE PROGRAM

The South Portland School Department supports good nutrition as part of a school environment that contributes to student health and encourages positive food choices and eating habits. The Board believes that nutrition influences a student’s ability to take full advantage of the school system’s educational program and is, therefore, related to student achievement.

The Board also recognizes that proceeds from the sale of foods and beverages outside of the School Lunch Program (“competitive foods”) are a significant source of funding for student activities that the South Portland School Department might not otherwise be able to provide.

The Board has adopted this policy to govern the sale of foods and beverages on school property.

Restriction on Sale of Competitive Foods
Maine Department of Education Rule Chapter 51 mandates that any food or beverage sold at any time on school property of a school participating in the National School Lunch or School Breakfast Programs shall be a planned part of the total food service program of the school and shall include only those items which contribute both to the nutritional needs of children and the development of desirable food habits, and shall not include foods of minimal nutritional value as defined in applicable federal regulations, except as provided for by school board policy in certain circumstances.

As allowed by Rule Chapter 51, the Board permits the sale of food and beverages outside the total food program:

1. to school staff;
2. to the public at community events sponsored by the school or held on school property;
3. to the public at community events held on school property in accordance with the school board’s facilities use policy; and
4. by a school approved student organization or program if consistent with the requirement that such sales not include foods of minimal nutritional value as defined in 7 CFR, Section 210.11(a)(2).

This policy applies to sales of foods and beverages at any time on school property by any person, group or organization.
**Funds From Sales of Competitive Foods**
Funds from all food and beverages sales made at any time on school property shall accrue to the benefit of the school’s non-profit school food service program, except that funds raised through authorized sales outside the total food service program shall accrue to the sponsoring school or approved student organization in accordance with applicable policies, cash-management procedures and administrative directives.

Legal Reference: Ch.51 (Dept. of Educ. Rule) (Child Nutrition Programs in Public Schools and Institutions)

Cross References: DFG – Income from School Sales and Services
                 KG – Community Use of School Facilities
                 KMA – Relations With Booster Organizations

Adopted: March 13, 2006
It is the intent of the South Portland School Department to adhere to the provisions of copyright laws in the print area, audio/videotaping, music and computer software. Though there continues to be controversy regarding interpretation of those copyright laws, the following procedures represent a sincere effort to operate legally. We recognize that copyright violation is a major problem for the industry and that violations of copyright laws contribute to higher costs and greater efforts to prevent copies and/or lessen incentives for the development of good education materials. Therefore, in an effort to discourage violation of copyright laws and to prevent such illegal activities, the South Portland Board of Education has adopted the following copyright policies.

A. The legal or insurance protection will not be extended to employees who violate copyright laws.
B. The building administrator of each school site is responsible for establishing practices which will enforce this policy at school level.
C. Illegal copies of copyrighted materials (computer programs, videotapes and/or print materials) may not be made or used on school equipment (see attached guidelines).

Adopted: June 11, 2001
Software Copyright Policy

A. The ethical and practical problems caused by software piracy will be taught in all schools in the system.

B. District employees will be expected to adhere to the provisions of Public Law 97-517, Section 7 (b) which amends to Section 117 of Title 17 of the United States code to allow for the making of a back-up copy of computer programs. This states that “…it is not an infringement for the owner of a copy of a computer program to make or authorize the making of another copy or adaptation of that computer program provided:

1. That such a new copy or adaptation is created as an essential step in the utilization of the computer program in conjunction with a machine and that it is used in no other manner; or

2. That such a new copy and adaptation is for archival purposes only and that all archival copies are destroyed in the event that continued possession of the computer program should cease to be rightful.

C. When software is to be used on a disk sharing system, efforts will be made to secure this software from copying.

D. Illegal copies of copyrighted programs may not be made or used on school equipment.

E. The system will contact producers of software used within the system to attempt to establish legal, multiple-use licensing agreements. All programs used by staff and students (outside the formal teaching of a program) will be the original disks or the result of a licensing agreement with software producer.

Videotaping Copyright Policy

Taping off the air can be legally done if the program:

A. Is used under Fair Use guidelines (See guidelines for off-air videotaping.);

B. Is used with a TLC License;

C. Has been cleared by state or local ETV agencies;
D. Is a hard news program used under network license;

E. Is a public domain program (anything that comes from the Federal Government such as presidential addresses); and

F. Is used with the permission of the copyright proprietor.

Off-Air Videotaping Policy

A. The guidelines were developed to apply only to off-air recording by non-profit educational institutions.

B. A broadcast program may be recorded off-air simultaneously with broadcast transmission (including simultaneous cable retransmission) and retained by a nonprofit educational institution for a period not to exceed the first forty-five (45) consecutive calendar days after date of recording. Upon conclusion of such retention period, all off-air recordings must be erased or destroyed immediately. “Broadcast programs” are television programs transmitted by television stations for reception by the general public without charge.

C. Off-air recordings may be used once by individual teachers in the course of relevant teaching activities, and repeated once only when instructional reinforcement is necessary, in classrooms and similar places devoted to instruction, within a single building, cluster or campus, as well as in the homes of students receiving formalized home instruction, during the first ten (10) consecutive school days in the forty-five (45) calendar day retention period. “School days” are school session days - not counting weekends, holidays, vacations, examination periods, or other scheduled interruptions – within the forty-five (45) calendar day retention period.

D. Off-air recordings may be made only at the request of and used by individual teachers, and may not be regularly recorded in anticipation of requests. No broadcast program may be recorded off-air more than once at the request of the same teacher, regardless of the number times the program may be broadcast.

E. A limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers under these guidelines. Each such additional copy shall be subject to all provisions governing the original recording.

F. After the first ten (10) consecutive school days, off-air recordings may be used up to the end of the forty-five (45) calendar day retention period only for teacher evaluation purposes, i.e. to determine whether or
not to include the broadcast program in the teaching curriculum, and may not be used in the recording institution for student exhibition or any other non-evaluation purpose without authorization.

G. Off-air recordings need not be used in their entirety but the recorded programs may not be altered from their original content. Off-air recordings may not be physically or electronically combined or merged to constitute teaching anthologies or compilations.

H. All copies of off-air recording must include the copyright notice on the broadcast program as recorded.

I. Educational institutions are expected to establish appropriate control procedures to maintain the integrity of these guidelines.

Print Media Copyright Policy

The copyright law recognizes the special needs of teachers and students for copyrighted print media but does not give them unrestricted privileges. The Board, therefore, adopts the following guidelines which correlate with those of the Ad Hoc Committee on Copyright Law Revision.

A. Single copying for teachers
   A single copy may be made of any of the following by or for a teacher for his/her scholarly research or use in teaching or preparation to teach a class:

   1. A chapter from a book;
   2. An article from a periodical or newspaper;
   3. A short story, short essay or short poem; and/or
   4. A chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper.

B. Multiple copies for classroom use
   Multiple copies may be made by or for a teacher giving a course for classroom use or discussion provided that:

   1. The copying is SPONTANEOUS
      a. The decision to use the work and the moment of its use is so short that there is not time enough to obtain permission for its use.
      b. The use is at the inspiration of one teacher.

   2. The copying is BRIEF
      a. Prose – no more than 2,500 words of any prose.
      b. Poetry – no more than 250 words.
c. One illustration – chart, graph, diagram, drawing or picture per book or periodical issue.

3. Copying shall not exceed the prescribed CUMULATIVE amount
   a. The material is for only one course in the school.
   b. Not more than one short poem, article, story essay or two excerpts from the same author during one class term.
   c. Not more than nine instances of multiple copying for one course during one class term.

In addition:
   A. There shall be no copying of or from works intended to be “consumable” in the course of study or teaching such as workbooks, standardized test and test booklets.
   B. Copying shall not be repeated with respect to the same item by the same teacher from term to term.
   C. Each copy shall include a notice of copyright.
   D. No charge shall be made to the student beyond the actual cost of copying.

Music Copyright Policy

We accept the guidelines for educational uses of music as set forth by a similar committee.

The purpose of the following guidelines is to state the minimum and not maximum standards of educational fair use
NAMING OF SCHOOL FACILITIES

The South Portland Board of Education acknowledges that the community may wish to recognize and honor an individual, who made outstanding contributions to teaching and learning during their lifetime, and who exemplified the values of the South Portland School Department and of the community as a whole. The means by which those contributions might be memorialized include scholarships, special events or activities, or the naming of a facility.

Process:
The Board determines when and if a facility or part of a facility is to be named. The Board shall direct the Superintendent to convene an ad hoc subcommittee to take nominations. The committee shall include the Superintendent and building principal as well as educator(s), parent(s), student(s) and other citizens, depending upon the nature of the request. The Board will vote on the recommendation.

Criteria:
The criteria on which the committee will base its recommendation shall be:
- The honoree’s outstanding contributions to teaching and learning
- The honoree’s distinguished service to the students of South Portland
- The appropriateness of the recognition being given to the above service and contributions

Adopted: December 8, 2003
Revised: December 12, 2011
PERSONNEL POLICY GOALS

The personnel employed by the South Portland School Department constitute the most important resource in our schools. Important contributions to a successful education program are made by all staff members. The South Portland School Department shall employ highly qualified personnel, conduct appropriate staff development activities, and establish policies and working conditions which enable each staff member to make the fullest contribution to district programs and services.

The goals of the South Portland School Department’s personnel program shall include the following:

A. To develop and implement procedures for personnel recruitment, screening, and selection to employ the best available candidate.

B. To develop general deployment strategy for greatest contribution to the learning program, and to utilize it as the primary basis for determining staff assignments;

C. To develop a climate in which optimum staff performance, morale, and satisfaction are produced;

D. To provide positive programs of staff development designed to contribute to the improvement of the learning program;

E. To provide reasonable compensation and benefits as well as other provisions for staff welfare; and

F. To develop and utilize for personnel evaluation, processes which contribute to the improvement of staff capabilities.

Adopted: October 13, 1980
Revised: April 13, 1981
Revised: July 9, 2001

SOUTH PORTLAND SCHOOL DEPARTMENT
EQUAL EMPLOYMENT OPPORTUNITY

It is the intent of the Board to pursue policies of non-discrimination and equal employment opportunity in all of its programs and activities. To this end, the Board will take affirmative action to ensure that all applicants receive fair consideration for employment, and that all employees are treated fairly.

Legal Ref:  Title 5 MRSA Section 781
            Title 5 MRSA Section 4571 et. Seq.

Adopted:  October 13, 1980
Revised:  April 13, 1981
Revised:  July 9, 2001
STAFF PROTECTION “OFF CAMPUS”

The Board will grant the same support to building administrators and their designated representatives for legal protection against suit for personal liability for “off-campus” activities as for the traditional “on-campus” activities provided that:

A. The activity has been granted prior approval by the Superintendent or his/her designee.
B. The participating pupil has filed a written statement of permission from the parent/guardian.
   1. Local field trips- a blanket permission form should be signed by the parents at the beginning of the school year. Parents will be notified at least two days prior to the “off-campus” activity.
   2. Out of town field trips will require individual permission slips.
C. Out of town field trips are defined as trips over 70 miles from Central Office.

Adopted: May 13, 1974
Revised: May, 2001
Revised: July 9, 2001
The South Portland Board of Education 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 interactions and relationships between staff members and students should be based upon mutual respect and trust; an understanding of the appropriate boundaries between adults and students in an educational setting; and consistent with the educational mission of the schools.

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

- 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;

- Singling out a particular student or students for personal attention and friendship beyond the normal teacher-student relationship, including using email, IM, chat rooms, telephone or letters for this purpose.

- 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 and to refer the student to guidance/counseling or other appropriate staff. In either case, staff involvement should be limited to a direct connection to the student’s school performance.

- Sexual banter, allusions, jokes or innuendos with students; and

- Disclosing personal, sexual, family, or employment concerns, and/or other private matters to one or more students.

Before engaging in the following activities, staff members will review the activity with their building principal or supervisor, as appropriate:

- Inviting or allowing students to visit the staff member’s home;

- Visiting a student’s home, unless on official school business;

- Giving or exchanging gifts of value.

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

**Reporting Violations**

Students and/or their parents/guardians should notify the principal (or other appropriate administrator) if they believe a teacher or other staff member may be engaging in conduct that violates the intent of the policy.

Staff members should promptly notify the appropriate building administrator or Superintendent if they become aware of a situation that may constitute a violation of this policy and jeopardize the well being of a student.

**Disciplinary Action**

Staff violations of this policy shall 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 policy on Reporting Child Abuse and Neglect.

**Policy to be Included in Handbooks**

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

Cross Reference:  
ACAA-Harassment and Sexual Harassment of Students  
JLF-Reporting Child Abuse and Neglect  
JL & GBI – Gifts

Adopted:  
November 13, 2002
DRUG-FREE WORKPLACE

The South Portland Board of Education recognizes that alcoholism and drug dependencies are treatable diseases. Left untreated, they may result in serious personal and family problems. At the same time, the Board is also seriously concerned about the effects of alcohol and drug dependency upon an employee’s job performance and ability to serve as a role model for our students.

The South Portland Board of Education believes strongly that all employees and students should be able to work and learn in an environment free from alcohol and drug abuse. Accordingly, the Board expects all employees to report for work and to perform their duties in a manner that does not jeopardize the health, safety and well being of co-workers and students.

No employee shall distribute, dispense, possess, use or be under the influence of any alcoholic beverage, malt beverage or fortified wine or other intoxicating liquor. Nor shall an employee unlawfully manufacture, distribute, dispense, possess, use or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, anabolic steroid or any other controlled substance (as defined in schedules I through V of section 202 of the federal Controlled Substance Act (21 U.S.C., Sec. 812); by federal regulation at 21 C.F.R., 1300.11 through 1300.15; and in Maine’s Title 17-AMRSA, section 1101). This applies before, during and after school hours at school or in any other school system location, defined as follows:

“School system location” means in any school building or on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event or function, such as field trip or athletic event, where students are under the jurisdiction of the school unit; or during any period of time such employee is supervising students on behalf of the school system or otherwise engaged in school unit business.

Any employee who suspects that he or she may have an alcohol or drug dependency problem is strongly encouraged to seek voluntary diagnosis and treatment. All employees will be provided a list of confidential referral services to an outside agency, and assisted in determining the extent to which insurance coverage to help pay for such services. All voluntary referrals and requests for information shall be kept confidential.

Any violation of this policy shall constitute sufficient grounds for employee discipline, up to and including dismissal. Any illegal use, possession, furnishing, selling or provision of assistance in obtaining alcoholic beverages or scheduled drugs not covered by the preceding paragraph may, depending upon the circumstances, constitute sufficient grounds for discipline, up to and including dismissal. Referrals under foregoing paragraphs of this policy will not preclude disciplinary action under this paragraph, depending on the circumstances.
As provided in the Drug-Free Workplace Act of 1988, any employee is required to notify the superintendent of schools of a criminal or civil conviction for a drug violation occurring in the workplace no later than five calendar days after such conviction.

Within 30 days after receiving notice, the Board is to:

1. take appropriate personnel action against such employee up to and including termination; or

2. require such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency.

In turn, the superintendent, within 10 calendar days of learning of such a conviction, is to give written notification to the U. S. Department of Education and to any other federal agency from which South Portland Schools receives grant funds.

**Communication**

A copy of this policy is to be given or mailed to all current employees and to new employees at the time of their employment, and is to be posted in appropriate locations throughout the school system.

**Review**

The superintendent is to oversee a biennial review of the policy and regulations to determine the program’s effectiveness, to implement changes to programs, policy and regulations, as needed, and to ensure that disciplinary sanctions are consistently enforced.

Adopted: November 1990
Revised: April 1992
Revised: January 1995
Revised: February 1996
Revised: July 1998
BLOODBORNE PATHOGENS

In accordance with the OSHA Bloodborne Pathogens standard, 29 CFR 1910, 1030, South Portland School Department shall follow the guidelines delineated in the Bloodborne Pathogens Exposure Control Plan.

The purpose of the Exposure Control Plan is to provide and maintain a safe working environment for all employees by eliminating and/or minimizing occupational exposure to bloodborne pathogens including, but not limited to, Hepatitis B Virus (HBV) and the Human Immunodeficiency Virus (HIV). It is the responsibility of the employer to provide and maintain appropriate engineering controls and personal protective equipment and to develop and promote safe work practices. It is also expected that employees will practice universal precautions and follow the guidelines set forth by this plan.

Adopted: February 14, 1994
Revised: July 9, 2001

A copy of the Bloodborne Pathogens Exposure Control Plan is available in Central Office.
SOUTH PORTLAND SCHOOL DEPARTMENT
130 Wescott Road
South Portland, Maine 04106

Record of Training – Bloodborne Pathogens

Name of Employee: ____________________________

Position: __________________ Date of Hire: ________________

School(s): ______________________________________

I acknowledge that on ______________________ I received training from representatives of the South Portland School Department on Bloodborne Pathogens.

Employee Signature: _________________________________

Dated: ________________
BLOODBORNE PATHOGENS EXPOSURE CONTROL PLAN

In accordance with the OSHA Bloodborne Pathogens standard, 29 CFR 1910, 1030, the following exposure control plan has been developed:

1. **INTRODUCTION**

   a. **Purpose**
      The purpose of the Exposure Control Plan is to provide and maintain a safe working environment for all employees by eliminating and/or minimizing occupational exposure to bloodborne pathogens, including but not limited to Hepatitis B Virus (HBV) and the Human Immunodeficiency Virus (HIV). It is the responsibility of the employer to provide and maintain appropriate engineering controls and personal protective equipment, and to develop and promote safe work practices. It is also expected that employees will practice and follow the guidelines set forth by this plan.

   b. **Definitions**

      BLOOD: Human blood, human blood components, and products made from blood.

      BLOODBORNE PATHOGENS: pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include but are not limited to Hepatitis B Virus (HBV) and Human Immunodeficiency Virus (HIV)

      CDCP: Centers for Disease Control and Prevention

      CLINICAL LABORATORY: A work-place where diagnostic or other screening procedures are performed on blood or other potentially infectious materials.

      CONTAMINATED: The presence or other reasonably anticipated presence of blood or other potentially infectious materials on an item or surface.

      CONTAMINATED LAUNDRY: Laundry which has been soiled with blood or other potentially infectious materials or may contain sharps.

      CONTAMINATED SHARPS: Any contaminated object that can penetrate the skin including, but not limited to, needles, scalpels, broken glass, broken capillary tubes, and exposed ends of dental wire.

      DECONTAMINATION: The use of physical or chemical means to remove inactivate, or destroy bloodborne pathogens on a surface or item to the point they are no longer capable of transmitting infectious particles and the surface or item is rendered safe for handling, use or disposal.

      ENGINEERING CONTROLS: Controls that isolate or remove the bloodborne pathogens hazard from the workplace.

      EXPOSURE INCIDENT: A specific eye, mouth, or other mucous membrane non-intact skin, or parnteral contact with blood or other potentially infectious materials that results from the performance of an employee’s duties.

      HANDWASHING FACILITIES: Facility providing an adequate supply of running potable water, soap, and single use towels or a hot air drying machine.
**LICENSED HEALTHCARE PROFESSIONAL:** Person whose legally permitted scope of practice allows him or her to perform the activities required for Hepatitis B vaccination and post-exposure evaluation and follow-up.

**HBV:** Hepatitis B Virus  
**HIV:** Human Immunodeficiency Virus  
**OCCUPATIONAL EXPOSURE:** Reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee’s duties.

**OTHER POTENTIALLY INFECTIOUS MATERIALS (OPIM):** See bottom of page 2 of this Exposure Control Plan.

**PARENTERAL:** Piercing mucous membranes or the skin barrier through such events as needle sticks, human bites, cuts, and abrasions.

**PERSONAL PROTECTIVE EQUIPMENT (PPE):** Specialized equipment worn by an employee for protection against a hazard. General work clothes (e.g. uniforms, pants, shirts, or blouses) not intended to function as protection against a hazard are not considered to be personal protective equipment.

**SOURCE INDIVIDUAL:** Any individual, living or dead, whose blood or other potentially infectious material may be a source of occupational exposure to the employee.

**STERILIZE:** The use of a physical or chemical procedure to destroy all microbial life including highly resistant bacterial endospores.

**UNIVERSAL PRECAUTIONS:** See Attachment I of this Exposure Control Plan.

**WORK PRACTICE CONTROLS:** Controls that reduce the likelihood of exposure by altering the manner in which a task is performed.

c. **Scope**
This plan covers all employees who could be “reasonably anticipated”, as a result of the performance of their job duties, to come into contact with blood or other potentially infectious materials. “Good Samaritan” acts, such as assisting a co-worker with a nosebleed, would not be considered an occupational exposure.

d. **Background**
The Center for Disease Control and Protection (CDCP) has recognized the following as linked to the potential transmission of HBV, HIV, and other bloodborne pathogens in the occupational setting:

- *blood/blood product or components*  
- *any body fluid visibly contaminated with blood*  
- *semen*  
- *pleural fluid*  
- *vaginal secretions*  
- *pericardial fluid*  
- *arrinioptic fluid*  
- *peritoneal fluid*  
- *synovial fluid*  
- *cerebrospinal fluid*  
- *saliva (in dentistry)*

And all body fluids in situations where it may be difficult or impossible to differentiate between body fluids.

These substances shall be collectively referred to as blood and “other potentially infectious material” (OPIM) for the remainder of this document.
2. **EXPOSURE DETERMINATION**
OSHA requires employers to perform an exposure determination concerning which employees may incur occupational exposure to blood or other potentially infectious materials. The exposure determination is made without regard to the use of personal protective equipment (i.e. employees are considered to be exposed even if they wear personal protective equipment). This exposure determination is required to list all job classifications in which all employees may be expected to incur such occupational exposure, regardless of frequency. At this facility the following job classifications are in this category:

- School Nurse
- Elementary School Clerks
- School Administrators
- Playground Aides
- Athletic Trainer

In addition, OSHA requires a listing of job classifications in which some employees may have occupational exposure. Since not all the employees in these categories would be expected to incur exposure to blood or other potentially infectious materials, tasks or procedures that would cause these employees to have occupational exposure are also required to be listed in order to clearly understand which employees in these categories are considered to have occupational exposure. The job classifications and associated tasks for these categories are as follows:

<table>
<thead>
<tr>
<th>Job Classification</th>
<th>Tasks/Procedures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Education: Self-contained</td>
<td>Restraining out-of-control students</td>
</tr>
<tr>
<td>Classroom Employees</td>
<td>Diapering students</td>
</tr>
<tr>
<td>Bus Drivers &amp; Custodians</td>
<td>Cleaning OPIM (other potentially infectious materials)</td>
</tr>
</tbody>
</table>

(See Attachment 2, 2a, 2b, and 2e)

3. **IMPLEMENTATION SCHEDULE AND METHODOLOGY**

a. **Universal Precautions**
Universal Precautions will be observed at each school in order to prevent contact with blood or other potentially infectious materials. All blood or OPIM will be considered infectious regardless of the perceived status of the source individual. (See Attachment 1).

OSHA also requires that this plan include a schedule and method of implementation for the various requirements of the standard. The following complies with this equipment.

b. **Personal Protective Equipment**
All PPE used at this school will be provided without cost to employees. PPE will be chosen based on the anticipated exposure to blood or other potentially infectious materials. The protective equipment will be considered appropriate only if it does not permit blood or other potentially infectious materials to pass through or reach the employees’ clothing, skin, eyes, mouth, or other mucous membranes under normal conditions of use and for the duration of time which the protective equipment will be used.

Gloves shall be worn where it is reasonably anticipated that employees will have hand contact with blood, OPIM, non-intact skin, and mucous membranes. Gloves will be provided by the school nurse.
Disposable gloves used at this facility are not to be washed or decontaminated for re-use and are to be replaced as soon as practical when they become contaminated or as soon as feasible if they are torn, punctured, or when their ability to function as a barrier is compromised. Utility gloves may be decontaminated for re-use provided that the integrity of the glove is not compromised. Utility gloves will be discarded if they are cracked, peeling, torn, punctured, or exhibit signs of deterioration or when their ability to function as a barrier is compromised. (See Attachment 3 and 3a).

Masks in combination with eye protection devices, such as goggles or glasses with solid shield, or chin length face shield, are required to be worn whenever splashes, spray, spatter, or droplets of blood or other potentially infectious materials may be generated and eye, nose, or mouth contamination can reasonably be anticipated. Situations at the school which would require such protection are as follows:
*children with a documented history of vomiting, spitting, etc.

c. Engineering Controls
Engineering and work practice controls will be utilized to eliminate or minimize exposure to employees at this facility. Where occupational exposure remains after institution of these controls, personal protective equipment shall also be utilized.
   i. At the schools the following engineering controls will be utilized:
      *Handwashing sinks
      *Eyewash stations (For location see Attachment 4)
   ii. The above controls will be examined and maintained on a regular schedule. The schedule for reviewing the effectiveness of the controls is as follows:
      *Handwashing sinks and eye wash stations will be maintained daily by the custodian.
      *Gloves will be reordered as needed by the school nurses.

d. Work Practice Controls
All tasks will be performed in a manner that will reduce the risk of exposure. Personnel in areas where exposure hazards exist are expected to adhere to the following:
   i. Food and drink shall not be kept in refrigerators, freezers, shelves, cabinets or countertops where blood or OPIM are stored or present.
   ii. Hands will be washed after removing gloves or as soon as possible after contact with blood or body fluids.
   iii. All PPE will be worn or used by employees as instructed in this document, as outlined during training and as specified by policy, procedure, or protocol. This would be expected to include whenever the employee makes the assessment that is reasonable to anticipate that parenteral, skin, clothing, or mucous membrane contact with blood or OPIM might occur.
   iv. All procedures shall be performed in a manner as to minimize splashing and/or spraying of blood or OPIM.
v. Needles/sharps: Sharps will be disposed of in an OSHA approved container located in each school.

e. Hepatitis B Vaccine
i. All employees who have been “identified as having possible exposure to blood or other potentially infectious material” because of their job (Exposure Determination) (See Attachment 2, 2a, 2b, & 2c) will be offered Hepatitis B vaccine free of charge. These workers must be immunized against Hepatitis B or sign a declaration form. (See Attachment 2d) Any employee who declines the vaccine initially may request it, free of charge, at any future date. New employees must be offered this vaccine within ten (10) working days of their initial assignments to work.

ii. The Superintendent’s office will be responsible for assuring that the appropriate counseling is provided, the vaccine is offered and that all paper work is completed and waiver or declination forms are assigned.

f. House Keeping Practices
i. Each school will be cleaned and decontaminated according to the following schedule: (See Attachment 7)

ii. Decontamination will be accomplished by utilizing the following materials: (See Attachment 7)

iii. All contaminated work surfaces will be decontaminated after completion of procedures and immediately or as soon as feasible after any spill of blood or other potentially infectious materials, as well as the end of the work shift if the surface may have become contaminated since the last cleaning.

iv. All trash receptacles shall be inspected and replaced daily, decontaminated and/or lined or a regularly scheduled basis. (See Attachment 7)

v. Any broken glassware which may be contaminated will not be picked up directly with the hands. The following procedures will be used: Maintenance/custodial staff will use brush and dust pan and dispose of pieces in an appropriate container. These cleaning tools shall be decontaminated according to procedures. (See Attachment 7)

4. Post-Exposure Evaluation and Follow-Up
When the employee incurs an exposure incident, it should be reported to: Benefits Specialist in Central Office. This follow-up will include the following:

a. Documentation of the route of exposure and the circumstances related to the incident.

b. If possible, the identification of the source individual, and if possible, the status of the source individual. The blood of the source individual will be tested (After consent is obtained) for HIV/HBV infectivity.

c. The employee will be offered the option of having their blood collected for testing of the employees HIV/HBV serological status. The blood sample will be preserved for up to 90 days to allow the employee to decide if the blood should be tested for HIV serological status. However, if the employee decides prior to that time that testing will or will not be conducted then the appropriate action can be taken and the blood sample discarded.
d. The employee will be offered post exposure prophylaxis in accordance with the current recommendations of the U.S. Public Health Service.

e. The employee will be given appropriate counseling concerning precautions to take during the period after the exposure incident. The employee will also be given information on what potential illnesses to be alert for and to report any related experiences to appropriate personnel.

f. The Superintendent’s Office has been designated to assure that the policy outlined here is effectively carried out as well as to maintain records related to this policy.

I. INTERACTION WITH HEALTH CARE PROFESSIONALS

A written opinion shall be obtained from the health care professional who evaluates employees of this school. Written opinions will be obtained in the following instances:

a) When the employee is sent to obtain the Hepatitis B vaccine.

b) Whenever the employee is sent to a health care professional following an exposure incident.

Health care professionals shall be instructed to limit their opinions to:

a) Whether the Hepatitis B vaccine is indicated and if the employee has received the vaccine, or for evaluation following incident.

b) That the employee has been informed of the results of the evaluation, and

c) That the employee has been told about any medical conditions resulting from exposure to blood or OPIM. *(Note that the written opinion of the employer is not to reference any personal medical information)*

II. FOLLOW-UP

a) Each exposure will be documented in accordance with 29 CFR 1910.30. Access to Employee Exposure and Medical Records. Records shall be maintained for at least the duration of employment plus 30 years.

b) Each exposure record shall include:

   a. The name and social security number of the employee.

   b. A copy of the employee’s HBV vaccination status including dates and any records relative to the employee’s ability to receive the vaccination.

   c. A copy of all tests, exams, and follow-up procedures

   d. The employer’s copy of the health care professional’s written opinion

   e. A copy of the information provided to the health care professional.

c) These records shall not be disclosed to anyone without the employee’s express written consent, except as required by OSHA regulations or state law. **All records, whether pertaining to the exposed person or the source individual, will be maintained in a separate, locked, confidential file.**

d) Exposure shall be recorded on the OSHA 200 form if medical treatment is required, or if duties are restricted or time lost in accordance with OSHA guidelines.
5. **In-Service Training**

   A. **Implementation**
   
   1. All requirements for the training will be implemented by September 30, 1993 and training shall be conducted by individuals knowledgeable on the subject matter as it relates to the control of bloodborne pathogens and to the specific tasks being performed.
   2. Training will be provided at no cost to all employees and during reasonable normal working hours.
   3. This training will be updated annually. Employees will receive additional training when new procedures are added. This additional training will be limited to the new procedures or modifications.

   B. **Content**

   Training for all employees will be conducted prior to initial assignment to tasks where occupational exposure may occur. Training will be conducted in the following manner:

   Training for employees will include and explanation of the following:
   
   1. The OSHA standard for Bloodborne Pathogens
   2. Epidemiology and symptomatology of bloodborne diseases
   3. Modes of transmission of bloodborne pathogens
   4. This Exposure Control Plan, i.e. points of the plan, lines of responsibility, how the plan will be implemented, etc.
   5. Procedures which might cause exposure to blood or other potentially infectious materials at the schools
   6. Control methods which will be used at the schools to control exposure to blood or other potentially infectious materials
   7. PPE available at the schools and who should be contacted
   8. Post exposure evaluation and follow-up
   9. Hepatitis B vaccine program at the schools

   C. **Training Record Keeping**

   1. All records required by the OSHA standard 29 CFR 1910.1030 will be maintained by the Superintendent’s office
   2. Training records shall be maintained for three years from training date. They shall include: the date of training, the contents or summary of the training, the names and qualifications of the person conducting the training, and the names and job classifications of the person attending the training.

   The availability and transfer of these training records will be in accordance with 29 CFR 1910.1030, the Bloodborne Pathogens Standard
   3. The outline for the training material is located in the offices of the school nurses
STAFF GIFTS

Teachers and staff members shall not receive gifts or articles of value from students, classes or parents. For those who wish to express their gratitude, personal notes are acceptable.

The solicitation or collection of funds from students and staff members for the purpose of providing gifts for teachers or other school personnel is not permitted except for very special occasions such as retirement.

To honor a special occasion, a gift to the class, library or school is appropriate.

Adopted: March 8, 1976
Revised: December 14, 1998
Revised: July 9, 2001
PERSONNEL RECORDS AND FILES

The South Portland School Department shall maintain records of current and former employees in the Office of the Superintendent in accordance with state and federal laws and regulations.

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

A. Name of employee;
B. Date(s) of employment by the school unit;
C. Regular and extra-curricular duties, courses taught.
D. Post-secondary educational institution(s) attended;
E. Major and minor field(s) of study as recognized by those institutions;
F. Degrees received and dates degrees were awarded; and

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

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

G. Social Security number;

H. Any teacher action plan and support system documents and reports maintained for certification purposes; and

I. Criminal history record information obtained pursuant to Title: 20A MRSA §6103.

**Personnel Files**

Personnel files will contain a cumulative history of the staff member’s employment, including formal or informal employee work evaluations and reports relating to the employee’s character, credit, and work habits. The Superintendent has oversight of the placement of documents into the file.

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

A. Medical information of any kind; and

B. Teacher action plan and support system documents and reports maintained for certification purposes.

**Disciplinary Action Information**

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

**Procedures for Review of Personnel Files**

A. Upon a formal request from the employee and within 3 business days, the Superintendent or designee will provide the employee, former employee, or his/her duly authorized representative(s) the opportunity for review and copying his/her personnel file, in the presence of the Superintendent or designee, if the Superintendent has a personnel file for that employee.

B. Reviews of personnel files shall take place at the location where the personnel files are maintained, and during normal school hours.

C. The cost of any copying is to be paid by the person requesting the copy.
D. Access to confidential college placement records and letters of reference will be granted only to the Superintendent/designee.

Access to Personnel Files

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

A. The Superintendent or his/her designee, the employee’s principal or other supervisor(s). Personnel files are not accessible to individual School Board Members.

Relevant portions of a personnel file may be summarized and/or shared with the Board by the Superintendent when consideration is being given to performance evaluation, continuation of employment; or disciplinary action.

B. The general public shall have access only to the Directory Information as outlined above.

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

A. When the employee gives written consent for the release of his/her records. The written consent must specify the record(s) to be released and to whom they are to be released. Each request for consent must be handled separately; blanket permission for release of information will not be accepted; and

B. Under advice of counsel, when subpoenaed or under court order.

Records Management

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

Written reports shall be maintained in personnel files to document compliance with federal and state laws and regulations and School Board policies regarding employee evaluations. The Superintendent’s decision about placement of a document in the personnel file shall be final.

A sign-off sheet will be maintained in all personnel files providing for a date, signature and reason for accessing the file.
Records Retention

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

Legal Reference:  Title: 20A MRSA § 6101
Title: 20A MRSA § 6103
Title: 20A MRSA § 13015
Title: 26 MRSA § 631
Chapter 10, Rules for Disposition of Local Government Records (Maine State Archives)
Americans with Disabilities Act of 1990, 42 U.S.C.

Adopted: Prior to 1980
Revised: July 9, 2001
Revised: April 12, 2004
CONFIDENTIALITY IN THE HIRING PROCESS

Maine state law strictly requires that all information relating to applicants for employment remain confidential. This applies to school Board members, administrators and secretarial staff by virtue of their positions. It also applies to other staff and members of the public whenever they are involved in a screening and/or interviewing committee assisting in the selection process.

Therefore, the following three components shall be included in procedures used to fill all positions:

1. Potential candidates shall be notified on the application form that the materials submitted may be disclosed to a screening and/or interviewing committee which may include Board Members, administrators, staff, and members of the community. An individual must sign the consent form in order to be considered an applicant.

2. Any screening and/or interviewing committee is to receive a thorough orientation on the strict responsibility to maintain confidentiality pursuant to state law.

3. Each individual, prior to serving as a screening and/or interviewing committee member, shall sign a standard form acknowledging that he/she understands and intents to honor the strict requirement to maintain confidentiality regarding applicant information. Such forms shall be retained on file in the Superintendent’s Office.

Legal Reference: Title 20A MRSA, Section 6101.2.B.

Adopted: July 9, 2001
The South Portland Board of Education appreciates your willingness to assist in the process of screening applicants for the position of ____________________________.

We are confident that your participation will contribute to our selection of the best possible candidate.

Understanding the intent and seriousness of the legal requirement to maintain strict confidentiality is most important. In this regard, Title 20A, Section 6101.2.B of the Maine Statues reads in part:

...information in any form relating to an employee or applicant for employment,
or to the employee’s immediate family, shall be kept confidential if it relates to
the following:

1. All information, working papers and examinations used in the
   examination or evaluation of all applicants for employment;

At least one test case has substantiated that even the name of an applicant is protected (including the fact that a person has applied). Moreover, the prohibition from discussing these confidential matters does not end with the selection and appointment of the successful candidate. It is permanent and applies to all unsuccessful candidates as well.

Therefore, in agreeing to participate in this important undertaking, we expect you to acknowledge having been provided with an orientation on the requirement for confidentiality, and that you are accepting this responsibility.

Again, thank you very much for your assistance.

* * * * * * * * * *

I understand and pledge to honor the strict requirement to maintain confidentiality regarding applicant information.

Signature ___________________________ Date ________________

Signature ___________________________ Date ________________

(Board/Search Committee Chair)

SOUTH PORTLAND SCHOOL DEPARTMENT
FAMILY AND MEDICAL LEAVE

The South Portland School Department shall comply with all applicable provisions of the federal Family and Medical Leave Act of 1993 (FMLA), the Maine Family Medical Leave Law, and any other Board policies and collective bargaining agreements regarding family and medical leave.

The Superintendent is responsible for implementing administrative procedures to comply with this policy.

Legal Reference: 26 USC § 2601 et seq.
29 CFR Part 825
26 MRSA § 843 et seq.

Cross-Reference: GBN-R1- Family and Medical Leave Act Administrative Procedure
GBN-R2- Maine Family Medical Leave Administrative Procedure

Adopted: June 13, 2005
FAMILY AND MEDICAL LEAVE ACT (FMLA)
ADMINISTRATIVE PROCEDURE

The following administrative procedure covers the main provisions of the federal Family and Medical Leave Act (FMLA). The guidelines in no way attempt to modify the Act, which should always be referred to when questions about implementation arise. The South Portland School Department is responsible for analyzing each employee request for leave to determine whether he/she is eligible under the federal and/or state statute. When an employee is eligible for leave under both the federal and state statutes, the applicable law with regard to each benefit shall be the one that provides the greater benefit to the employee (usually federal FMLA).

I. ELIGIBILITY REQUIREMENTS

To be eligible under the FMLA, employees must work at a site where 50 or more employees of the same school board are employed within 75 miles of that work site. An employee must have been employed by the school unit for at least twelve months and have worked at least 1250 hours in the previous twelve-month period. According to the law, teachers employed on a full-time basis are presumed to meet the minimum hours requirement.

Under the FMLA, an eligible employee is entitled to receive up to twelve weeks of leave during a twelve-month period for the following reasons:

A. The birth and care of a child;

B. The adoption or foster placement of a child with the employee;

C. To care for a spouse, child or parent with a serious health condition; or

D. The employee is unable to perform the functions of his/her position because of a serious health condition.

II. ADMINISTRATION

A. If the leave request is due to the employee’s serious health condition, the employee is required to provide medical certification stating the date the health condition commenced, the probable duration, the appropriate medical facts concerning the condition, and that the employee cannot perform the functions of his/her job.

If the leave request is due to the serious health condition of a family member, the employee is required to provide medical certification stating the date the health condition commenced, the probable duration, the appropriate medical facts concerning the condition, and an estimate of the time the employee will be needed to care for the family member.
B. The twelve-month period in which an employee is entitled to twelve weeks of FMLA leave shall be the 12-month period measured forward from the date an individual employee’s first leave begins.

C. An employee must submit an application for leave at least 30 days in advance when the leave is foreseeable, or as soon as practicable if it is not foreseeable.

If an employee fails to provide 30 days’ notice of foreseeable leave, the leave may be delayed to start 30 days after notice is given, provided that the employee had actual notice of FMLA notification requirements.

D. Any leave taken for FMLA-qualifying purposes (including leave taken under employment policies, bargaining agreements, or contracts) shall also be applied to an employee’s annual FMLA entitlement. When paid leave taken for FMLA-qualifying purposes is exhausted, the balance of FMLA leave shall be unpaid.

E. Upon an employee’s return to work, he/she will be restored to his/her previous position or to an equivalent position with equivalent pay, benefits, conditions and terms of employment.

F. An employee returning from FMLA leave for his/her own serious health condition is required to submit medical certification that indicates fitness to return to work and ability to perform the functions of the job.

G. If the employee is unable to return to work because of his/her own serious health condition at the expiration of allowable FMLA leave, the Superintendent may consider a request for extension of unpaid leave and benefits on a case-by-case basis. Failure to return to work upon the expiration of FMLA leave may subject the employee to immediate termination unless such an extension is granted.

H. An employee who is not eligible for federal FMLA leave may be eligible for Maine Family Medical Leave.

Legal Reference: 26 USC § 2601 et seq.
29 CFR Part 825

Adopted: June 13, 2005
This administrative procedure covers the main provisions of the Maine Family Medical Leave Act. The South Portland School Department will analyze each employee request for leave to determine whether he/she is eligible under the Federal and/or State statute. When an employee is eligible for leave under both the Federal and State statutes, the applicable law with regard to each benefit shall be the one that provides the greater benefit to the employee (usually Federal FMLA).

I. ELIGIBILITY

To be eligible for Maine Family Medical Leave, employees must work at a site where there are 15 or more employees of a school board. An employee must have been employed by the same employer for 12 consecutive months and not taken such leave within the immediately preceding 24-month period, or have used less than 10 weeks of family medical leave.

Under the Maine Family Medical Leave Act, an eligible employee is entitled to up to 10 weeks of leave during a 24-month period for the following reasons:

A. Serious health condition of the employee;

B. Birth of the employee’s child or the employee’s domestic partner’s child;

C. Placement of a child 16 years of age or less in connection with the adoption of the child by the employee or the employee’s domestic partner;

D. Serious health condition of a child, domestic partner’s child, parent, sibling, domestic partner or spouse;

E. The donation of an organ of the employee for a human organ transplant; or

F. The death or serious health condition of the employee’s spouse, domestic partner, parent, sibling or child if the spouse, domestic partner, sibling or child is a member of the state military forces as defined in Title 37-B, section 102, or the Maine Revised Statutes, or of the United States Armed Services, including the National Guard and Reserves, dies or incurs a serious health condition while on active duty.

Serious health condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice or residential medical care facility or continuing treatment by a health care provider.

II. DEFINITIONS

A. SIBLING: For the purpose of this procedure, “sibling” means a sibling of an employee who is jointly responsible with the employee for each other’s common welfare as evidenced by joint living arrangements and joint financial arrangements.
B. DOMESTIC PARTNER: For the purpose of determining eligibility for Maine Family Medical Leave, “domestic partner” means the partner of an employee who:

1. Is a mentally competent adult as is the employee;

2. Has been legally domiciled with the employee for at least 12 months;

3. Is not legally married to or legally separated from another individual;

4. Is the sole partner of the employee and expects to remain so;

5. Is not a sibling of the employee; and

6. Is jointly responsible with the employee for each other’s common welfare as evidenced by joint living arrangements, joint financial arrangements, or joint ownership of real or personal property.

III. ADMINISTRATION

A. The school unit may require certification from a physician to verify the amount of leave requested. An employee who in good faith relies on treatment by prayer or spiritual means, in accordance with the tenets and practice of a recognized church or religious denomination may submit certification from an accredited practitioner of those healing methods.

B. An employee requesting leave shall provide at least 30 days’ notice of the intended dates upon which the leave will commence and terminate, unless prevented by medical emergency from giving required notice.

C. Any leave taken for Maine Family Medical Leave qualifying purposes, including leave taken under employment policies, bargaining agreements, or contracts, shall also be considered leave under the Maine Family Medical Leave and shall be applied to an employee’s 10-week Maine Family Medical Leave entitlement every 24-month period. When paid leave taken for Maine Family Medical Leave qualifying purposes is exhausted, the balance of Maine Family Medical Leave shall be unpaid.

The school unit and employee may negotiate for more or less leave, but both parties must agree.

D. During Maine Family Medical Leave, an employee shall be permitted to continue his/her medical insurance plan, providing the employee remits both the employee and employer share of the monthly premium to the Superintendent’s Office no later than the first day of the month for which the premium is due.

E. Upon an employee’s return to work, he/she will be restored to his/her previous position or to a position with equivalent seniority status, benefits, pay, and other conditions and terms of employment.
F. An employee taking Maine Family Medical Leave for his/her own serious health condition may be required to submit certification that he/she is fit to return to work and is able to perform the functions of the position.

G. If at the end of the allowable leave under Maine Family Medical Leave the employee is unable to return to work because of his/her own serious health condition, the Superintendent may consider a request for extension of unpaid leave and benefits on a case-by-case basis. Failure to return to work upon the expiration of Maine Family Medical Leave may subject the employee to immediate termination unless such an extension is granted.

H. An employee who is not eligible for Maine Family Medical Leave may be eligible for Federal Family and Medical Leave.

IV. LEAVE TAKEN INTERMITTENTLY OR ON A REDUCED LEAVE SCHEDULE

Subject to the other requirements of this policy, leave taken intermittently or on a reduced leave schedule (i.e., a leave schedule that reduces the usual number of hours per workweek or hours per workday of an employee may) be taken subject to the following:

A. Leave for birth or placement related to adoption may not be taken intermittently or on a reduced schedule unless agreed to by both employer and employee;

B. Leave for a serious health condition of the employee or his/her child, domestic partner’s child, parent, domestic partner or spouse, or for organ donation by the employee may be taken intermittently or on a reduced leave schedule when medically necessary;

C. The taking of leave intermittently or on a reduced leave schedule may not result in a reduction in the total amount of Maine Family Medical Leave to which the employee is entitled beyond the amount of leave actually taken; and

D. If an employee requests intermittent leave or leave on a reduced leave schedule for a serious health condition of the employee or his/her child, domestic partner’s child, parent, domestic partner or spouse, or for organ donation by the employee that is foreseeable based on planned medical treatment, the employer may require the employee to transfer temporarily to an available alternative position offered by the employer for which the employee is qualified and that 1) has equivalent pay and benefits, and 2) better accommodates recurring periods of leave than the regular employment position of the employee.

Legal References: 26 MRSA § 843 et seq.
26 MRSA § 850

Adopted: June 13, 2005
Revised: July 14, 2008
FAMILY CARE LEAVE

This policy governs employee leave under 26 M.R.S.A. § 636, “An Act to Care for Families”, referred to in this policy as the “Family Care Act.” Leave under this policy is referred to as “Family Care Leave.”

The Board recognizes that under Maine’s “Family Care Act,” if an employer provides paid leave under the terms of a collective bargaining agreement or employment policy, the employer must allow an employee to use the paid leave for the care of an immediate family member who is ill.

In law and for the purpose of this policy, the following definitions apply:

1. “Employer” means a public or private employer with 25 or more employees.
2. “Immediate family member” means an employee’s child, spouse or parent.
3. “Paid leave” means time away from work by an employee for which the employee receives compensation. Paid leave is limited to sick time, vacation time, compensatory time and leave that is provided as an aggregate amount for use at the discretion of the employee for any of these purposes. Paid leave does not include paid short-term or long-term disability, catastrophic leave or similar types of benefits.

Employees may take up to 40 hours of paid leave as Family Care Leave per 12 month period, or the amount provided by an applicable collective bargaining agreement, whichever is greater. The 12-month period shall be the same for all employees and shall be the contract year.

An employee is not entitled to use paid leave until that leave has been earned. An employee may elect which type of paid leave and the amount of each type of paid leave to use for Family Care Leave.

Notice/verification of illness for Family Care Leave shall be the same as that required for the employee’s own illness. The employee must specify that leave is being taken pursuant to the Family Care Act.

Application of Family Medical Leave Requirements
For purposes of applying family medical leave requirements (i.e., FMLA) the school unit shall treat leave under the Family Care Act in the same manner as the employer treats leave for an employee illness. Therefore, Family Care Leave and FMLA leave shall run concurrently.

Legal Reference: 26 M.R.S.A. § 636

Adopted: October 12, 2005

SOUTH PORTLAND SCHOOL DEPARTMENT
JOB DESCRIPTIONS

The South Portland Board of Education shall maintain written job descriptions of the jobs, or positions, describing the essential characteristics, requirements and general duties of the jobs. The South Portland Board of Education will approve the broad purpose and function of positions in harmony with state laws and regulations, approve statement of job requirements as recommended by the Superintendent and delegate to the Superintendent the task of writing, or causing to be written, job descriptions for all positions.

These job descriptions shall not be interpreted as complete or limiting definitions of any job, and employees shall perform any duties assigned by department heads, supervisors, or other administrative authority per the collective bargaining agreement. Problems with respect to interpretation shall be referred to the Superintendent of Schools.

Adopted: May 13, 1974
Revised: June 9, 1975
Revised: May, 2001
Revised: July 9, 2001
PROFESSIONAL STAFF CONTRACTS AND COMPENSATION PLANS

After a probationary period of not to exceed 2 years, subsequent contracts of duly certified teachers shall be for not less than 2 years. Unless a duly certified teacher receives written notice to the contrary at least 6 months before the terminal date of the contract, the contract shall be extended automatically for one year and similarly in subsequent years although the right to an extension for a longer period of time through a new contract is specifically reserved to the contracting parties.

Contracts between the Board and employees currently in service and re-elected by the Board shall be signed and returned to the Superintendent of Schools within fifteen (15) days after notification of re-election or shall otherwise be deemed void. Contracts issued to teachers new to the system shall be returned within fifteen days or within such lesser time as judged expedient by the Superintendent, and so noted on the contract, or shall otherwise be deemed void.

Legal Ref: Title 10-A MRSA Section 13201

Adopted: January 4, 1967
Revised: April 13, 1981
Revised: May, 2001
Adopted: July 9, 2001
JURY DUTY

Those members of the professional or non-professional staff called for jury duty shall receive their full salary. Any provisions provided by the employee’s negotiated contact will be adhered to by the South Portland Board of Education.

Adopted: May 29, 2001
Revised: July 9, 2001
PROFESSIONAL STAFF LEAVES AND ABSENCES

Under no circumstances should a teacher or other professional staff member be absent from school without giving due notice. Absence for any reason other than illness or extreme emergency must be by prior approval of the Superintendent.

Adopted: October 13, 1980
BOARD APPROVED LEAVE

A Board approved Leave of Absence does not constitute a break in service for any employee.

Adopted: July 9, 2001
PROFESSIONAL STAFF SABBATICAL LEAVE

Any teacher who has served continuously in the South Portland Public Schools for a period of at least seven years may, on the recommendation of the Superintendent of Schools, be granted sabbatical leave of absence not exceeding one year for the purpose of approved study.

A teacher on sabbatical leave shall receive a salary equal to one-half the annual teaching salary to which he/she would have been entitled had he/she remained in the school system that year.

Requests for sabbatical leave shall be made before October 1 of the school year previous to the school year for which the sabbatical is requested.

Before beginning the sabbatical leave, the teacher shall enter into contract to return to active service in the South Portland Public Schools for a period of at least two years after the expiration of such sabbatical leave. A teacher who does not fulfill this agreement shall make restitution of salary to the City of South Portland either in full or on a prorated basis if the obligation has been partially fulfilled. The teacher shall be released from such payment if his/her failure to serve the two years as stipulated is due to illness, disability, or death, or if he/she is discharged from his/her position by the Board of Education.

A teacher returning from sabbatical leave shall be placed on the step of the salary schedule he would have attained had he/she remained in the school system.

The number of teachers on sabbatical leave for study shall be limited to four.

Legal Ref: Title 20-A MRSA Section 13604

Adopted: March 4, 1966
Revised: December 8, 1975
Revised: October 13, 1980

SOUTH PORTLAND SCHOOL DEPARTMENT
MILITARY LEAVE

The School Board recognizes the importance of military service in maintaining our Nation’s security. The Board also recognizes that federal and state law provide certain protections for employees who must fulfill military obligations, including active duty and training requirements. Therefore, the Board shall make provision for military leave by school employees assigned to the uniformed services of the United States, in accordance with applicable laws and this policy.

Regular employees will be entitled to military leave for service in the uniformed services of the United States for periods which, cumulatively, do not exceed five years, unless service is otherwise extended as provided by law. Upon return to work, no employee who was granted such leave and who complies with notification, return-to-work and other applicable requirements will be subject to loss of seniority, status, or other rights or benefits determined by seniority or other benefits established by contract or agreement in effect at the beginning of the leave or implemented during the leave, unless otherwise provided for by law. Such employees will be placed on the salary step they would have attained had they not taken a military leave.

The Superintendent/designee shall be responsible for compliance, including implementation of a system of record-keeping for documenting military leave.

Annual training leave
An employee who is a member of a reserve or National Guard unit or any other branch of the military organized under state or federal law who is required to perform annual active duty during the school year shall be granted military leave with a right to reinstatement as provided by state and federal law.

A teacher shall suffer no net loss of pay for up to 17 calendar days annually, provided that the teacher has made every reasonable effort to perform their annual training when school is not in session. An employee who is required to continue military service beyond required annual training will, upon return, be eligible for pay and benefits in accordance with the provisions of the paragraphs of this policy concerning emergency military leave.

Employees who have annual training obligations must immediately notify their supervisor and the Superintendent in writing upon receipt of an active duty assignment, including the dates when military leave will begin and end.

Emergency Military Leave

Military leave will be granted to any regular employee who enlists for military duty with any branch of the United States armed forces or who is called into active military service in time of war or other emergency declared by the proper authority of the state or United States.
The employee should, in advance if possible, notify his/her supervisor and the Superintendent of his/her service obligation, including the dates when leave will begin and, if known, when it will end. An employee whose military leave will result in an absence of more than 30 days should forward a copy of his/her military orders to the Superintendent.

1. **Pay**

   Such leave will be without pay, unless otherwise required under an applicable collective bargaining agreement or by law. An employee may use vacation time or other paid leave during his/her time of military service, but is not required to do so.

2. **Health Benefits**

   For absences of up to 30 days, health insurance benefits will continue as if the employee has not been absent. The employee will not be required to pay more than his/her usual share of the health insurance premium.

   For absences of 31 days or more, the employee may elect to continue health benefits for a period of up to 18 months from the date leave begins or until he/she fails to return to work, whichever is shorter. Employees wishing to continue coverage may be required to pay no more than 102% of the insurance premium.

3. **Other Benefits**

   Employees on military leave are entitled to the same benefits as provided to employees on other types of approved, unpaid leave.

4. **Reinstatement After Service**

   An employee who wishes to return to the school unit will be re-employed in the position he/she would have held if employment had not been interrupted, or assigned to an equivalent or similar position, provided that:

   a. The employee is still qualified for the position, or can, after “refresher” or skills upgrade training, or other reasonable accommodation required under federal or state law, qualify for the position;
   b. The employee has been honorably discharged or has otherwise been released after satisfactory service;
   c. The employee notifies the Superintendent/designee of intent to return work within the time period set by law; and
d. The school unit’s circumstances have not changed to such a degree that re-employment would cause an undue hardship on the school unit or make reinstatement impossible or unreasonable.

Upon reinstatement, the employee will have the same rights to vacation, sick leave and other benefits as if he/she had been continuously employed.

Because continuing contract (non-probationary) status for teachers must be approved by the Board and so is not merely a function of continuous employment, probationary teachers will be reinstated at the actual year of service as when he/she began military leave.

5. **Time Limits for Returning to Work**

In order to qualify for reinstatement, employees must return to work within the following time limits, which depend upon the duration of military orders:

- **1-30 days service:** The employee must report at the beginning of the first regularly scheduled work day or eight hours after the end of military duty, plus reasonable travel time from military duty station to home.

- **31-180 days:** The employee must apply for reinstatement no later than 14 days after completion of military duty.

- **181 days or longer:** The employee must apply for reinstatement not later than 90 days after completion of military duty.

6. **Protection from Discharge**

An employee who has been reinstated after a period of military service of 30-180 days may not be discharged without cause for six months after the date of re-employment.

An employee who has been reinstated after a period of military service of 181 days or more may not be discharged without cause for one year after the date of re-employment.
Hiring of substitutes

In order to provide for efficient administration of the schools, a substitute employee may be hired to perform the duties of the employee who is away on military leave until such time as the employee returns to work. A person employed in such substitute capacity shall be informed of the temporary nature of the position and the rights of the employee on military leave upon his/her return.

Legal references: 38 U.S.A. § 4301-4333 (Uniformed Services employment and Re-employment Rights Act (“USERRA”))

20-A M.R.S.A. § 13603
26 M.R.S.A. § 811, 812

Adopted: October 4, 1939
Revised: December 8, 1975
Revised: October 13, 1980
Revised: March 2003
Revised: April 14, 2003
PROFESSIONAL STAFF CERTIFICATION

Each teacher must hold a State Teacher Certificate to receive pay legally and to prevent state subsidy penalties to the city.

It is essential that each teacher’s Central Office record have up-to-date certification information, including type of certification held, special endorsements, date of issuance, and date of expiration. Teachers new to the system should bring their certificates to the Superintendent’s Office so a copy can be made and placed on file. Also, other teachers in the system who received renewal of certificates since the previous school year should submit them to the Central Office for copying.

Any teacher without certification on the opening day of school will be in breach of contract and will not be paid for any time served without proper certification. If the teacher has applied for re-certification and level of certification is the result of the Department of Certification not completing the application, the teacher will continue to receive his/her salary.

Legal Ref: Title 20-A MRSA Section 13003

Adopted: Date of manual adoption
Revised: May, 2001
Revised: July 9, 2001
ARRANGEMENTS FOR PROFESSIONAL STAFF SUBSTITUTES

The Superintendent of Schools is authorized to employ substitute teachers. A list of prospective substitutes will be compiled annually under the direction of the Assistant Superintendent and with approval of the Superintendent.

Substitute services in the event of illness, professional or personal days, shall be requested as follows:

1. In case of illness, teachers shall notify their respective principal or designee by 6:30 a.m. who in turn shall notify the substitute caller.

2. When a teacher has had a professional or personal day approved by the Superintendent, a substitute shall be requested in advance.

3. Special teachers and/or itinerant teachers shall notify the principal of the Building involved of his/her absence or change in schedule for that particular day. The principal shall arrange for a substitute for teachers who are responsible for full class instruction, such as art, music and physical education. Substitutes will be hired for non-classroom specialists (speech/language therapists, social workers, etc.) when the absence shall be long term.

4. Other professional staff members such as principals, shall notify the Superintendent’s office.

Legal Ref:  TITLE 20-A  MRSA § 13402

Adopted: Prior to 1985
Revised: June 12, 1989
Revised: June, 2001
Revised: July 9, 2001
SUBSTITUTE TEACHERS

Minimum qualifications:

A. Two (2) or more years of college and previous experience working with children;

B. All long-term substitutes must be four-year college graduates, as well as certified in the subject area unless approved by the Superintendent;

C. The responsibilities of a substitute teacher are outlined in the district Substitute Teacher Handbook.

Legal Reference: TITLE 20A MRSA SEC. 13402

Adopted: Prior to 1985
Revised: June 12, 1989
Revised: July 9, 2001
Revised: October 15, 2003
Revised: February 9, 2015
PLAN BOOKS

Plan books are to be kept systematically, at least three days in advance. All pages must be dated. Plan books are the property of the School Department and should be kept in a top drawer of the teacher’s desk. If they are taken home, teachers should leave supplementary written directions or arrange for the book’s return in the event of absence.

Daily plans should include those aspects of the daily assignments as would be measured through the evaluation process. These include state objectives, measurable outcomes, and materials needed.

Cross Ref: GCN, Evaluation of Professional Staff

Adopted: May, 2001
Revised: July 9, 2001
PLANS FOR PROFESSIONAL STAFF SUBSTITUTES

Daily programs for elementary grades K-5 and class schedules at the Middle and High Schools together with other necessary schedules and notes should be placed on the front of teacher plan books, for the benefit of substitutes. When requesting a substitute, teachers should call attention to any special duties assigned for the day so that the substitute can know what to plan. Unless notified differently when called, the substitute is expected to serve the full day.

Unless arrangements have been made for an extended absence, all absent teachers are required to notify the principal each day before 2:45 p.m. stating whether or not they will return the next day.

Substitute teachers are expected to do the regular work of the teacher and to leave the room in order for the next session.

Reference: GCEA-R  Substitute Teachers

 Adopted:        July 9, 2001
RECRUITMENT, NOMINATION AND APPOINTMENT OF STAFF

A. The Board shall attempt to attract, secure and hold the highest qualified personnel for all positions. The selection program shall be based upon an alertness to candidates who will devote themselves to the education and welfare of the children attending the public schools.

B. It is the responsibility of the Superintendent and his/her designees to determine the personnel needs of the school system and to locate candidates to nominate for employment by the Board. Through effective administrative procedures the Superintendent shall attract and nominate personnel who are motivated to do their best work and to be creative from their own inner resources.

C. It shall be the duty of the Superintendent to see that persons nominated for employment in the schools shall meet all certification requirements, health requirements, and requirements of the Board for the type of position for which the nomination is made.

D. The following guidelines shall be used in the selection of personnel:

1. The schools shall ensure equal employment opportunity/educational opportunities, affirmative action, regardless of race, sex, color, national origin, religion, marital status, age or disability.

2. The quality of instruction is enhanced by a staff with a wide variation in background, educational preparation, and previous experience. Concerted efforts shall be exerted to maintain a variation in the staff.

3. The administrator(s) who is/are directly responsible for the work of a staff member(s) will participate at all levels of the screening, interviewing, selection process; however, the final selection shall be made or approved by the Superintendent.

4. No candidates shall be hired without a personal interview, and wherever practical, the candidate shall be observed in his/her own school prior to selection. References shall be checked.

5. All candidates shall be considered on the basis of their merits, qualifications, and the needs of the school system. In each instance, the Superintendent and others playing a role in the selection shall seek to hire the best qualified person for the job.

6. While the Board may accept or reject a nomination, an appointment shall be valid only when nominated by the Superintendent.

E. The Superintendent of Schools has the right to consider related outside experience of new employees for initial placement on the salary scale.

Legal Reference: TITLE 20-A MRSA SEC. 13201 et seq.
Revised: October 13, 1980
Revised: April 13, 1981
Revised: July 9, 2001

SOUTH PORTLAND SCHOOL DEPARTMENT
These procedures implement School Board policy GCF and are designed to establish a thorough, efficient and nondiscriminatory practice for the recruiting and hiring of the most qualified candidates for positions in the South Portland School Department.

A. Job Opening
   a. A vacancy is created by a resignation or creation of a new position.
   b. Recall list is reviewed if appropriate. Superintendent confirms that the position is open and approves posting the position.
   c. A job description is written or revised by the administrator or appropriate staff member and will include goals and job expectations.
   d. Job description is reviewed by Superintendent for final approval.

B. Notification
   a. Notice of vacancy forwarded to the appropriate Association.
   b. Notice of vacancy is posted in the individual schools and in Central Office.
   c. Notice of vacancy is forwarded to newspapers, placement bureaus, and the Maine Department of Education when appropriate.

C. Application Requests
   a. Applications may be requested by a candidate by letter, telephone, e-mail, etc.
   b. An application will be mailed to the applicant, or available at Central Office.
   c. The applicant may be referred to district website.

D. Receipt of Application
   a. A completed application must be on the prescribed form and all credentials must be attached.
   b. Complete applications will be separated by job description and a copy made if the person requests to be considered for more than one job opening.
   c. The applicant will be logged into database per job applied for.
   d. No candidate with an incomplete application will be interviewed.

E. Administrative Review
   a. All applications will be screened by the Superintendent and/or Assistant Superintendent.
   b. The administrator and his/her designee will review applications of potential candidates. If a former employee has submitted an application, the previous administrator will be contacted.
   c. Candidates not to be considered will be notified by Central Office.
   d. As part of the screening and/or interview process, the application will be dated, initialed, and rated by all who participate in the screening and interviewing process.
   e. A copy of any job notification sent to the applicant is to be placed in applicant’s file.
F. Screening
   a. The Superintendent or his/her designee will establish a job-related screening committee. The criteria for screening the application include:
      1. Professional preparation
      2. Experience
      3. Competency
      4. Added value to the position
      5. Certification and Fingerprinting
   b. Once the candidates are selected, an interview place and schedule will be determined by the administrator.
   c. Candidates will be notified by telephone and given a time and place for the interview. The candidate will also be told at that time what materials s/he is expected to bring (i.e. portfolio, writing samples)

G. Interview
   a. The interview team will meet prior to the first interview to review procedures and questions and to agree on candidate qualities.
   d. The criteria for assessing candidate qualities include:
      1. Use of English, written and oral
      2. Experience
      3. Competency
      4. Understanding of Standards Based System
      5. Knowledge in Content Areas
      6. Classroom management
      7. Professionalism
      8. Added value to the position
   b. Confidentiality requirements will be reviewed and each member of the panel will submit the confidentiality form to the chair.
   c. The same questions will be asked of all interviewees with clarifying questions being the only deviation from the process.
   d. Rating sheets will be completed by each member of the interview team at the end of each interview and submitted to the chair.
   e. Discussion of candidates and decision making should be left until the end of all the interviews.

H. Nominating the Candidate
   a. The administrator will nominate a candidate to the Superintendent.
   b. The cost center manager will complete an Employment Checklist (including reference checks) to submit to the Superintendent.
   c. The checklist will accompany a copy of the job description and the candidates application packet.
   d. All teaching candidates will be interviewed by the Superintendent.
   e. Salary scale is determined and an offer is made.
   f. Should the Superintendent fail to nominate the candidate recommended, additional recommendations will be made until a successful candidate is selected.
   g. If a candidate is not found in the original process, the principal may seek further advertising of the position.
I. Appointment of Positions Needing Board Approval  
   a. After the position is offered and accepted, a “New Personnel” form and personnel file will be completed and submitted to payroll by the Superintendent’s Secretary.  
   b. The Superintendent will inform the Board of the nomination at least 3 days prior to the meeting at which the Board action is requested, where feasible.  
   c. The Superintendent shall present a written nomination to the Board which will include a summary of the candidate’s qualifications, experience, training and a statement supporting the selection.  
   d. Should the Board fail to elect a candidate, further nominations will be submitted until a successful candidate is elected.  
   e. Once the candidate is nominated, elected and hired, the Business Office will prepare a contract and submit to the successful candidate.  
   f. The administrator shall inform all candidates interviewed of the decision of the panel.  
   g. Letters for district-wide and building level positions will be sent by the Office of the Superintendent of Schools.

J. Appointment of Positions Not Needing Board Approval  
   a. The Superintendent will return the Employment Checklist to the Cost Center Administrator.  
   b. The Cost Center Administrator will offer the position to the candidate.  
   c. Should the candidate accept, a “New Personnel” form is completed and submitted to Payroll.  
   d. A contract is issued by the Business Office.  
   e. The Superintendent’s Secretary will prepare a personnel file.  
   f. The Cost Center Manager shall inform all candidates interviewed of the decision of the panel.

Adopted: July 9, 2001  
Revised: April 10, 2005
RECRUITING AND HIRING OF ADMINISTRATIVE STAFF

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

In accordance with 20-A MRSA, § 1001.13, the Superintendent shall prepare a procedure designed to ensure nondiscriminatory practice in recruitment and hiring for all positions requiring administrator certification, as well as to result in selection of the most qualified candidates. This procedure shall be attached hereto as GCFB-R, and shall be reviewed periodically.

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

In accordance with 20-A MRSA, § 4502.4-A, the unit’s Affirmative Action Plan shall include: a description of the status of the unit’s nondiscriminatory administrator hiring practice; plans for in-service training programs on gender equity for teachers, administrators and the School Board; and the relationship of the above to the State’s five-year goal for the employment of women in administrative positions.

Legal Reference: 5 MRSA § 4576
20-A MRSA §§ 6, 254.8-10, 256.1, 7, 1001.13, 4502.4A, 13011.6, 13019-A.1D, 13019-B.1C

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

Adopted: July 9, 2001
Revised: April 6, 2005 (Code Change)
RECRUITING AND HIRING OF ADMINISTRATIVE STAFF
ADMINISTRATIVE PROCEDURE

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

A. Job Description Development/Review

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

1. Conduct a review of (if none exists, develop) the job description, with input from persons affected by the position;

2. Include the criteria (skills, knowledge, abilities) required to perform the duties/responsibilities of the position; and

3. List the minimum qualifications (training, education and experience) for the position.

B. Recruitment

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

1. Posting notice of the vacancy within the unit;

2. Placing a display advertisement in appropriate print media, considering at least one appearance in a major Maine weekend or Sunday newspaper; and

3. Identifying and notifying other possible sources of potential candidates, such as professional associations, educational administration programs and placement offices at colleges and universities in Maine and other states, and the Maine Department of Education.

C. Screening

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

1. Ensure that all applications are reviewed by more than one individual, with attention given to an unbiased regard for the criteria and qualifications in the job description;

2. Appoint a screening panel with representation as deemed appropriate to the particular vacancy;

SOUTH PORTLAND SCHOOL DEPARTMENT
3. Provide orientation on confidentiality and equity issues to screeners;

4. Eliminate all candidates who do not meet the minimum qualifications;

5. Conduct preliminary reference checks, as appropriate;

6. Select candidates for interview based on the degree to which they meet the criteria and demonstrate the skills, knowledge and abilities outlined in the job description; and

7. Notify applicants not selected for interview.

D. Interviewing

To ensure that the interview process will be conducted in a legal and proper manner, the Superintendent/designee is to:

1. Appoint an interview panel (may be the same persons who serve the screening function) with representation as deemed appropriate to the particular vacancy;

2. Provide orientation on the process including the function and extent of responsibility of the panel, the weighting of criteria and the nomination/hiring procedure; and

3. Conduct training to ensure that panel members are aware of the legal aspects of interviewing, including confidentiality and equity issues.

The interviewing panel is to:

1. Design interview questions which match the criteria and the duties/responsibilities outlined in the job description; and

2. Provide equal opportunity for the candidates to respond to the same questions/questioners.

E. Selection

The interview panel is to:

1. Individually assess the candidates according to their answers to the job description-related questions, rating and commenting on each using a specially prepared form corresponding to the questions/criteria; and

2. Submit a report to the Superintendent, including the individual rating forms as well as a list (usually 2 to 4) of candidates to be considered further for the position.
The Superintendent/designee is to:

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

F. Nomination/Employment

The Superintendent is to:

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

G. Notification

The Superintendent/designee may:

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

H. Orientation and Support

To ensure that the new administrator is provided with the proper information about the system and job expectations, the Superintendent/designee is to provide an orientation that includes expectations of the duties/responsibilities of the position along with the policies and procedures of the local school unit.
I. Record Keeping

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

J. Confidentiality

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

K. Hiring of Current Employees

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

1. The currently employed candidate is exceptionally well qualified for the position; and

2. The decision to forego all or part of the recruitment and screening process will not detract from the goals of this policy.

Adopted: July 9, 2001
Revised: April 6, 2005 (Code Change)

PROFESSIONAL STAFF PROBATION AND CONTRACT

The Superintendent shall nominate all teachers, and upon the approval of nominations by the Board, may employ teachers so nominated and approved.

After a probationary period of three (3) years, subsequent contracts of duly certified teachers shall be for not less than two (2) years. Unless a duly certified teacher receives written notice to the contrary by May 14, the contract shall be extended automatically for one (1) year and similarly in subsequent years.

After a probationary period of three (3) years, any continuing contract teacher who receives notice in accordance with the above that his/her contract is not going to be renewed, may during the 15 days following such notification, request a hearing with the Board. The hearing shall be private except by mutual consent, except that either or both parties may be represented by counsel. Such hearing shall be granted within thirty (30) days of the receipt of the teacher’s request.

This policy will not take affect until July 1, 2013.

Legal Reference: TITLE 20A MRSA SEC. 13201

Adopted: July 9, 2001
Revised: December 12, 2011
PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS

The basic consideration in the assignment of professional personnel will be the needs of students and the instructional program.

Therefore, the policy of the Board is that personnel be assigned on the basis of their qualifications, the needs of the school system, and their expressed desires. When it is not possible to meet all of these conditions, an employee will be assigned first in accordance with school system needs—where administration feels the employee is most qualified to serve, and second, regarding the employee.

It is the responsibility of the Superintendent to assure that all schools are well staffed with effective teachers.

Within an individual school, a building administrator will have the right to assign classes and courses, provided this is done with full regard to the teacher’s area of certification and Board policies. He/She will also recommend to the Superintendent assignments to extra-pay positions in his/her school.

A transfer, reassignment, or special assignment may be requested by an employee, and will be given due consideration in accordance with the provisions of this policy.

Adopted: July 9, 2001
PROFESSIONAL STAFF EXTRA DUTIES

All teachers are to assume their share of responsibilities, such as noon supervision, playground supervision, and other duties assigned by the principal. Principals will attempt to equalize these duties.

Teachers are expected to attend all general meetings called by the principal or Superintendent unless excused.

It is expected that, for the best interest of the children and the school, the teachers will attend meetings of parents and teachers and other school activities.

The cooperation of all personnel, in striving to meet the needs of each of our students and in caring for school property, it is sincerely appreciated.

Adopted: Date of Manual Adoption
PROFESSIONAL STAFF MEETINGS

Teachers are expected to attend all meetings called by the Superintendent of Schools, directors or building principals, unless otherwise stated.

Building faculty meetings shall be held throughout the year to discuss matters of general school interest, special instructions from the Superintendent’s office, or any matter that may concern the welfare of that particular school.

Adopted: Prior to 1985
PROFESSIONAL STAFF DEVELOPMENT OPPORTUNITIES

The Board recognizes the importance of developing, maintaining, and extending the skills of staff members, and encourages employees to engage in programs and activities that will lead to their professional growth and increased competence.

The Superintendent is authorized to initiate programs and activities which are designed to serve the following purposes:

A. To provide a structure through which staff members can stay abreast of new developments in their areas of specialty;

B. To familiarize staff members with new research and innovative teaching methods;

C. To assist staff members in the process of change and school improvement; and

D. To facilitate the development, implementation, and evaluation of new programs.

Within budgetary limitations, visitations and attendance at conferences may be approved by the Superintendent in accordance with Board policy.

Adopted: June 2, 1968
Revised: December 8, 1975
Revised: July 9, 2001
Revised: March 12, 2007
CRITERIA FOR ON-LINE COURSEWORK FOR PROFESSIONAL DEVELOPMENT

The following criteria will be used for approving on-line coursework:

1. The course is offered through a fully accredited college or university.
2. The content of the on-line course matches individual, school and district goals.
3. The on-line environment provides structured mechanisms, such as study groups or discussion boards, that allow teachers to have meaningful interactions with classmates about what they are learning.
4. The college or university clearly delineates standards for:
   a. Attendance;
   b. Participation;
   c. Writing and responding to classmates;
   d. Assignments;
   e. Assessments;
   f. Interactions between instructor and student, i.e., regular and consistent feedback to student;
   g. Class duration is explicit and reasonable; and
   h. Tech support for students is readily available.

The teacher requesting the course approval may be asked to provide the administrator with the above information to ensure the quality of professional learning.

Reimbursement for successful completion of coursework is in accordance with the contractual agreement.

Adopted: March 12, 2007
SUPERVISION OF PROFESSIONAL STAFF

Central Office administrators, principals and assistant principals shall be committed to the task of supervision to the end that instructional staff members may develop their teaching abilities to optimum degree.

The South Portland Board of Education recognizes that the prime purpose of supervision shall be to help the teacher analyze and improve teaching, to provide teachers with ready support and help on teaching problems, and to assure that sufficient assistance has been provided in overcoming teaching problems.

Supervising principals are charged with the direct supervision of the teachers in their schools, and shall provide assistance and educational leadership to their staff.

Legal Reference: TITLE 20A MSRA SEC. 1

Adopted: July 9, 2001
EVALUATION OF PROFESSIONAL STAFF

There will be an ongoing appraisal of the performance of all professional staff to provide:

A. A systematic process whereby all staff members may increase the effectiveness of their services, using the available professional resources.

B. An opportunity for all staff members to analyze their strengths and weakness as they relate to the teaching-learning process and to discuss objectively the contributions they have made to the school system.

C. An opportunity for the administrative staff to analyze the strengths and weaknesses of individuals in developing objectives to improve their competence. These may relate to the teaching-learning process and/or other professional responsibilities.

D. An effective means by which administrators may make recommendations concerning the continued employment of personnel, the granting of continuing contracts, the granting of increments, and/or other recommendations of the Board.

The Board intends to seek and maintain the best qualified staff to provide quality education for students. In keeping with this goal, all personnel are expected to participate fully in the appraisal process. An integral part of this process is self-appraisal. The self and administrative appraisals will include: knowledge of subject matter, educational skills and techniques, attitudes, behavior patterns, values, and ethics. Each professional staff member is expected to share in the responsibility of maintaining and enhancing the self-image and self-respect of all participants throughout the appraisal process.

Adopted: July 9, 2001
EVALUATION OF ADMINISTRATIVE STAFF

The Board believes that a well-planned evaluation system for administrators is vital to ongoing improvement of the instructional program and student achievement. To that end, the evaluation system will be based on standards of professional practice. The system will provide feedback on multiple measures of educator effectiveness including student growth and achievement data.

The system will provide a process for using evaluation system data to inform individual professional growth and improvement plans. The system will provide data to inform district and school professional development plans. The Superintendent shall be responsible for the development, implementation and periodic review of a performance evaluation and professional growth system for all administrators.

The Superintendent shall make a recommendation to the Board regarding administrator employment and/or salary status.

Formal evaluations shall be made at least once a year. They shall be conducted according to the following guidelines:

A. Evaluative criteria for each position shall be in written form and made permanently available to the administrator;

B. Evaluations shall be made by the Superintendent or immediate supervisor;

C. Results of the evaluations shall be put in writing and shall be discussed with the administrator;

D. The administrator being evaluated will have the right to attach a memorandum to the written evaluation; and

E. Results of all evaluations shall be kept in confidential personnel files maintained at the Superintendent’s office.

In accordance with Maine’s Educator Effectiveness law (20-A MRSA § 13701-13706), South Portland has developed, piloted, and implemented a performance evaluation and growth system, consistent with the requirements of applicable Department of Education rules.

The performance evaluation and growth system has been approved by the Board.
In keeping with the Board’s goal of employing the best qualified staff to provide quality education for all students, all administrators are expected to participate fully in the evaluation process, self-appraisal and continuous improvement of professional skills.

While supervision and evaluation policies and procedures are not negotiable in collective bargaining, the Superintendent is to seek appropriate involvement of staff in the development and periodic review of the supervision and evaluation program.

Legal Reference:  20-A MRSA §§ 1055, 13201; 13701-13706, 13802
Me. Dept. of Ed. Rule Ch. 125 §§ 4.02(E) (3), 8.08

Adopted:       July 9, 2001

Revised:       March 13, 2017
RESIGNATION OF PROFESSIONAL STAFF

Refer to the agreement between the Board of Education of the City of South Portland and the South Portland Teacher’s Association.

The Superintendent of Schools is authorized to accept resignations on behalf of the Board, the Superintendent is to report on such resignations at the next meeting of the Board.

Legal Reference:
Adopted: January 4, 1967
Revised: April 13, 1981
RETIREMENT OF PROFESSIONAL STAFF

A signed letter of intent, from teachers planning to retire in June, must be filed prior to the preceding November 1st. This is necessary in order that allotments for the same be included in the budget.

For more information, see the Agreement between the Board of Education and the South Portland Teachers Association.
NON-SCHOOL EMPLOYMENT BY PROFESSIONAL STAFF MEMBERS

No teacher shall assume any non-school obligation which interferes with the performance of his or her school duties including conferences, in-service workshops, extracurricular activities, grade level meetings, or other assigned functions extending beyond class hours.

Adopted: May 12, 1969
Revised: April 11, 1983
EXCHANGE TEACHING

Teachers may be granted a one year leave of absence to serve as an exchange teacher through an approved teacher exchange program under the following conditions:

1. That a suitable exchange can be arranged to the satisfaction of all parties involved.

2. That the school department be obligated to pay the salary of only one teaching member involved in the exchange.

3. That each leave of absence for the purpose of exchange teaching be granted on the recommendation of the Superintendent of Schools and the approval of the Board of Education.

4. Teachers granted exchange teacher status for shall agree to return to their original positions for a minimum of one school year at the conclusion of the year of exchange teaching.

The salary increment shall be allowed for exchange teachers so that the individuals involved maintain their proper position on the salary scale.

The above regulations also apply to other professional personnel who may apply for exchange positions.

Adopted: Prior to 1985
EMPLOYEE COMPUTER AND INTERNET USE

As used herein, the terms “computer[s]” or “device[s]” refer to any desktop, laptop, server, chromebook, tablet or other mobile computing device, including cellular phones and wearables, owned or issued by the South Portland School Department to any student, or any privately owned devices used in school or used to access school department networks, Internet or services.

South Portland School Department’s computers, network and Internet access are provided to support the educational mission of the schools. This policy and the accompanying rules also apply to computers issued directly to staff, whether in use at school or off school premises. Employees are allowed to use privately-owned computer and/or devices at school, provided that they comply with this policy and the accompanying rules.

All South Portland School Department computers remain under the control, custody, and supervision of the department. It is the responsibility of employees to limit use of department computers, networks and Internet services to those tasks that support and/or enhance the course of instruction and effective management of the department. Given the insecure nature of electronic communications, all employees are reminded and encouraged to exercise appropriate caution and discretion concerning matters of a confidential nature.

Use of department computers, networks, Internet and services for non-school purposes is permitted so long as such use does not interfere with any employee’s job duties and/or performance. Such non-school use must be consistent with standards of appropriate employee conduct. Employee use of department computers, networks, Internet and services for non-school purposes shall comply with all applicable laws and South Portland School Department policies, regulations, procedures, and standards. The department reserves the right to monitor all computer, network, and Internet activity by employees using department devices, networks, Internet or services, whether such activity has taken place on or off school grounds. Therefore, employees are reminded that there is no expectation of privacy in their use of school computers, networks, and/or Internet services.

Compliance with the South Portland School Department’s policies and rules concerning Computers and Computer Services use are mandatory. An employee who violates these policies and rules may be subject to disciplinary action, up to and including termination. Violations of the school department’s policies and rules may also result in referral to law enforcement and/or legal action.

Each employee is entitled to access and utilize the South Portland School Department computers, networks, and Internet services only with prior authorization. Authorization is granted when employees have read and understand this policy and the Regulations for Employee Computer and Internet Use prior to use of the South Portland School Department computer, network, and Internet services.

The Superintendent shall be responsible for the administration of compliance with this policy in a manner consistent with applicable employment policies and negotiated agreements. Any employee who violates this policy and/or its regulations governing the use of the department’s computers will be subject to appropriate disciplinary action and possible referral to law enforcement authorities. The
administration may also develop additional administrative regulations and/or procedures governing the
day-to-day management and operations of the department’s computer system.

Cross Reference:
EGAA-R – Reproduction of Copyrighted Material - Guidelines
GCSA - Employee Computer and Internet Use
IJNDB - Student Technology and Internet and Cybersafety Use
IJNDB-R - Student Technology and Internet Use and Cybersafety Rules

Approved: 1/9/17
EMployee Computer and Internet Use Rules

The intent of these Board-level rules is to provide employees with general requirements for utilizing the school department’s computers, networks, and Internet services. The Board rules may be supplemented by more specific administrative procedures and rules governing day-to-day management and operation of the computer system.

As used herein, the terms “computer[s]” or “device[s]” refer to any desktop, laptop, server, chromebook, tablet or other mobile computing device, including cellular phones and wearables, owned or issued by the South Portland School Department to any student, or any privately owned devices used in school or used to access school department networks, Internet or services

Each employee is responsible for his/her actions and activities involving school department computers, network, and Internet services, and for his/her computer files, passwords, and accounts.

These rules provide general guidelines and examples of prohibited uses for illustrative purposes but do not attempt to state all required or prohibited activities by the user, including general guidelines for managing electronic documents in compliance with a variety of laws. Employees who have questions regarding whether a particular activity or use is acceptable should seek further guidance from the director of technology.

Failure to comply with Board policy GCSA, these rules and/or other established procedures or rules governing computer use may result in disciplinary action, up to and including dismissal. Violations of the school department’s policies and rules may also result in referral to law enforcement and/or legal action.

A. Access to School Computers, Networks and Internet Services

The level of access that employees have to school department computers, networks and Internet services is based upon specific employee job requirements and needs.

Unauthorized access to secure areas of the school department’s computers and networks is strictly prohibited.

B. No Expectation of Privacy

The school department retains control, custody, and supervision of all computers, electronic devices, networks and Internet services owned or leased by the school department. The school
department reserves the right to monitor all computer and Internet activity by employees and
other system users. Employees have no expectation of privacy in their use of school computers,
including e-mail messages and stored files.

C. Acceptable Use

Employee access to the school department’s computers, networks and Internet services is
provided for administrative, educational, communication and research purposes consistent with
the school department’s educational mission, curriculum, and instructional goals. General rules
and expectations for professional behavior and communication apply to use of the school
department’s computers, networks, and Internet services.

Employees are to utilize the school department’s computers, networks and Internet services for
school-related purposes and performance of job duties. Incidental personal use of school
computers is permitted as long as such use does not interfere with the employee’s job duties and
performance, with system operations or other system users. “Incidental personal use” is defined
as use by an individual employee for occasional personal communications. Employees are
reminded that such personal use must comply with this policy and all other applicable policies,
procedures, and rules.

D. Prohibited Use

General examples of unacceptable uses that are expressly prohibited include but are not limited
to the following:

1. Any use that is illegal or in violation of other Board policies, including harassing,
discriminatory or threatening communications and behavior, violations of copyright laws, etc.;

2. Any use involving materials that are obscene, pornographic, sexually explicit or sexually
suggestive, harmful to minors, or intended to appeal to prurient interest;

3. Any inappropriate communications with students or minors;

4. Any use for private financial gain, or commercial, advertising or solicitation purposes;

5. Any use as a forum for communicating by e-mail or any other medium with other school users
or outside parties to solicit, proselytize, advocate or communicate the views of an individual or
non-school-sponsored organization; to solicit membership in or support of any non-school-
sponsored organization; or to raise funds for any non-school-sponsored purpose, whether for-
profit or not-for-profit. No employee shall knowingly provide school e-mail addresses to outside
parties whose intent is to communicate with school employees, students and/or their families for
non-school purposes. Employees who are uncertain as to whether particular activities are
acceptable should seek further guidance from a building administrator.

6. Any communication that represents personal views as those of the school department or that
could be misinterpreted as such;
7. Sending mass e-mails to school users or outside parties for school or non-school purposes without the permission of the Director of Technology or Superintendent;

9. Any malicious use or disruption of the school department’s computers, networks, and Internet services or breach of security features;

10. Any misuse or damage to the school department’s computer devices;

11. Misuse of the computer passwords or accounts (employee or other users);

12. Any communications that are in violation of generally accepted rules of network etiquette and/or professional conduct;

13. Any attempt to access unauthorized sites;

14. Failing to report a known breach of computer security to the system administrator;

15. Using school computers, networks, and Internet services after such access has been denied or revoked; and

16. Any attempt to delete, erase, or otherwise conceal any information stored on a school computer that violates these rules.

E. Staff Responsibilities to Students

Teachers, staff members, and volunteers who utilize school computers for instructional purposes with students have a duty of care to supervise such use. Teachers, staff members, and volunteers are expected to be familiar with the school department’s policies and rules concerning student computer and Internet use and to enforce them. When, in the course of their duties, employees/volunteers become aware of student violations, they are expected to stop the activity and inform the building principal.

F. Compensation for Losses, Costs and/or Damages

An employee is responsible for compensating the school department for any losses, costs or damages incurred by the school department for violations of Board policies and school rules while the employee is using school department computers, including the cost of investigating such violations. The school department assumes no responsibility for any unauthorized charges or costs incurred by an employee while using school department computers.

G. Management of Electronically Stored Information (ESI)

ESI, including e-mail, can constitute student educational records if, for example, they include communications to and from parents that contain information that would be subject to disclosure under FERPA regulations.
E-mail communications containing personally identifiable information on students will usually be subject to disclosure as a result of a parent request under FERPA. E-mails of this nature may be printed and retained in the student's permanent record.

Communications made using the electronic student information system shall be archived regularly. Communications generated in this student information system to or from parents concerning individual students will be retained permanently.

All ESI concerning School Board business may be subject to disclosure as a result of a Freedom of Access Act (FOAA) request.

Individual staff members and School Board members are responsible for the management of ESI they generate. Individuals shall retain any ESI, including e-mail correspondences (both incoming and outgoing), for each of the following:

1. All situations currently under litigation or potentially that may go to litigation
2. Any ESI containing personally identifiable information on students, which may reasonably be considered part of a permanent student record
3. Any ESI containing information relating to official School Board business, other than routine notifications and generic information

Additional Rules for Use of Privately-Owned Computers by Employee

1. The employee is responsible for proper care of his/her privately-owned computer (including electronic devices), including any costs of repair, replacement, or any modifications needed to use the device at school.

2. The school department is not responsible for damage, loss, or theft of any privately-owned computer or electronic device.

3. Employees are required to comply with all Board policies/procedures and school rules while using privately-owned computers or electronic devices at school.

4. Employees have no expectation of privacy in their use of privately-owned devices while it is being used at school, or when accessing school networks or services. The contents of the computer may be searched in accordance with applicable laws and policies.

H. Employee Acknowledgment Required

Each employee authorized to access the school department’s computers, networks, and Internet services acknowledges that they have read and understood policy GCSA and these rules.

Cross Reference:
EGAA-R – Reproduction of Copyrighted Material - Guidelines
GCSA - Employee Computer and Internet Use
IJNDB - Student Technology and Internet and Cybersafety Use
IJNDB-R - Student Technology and Internet Use and Cybersafety Rules

Revised: 1/9/17
The school system shall employ non-professional personnel in positions which function to support the educational program of the schools. All such support staff positions in the school system shall be established initially by the Board. In each case, the Board will approve a job description as presented by the Superintendent.

Non-professional employees shall work in the following general areas:

A. Secretarial and clerical staff

B. Educational Technicians (Instructional) (defined as those who devote at least 50 percent of their work time to assisting one or more professionals with instruction);

C. Educational Technicians (Non-instructional) (defined as those who devote at least 50 percent of their work time to activities other than assisting with instruction);

D. Custodial staff;

E. Maintenance staff;

F. Pupil transportation staff; and

G. Food services staff.

Although positions may remain temporarily unfilled, or the number of persons holding the same type of position reduced in event of destaffing requirements, only the Board may abolish a position that it has created.

Adopted: June, 2001
Revised: July 9, 2001
Non-professional personnel are generally classified into three major categories. Each category has its own negotiated contract.

1. Clerks, Library Aides and Technicians
2. Maintenance, Custodians and Matrons
3. Food Service Workers

Revised: October 13, 1980
SOUTH PORTLAND SCHOOL DEPARTMENT

SOUTH PORTLAND SCHOOL DEPARTMENT

SUPPORT STAFF HIRING

It is the policy of the Board that when any non-instructional position is created or becomes vacant, every effort is made to fill that position with the best qualified candidate.

The Superintendent is hereby designated as the agent of the Board to develop such procedures as are necessary under the law to carry out this policy, and to employ, appoint, assign, promote, transfer and terminate non-instructional staff in accordance with this and other applicable policies of the Board.

Cross Reference: AC-Nondiscrimination
Cross Reference: GCCA-R Recruiting and Hiring Procedures

Adopted: June 2001
Revised: July 9, 2001
SOUTH PORTLAND SCHOOL DEPARTMENT

SUPPORT STAFF ASSIGNMENTS AND TRANSFERS

The business administrator, in consultation with the Superintendent and/or building administrators, shall make assignments and transfers of support staff members (except secretaries and Educational Technicians) for the efficient operation of the schools. Educational Technicians and secretaries will be assigned within schools by the respective building administrators.

The preferences of employees shall be taken into consideration in making assignments and transfers. However, the best interests of students and the school system must be given priority. Within an individual school, a building administrator may assign instructional and non-instructional support staff members to tasks appropriate to their positions and qualifications.

Care shall be exercised by the administration to see that all facilities are properly staffed with support staff personnel.

Adopted: July 9, 2001
SCHOOL CALENDAR

It shall be the responsibility of the Superintendent of Schools to publish a school calendar annually.

Legal Ref: Title 20-A MRSA Section 4801
Adopted: April 8, 1974
Revised: March 10, 1980
Revised: May 14, 2000
Revised: July 8, 2002
The hours of the regular school day shall be set by the Board of Education upon the recommendation of the school administration. Adequate supervision of students shall be provided for the hours of the regular day.

The school department shall not be responsible for non-bused students who arrive on school grounds earlier than 15 minutes prior to morning and afternoon sessions. This policy does not apply to students who arrive early due to busing schedules.

On days of severe inclement weather the school doors shall be opened as early as necessary to prevent possible hardship. Students shall be supervised whether in a central area(s) or in classrooms.

Children are to be discouraged from early arrival on school grounds regardless of the weather.

Adopted: January 4, 1978
Revised: January 29, 2002
Revised: July 8, 2002
DEPARTMENTAL ORGANIZATION

At the high school level, departments shall be maintained in the fields of visual and performing arts, career preparation, modern and classical languages, English, guidance, mathematics, science, social studies, special education, physical education, and in other such fields as may become desirable.

All teachers assigned to a given field shall automatically become members of that department.

Elementary and middle school teachers shall be encouraged to participate and contribute to any and all departments as a means of developing good communication and understandings between elementary, middle and secondary school. It is important that we develop continuity of instruction aligned with the Maine Learning Results.

Cross Reference: Policy ADF: School District Commitment to Learning Results
Adopted: Prior to 1985
Revised: May 22, 2001
Revised: February 26, 2002
Revised: July 8, 2002
CURRICULUM DEVELOPMENT

Continuous review, evaluation, and development of the curriculum shall take place under the direction of the Superintendent of Schools. The Superintendent may call for assistance in the process from members of the professional staff in such a way as to assure a broad representation of subject areas, grade levels, and special services.

Major changes in curriculum and/or courses of study shall be implemented only after approval by the Board of Education.

Cross Reference:  Policy ADF: School District Commitment to Learning Results
Adopted:       Prior to 1986
Revised:       February 26, 2002
Revised:       July 8, 2002
Revised:       February 23, 2005 (Code Change)
PROVISION OF SPECIAL SERVICES TO PRIVATE/HOME SCHOOLING STUDENTS

The South Portland School Department’s responsibility for the education of exceptional children in private/home schools is to provide services outlined in the individual education plan (IEP) at the local school site.

Transportation shall be provided only on established routes currently available to district students.

 Adopted: March 14, 1994
HOMEBOUND INSTRUCTION

The principal/designee shall be informed of any student who will be absent from school for two weeks or longer because of prolonged illness or any disabling affliction. Educational support to these students not to exceed ten hours per week will be available through home tutoring.

The principal/designee shall obtain this request for home tutoring from a physician. The physician’s letter shall state the nature of the illness or disabling affliction and the expected duration of the disability. The school nurse shall serve as a liaison between the physician or hospital and the school.

Teachers are responsible for providing pertinent instructional materials, appropriate assignments and tests as needed. Tutors are responsible for providing pertinent instructional materials, appropriate assignments and tests as needed. Tutors are responsible for assessing student progress, correcting assignments and tests and informing the teacher of progress, test scores and other relevant information at intervals to be decided cooperatively between the teacher and tutor.

All student records will remain in the school. The name of the student receiving home tutoring will remain on the classroom register and will be marked “present” for the duration of the home tutoring period.

Adopted: March 16, 1961
Revised: November 8, 1971
Revised: April 11, 1977
Revised: June 12, 1978
Revised: June 12, 1989
Revised: January 29, 2002
Revised: July 8, 2002
ALTERNATIVE PROGRAMS

The South Portland School Department may establish one or more programs that are in alignment with the system of learning results established in section 6209 as alternatives to the regular course of study, including options allowed in sections 5104-A and 8605, to meet the needs of at-risk students.

1. Coordination: These programs shall operate as part of the elementary or secondary school program.
2. Alternative schedules. Alternative programs may allow students to attend school part-time. Alternative programs may be scheduled apart from the regular school day.

Adopted: January 29, 2002
Revised: July 8, 2002
LAU PLAN

A. General Policy Statement

It is the policy of the South Portland School Department to provide equitable access for limited English proficient students. According to the Equal Education Opportunities Act (1974), this district must make an effort to do whatever is educationally appropriate to address the English and educational needs of the limited English proficient student so that he/she can compete with his/her same age English background peers. Qualifying students will be identified and placed in programs and services in accordance with statutory guidelines. The South Portland School Department will strive to provide a linguistically and culturally rich learning and teaching environment. It is the policy of the South Portland School Department to comply with all federal and state laws prohibiting discrimination against students on the basis of all civil rights categories.

B. Responsibility for LAU Plan Implementation

The Superintendent will appoint a Lau Plan Coordinator to oversee the district Lau Plan. Language Assessment Committees that will consist of an administrator, classroom teacher, ESL (English as a second language) teacher, social worker (if necessary), and a parent or guardian, if possible, will be established at schools with ELL populations. Appropriate support staff, such as a guidance counselor, will be included when they are involved in the student’s program. The facilitator of the Language Assessment Committee will be an ELL teacher. The facilitator has overall responsibility for implementing the individual student plans.

The responsibilities of the Language Assessment Committee include:

a. Identify Limited English Proficient (LEP) students using the *WIDA “Access” assessment tool, MODEL, PreLas 2000
b. Develop an appropriate and effective language support program that assures LEP students will achieve the Common Core Essential Learning Targets.
c. Monitor the student’s progress on an on-going basis.
d. Notify parent or guardian of all decisions (in a language they comprehend) and their right to appeal their child’s participation in ESL.
e. Determine when the LEP student meets the exit or reclassification standards through WIDA Assessment.
f. Monitor students for two years after exit from ESL.
g. Make recommendations for programming for next school year.

C. Identification Process

Limited English proficiency is not a disability covered by IDEA or Maine Special Education regulations. English Language Learners (ELLs) will not be placed in special education programs without a separate determination of the need for such services. ELLs will not be identified as disabled based on their language deficits. Compliance with OCR and MDOE guidelines will be ensured.
Screening: All newly enrolled students (including transfers) will be initially screened for subsequent assessment through the Home Language Survey during the enrollment process. If there is any question about level of proficiency, additional assessment tools will be administered.

If a student has been previously identified as Limited English Proficient, screening is not required, although English proficiency assessment is required annually in all communicative skills domains.

*WIDA*=(World Class Instructional Design and Assessment) Maine is a partner among 31 states.

Assessment of English Language Proficiency and Academic Skills

Assessment

1. Consultation with classroom teacher where appropriate
2. Anecdotal information from student, family and/or sponsors
3. Testing for proficiency in the Academic English of content areas.
4. Oral and written assessment of English
5. Teacher Observations
   a. Review of student school records
   b. Parents Interview
   c. Classroom-based assessment procedures
   d. Samples of student work
6. WIDA, Access, and MODEL, PreLas, WAPT, BVAT

D. Placement and Programming

Before making a permanent grade-level placement decision for a language minority student, the Language Assessment Committee will need to have pertinent background information about the child. That information would include, as a minimum:

- the child’s chronological age
- the child’s educational background
- the child’s English language proficiency level through WIDA assessments (if available)
- the child’s academic performance

With this information, which should have been collected as expeditiously as possible, the Language Assessment Committee will decide at what grade level the student should be placed. Under no circumstances will a student be placed in a grade level that is more than one year below his/her chronological age. Although it may seem logical to place a language minority child at a grade level that matches the kind of English skills he/she needs to acquire, it would be a great disservice to the child both socially and cognitively to do so. The Board of Education is obligated to provide a structured language support program that meets the ELL as well as content area needs of the student consistent with state and federal statute and case law precedent.
Regarding the issue of grade-level retention, on the whole, retention is only advisable when a language minority student is lagging behind peers socially and emotionally (and even that may not be appropriate). It stands to reason that a language minority – LEP child will not be on grade level academically until he/she has had the opportunity to acquire the English skills and content necessary for success.

It is not appropriate to retain a LEP child solely for the reason of limited English proficiency because the child has unique needs and must be given ample time from grade level to grade level to acquire English proficiency. The school committee accepts the research findings that the acquisition of a second language for cognitive/academic proficiency can take from five to seven years under optimal circumstances of academic and ELP (English Language Proficiency) support.

The most advantageous way to avoid grade-level retention is to make accommodations for the LEP child in the mainstream classroom and to maintain a close collaborative relationship between the mainstream and ELL programs. If a LEP child is referred for retention, the Language Assessment Committee should be included in that process to ensure that language proficiency is not the sole reason for the referral.

Programs: Each student will be enrolled in mainstream program to the extent possible and integrated into regular activities. The regular classroom teacher will share the responsibility of programming with a qualified ELL teacher. Modifications to the regular curriculum will be supported by appropriate instructional materials. An ELL program will be provided at a specified school at each level in order to maximize language support services with sheltered content instruction to support access to the Common Core.

Some of the programs that might be used in South Portland include:

Sheltered Instruction: An approach that utilizes the simplification of the English language to teach ESL and subject area content simultaneously (sometimes called “content ESL”). Although the actual content is the same as that taught to non-ELL students, key concepts and vocabulary are targeted to fit the ELL student’s English language proficiency level.

Structured Immersion: Instruction for LEP student is conducted in a setting wherein the teacher understands the student’s non-English home language. The student uses the non-English native language with the content teacher who usually responds in English.

The following guidelines will be followed for the development of a student’s program:

1. Instruction will be provided during the regular school hours.
2. Student’s grade placement will be age appropriate.
3. The ELL teacher and classroom teacher will coordinate efforts to support the students’ acquisition of English and the Common Core.
4. Instruction may occur in the mainstream classroom and/or the ELL setting, one-on-one, small group, tutoring or other modifications appropriate for the particular student.
5. Instructional space will be provided to ELL student that is comparably provided to non-ELL students.
6. The amount of time spent with the teacher will be determined by the Language Assessment Committee based on age and need of the student.
7. Home visits may be conducted as part of an outreach effort to parents of ELL student with support to those parents in their language.

III. ESL Teacher Requirements

1. Hold State of Maine Certification with ESL endorsement
2. Administer multi-criteria evaluations used to determine eligibility.
3. Communicate at least quarterly or each tri-semester with parents regarding progress of students in a language they understand.
4. Recommend modifications or revisions to the LAU Plan.
5. Recommend reclassification or exiting of student based on WIDA assessments.
6. Provide meaningful cultural and language information to student, teachers and classmates.
7. Insure that high school students receive appropriate career and educational information and that all post graduate opportunities are made equitably accessible to them.
8. Monitor students who have exited the ELL program for a period of two years.

Reclassification, Transition or Exit Criteria

A multi-criteria assessment will be made when determining if an LEP student will be classified as a Fluent English Proficient (FEP) student, proficient enough in English to participate meaningfully in regular education program. This will consist of the following:

1. Teacher evaluation of general language proficiency by observing the student’s oral performance in both formal and informal settings.
2. The ESL Teacher will evaluate the progress of the student in reference to ELL skills and objectives at least annually.
3. An objective evaluation will be made as to how the student is functioning in the four skill areas of listening, speaking, reading, and writing compared to their English speaking classmates. This evaluation will be made jointly by the ESL teacher and the classroom teacher(s). Exit thresholds will include WIDA Access Assessment (beginning 2005) Level 6 Composite score. Exit assessments and criteria should parallel those used to determine eligibility in the first place.
4. Several other factors will be considered when making the determination to exit services:
   - Whether students can keep up with non-ELL peers in the regular academic program;
   - Whether they are able to participate in essentially all aspects of the curriculum without simplified materials; and
   - Whether their retention and drop-out rates are similar to those of non-ELL peers.

Special Needs Placement:
Determining special needs placement for students who are receiving ESL Services is a complex process. There may be a number of individual or combined factors determining why language and cultural minority students are achieving little academic progress over time; the normal process of second language acquisition, the acculturation process, different learning styles, motivation to learn, or the student’s lack of prior schooling are a number of potential factors instead of intrinsic learning problems. Screening and diagnosing at-risk students receiving ESL Services include a number of pre-referral steps to determine whether there exist temporary learning and behavior characteristics shared by learning disabled students and students of English as a second language, or whether referral to special education is warranted. The ESL Specialist must be involved throughout the process.

The following pre-referral process will be followed to determine the necessity for referral to special education:

1. When the student experiences continued, serious academic/social behavioral difficulty:
   - Examine systematic efforts to identify the source of difficulty:
     a. **Curriculum**: continuity of exposure; scope and sequence; student’s entry level skills; cognitive demands; mastery criteria; amount of practice exhibited in the native language.
     b. **Instruction**: sequencing of content; language use; effective teaching behaviors; coordination with other teachers.
     c. **Teacher**: qualifications; experience with LEP Students; teaching style; expectations; perceptions; instructional management; behavior management.
     d. **Student**: Experiential background; native language proficiency; cultural characteristics; cognitive learning style; locus of control/attribution; self-concept; motivation.
     e. **Assessment**: learning standards; data collection procedures; modifications.

   - **Examine the student’s individual and group behavior, parental perceptions, work samples, and teacher perceptions**.
     a. **Cultural differences**: country of origin; length of residence in US; age at arrival.
     b. **Language differences**: first language characteristics; rate of progress in English; opportunities to use English outside of school; literacy skills in first language.
     c. **Environmental factors**: background factors; attitudes on schooling; interruptions/traumas; frequency of school moves; family separation; family support for schooling; home environment factors.
     d. **Medical/physical factors**: history; present conditions.
     e. **Achievement/performance factors**: listening comprehension; oral expression; basic reading skills; reading comprehension; written expression.
     f. **Learning/behavior factors**: visual discrimination; auditory discrimination; visual memory, auditory memory; visual motor coordination;
attention/coordination; a social perception; problem solving; activity level; speech.

2. Parents, teachers, and support staff can initiate referral to Special Education. Parents will be provided an interpreter if necessary. The Language Assessment Committee can also refer a student to special education services for continued diagnosis and testing if: (a) systematic efforts to identify the source of the difficulty are unsuccessful and/or (b) the Intervention Checklist identifies behavioral patterns deemed necessary for continued assessment. The Language Assessment Committee will gather the information and process the referral observing Special Education regulation timelines. The disabling condition must occur in the student’s primary language to warrant a referral.

Program Evaluation

In order to ensure the most effective and appropriate structured language support programming for limited English proficient children, a model for overall program evaluation must be developed and utilized consistent with state and federal statute. An annual program evaluation will illustrate: attainment of program outcomes; English language and content acquisition; attainment of learner outcomes; school climate and support for the program and children; the quality of instructional materials, the maintenance of information about students; the effectiveness of staff development activities; the amount and effectiveness of mainstream ELL collaboration; the effectiveness of school and program communication with parents; and, the implementation of the Lau Plan itself.

The program accountability and demonstration of outcomes will enhance the program’s legitimacy in the school and will consummate the work and methods of the program toward the ultimate goal of continually improving instruction to meet learner instructional needs.

Caveats

The following three circumstances could present themselves. The policy of the school committee is duly noted for each situation.

1. Although language minority-limited English proficient students may be eligible for NCLB Title One and Title Three services under the same criteria as other children, any may receive those services. Title I and Title III services cannot supplant structured support services, such as ESL.
2. Limited English proficiency is not a disability as defined by the Americans with Disabilities Act of 1994 and state special education regulations. If a language minority child is referred for a special education evaluation, a culturally and linguistically non-biased evaluation must comply with state and federal regulations.

An assessment of the child’s native language skills as soon after school enrollment as possible is advisable so that any significant problems can be identified and noted for future references. The disability must be determined in the student’s primary language.
3. In the event that a parent/guardian refuses ELL services for their child, a signed letter of refusal will be placed in the student’s file. These ELL services will be offered yearly and a letter of refusal must be signed annually. The parent may withdraw refusal of services at any time.

H. Program Evaluation

The Lau Plan Coordinator is responsible for monitoring and evaluating the overall effectiveness of the Lau Plan. An effective plan is one in which students are achieving proficiency in English and are able to participate meaningfully in South Portland’s programs. The Lau Plan Coordinator will annually perform the following functions:

- Review staff compliance with Lau Plan procedures and requirements;
- Review student data to assess student progress in achieving English proficiency and participation in school programs;
- Obtain feedback and suggestions from staff, parents and students (if appropriate) concerning Lau Plan procedures and services provided to students;
- Provide a report to the Superintendent regarding the findings of the program evaluation and any recommendations for improvements to Lau Plan procedures or educational programs and services provided to ELLs.

I. Parent Notification and Involvement

To the extent practicable, parent notices and information will be provided in a language the parents can understand. In additional, if practicable, an interpreter will be provided to assist parents in communicating with school staff and at meeting of the Language Assessment Committee to discuss the student’s programming and progress in attaining English proficiency.

Parents shall be notified before their child’s English proficiency is assessed and shall be provided with the results of such assessments. If the student is identified as in need of ELL services, the parents shall be notified no later than 30 days after the beginning of the school year or within two weeks of the child’s placement in the program as required by the No Child Left Behind Act. Parents shall be invited to attend and participate in all LAT meetings pertaining to their child and shall be notified of school activities which are called to the attention of other parents.

Parents have the right to refuse ELL services and support for their child. If a parent does not want his/her child to have ELL services or support, he/she is required to sign a letter of refusal that shall be placed in the student’s education record.

J. Recordkeeping

All records pertaining to a student’s ELL status, including screening, assessments, Language Assessment Committee meeting minutes, programming, evaluations, and
parent notices and forms shall be included in his/her cumulative folder. Appropriate recordkeeping is the responsibility of the student’s Case Manager or guidance counselor (after a student has exited ELL programs and services).
Legal References

Civil Rights Act (Title VI) of 1964
“No person in the United States shall, on the grounds of race, color, or natural origin be excluded from participation in, be denied under the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”

Lau v. Nichols: U.S. Supreme Court decision of 1974
“There is no equality of treatment merely by providing students with the same facilities, textbook, teachers, and curriculum, for students who do not understand English are effectively foreclosed from any meaningful education.”

Memorandum, May 25, 1970 Dept. of HEW
“Where inability to speak and understand the English language excluded national origin-minority children from effective participation in the educational program offered by a school district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students.

Office of Civil Rights, Fall, 1985 memo on the May 23, 1970 Memorandum
“Title VI rights are for individual rights, thus LEA’s must heed the May 25th memorandum even if they have only a single Limited English Proficient (LEP) Student.”

Office of Civil Rights Memorandum, 1990
Requalified teachers

Adopted: October, 1995
Adopted: October, 2013
TRAVEL TOURS

The Board of Education neither sponsors nor endorses national or international travel tours for students. Any person arranging any such tours does so without authorization by the Board of Education, and the Board assumes no responsibility for such plans, for any monies involved, or for any event, incident, or mishap connected or associated with the same. Any person using school facilities in any way in connection with planning of such tours shall advise the students and parents involved in writing that the Board of Education is not involved and shall make record that he did so, filing a copy thereof with the Superintendent of Schools.

Adopted: September 8, 1975
Revised: May, 2001
Revised: July 8, 2002
STUDENT FUNDRAISING ACTIVITIES

While it is recognized that some special, discretionary activities rely on student fundraising, it is the intent of the Board of Education to minimize the frequency and intensity of these efforts. Fundraising activities must gain the approval of the building principal or designee prior to the start of any project which involves students in selling or otherwise raising money. The principal will determine whether the use of students for this project is age appropriate, and does not exceed the reasonable limits placed on the school for fundraising.

Elementary students are prohibited from door-to-door sales of products or solicitations, without adult supervision. Even when accompanied by a parent or other responsible adult, elementary students are limited to their neighborhoods and the homes of relatives and family friends or parent work sites.

Middle and high school student fundraising activities must be carefully considered and the guidelines clearly articulated. Students are strongly discouraged from solicitations outside of their immediate neighborhoods.

Students are prohibited from entering into a stranger’s home while fundraising.

Fundraising activities will not normally occur during the instructional day. However, the building principal may approve exceptions when fundraising activities have an educational component.

Adopted: May 12, 1975
Revised: November 9, 1998
Revised: July 8, 2002
CO-CURRICULAR ACTIVITIES

The Board of Education believes that students will benefit from the experiences in self-discipline and team effort made possible through participation in co-curricular activities. The district values work ethic as well as academic achievement.

At the middle and high school levels, co-curricular activities shall include a variety of choices. Students shall be allowed to participate on the basis of their abilities, desire, and academic standing.

CO-CURRICULAR PARTICIPATION

Six through Eight Co-Curricular Activities

The intent of the Middle School Co-Curricular Program is to increase participation across all activities.

To be eligible to try out, practice or participate in co-curricular activities, sixth, seventh, and eighth grade students must obtain an average Habits of Work grade of 2.5. Students scoring below 2.5 in Habits of Work will be placed on co-curricular probation. During the probation period, an intervention plan will be developed and implemented. The student’s status will be reviewed every two weeks by the administrator. If the student is making progress towards improving their Habits of Work grade, he/she will be allowed to continue to participate. Final decisions regarding student eligibility will be made by the building administrator.

Initial eligibility for incoming 7th and 8th grade students will be determined by the previous end of the year score.

Eligibility will not carryover from elementary school to middle school or middle school to high school.

Nine through Twelve Co-Curricular Activities

To be eligible to try out, practice, participate, or compete in athletics and activities, a student must have carried and attended a minimum of six full-time courses for credit in the previous quarter, passed five of those courses, and must be carrying and attending six full-time courses for credit in the current quarter. A student will be declared eligible/ineligible upon publication of the quarterly eligibility list. A student who has passed four courses during the fourth quarter may attend summer school to reinstate eligibility provided the course failed was with a grade no lower than 60 and that the summer course is in the same discipline as the course failed. A summer school grade of 70 or greater is required. Only one summer course will be permitted.
Adopted:  July 9, 1973
Revised:  May 10, 1976
Revised:  April 11, 1977
Revised:  May 11, 1981
Revised:  April 14, 1986
Revised:  July 11, 1988
Revised:  August 14, 2000
Revised:  July 8, 2002
Revised:  May 14, 2007
Revised:  April 23, 2012
Revised:  June 11, 2012
Revised:  October 15, 2014
GROUPING FOR INSTRUCTION

Whenever students are assigned to groups or classes, consideration shall be given to the student’s age, general ability, record of achievement and his/her social, emotional and physical maturity.

Legal Ref: Title 20-A MRSA Section 1001

Adopted: Prior to 1985
CLASS SIZE

The South Portland Board of Education recognizes that there is a relationship between class size and student achievement and that this relationship varies greatly across grade levels, among subjects and by methods of instruction. Therefore, the recommended class size in the elementary and secondary schools shall be determined by several variables including grade level, subject area, nature of the students in the classroom, nature of the learning objectives, availability of classroom space, instructional methods and procedures used, and budgetary constraints.

Keeping all of these variables in mind, the following class size ranges shall serve as a general guideline for the organization of classes in the elementary and secondary schools:

<table>
<thead>
<tr>
<th>CLASS</th>
<th>Guideline</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kindergarten through grade 2</td>
<td>15-20 students</td>
</tr>
<tr>
<td>Grades 3-5</td>
<td>15-24 students</td>
</tr>
<tr>
<td>Grades 6-8</td>
<td>15-25 students</td>
</tr>
<tr>
<td>Grades 9-12</td>
<td>15-26 students</td>
</tr>
</tbody>
</table>

Special class size circumstances, including, but not limited to:

- Classrooms falling under OSHA guidelines, such as Applied Arts;
- Number of available lab stations;
- Instrumental and choral music classes;
- Exceptionality courses.

When any elementary or secondary school class fails to meet or exceeds the recommended class size range, the Building Administrator shall notify the Superintendent of Schools. The Superintendent, in consultation with the Building Administrator, shall consider options to resolve the issue. Options may include, but are not limited to:

- Maintaining class size
- Assigning additional staff
- Transferring some or all students to a different class or school, or
- Canceling the course

The Superintendent's decision will be communicated to the Board of Education with the understanding that Board approval will be required to hire any additional staff.

Revised: February 9, 1987
Revised: March 11, 1996
Revised: July 8, 2002
Revised: February 23, 2005 (Code Change)
It shall be the policy of the South Portland School Department 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 South Portland public schools. The South Portland School Department shall develop these IEP’s 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. The South Portland School Department shall ensure that such IEP’s are in effect within 30 days of when a student is first identified as in need of special education services and that such IEPs are reviewed at least annually, as prescribed by state and federal special education laws.

Legal Reference: 20 USC § § 1414(d)
            34 CFR § 300.340-.350 (Mar. 1999)
            ME Dept. of Ed. Regs. Ch 101 § 1.4, 10.1-10.5 (Nov. 1999)

Adopted: July 8, 2002
INDIVIDUALIZED EDUCATION PROGRAM (IEP) TEAM MEETING ATTENDANCE

It is the policy of the South Portland School Department to fully comply with all State and Federal Special Education Regulations regarding IEP Team meetings. In addition to IEP Team members required to attend, either the parent or the District, at their discretion, may invite to the meeting other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate. The determination of knowledge or special expertise of such an individual(s) shall be made by the party (parent or public agency) who invited the individual(s) to attend the IEP Team meeting.

Should a parent choose to invite either an attorney, consultant, or advocate to an IEP Team meeting, the parent shall provide notice to the Building Administrator or Office of the Director of Instructional Support at least three (3) business days in advance of the IEP Team meeting to give the District time to arrange for attendance by the Director of Instructional Support or other appropriate representative(s). Should the parent fail to provide three (3) days advance notice of attendance by an attorney, consultant, or advocate at the IEP meeting, or should the District be unable to have the Director of Instructional Support or other appropriate representative(s) in attendance at that meeting, the District reserves the right to reschedule the meeting to a date when the Director of Instructional Support or other appropriate representative(s) can attend.

Legal Reference: Maine Unified Special Education Regulation VI(2) (2007)

Adopted: February 9, 2009
SPECIAL EDUCATION REFERRALS

In accordance with the Maine Special Education Regulations (Chapter 101: Section 7.8), the South Portland School Department has developed a policy regarding referral to the Individualized Education Program (IEP) Team. This policy is intended to provide a clear procedure by which any appropriate person in the school or community can initiate a referral. The Superintendent has designated the Director of Instructional Support as the person responsible for appropriate and timely handling of referrals.

1. Any professional employee of the South Portland School Department can refer a student by the following means: Speak to the Superintendent, principal, or to any member of the special services staff to obtain and complete a copy of the referral form. Referral forms are available in each guidance office and special education rooms. Special education teachers are available for assistance in completing the forms if required.

2. Parents of any eligible child can refer their child to the IEP Team if they have reason to believe that the student may require special education and IEP Team supportive services. A telephone call or a written request to the Director of Instructional Support or building level principal will accomplish this. Any staff person contacted by a parent wishing to refer his/her child will put the parent in contact with the Director of Instructional Support, guidance counselor or principal and will assist in any way requested to expedite the process.

3. Any individual agency, representative, or preschool coordination site personnel with knowledge of a student can refer a student to the IEP Team by contacting the Superintendent, Director of Instructional Support, guidance counselor or principal.

4. Any student who is deemed “at risk” by school staff, parents, or outside school person with relevant knowledge can be referred for screening by contacting the Superintendent, principal, guidance counselor, or Director of Instructional Support.

5. A referral is considered to be initiated upon when the Consent to Evaluate has been signed by the building administrator or an Instructional Support administrator.

Adopted: March 14, 1994
Revised: December 12, 2011
REFERRAL/PRE-REFERRAL OF STUDENTS WITH DISABILITIES

It shall be the policy of the South Portland School Department to refer all school-age students suspected of having a disability that requires special education to the Individualized Education Program (IEP) Team for an evaluation in the suspected area(s) of disability. Referrals of students to the IEP Team may be made by professional school staff, by parents and by other persons knowledgeable about the student’s educational needs.

The Superintendent of Schools, in consultation with the Director of Instructional Support, may develop procedures for referral and the use of pre-referral interventions within the South Portland School Department, and may, from time to time, amend those procedures as necessary.

Legal Reference: 20 USC § 1400(c)(5)(F)  
Me. Dept. of Ed. Reg. ch. 101 §§ II(23), III, IV(2)(D), (E), V(4)(A)  
(August 2007)

Adopted: July 8, 2002  
Revised: November 10, 2008
Child Find

The South Portland School Department seeks to ensure that all children within its jurisdiction are identified, located and evaluated who are school-age 5 through the school year in which they turn 20 and who are in need of special education and supportive assistance -- including homeless children, state wards, state agency clients, students who have been suspended or expelled, children attending private schools or receiving home instruction, children incarcerated in county jails, children who have the equivalent of 10 full days of unexcused absences or 7 consecutive school days of unexcused absences during a school year, highly mobile children (including migrant or homeless), and children who are suspected of being disabled and in need of special education and supportive assistance even though they are advancing from grade to grade.

The school unit’s child find responsibility shall be accomplished through a unit-wide process which, while not a definitive or final judgment of a student’s capabilities or disability, is a possible indicator of special education needs. Final identification of students with disabilities and programming for such students occurs only after an appropriate evaluation and a determination by the IEP Team.

This child find process shall include obtaining data on each child through multiple measures, direct assessment, and parent information regarding the child’s academic and functional performance, gross and fine motor skills, receptive and expressive language skills, vision, hearing and cognitive skills. The South Portland School Department may schedule child find activities during its annual kindergarten enrollment to assist in planning for necessary special education and related service at the start of the school year. If screening occurs in the spring prior to school entry, the South Portland School Department will refer the child to the regional CDS site within 10 school days.

If the child find process indicates that a student may require special education and supportive services in order to benefit from regular education, the student shall be referred to the IEP Team to determine the student’s eligibility for special education services.

School staff, parents, or agency representatives or other individuals with knowledge of the child may refer children to the IEP team if they believe that the student, because of a disability, may be in need of special education and supportive services in order to benefit from regular education. Such a referral should follow the school unit’s pre-referral and referral policy.


Revised: February 25, 2013
PROGRAMMING IN THE LEAST RESTRICTIVE ENVIRONMENT

The South Portland School Department shall program for students with disabilities in the least restrictive educational environment that can appropriately address the student’s needs. Toward that end, the school unit shall ensure that, to the maximum extent appropriate, students with disabilities are educated with students who are not disabled, and that special education, separate schooling or other removal of students with disabilities from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

Determinations regarding programming in the least restrictive environment shall be made by the student’s Pupil Evaluation Team (PET) and shall draw upon a multidisciplinary assessment of the student’s needs. The district shall make available, as appropriate, the full continuum of educational placements when making placement determinations.

The Superintendent, in consultation with the Director of Special Education, may develop and promulgate procedures for implementing this policy and may, from time to time, amend those procedures as necessary.

Legal Reference: 20 USC § 1412(a)(5)
34 CFR §§ 300.550-.552

Adopted: July 8, 2002
PROGRAMMING IN THE LEAST RESTRICTIVE ENVIRONMENT
ADMINISTRATIVE PROCEDURE

Determinations regarding least restrictive programming may be made by the student’s Pupil Evaluation Team (PET) in the following manner:

A. The PET should first assess whether education in the regular classroom, with the use of supplementary aids and services, can be achieved satisfactorily. In making that determination, the PET should assess each of the following factors:

1. Supplementary aids and services that may assist the student in obtaining a satisfactory education in the regular classroom.

   Supplementary aids and services may include, but are not limited to, resource services, assistive technology services, modifications of curriculum, use of educational technicians, and consultation services from special educators.

   When assessing supplementary aids and services, the PET need not order placement in the regular classroom if it would require modification of the regular curriculum beyond recognition or would result in the student not having to learn any of the skills normally taught in that regular education curriculum.

2. A comparison of the benefits the student would receive in the regular education classroom with those that the student would receive in a more restrictive setting, such as a self-contained program.

   The assessment of benefits should consider both academic and social benefits of participation in the placement being considered. The PET should also assess academic and social detriments for the student that may arise from that placement.

   In some circumstances, the social benefits of regular education placement may outweigh the academic benefits, just as the academic benefits of a more restrictive setting may outweigh the social benefits of a regular education placement.
3. The effect that placement of the student in the regular classroom would have on other students in the classroom.

The PET need not place a student in the regular classroom when the student’s behavior, even with supplementary aids and services, would be so disruptive that the education of other students is significantly impaired. Nor would the PET need to place the student in the regular classroom when the student would require so much of the teacher or the educational technician’s time that the rest of the class suffers.

4. The financial cost would be of the supplementary aides and services accompanying an appropriate placement in the regular classroom.

Placement in the regular classroom may not be rejected under this factor simply because it would be incrementally more expensive than placement in a more restrictive setting. Yet the district need not educate a student in the regular classroom if the cost of such a placement would significantly impact the education of other students. The district need not place a student in the regular classroom if such placement requires that the student have his/her own full-time teacher.

B. If the PET determines after assessing the above factors that the student is unable to benefit from his or her educational program in the regular classroom with supplementary aids and services, the PET shall then determine the maximum extent of regular education participation that is appropriate.

In making this determination, the PET shall consider the full continuum of alternative placements—such as placing the student in regular education for some academic classes and in special education for others, regular education participation for nonacademic activities and classes only.

A student with a disability shall be placed in the school the student would normally attend unless the Individualized Education Program requires a different placement. In such a case, the placement shall be as close to possible to the student’s residence.

Legal Reference: 20 USC § 1412(a)(5)
34 CFR §§ 300.550-.552

Adopted: July 8, 2002
INDEPENDENT EDUCATIONAL EVALUATIONS (IEPs)

A parent of a student with disabilities has a right to obtain an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the district. An “independent educational evaluation” means an evaluation conducted by a qualified examiner who is not employed by the district.

If a parent requests an independent educational evaluation at public expense, the district must, without unnecessary delay, either (1) initiate a hearing with the Maine Department of Education to show that its evaluation is appropriate, or (2) ensure that an independent educational evaluation is provided at public expense, unless the district demonstrates in a hearing with the Maine Department of Education that the evaluation obtained by the parent did not meet agency criteria.

If a parent requests an independent educational evaluation at public expense, the public agency may ask for the parent’s reason why he/she objects to the district’s evaluation. However, the explanation by the parent may not be required, and the district may not unreasonably delay either providing the independent educational evaluation at public expense or initiating a due process hearing to defend the district’s evaluation.

If the independent evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the district uses when it initiates an evaluation.

The district shall provide to the parent, upon request for an independent educational evaluation, information about where an independent educational evaluation may be obtained and information about the school’s criteria applicable to independent educational evaluations at public expense.

If the parent obtains an independent educational evaluation at private expense, the results of the evaluation must be considered by the district, if that evaluation meets the district criteria for independent educational evaluations, in any decision made with respect to the provision of a free appropriate public education for the child.

If the parent requests an independent evaluation at public expense when the parent does not disagree with an evaluation provided by the district, or when the school has not recently provided an evaluation in the area requested, the parent request shall be referred without unnecessary delay to the PET to determine whether the PET should order an evaluation in the area requested.

Legal Reference: 34 CFR § 300.502 (March 1999)

Adopted: July 8, 2002
SPECIAL EDUCATION STUDENT OVERSIGHT AGREEMENT

[Sending school unit] and South Portland School Department hereby agree to the terms set forth below for monitoring students from [sending school unit] who are attending South Portland School Department as tuition students and who have been identified as in need of special education or in need of referral to special education.

A. General Oversight for All Students

Each high school student from [sending school unit] will have a report form (Progress Report Form) and grades sent from the receiving high school to the sending school unit twice a year to monitor the student’s progress and to keep an accurate account on transfers and dropouts. The sending school unit shall designate a person to receive those reports.

The sending school unit shall be responsible for contacting each high school guidance department to acquaint them with the Progress Report Form and to instruct them on its use.

In addition, if there is a problem with the student that requires administrative intervention beyond the level of the student’s teacher, the Progress Report Form will be filled out by the designated person documenting the problem. That form will be immediately forwarded to the designated individual at the sending school unit. The receiving school unit shall also place a phone call to the designated person from the sending school unit to ensure that the sending unit is aware of the issue.

Any action taken by the sending unit shall be documented on the Progress Report Form.

B. Oversight of Students Referred to PET for Evaluation

1. a. When a student is referred to a Pupil Evaluation Team (PET) or for evaluation, the Director of Special Services of the receiving district will notify the Director of Special Services from the sending school unit (or other designated official) by means of the Progress Report Form within five days of the referral

b. The sending school unit will enter the referral into the log to monitor timelines and procedures as they would K-8 referrals.

2. a. The sending school unit shall schedule the PET meeting at a mutually convenient time for all parties and notify the receiving school unit and the parents as described in Special Education. Reg. § 8.5

b. Parents will be informed by the sending school unit of their procedural safeguards in accordance with Maine Special Education
Regulations and will receive notification of meetings scheduled to
discuss their child’s school program. Any questions regarding the
special education process should be directed to the Director of
Special Education in the sending school unit (**or other designated
official**).

c. The Special Education Director from the sending school unit (**or
other designated official**) will chair the PET meetings held to
review evaluations and to make determinations on identification,
programming and placement.

C. Oversight of Students Identified as in Need of Special Education

1. a. For those students enrolled in special education, their progress will be
reviewed at annual PET meetings, through the general oversight
arrangements noted above, and through PET meetings. Either the sending
or receiving school unit may initiate a PET meeting, although the sending
school unit shall initiate the annual PET to review and revise the
Individual Education Plan (IEP). Whichever school unit initiates the PET
meeting shall be responsible for scheduling the meeting at a mutually
convenient time and for ensuring that notification requirements are met.

b. Parents will be informed of their procedural safeguards in accordance with
the Maine Special Education Regulations and will receive notification of
meetings scheduled to discuss their child’s school program. Questions
regarding the student’s progress or level of need that are raised with the
receiving school unit should also be relayed to the Special Education
Director of the sending school unit (**or other designated official**).

c. Every three years, or more often if determined necessary by the sending
school unit or the student’s PET, the student will be re-evaluated, as
specified in the Special Education Regulations, at the sending school
unit’s expense. The process of notification will be initiated by the sending
school unit.

Dated: ___________________

__________________________________ ______________________________
Sending School Unit                    Receiving School Unit

By: ______________________________    By: ___________________________

Adopted: July 8, 2002
PROGRESS REPORT FORM

Date:        High School:

Student’s Name:    Town Responsible for Student:

Fill Out Relevant Portion

A. January Progress    June Progress

☐ No Concerns at this point
☐ The following concerns (academic/special) exist:


Please attach a copy of this semester’s rank card.

B. Concerns with the student:

☐ Transferred to another high school    Date: 

☐ Moved to another town.    Date: 

☐ Has been absent for more than 10 school days.    Dates of absence: 

☐ Has been removed for disciplinary reasons. Date: 

☐ Referred to an alternative program.

☐ Referred to Student Assistance Team.

☐ Has been referred by staff or parent/guardian for consideration as a possible special needs student.

☐ Other.

Summary of action to be taken in response to concerns:


Adopted: July 8, 2002

SOUTH PORTLAND SCHOOL DEPARTMENT
LIFE-SUSTAINING EMERGENCY CARE

A primary concern of South Portland School Department shall be with the health and safety of its students. In emergency situations involving accident or illness, school employees should undertake reasonable efforts to provide first aid or life-sustaining emergency care to the extent of their knowledge and training, and/or to seek the assistance of school medical personnel or other staff members to obtain emergency assistance for the student.

For those students who may present an ongoing need for medical interventions at school, including a need for life-sustaining emergency care, school personnel shall convene a team meeting for the purpose of developing an individualized plan to address the student’s specialized health needs. The team should include persons at the school who are knowledgeable about the student, as well as the student’s parents and a school administrator. The Team may consider requests from the parents that alternative forms of life-sustaining emergency care be used as part of that plan, but those requests must be substantiated by specific medical documentation from the student’s physician. The Team shall not approve a parental request to deny all life-sustaining emergency care for a student, but may specify that only certain types of intervention are appropriate in a particular situation.

For the purpose of this policy, “life-sustaining emergency care” means any procedure or intervention applied by appropriately trained school staff that may prevent a student from dying who, without such a procedure or intervention, faces a risk of imminent death. Examples of life-sustaining emergency care include: efforts to stop bleeding, unblocking airways, mouth-to-mouth resuscitation, and cardiopulmonary resuscitation (“CPR”).

Legal Reference: 29 USC § 794(a)

Cross Reference: JLCE – First Aid and Emergency Medical Care

Adopted: July 8, 2002
GRIEVANCE PROCEDURE FOR PERSONS WITH DISABILITIES

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

Questions about this grievance procedure should be directed to the ADA/504 compliance coordinator, the Director of Special Education.

Step One

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

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

Step Two

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

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

Adopted: July 8, 2002
HOME SCHOOLING

Parents/guardians who wish to have their children fulfill the compulsory school attendance law through equivalent education by home schooling must comply with the provisions of 20-A MRSA § 5001-A(3)(A)(4).

A. The student’s parent/guardian must provide a written notice of intent to provide home instruction simultaneously to the Superintendent of the school unit in which the student resides and to the Commissioner of the Department of Education within ten calendar days of the beginning of home instruction. The notice must contain the following information:

1. The name, signature and address of the student’s parent/guardian;

2. The name and age of the student;

3. The date the home instruction program will begin;

4. A statement of assurance that indicates the home instruction program will provide at least 175 days annually of instruction and will provide instruction in: English and language arts, math, science, social studies, physical education, health education, library skills, fine arts, and, in at least one grade from grade 6 to 12, Maine studies. At one grade level from grade 7 to 12, the student will demonstrate proficiency in the use of computers; and

5. A statement of assurance that indicates that the home instruction program will include an annual assessment of the student’s academic progress that includes at least one of the forms of assessment described in 20-A MRSA § 5001-A(3)(A)(4)(b) and paragraph B below.

B. On or before September 1 of each subsequent year of home instruction, the student’s parent/guardian must file a letter with the Superintendent of the administrative unit in which the student resides and to the Commissioner stating the intention to continue providing home instruction and enclose a copy of one of the following forms of annual assessment of the student’s academic progress:

1. A review and acceptance of the student’s progress by an identified individual who holds a current Maine teacher’s certificate;
2. A review and acceptance of the student’s progress based on, but not limited to, a presentation of an educational portfolio of the student to a local area home schooling support group whose membership for this purpose includes a currently certified Maine teacher or administrator; or

The Superintendent must agree to any of the following options prior to submission of the written notice of intent to provide home instruction.

3. A standardized achievement test administered through the administrative unit in which the student resides or through other arrangements approved by the Commissioner. If the test is administered through the administrative unit in which the student resides, that administration must be agreed to by the Superintendent of the administrative unit prior to submission of the written notice of intent to provide home instruction;

4. A test developed by the Superintendent/designee of the administrative unit in which the student resides appropriate to the student’s home instruction program, which must be agreed to by the Superintendent of the administrative unit prior to submission of the written notice of intent to provide home instruction;

5. A review and acceptance of the student’s progress by a local advisory board selected by the Superintendent of the administrative unit in which the student resides that includes one administrative unit employee and two home instruction tutors. A “home instruction tutor” means the parent/guardian or other person who acts or will act as a primary teacher of the student in the home instruction program. This provision must be agreed to by the Superintendent of the administrative unit in which the student resides prior to submission of the written notice of intent to provide home instruction.

C. Dissemination of any information filed under 20-A MRSA § 5001-A(3)(A) (which applies to alternatives to attendance at public day school, including home schooling) is governed by the provisions of 20-A MRSA § 6001 (dissemination of information); the federal Family Educational Rights and Privacy Act of 1974, 20 USC § 1232g (2002); and the federal Education for All Handicapped Children Act of 1975, 20 USC § 1401-1487 (2002), except that “directory information” as defined by the federal Family Educational Rights and Privacy Act (FERPA) is confidential and is not subject to public disclosure unless the parent/guardian specifically permits disclosure in writing or a judge orders otherwise. Copies of any information filed under 20-A MRSA § 5001-A(3)(A) must be maintained by
the student’s parent/guardian until the home instruction program concludes. The records must be made available to the Commissioner upon request.

D. If the home instruction program is discontinued, students of compulsory school age must be enrolled in a public school or an equivalent instruction alternative as provided for by law. The receiving school shall determine the placement of the student. At the secondary level, the principal of the receiving school shall determine the value of the prior educational experience toward meeting the standards of Maine’s system of Learning Results.

The Board accepts no responsibility for the unit in the application, review, approval, or oversight of home instruction programs except as provided for by law or this policy.

Participation by home-schooled students in the public school program shall only be permitted as described elsewhere in Board policy.

The Superintendent shall maintain a roster of all students eligible to attend school within the school unit who are receiving equivalent instruction, as provided in Department of Education rules.

Legal Reference: 20-A MRSA§ 5001-A(3)
Ch. 125 § 12.02, Ch. 130 (Me. Dept. of Ed. Rules)

Cross Reference:  
JEA – Compulsory School Attendance
IHBGA – Home Schooling—Participation in School Programs
IHBGB – Special Education Services for Students in Private Schools or Home Schooling
JGAB – Assignment of Students to Classes: Transfer Students and Home-Schooling Students

Adopted: February 9, 2004
HOME SCHOOLING-PARTICIPATION IN SCHOOL PROGRAMS

The South Portland School Board acknowledges the provisions for equivalent instruction under Maine law. The Board further observes the Legislature’s recognition, “that the term ‘equivalent’ is intended to mean meeting state standards, for alternate or other instruction and is not intended to mean the same as the education delivered in the public school system.”

In addition it is the intent of the Board to “cooperate in the home instruction of any child who resides in the school administrative unit to the degree that the level of cooperation does not interfere with the responsibilities to the students enrolled in South Portland’s regular programs.” Furthermore, participation of students in such programs shall be limited to home-schooled students whose home instruction programs are in compliance with applicable Maine law and Department of Education regulations.

In order to maintain an efficient and orderly school program, the Board directs the Superintendent/designee to develop procedures, as appropriate, regarding the availability of school system resources and services in support of equivalent instruction programs that have been approved by the Commissioner. The procedures shall be in accord with the following provisions:

I. Provision of Information

At the request of the student or the student’s parent/guardian, the South Portland School Department shall make available to home-schooled students, in a form determined by the school, information regarding access to public school activities and attendance in South Portland schools. This information must include:

A. Requirements regarding initial health and developmental screening for motor skills, vision, hearing and immunization; and

B. Criteria for participation of home-schooled students in curricular, co-curricular and extracurricular activities.

II. Permitted Participation

A. Participation in Regular Classes. Home instruction students may enroll in specific day school classes provided that the student’s attendance is regular, the class is deemed age and grade appropriate, and all prerequisite course requirements are met. In addition, the following shall also apply:

1. The student or the student’s parents/guardian, on the student’s behalf, shall apply in writing to and receive written approval from the Superintendent/designee. Approval may not be unreasonably withheld.
2. The student shall demonstrate prior satisfactory academic achievement consistent with school district policy and procedures applicable to all students.

3. The student shall comply with behavioral, disciplinary, attendance and other classroom rules applicable to all students. If a student fails to comply, the school may withhold credit or terminate the student’s participation.

4. Transportation must be provided by the parent or guardian or student. However, the student may use the same transportation, using the same distance guidelines, as all other students in the school district, as long as additional expenses are not incurred and vehicle capacity is not exceeded.

5. The student shall complete all assignments and tests as required of all students in the same class.

B. Course Auditing. Home-schooled students may audit a course(s) provided the following conditions have been met.

   1. The student or the student’s parent/guardian, on behalf of the student, shall apply in writing to and receives written approval from the Superintendent/designee to audit a specific course or courses. Participation may not be unreasonably withheld.

   2. The student agrees to meet established behavioral, disciplinary, attendance and other classroom rules applicable to all students. If a student fails to comply, the school may terminate participation.

III. Special Education Services

Special Education Services will be available to eligible special education students in accordance with applicable federal and state laws and regulations.

IV. Admission to Regular Program/Placement

A student who has been receiving home-school instruction and who seeks admission to the regular school program will be placed in a grade commensurate with the level of the student’s academic achievement. Placement must be guided by the following:

   A. For students who transfer into school from an educational program that is not required to meet the standards of the system of Learning Results, the principal of the receiving school shall determine the value of the student’s prior educational experience in considering a placement decision.
B. Appropriate school staff may make recommendations concerning placement based on, but not limited to, factors such as the student’s completed curricula and record of achievement, conferences with the student’s parent or guardian, and administration of tests.

C. The final grade placement decision shall be made by the principal. The principal’s decision may be appealed to the Superintendent, whose decision shall be final.

V. Re-Admission to the School Program

Placement of home-schooled students who wish to be readmitted to the school program will be determined by the principal who shall consult with members of the professional staff to the extent appropriate and, as deemed necessary to make a reasonable determination that the requisite academic standards have been met, collect from parents actual samples of coursework (e.g., homework, papers, examinations). The principal may also direct that a test or tests be administered to help determine the student’s progress toward meeting the content standards of the Learning Results for the purpose of determining an appropriate grade level. The decision of the principal may be appealed to the Superintendent.

VI. Use of School Textbooks and Library Books

Subject to availability, a student receiving home instruction may use school textbooks, if the number of particular copies are sufficient, and the library books owned by the South Portland School Department, subject to the following conditions:

A. The use does not disrupt regular student, staff or special education functions.

B. The student’s sign-out period for a library book is the same as that applicable to regularly enrolled students. Penalties for late returns shall be the same as for regularly enrolled students.

C. The student may sign out a textbook for a period not to exceed one school year.

D. The parent/guardian and student agrees to reimburse the school unit for lost, unreturned or damaged library books and textbooks and for consumable supplies used.

VII. Use of School Facilities and Equipment

A student receiving home-school instruction may use school facilities and equipment on the same basis as regularly enrolled students if the following conditions are met.

A. The use does not disrupt regular school activities.
B. The use is approved by the school principal in accordance with established school policy.

C. The use does not create additional expense to the school district.

D. The use is directly related to the student’s academic program.

E. The use of potentially hazardous areas, such as shops, laboratories and gymnasiums, is supervised by a qualified employee of the school unit, approved and assigned by the Superintendent.

VIII. Maine Educational Assessment

If a parent of a student in an equivalent instruction program requests, in accordance with policy IHBG, to have the student participate in the Maine Educational Assessment (MEA), such request must be granted. Participation in such examinations must be in compliance with all rules and procedures governing testing in the South Portland School Department.

IX. Awarding Proficiency

For students who transfer from a home-schooling situation that is not aligned with South Portland High School’s cross-curricular and content area graduation standards, Guidance and the Principal shall evaluate the value of the student’s prior educational experiences and determine to what degree the student has met the school’s graduation requirements. After enrolling in South Portland High School, these students will need to satisfy all assessment, proficiency, and graduation requirements in the appropriate subject areas, as determined by Guidance and the Principal. The decision of the Principal shall be final. The Superintendent will ultimately determine whether these students are eligible to receive a diploma.

X. Diploma Eligibility

The following standards govern the awarding a diploma to a student receiving home-school instruction who seeks admission or readmission to high school.

A. A student may earn credit for course work completed through home-school instruction if the principal determines both in advance and upon completion of the course that the course satisfies the proficiency requirements. The principal may direct that the student undergo a test or tests to assist in making a determination relative to the awarding of credit.

B. Requests for transfer credit for equivalent instruction completed at non-approved private schools, at private schools that elect not to meet requirements under 20-A MRSA § 2901 or through other equivalent
instruction programs must be evaluated on the merits of the documentation provided. The principal and guidance staff shall conduct these evaluations on request by the student or the student’s parent/guardian.

C. For students who transfer into a secondary school from another state or an educational program that is not required to meet the standards of the system of Learning Results, the principal of the receiving school shall determine the value of the prior educational experience toward meeting the standards through the local assessment system.

D. Students must be enrolled their entire final year prior to graduation and satisfy all other requirements established by the Board.

Awarding of a high school diploma by the South Portland School Department is conditioned upon the student having met the content standards of the applicable content areas of the system of Learning Results as determined by the local assessment system and the student’s demonstration of having satisfied all requirements specified by Board policy.

XI. Participation In Co-Curricular Activities

Students receiving home-school instruction may participate in co-curricular activities such as field trips, assemblies, and academically-related fairs provided:

A. Prior written permission is obtained from both the parent/guardian and the principal; and

B. The student has agreed to meet established behavioral, disciplinary, attendance and other rules applicable to all students.

C. The student may be assessed for the cost of the field trip.

D. Participation may be limited by space availability.

XII. Participation in Extracurricular Activities

Students receiving home-school instruction are eligible to try out for extracurricular activities sponsored by the South Portland School Department, provided the student applies in writing if the following requirements are satisfied

A. The student agrees to abide by equivalent rules of participation as are applicable to regularly enrolled students participating in the activity and provides evidence that the rules of participation are being met.
B. The student complies with the same physical examination, immunization, insurance, age and semester eligibility requirements as regularly enrolled students participating in the activity. All required documentation must be made available upon request by the South Portland School Department. The school principal is authorized to collect from parents actual samples of coursework (e.g., homework, examinations, etc.), as he/she deems necessary in order to make the determination that the necessary academic standards have been met.

C. The student meets equivalent academic standards as those established for regularly enrolled students participating in the activity and provides evidence at the end of each quarter that the academic standards are being met. The principal will determine that the work completed by the home-schooled student is equivalent. This evaluation must be based on the merits of the documentation provided. Approval may not be unreasonably withheld.

D. The student abides by the same transportation policy as regularly enrolled students participating in the activity.

XIII  Appeals

Appeals will be heard by the Superintendent. The decision of the Superintendent is final and binding. Appeals that question the Board policy compliance with legal requirements must be made to the Commissioner, whose decision is final and binding.

Cross Reference:  IHBGB – Special Education Services for Students in Private Schools or Home Schooling
IHBG – Home Schooling

Legal Reference:  20-A MRSA §§ 5001-A (3), 5021-5025
Chapter 127 §§ 5.03, 6.02, 7.02 (Maine Department of Education Rules)
Ch. 130 (Maine Department of Education Rules)

Adopted:  June 8, 1992
Revised:  December, 1996
Revised:  November 13, 2002
Revised:  February 9, 2004
Revised:  July 13, 2015
SUPPLEMENTAL STATEMENT OF RIGHTS FOR PRIVATE SCHOOL/
HOME SCHOOLING STUDENTS WITH DISABILITIES

If you are a parent of a child with disabilities, or suspect that your child may have a disability that is covered by state or federal special education laws, and your child is in a private school or an approved home schooling program, you have the following rights:

A. A parent/guardian has the right to have his/her child located, identified and evaluated by the South Portland School Department as a possible special education student, including referral of the student to a Pupil Evaluation Team (PET) to determine whether the student qualifies as a special education student. The South Portland School Department Child Find and referral obligations toward the student while he/she is in a private school/home school program are the same as for students enrolled in South Portland public schools.

B. Students with disabilities enrolled in private schools or in home schooling programs do not have an individual right to special education and related services while enrolled in the private school or home schooling program.

C. The South Portland School Department has an obligation to consult with representatives of private school and home schooling students with disabilities on how to carry out the South Portland School Department’s duty to locate, identify and evaluate all private school/home schooling students with disabilities and also to consult in a timely way on:

1. Which students will receive services;

2. What services will be provided;

3. How and where the services will be provided; and

4. How the services will be evaluated.

D. The South Portland School Department has a duty to expend on the pool of identified private school/home schooling students with disabilities an amount that is at least the proportion of the district’s grant under §1411 (g) of the IDEA as the number of school age private school/home schooled students with disabilities in South Portland is to the total number of school age students with disabilities in South Portland.

SOUTH PORTLAND SCHOOL DEPARTMENT
E. South Portland School Department shall make the final decisions with respect to the services to be provided to eligible private school/home schooling students with disabilities.

F. For any private school/home schooling student with a disability that the South Portland School Department decides that it will provide services, the South Portland School Department shall initiate and conduct a meeting of the PET to develop, review and revise a services plan detailing the special education and related services to be provided and including goals for measuring the outcome of such services. To the extent appropriate, the Team shall develop the services plan in a manner consistent with development of an Individualized Education Program.

G. Parents may file a complaint with the Maine Department of Education, Division of Special Services (287-5950) alleging that the South Portland School Department has failed to comply with any of its obligations toward private school/home schooling students. Parents have a right to a due process hearing from the Maine Department of Education only on issues relating to the South Portland School Department duty to locate, identify and evaluate all private school/home schooling students with disabilities.

H. As a resident of South Portland, the parent/guardian has a right to enroll his/her child in the local public school. If at any time the parent chooses to do so and his/her child is a student with a disability, the PET will meet to review and/or develop an IEP for implementation upon enrollment of the child in public school. If the child is enrolled in public school, the parent/guardian and his/her child are entitled to all the rights set forth in the South Portland School Department’s attached special education Statement of Rights.

I. If a parent would like a complete copy of the state and federal regulations addressing the duties of the South Portland School Department toward private school/home schooling students with disabilities, he or she should contact the special education office at the South Portland School Department or the Maine Department of Education, Division of Special Services (287-5950). If a parent has any concerns about his/her child, written concerns should be addressed to:

Director of Special Education
South Portland School Department
130 Wescott Road
South Portland, Maine 04106

A parent may also telephone the Office of Special Education at 871-0555. Questions may also be addressed to the Maine Department of Education, Division of Special Services, at 287-5950.

Legal Reference: 20 USC § 1412(a)(10)  
34 CFR § 300.450-.462 (March 1999)  
Me. Dept. of Ed. Reg. ch. 101 § 4.7 (Nov. 1999)

 Adopted: July 8, 2002

SOUTH PORTLAND SCHOOL DEPARTMENT
POST-SECONDARY ENROLLMENT OPTIONS

The intent of this policy is to establish the requirements for student enrollment in post-secondary courses taken before high school graduation.

Eligible Institutions
Students may take courses at eligible post-secondary institutions within Maine, which include the University of Maine System, the Community College System, and Maine Maritime Academy.

Student Eligibility Requirements
A student may take no more than two courses per semester and four courses per academic year, unless said requirements is waived by the school principal.
A student must meet the following criteria prior to enrolling in a post-secondary course:

**Note: The following are statutory requirements:**

A. Have a minimum “B” (or 3.0) average in his/her courses overall;
B. Meet the course admission standards of the eligible institution;
C. Provide evidence of parent/guardian approval for taking the course; and
D. Obtain approval from the principal and guidance counselor. The student must meet with his/her guidance counselor to develop a plan describing how the course will help the student meet graduation requirements in order to obtain approval.

Exceptions to Eligibility Requirements:
A student enrolled in grade 11 or 12 who does not meet the “B” (3.0) average in his/her courses overall is eligible to take post-secondary courses provided that he/she;

A. Has been assessed and received a recommendation to take the course form the school administration; and
B. Has been approved for participation in the course by an eligible institution.

Awarding of Credits:
The eligible institution shall grant full credit to any student who successfully completes a course.
High school graduation credit for a course taken under this policy shall be awarded as follows:

A. The course must meet for a minimum of one semester.
B. The student must earn a passing grade in the course.
C. Attendance must satisfy the instructor’s requirements.
D. If the above criteria are met, the student shall receive one(1) credit for each course awarded college credit.
Financial Assistance:
A. The Maine Department of Education shall pay 50% of the applicable instate tuition costs for the first 3 credit hours taken each semester and up to 6 credit hours per academic year for any student enrolled in a course under this policy if the eligible institution requires tuition payment.
B. The student and his/her parent/guardian are responsible for paying for all textbooks, course fees, and transportation costs.

School Reporting Requirements:
The Superintendent shall ensure that information concerning post-secondary enrollment options is made available to parents and students.

Legal Reference:  20-A MRSA § 4771 et seq.
Adopted: August 14, 2000
Revised: October 10, 2007
INSTRUCTIONAL MATERIALS

All textbooks, supplies, materials and equipment shall be judged in light of their contribution to the educational needs of the students. They shall be requisitioned through the school department, subject to the approval of the Superintendent of Schools, within the limits established by the annual budget.

General instructional supplies including paper, pens, pencils, art materials, standardized tests, science laboratory supplies, physical education supplies, etc., which are considered essential to instruction in the schools, shall be furnished without charge to students.

Industrial Technology supplies, including lumber, shall be furnished without charge to all students for their regular class projects. Materials used for personal projects shall be paid for by the students.

Materials for music instruction for choruses, bands, orchestras and ensembles, shall be furnished without charge to students.

Legal Ref: Title 20-A MRSA Section 1001
Adopted: Prior to 1986
Revised: May, 2001
Revised: July 8, 2002
TEXTBOOK SELECTION AND ADOPTION

The purchase of textbooks and their periodic evaluation and replacement shall be an ongoing process. They shall be purchased without charge to the students.

Legal Ref: Title 20-A MRSA Section 1001
Adopted: Prior to 1986
SUPPLEMENTARY MATERIALS SELECTION AND ADOPTION

Magazines, workbooks, newspapers and similar educational materials which are consumed or which cannot ordinarily be used a second time, if not authorized for purchase by the Superintendent of Schools, may be used at student expense with the approval of the school principal.

Adopted: Prior to 1986
Revised: February 26, 2002
Revised: July 8, 2002
LIBRARY MATERIALS SELECTION AND ADOPTION

In the controversial area of religion, materials on all broad faiths of the world shall be included; such materials shall be factual and unbiased.

In the controversial area of political ideology, all sides of a question shall be represented, enabling a student to read widely to form his own point of view; books of sound factual authority shall not be removed from library shelves because of doctrine disapproval.

In the controversial area of sex, the material shall be judged according to its comprehensive literacy qualities: creativeness, style, imagination, vision, distinction, etc. Books which present an honest picture of some problems or aspects of life are not always excluded because of coarse language or frankness. They will call for careful analysis by the librarian, however.

In the controversial area of race, materials on various ethnic groups shall be factual, unbiased and in good taste. The library does not promote particular beliefs or views. It provides a resource where the individual can examine issues freely.

Any form of library censorship will be challenged in order that all librarians may carry out their proper functions of providing comprehensive and enlightened library collections. Parents have the right to judge the reading materials of their own children but they do not have the right to determine what another parent’s child shall read, which is the end result of any form of censorship.

Library materials shall be selected upon recommendations from the professional staff subject to approval of the school librarian and the principal.

Professional school librarians in the South Portland School system shall select, evaluate, and disseminate library materials. They shall seek in their choice of both books and AV aids to carry out the provisions of the School Library Bill of Rights.

Basic book selection tools and personal examination of materials shall be used consistently, together with the suggestion from administrators, teachers and students. It is expected that discretion and good judgment will prevail.

Adopted: Prior to 1986
Revised: 2001
Revised: July 8, 2002
EDUCATIONAL TECHNICIANS

The Board of Education authorizes the hiring of educational technicians to the extent funds are allocated in the school budget. Educational Technicians work in the South Portland schools assisting teachers, department heads, and librarians.

Adopted: Prior to 1985
Revised: June 2001
EDUCATIONAL FIELD TRIPS AND EXCURSIONS

Field Trips:

Field trips designed to stimulate student interest and inquiry and provide opportunities for students to achieve the outcomes of the curriculum are considered appropriate extensions of the classroom.

* To be educationally beneficial, a field trip requires thoughtful selection, careful advanced preparation of the class, and opportunities for pupils to assimilate the experience during and at the conclusion of the trip. To this end, the following factors will be considered in the selection of field trips.

A. Value of the activity to the particular class group or class groups;
B. Relationship of the field trip activity to a particular aspect of classroom instruction;
C. Suitability of the activity and distance traveled in terms of the age level;
D. Mode and availability of transportation; and
E. Cost

* A field trip is defined as a trip which does not involve an overnight stay.

* All students in the class or grade for whom the field trip is planned are expected to be included in the trip.

* All requests for educational field trips shall be processed by the building principal who will be responsible for arranging transportation with the Director of Transportation. A copy of the completed request form shall be filed with the Superintendent of Schools.

Excursions:

An excursion is defined as travel organized and conducted by an employee of the South Portland School District as a nonessential supplement to the curriculum.

K-8 Excursions – At the K-8 grade levels, excursions are connected to involvement in a club, activity or sport. Travel may not involve an overnight stay.

9-12 Excursions – At grades 9-12 excursions are connected to involvement in a Grade 9-12 club, activity or sport, by 9th-12th grade students. Travel may or may not involve an overnight stay.

*It is the policy of the Board of Education to discourage trips requiring extensive travel, extended absence from school, or excessive costs.
Excursions should be scheduled after regular school hours, on weekends, or during vacations whenever possible.

In an attempt to lessen the impact on teaching and learning, every effort will be made to secure a qualified substitute to cover any teaching duties that are impacted by staff involvement in the excursion. The teacher involved will provide plans that continue to further the education of the classroom.

Cross Reference: IGCB – Travel Tours
Cross Reference: IICA-R – Medication-Field Trip Regulations
First Aid Policy
Accident Policy
Bloodborne Pathogens Policy
Minor Urgent Care Guidelines for use in nurse’s absence

Revised: December 11, 1972
Revised: April 11, 1977
Revised: March 4, 1992
Revised: May, 2001
Revised: May, 2002
Revised: July 8, 2002
Revised: February 14, 2005
1. Any unlicensed personnel administering medications must hold documentation of their training in the administration of medication, including personnel administering medication on a field trip.

2. There must be written permission from the parent/guardian providing consent to administer the medication in school and a written physician's order and/or an appropriately labeled original medication container.

3. Either a standardized preprinted medication label or preprinted envelope containing the information described below or medication in its original container will be used for students attending a field trip.

4. When using a preprinted label or preprinted envelope, the school nurse shall transfer the prescribed amount of medication needed for the field trip from the original medication container into the approved envelope and fill in the appropriate information on the envelope.

5. The envelope will be provided to the trained personnel for administration during the trip. The school nurse will provide a review of the medication and its administration to the trained personnel on an as-needed basis. All trained personnel administering medication must understand what to do in an emergency.

6. The medication will be transported and stored in compliance with any special directions for the medication and will be secured as safely as possible.

7. The administration of medication on a field trip will duplicate as much as possible, the guidelines found in the “Guidelines for Training of Non-Licensed Personnel in Medication Administration.” This will include consideration of student privacy and cleanliness of the area where medications are administered.

8. Medication will be administered to the student to assure that the right student receives the right medication, with the right dose, at the right time, by the right route. The trained personnel administering the medication will double check the student with the medication label and will double check the dose. The medication will be given within 30 minutes either side of the prescribed time.

9. Each school district will develop a method of documenting medications administered on the field trip, recording any unexpected occurrences, and a method of returning any medication not administered.

The medication envelope or label will contain the following information.

<p>| | | |</p>
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<tr>
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<tbody>
<tr>
<td>1.</td>
<td>Date to be administered</td>
<td>5.</td>
</tr>
<tr>
<td>2.</td>
<td>Name of student</td>
<td>6.</td>
</tr>
<tr>
<td>3.</td>
<td>Name of medication</td>
<td>7.</td>
</tr>
<tr>
<td>4.</td>
<td>Dose to be given</td>
<td>8.</td>
</tr>
</tbody>
</table>

EDUCATIONAL FIELD TRIPS AND EXCURSIONS
ADMINISTRATIVE PROCEDURES

The following procedures apply to all field trips:

A. Field trips should be planned well in advance as part of the curriculum.
B. Parents will be informed in writing regarding field trip plans.
C. When transportation is necessary, written consent of the parent or guardian shall be received prior to the field trip.
D. Supervision will be provided to maintain appropriate discipline on the trip.
E. It is the expectation that all School Board policies will be followed while on field trips.

The following procedures apply to all excursions:

A. Excursions which require overnight stays shall be submitted to the Superintendent of Schools for approval.
B. Educational excursions outside the continental United States shall be submitted to the Superintendent of Schools for approval by the Board of Education.
C. Excursions requiring Superintendent of Schools or Board of Education approval must submit a proposal prior to travel including the following:
   a. Objectives of the excursion
   b. Number and grade level of students
   c. Cost per pupil
   d. Source of funds, including student contribution or fund-raising activities
   e. Transportation to be used
   f. Itinerary including dates of the trip and contact information for the trip leader
   g. Arrangements for meals and lodging
   h. Names of proposed chaperones
   i. Plans for providing information to parents and chaperones
   j. Plans for emergencies
   k. Plans for inclement weather
   l. Plans for securing parental permission
   m. Behavior expectations/student accountability for behavior

D. Whenever transportation is necessary, written consent of the parent or guardian shall be received prior to the excursion.
E. Should transportation be provided by other than public conveyance, the principal shall investigate and be satisfied that proper liability insurance is provided before allowing the trip to commence.
F. It is the expectation that all School Board policies shall be followed while on excursions.
SCHOOL VOLUNTEERS

It shall be the policy of the Board of Education to provide an organizational structure for volunteers to assist professional staff in the daily function of the schools.

It is the responsibility of the Director of Volunteer Services to administer the recruitment, selection and training for the program. The guidelines are developed in conjunction with the Office of the Superintendent of Schools. It is the responsibility of the Director of Volunteer Services to record in Infinite Campus the date and location of every volunteer’s training and/or background check.

Volunteers are to understand that all school activities are under the direct supervision of the school staff. The duties of volunteers are to be specifically detailed and are not to be confused with those of professional personnel. No volunteer shall ever perform the job of a paid employee.

In keeping with articulated safety standards and concerns for student welfare, all persons who volunteer in South Portland schools must submit a Volunteer Registration application every school year. On the application, volunteers must, with their signature, agree to:

- Comply with the rules of confidentiality;
- Attest they have not been convicted or adjudicated in a criminal offense and there are not currently charges pending against them;
- Comply with the South Portland Board of Education policies GBEC Drug Free Workplace and GBEBB Conduct with Students;

All field trip chaperones must submit to a background check.

Visitors are encouraged to visit the schools. In the interest of student welfare, all visitors to South Portland Schools must register their presence in the sign-in notebook in the school office.

The Superintendent of Schools may also request public participation on committees that affect the development of school programs.

The Superintendent of Schools may terminate a volunteer at any time if determined to be in the best interest of the school department.

Adopted: April 14, 1975
Revised: January 4, 1978
Revised: June, 2001
Revised: July 8, 2002
Revised: September 8, 2004

SOUTH PORTLAND SCHOOL DEPARTMENT
INSTRUCTIONAL AND LIBRARY-MEDIA MATERIALS SELECTION

The Board is legally responsible for all matters relating to the operation of the schools, including the provision of instructional materials and maintenance of library-media resources that support the school system’s curriculum.

While the Board retains its authority to approve the selection of instructional materials, it recognizes the educational expertise of its professional staff and the need for such staff to be involved in the recommendation of instructional materials. The Board delegates responsibility for the selection of instructional materials and library-media resources to the professionally trained personnel employed by the school system, subject to the criteria and procedures for selection and the Board’s policy on challenged materials as described below.

With the assistance of professional staff, the Superintendent shall establish a system for the selection of instructional materials, including procedures to establish an orderly process for the review and recommendation of instructional materials. The Superintendent will be responsible for overseeing the purchase of instructional materials within budgetary parameters set by the Board. The Board expects the Superintendent to report on progress made in aligning instructional materials with curriculum development and evaluation in support of the content standards contained in Maine’s system of Learning Results.

Each school shall maintain a library-media program that includes books and other print materials, multimedia materials, online Internet resources and information technology that support the curriculum. A certified library-media specialist will be responsible for overseeing the library-media program, under the supervision of the Superintendent. As with instructional materials, the Board delegates responsibility for selection of library-media materials and technology and Internet resources to the school system’s professionally trained staff, subject to the criteria and procedures for selection and the Board’s policy on challenged materials described below.

Definitions

“Instructional materials” include textbooks and other print materials, software and other electronic materials, online/Internet resources (including access), and supplies and other materials to support instruction in subject areas and implementation of the system of Learning Results.

“Library-media resources” include books, print materials, online/Internet resources (including access), multimedia materials and information technology that, as part of the library-media program, support the school system’s curriculum.
Objectives of Selection

The Board recognizes that it is the primary objective of instructional materials to implement and support the curriculum, and of library-media resources to extend and enrich the educational programs of the schools. Quality instructional materials and library-media resources are essential to student learning. In preparing students to meet the content standards of the Learning Results, in supporting the achievement of the school unit’s educational goals and objectives, and in providing enrichment opportunities that expand students’ interests and contribute to a desire for lifelong learning, it is the responsibility of the instructional program and the library-media centers of the schools to provide a wide range of materials on all levels of difficulty, with diversity of appeal and the presentation of different points of view, and to place principle above personal opinion and reason above prejudice in selection of materials of the highest quality in order to assure a comprehensive collection appropriate for the users of the library media center.

Criteria for Selection

Instructional and library-media materials selected should:

A. Support achievement of the content standards of the Learning Results;

B. Support the goals and objectives of the school system’s educational programs;

C. Enrich and support the curriculum;

D. Take into consideration the varied interests, abilities, and maturity levels of the students served;

E. Foster respect and appreciation for cultural diversity and varied opinions;

F. Give comprehensive, accurate and balanced representation to minorities and women in history, science, leadership and the arts and acknowledge the contributions of ethnic, religious and cultural groups to our American heritage;

G. Present a balance of opposing sides of controversial issues to enable students to develop a capability for critical analysis;

H. Stimulate growth in factual knowledge, literary appreciation, aesthetic values and ethical standards;

I. Provide a background of information that will enable students to make intelligent decisions in their daily lives; and
J. Respect the constraints of the school unit’s budget.

Other factors that should be considered are accuracy and currency of material; importance of the subject matter; scholarship; quality of writing and production; and reputation and significance of the author, artist or composer.

In evaluating software, multimedia materials and online/Internet resources, additional factors that should be considered include purpose for use; content; format (degree of interactivity or student involvement); appropriate use of graphics, sound and animation; feedback provided; and ease of use.

Procedures for Selection

Meeting the needs of the individual schools, based on knowledge of the curriculum and the existing collections of instructional and library-media materials, shall be the highest priority. Basic learning materials, i.e., those that are the predominant instructional materials used by most members of the class, are used for a significant portion of the course or receive major emphasis during a course, or are essential to student achievement of content standards of the Learning Results are to take priority in the selection process.

Before recommending materials for purchase, professional staff should evaluate the existing collection, consulting reputable, unbiased, professionally prepared selection aids and specialists from all departments and/or all grade levels.

Social studies and science textbooks should not be older than five years unless up-to-date supplemental instructional materials are also available.

Whenever possible, purchase of non-print materials and multimedia, Internet and technology resources shall be made only after personal evaluation by the librarian/media specialist and/or other appropriate professional staff. Reviewing aids may be used in lieu of personal evaluation.

Multiple copies of outstanding and much-in-demand materials should be purchased as needed. Worn or missing standard items should be replaced periodically. Out-of-date or no-longer-useful materials should be withdrawn from the collection/circulation.

Donated Materials

Gift materials are to be evaluated by the same criteria as purchased materials. and are to be accepted or rejected by those criteria and in accordance with Board policy on gifts and donations.
Parental Authority

A student’s parent/guardian may inspect, upon request, any instructional material used as part of the curriculum. The Superintendent will be responsible for developing and implementing procedures for providing access to instructional material within a reasonable time after such a request is made.

The Board recognizes that the final authority as to what materials an individual student will be exposed rests with that student’s parents or guardians. However, at no time will the wishes of one child’s parents to restrict his/her reading or viewing of a particular item infringe on other parents’ rights to permit their children to read or view the same material.

Library-media center materials will not be removed from the collection because of criticism except in accordance with Board policy.

Challenged Materials

Despite the care taken to select materials for student and teacher use and the qualifications of the persons who select the materials, the Board recognized that objections may be raised occasionally by students, parents, school staff or community members.

In the event a complaint is made, the following procedures will apply:

A. The complaint shall be heard first by the person providing the materials in question.

B. If the complaint is not resolved, the complainant shall be referred to the building Principal and requested to fill out the “Instructional and Library-Media Materials Challenge Form.” A copy of the form will be forwarded to the Superintendent.

C. The Superintendent shall appoint a committee composed of the following persons to review the complaint: one Principal at the appropriate grade level; one librarian/media specialist; one classroom teacher; the department head in the subject area of the challenged materials; one community member.

D. The review committee shall: read and examine the materials referred to them; check general acceptance of materials by reading reviews; weigh values and faults against each other and form opinions based on the material as a whole and not on passages or portions pulled out of context; meet to discuss the material and to prepare a written report on it.
E. The report of the committee shall be forwarded to the Superintendent who will inform the complainant of the results.

F. No materials shall be removed from use until the review committee has made a final decision.

Legal Reference: 20-A MRSA §§ 1001 (10-A); 1055 (4); 4002
Ch. 125 §§ 9.01, 9.03 (Me. Dept. of Ed. Rules)
P.L. 107-110 § 1061 (No Child Left Behind Act)

Cross Reference: IJJ-E-1 – Instructional and Library-Media Materials Challenge Form
IJJ-E-2 – Incident Report (Exhibit)
IJJ-R – Library Materials Selection & Adoption (regulation)
IJJ-R1 – Instructional Materials Selection & Adoption (regulation)
IJNCA – Library Bill of Rights
IJNC – School Libraries

Adopted: November 13, 2002
SOUTH PORTLAND SCHOOL DEPARTMENT
REQUEST FOR RECONSIDERATION OF MATERIALS

Author ____________________________
Title ______________________________
Publisher (if known) ____________________________
Request Initiated By ____________________________
Telephone __________________ Address __________________
City __________________________ Zip Code __________________
Complainant Represents:
_________ himself/herself
_________ (name organization)
_________ (identify other group)

1. To what do you object? (Please be specific; cite pages)
   ____________________________________________________________
   ____________________________________________________________

2. What do you feel might be the result of having access to this material?
   ____________________________________________________________
   ____________________________________________________________

3. For what age group would you recommend this material?
   ____________________________________________________________
   ____________________________________________________________

4. What value do you see in this work?
   ____________________________________________________________
   ____________________________________________________________

5. Did you read or hear the entire work? ______ What parts?
   ____________________________________________________________
   ____________________________________________________________

6. Are you aware of the judgment of this material by literary critics?
   ____________________________________________________________
   ____________________________________________________________

7. What do you believe is its theme?
   ____________________________________________________________
   ____________________________________________________________

8. What would you like the library to do about this material?
   ____________________________________________________________
   ____________________________________________________________

9. In its place, what item of equal quality would you recommend that would convey an appropriate perspective of the topic?
   ____________________________________________________________
   ____________________________________________________________

10. Date __________________________
11. Signature of Complainant __________________________

Revised: November 13, 2002 (Code Change)
SOUTH PORTLAND SCHOOL DEPARTMENT
INCIDENT REPORT FORM

1. LIBRARY
   Name______________________________________________
   Address__________________________________________
   City______________________Zip Code________________
   County____________________Type of Library______________
   Phone___________________________________________

2. LIBRARIAN SUBMITTING FORM
   Name______________________________________________
   Phone (Work)____________________(Home)______________

3. PERSON(S) WHO WILL MAKE THE FINAL DECISION
   Name______________________________________________
   Title______________________________________________
   Address___________________________________________
   Phone______________________________________________

4. ITEM ITSELF
   book______periodical____record_______audio cassette______
   video cassette______film_______other_______
   Title______________________________________________
   Author/Producer____________________________________
   Publisher__________________________________________

5. Attach a copy of the complaint form, if possible.

6. Do you wish assistance from the MLA/MEMA-IFC? Yes___ No___

Adopted: 2001
Revised: July 8, 2002
Revised: November 13, 2002 (Code Change)
LIBRARY MATERIALS SELECTION AND ADOPTION

In the controversial area of religion, materials on all broad faiths of the world shall be included; such materials shall be factual and unbiased.

In the controversial area of political ideology, all sides of a question shall be represented, enabling a student to read widely and form his own point of view; books of sound factual authority shall not be removed from library shelves because of doctrinal disapproval.

In the controversial area of sex, the material shall be judged according to its comprehensive literacy qualities: creativeness, style, imagination, vision, distinction, etc. Books which present an honest picture of some problems or aspects of life are not always excluded because of coarse language or frankness. They will call for careful analysis by the librarian, however.

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Library materials shall be selected upon recommendations from the professional staff subject to approval of the school librarian and the principal.

Professional school librarians in the South Portland School system shall select, evaluate, and disseminate library materials. They shall seek in their choice of both books and AV aids to carry out the provisions of the School Library Bill of Rights.

Basic book selection tools and personal examination of materials shall be used consistently, together with the suggestions from administrators, teachers and students. It is expected that discretion and good judgment will prevail.

Adopted: Prior to 1986
Revised: November 13, 2002 (Code Change)
INSTRUCTIONAL MATERIALS SELECTION AND ADOPTION

To ensure consideration of the criteria for selection as identified in Board Policy IJJ-Instructional and Library Media Materials Selection, the following process is established for the selection of Instructional Materials.

Consideration of changes to textbooks and classroom instructional materials should be made as part of a broader programmatic review process based on direction provided by the Assistant Superintendent. All textbooks, supplies, materials and equipment shall be judged in light of their contribution to the educational needs of the students.

The selection process will ensure clarity of purpose and expected results, agreement as to who makes the decision, a plan for accountability, evaluation and continuous improvement, an assessment of the capacity to make the change, and the early involvement of stakeholders.

The following questions will be addressed in a formal written recommendation for new textbooks or classroom instructional materials:

1. **What is the problem that needs to be solved?**
   a. What is the compelling reason for change?
   b. What data support a change?
   c. What research supports a change?

2. **How and by whom will the decision be made regarding whether or not to recommend a change in instructional materials?**

3. **What is the proposed solution?**

4. **What are the anticipated results of this change?**

5. **How will we evaluate the success of the change?**
   a. How will we know whether the change produces the anticipated results?
   b. Who will be accountable for evaluating the change?

6. **Do we have the capacity to make the change?**
   a. What will the cost of the change be, at its implementation and in the long term?
   b. What impact will the change have on school personnel?

7. **Who are the stakeholders in this change? How are they involved in this process?**
   a. Stakeholders are those who are responsible for the final recommendation or are likely to be affected by the outcome of the recommendation.

Adopted: May 5, 2006
SCHOOL LIBRARIES

Collections of library books, reference materials, periodicals, pamphlets and other materials for enrichment of instruction and learning shall be maintained in each school in quantities considered adequate by professional staff and the professional librarian and shall be made available for student use. The Board will annually allocate funds for purchase of library materials.

Adopted: Prior to 1986
Revised: January 29, 2001
Revised: July 8, 2002
Revised: November 13, 2002 (Code Change)
LIBRARY BILL OF RIGHTS

The South Portland Board of Education endorses and subscribes to the American Library Association’s Bill of Rights which reads as follows:

All libraries are forums for information and ideas, and the following basic policies should guide their services:

1. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

2. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

3. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

4. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

5. A person’s right to use a library should not be denied or abridged because of origin, age, background, or views.

6. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted by the ALA June 18, 1948
Amended: February 2, 1961
       June 27, 1967
       January 23, 1980
       September 1987
Revised: May 2001
Revised: November 13, 2002 (Code Change)
ACCESS TO RESOURCES & SERVICES IN THE SCHOOL
LIBRARY MEDIA PROGRAM
AN INTERPRETATION OF THE LIBRARY BILL OF RIGHTS

The school library media program plays a unique role in promoting intellectual freedom. It serves as a point of voluntary access to information and ideas and as a learning laboratory for students as they acquire critical thinking and problem solving skills needed in a pluralistic society. Although the educational level and program of the school necessarily shape the resources and services of a school library media program, the principles of the Library Bill of Rights apply equally to all libraries, including school library media programs.

School library media professionals assume a leadership role in promoting the principles of intellectual freedom within the school by providing resources and services that create and sustain an atmosphere of free inquiry. School library media professionals work closely with teachers to integrate instructional activities in classroom units designed to equip students to locate, evaluate, and use a broad range of ideas effectively. Through resources, programming, and educational processes, students and teachers experience the free and robust debate characteristic of a democratic society.

School library media professionals cooperate with other individuals in building collections of resources appropriate to the developmental and maturity levels of students. These collections provide resources which support the curriculum and are consistent with the philosophy, goals, and objectives of the school district. Resources in school library media collections represent diverse points of view and current as well as historic issues.

Members of the school community involved in the collection development process employ educational criteria to select resources unfettered by their personal, political, social, or religious views. Students and educators served by the school library media program have access to resources and services free of constraints resulting from personal, partisan, or doctrinal disapproval. School library media professionals resist efforts by individuals to define what is appropriate for all students or teachers to read, view or hear.

Major barriers between students and resources include: imposing age or grade level restrictions on the use of resources, limiting the use of inter-library loan and access to electronic information, charging fees for information in specific formats, requiring permissions from parents or teachers, establishing restricted shelves or closed collections, and labeling. Policies, procedures and rules related to the use of resources and services support free and open access to information.

The School Board adopts policies that guarantee student access to a broad range of ideas. These include policies on collection development and procedures for the review of resources about which concerns have been raised. Such policies, developed by persons in the school community and the community at large, provide for a timely and fair hearing and assure that procedures are applied equitably to all expressions of concern. School library media professionals implement district policies and procedures in the school.

Adopted: May 2001
Revised: July 8, 2002
Revised: November 13, 2002 (Code Change)
STUDENT COMPUTER AND INTERNET USE

As used herein, the terms “computer[s]” or “device[s]” refer to any desktop, laptop, server, chromebook, tablet or other mobile computing device, including cellular phones and wearables, owned or issued by the South Portland School Department to any student, or any privately owned devices used in school or used to access school department networks, Internet or services.

The school department provides computers, networks, electronic devices, and Internet access to support the educational mission of the schools and to enhance the curriculum and learning opportunities for students and school staff. Students are allowed to use privately-owned computers and electronic devices at school and on school networks with the prior authorization, provided that they comply with this policy and the accompanying rules. The Board believes that the resources available through the Internet are of significant value in the learning process and preparing students for future success. At the same time, the unregulated availability of information and communication on the Internet requires that schools establish reasonable controls for lawful, efficient, and appropriate use of this technology.

Student use of school computers, networks, and Internet services is a privilege—not a right. Students are required to comply with this policy and the accompanying rules whether the equipment and accounts are used at school or off school premises (IJNDB-R). Students who violate the policy and/or rules may have their computer and network privileges revoked and may also be subject to further disciplinary and/or legal action. Violations of the school department’s policies and rules may also result in referral to law enforcement.

All school department computers remain under the control, custody, and supervision of the school department. The school department reserves the right to monitor all student computer, network, and Internet activity. Students have no expectation of privacy in their use of school computers, whether they are used on or off school property.

South Portland School Department utilizes filtering technology designed to block materials that are obscene or harmful to minors and child pornography in accordance with CIPA regulations.

While reasonable precautions will be taken to supervise student use of the Internet, the school department cannot reasonably prevent all inappropriate uses, including access to objectionable materials and communication with persons outside of the school, in violation of Board policies/procedures and school rules. The school department is not responsible for the accuracy or quality of information that students obtain through the Internet.

In the interest of student safety (“cyber safety”), students will receive training on appropriate online behavior. This training will include education on appropriate online behavior, proper interactions with individuals on social networking sites and chatrooms, cyberbullying, and appropriate responses to cyberbullying.

Before a student is allowed to use school computers and Internet services, the student and the student’s parent/guardian must read and understand this policy and rules IJNDB-R which are posted online and available in student handbooks.
The Superintendent or his/her designee(s) shall be responsible for overseeing the implementation of this policy and the accompanying rules and for advising the Board of the need for any future amendments or revisions to the policy/rules. The Superintendent may develop additional administrative procedures/rules governing the day-to-day management and operations of the school department’s computer system as long as they are consistent with the Board’s policy/rules. The Superintendent may delegate specific responsibilities to building administrators and others as he/she deems appropriate.

Cross Reference:

EGAA-R – Reproduction of Copyrighted Material - Guidelines  
GCSA/GCSA-R – Employee Computer and Internet Use  
IJNDB-R – Student Technology Device and Internet Use Rules  
JICK – Bullying

Revised: 12/12/16
STUDENT COMPUTER AND INTERNET USE RULES

All students are responsible for their actions and activities involving school department technology devices, network and Internet services, and for their digital files, passwords and accounts. These rules provide general guidance concerning the use of the school department’s computers and examples of prohibited uses. The rules do not attempt to describe every possible prohibited activity by students. Students, parents and school staff who have questions about whether a particular activity is prohibited are encouraged to contact a building administrator. These rules apply to all school devices and all school-provided devices wherever used, and all uses of school servers, Internet access, networks and other services regardless of how they are accessed.

As used herein, the terms “computer[s]” or “device[s]” refer to any desktop, laptop, server, chromebook, tablet or other mobile computing device, including cellular phones and wearables, owned or issued by the South Portland School Department to any student, or any privately owned devices used in school or used to access school department networks, Internet or services.

Computer use is a privilege, not a right. Student use of the school department’s computers, electronic devices (including personally owned devices used at school), networks, school provided accounts, Internet and other services is a privilege, not a right. Unacceptable use/activity may result in suspension or cancellation of privileges as well as additional disciplinary and/or legal action. Violations of the school department’s policies and rules may also result in referral to law enforcement. A building administrator, Director of Technology or other designee shall have final authority to decide whether all or some of a student’s privileges will be denied or revoked.

South Portland School Department is committed to the education of minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, cyberbullying awareness and response, and digital citizenship as required by the Children’s Internet Protection Act (CIPA).

A. Acceptable Use

1. South Portland School Department’s devices, network, Internet and other services are provided for educational purposes and research consistent with the school department’s educational mission, curriculum and instructional goals.

2. Board policies, school rules and expectations concerning student conduct and communications apply when using school devices, services or networks, whether on or off school property.

3. Students also must comply with all specific instructions from school staff and volunteers when using the school department’s devices, services or networks.
B. Prohibited Use

Examples of unacceptable uses that are expressly prohibited include but are not limited to the following:

1. Accessing or Communicating Inappropriate Materials – Students may not access, submit, post, publish, forward, download, scan or display defamatory, abusive, obscene, vulgar, sexually explicit, sexually suggestive, threatening, discriminatory, harassing, bullying and/or illegal materials or messages.

2. Illegal Activities – Students may not use the school department’s devices, network and/or Internet services for any illegal activity or in violation of any Board policy/procedure or school rules. The school department assumes no responsibility for illegal activities of students while using school devices, or services.

3. Violating Copyrights or Software Licenses – Students may not copy, download or share any type of copyrighted materials (including music, images or films) without the owner’s permission (see policy EGAA-R); or copy or download software without the express authorization of the Director of Technology. Unauthorized copying of software is illegal and may subject the copier to substantial civil and criminal penalties. The school department assumes no responsibility for copyright or licensing violations by students.

4. Plagiarism – Students may not represent as their own work any materials obtained on the Internet (such as term papers, articles, music, etc.). When Internet sources are used in student work, the author, publisher and web site must be identified.

5. Non-School-Related Uses – Students may not use the school department’s computers, networks, Internet and other services for non-school-related purposes such as private financial gain, commercial, advertising or solicitation purposes.

6. Misuse of Passwords/Unauthorized Access – Students may not share passwords; use other users’ passwords; access or use other users’ accounts; or attempt to circumvent network security systems.

7. Malicious Use/Vandalism – Students may not engage in any malicious use, disruption or harm to the school department’s devices, network, Internet or other services, including, but not limited to, physically marking, damaging, or altering computers, hacking activities, creation/uploading of computer viruses.

8. Avoiding School Filters – Students may not attempt to or use any software, utilities, firewalls, VPNs or other means to access Internet sites or content blocked or limited by the school filters. If a student believes filtering should be less restrictive on a temporary basis for specific bona fide research or educational purposes, he/she should discuss the matter with a teacher or contact the Director of Technology.

9. Unauthorized Access to Blogs/Social Networking Sites, Etc. – Students may not access blogs, social networking sites, etc. to which student access is prohibited.
C. Compensation for Losses, Costs and/or Damages - The student and his/her parents are responsible for compensating the school department for any losses, costs or damages incurred for violations of Board policies/procedures and school rules while the student is using school department devices, including the cost of investigating such violations. The school department assumes no responsibility for any unauthorized charges or costs incurred by a student while using school department devices.

D. Student Security

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

E. System Security

The security of the school department’s devices, network and Internet services is a high priority. Any student who identifies a security problem must notify his/her teacher or building administrator immediately. The student shall not demonstrate the problem to others or access unauthorized material.

F. Additional Rules for Technology Devices Issued to Students

1. Devices are loaned to students as an educational tool and may be used for purposes specifically authorized by school staff.

2. Parents are required to attend an informational meeting before a device will be issued to their child. Parents and students are responsible for reading and understanding policy IJNDB and these rules which are published online and in student handbooks.

3. Students and their families are responsible for the proper care of devices at all times, whether on or off school property, including costs associated with repairing or replacing the device.

4. If a device is lost, a report should be made to a building administrator immediately. If a device is lost and likely stolen, a report should be made to the local police and a building administrator immediately.

5. The Board’s policy and rules concerning computer and Internet use apply to use of devices at any time or in any place, on or off school property. Students are responsible for obeying any additional rules concerning care and use of devices issued by school staff.

8. The device may only be used by the student to whom it is assigned or authorized guardian to the extent permitted by the MLTI program, with final authority of appropriate use resting with the Superintendent.

9. All use of school-loaned devices by all persons must comply with the school’s Student Technology and Internet Use Policy and Rules.
10. Devices must be returned in acceptable working order whenever requested by school staff.

G. Additional Rules for Use of Privately-Owned Technology Devices by Students

1. Students who wish to access internal resources with a privately-owned device such as printers and network storage must complete a Student Request to Use Privately-Owned Technology Device form. The student, his/her guardian, a sponsoring teacher, a building administrator and the Director of Technology must sign the form. There must be an educational basis for any request.

2. Students have no expectation of privacy in their use of a privately-owned device while at school. The school department reserves the right to search a student’s privately-owned device if there is reasonable suspicion that the student has violated Board policies, administrative procedures or school rules, or engaged in other misconduct while using the device.

3. The school department may confiscate any privately-owned device used by a student in school without authorization as required by these rules. The contents of the device may be searched in accordance with applicable laws and policies.

4. The Director of Technology will determine whether a student’s privately-owned device meets the school department’s network requirements.

6. The student is responsible for proper care of his/her privately-owned device, including any costs of repair, replacement or any modifications needed to use the device at school. The school department is not responsible for damage, loss or theft of any privately-owned device.

7. Students are required to comply with all Board policies and rules, administrative procedures and school rules while using privately-owned devices at school.

8. Violation of any Board policies or rules, administrative procedures or school rules involving a student’s privately-owned device may result in the revocation of the privilege of using the device at school and/or disciplinary action.

Cross Reference:
EGAA-R – Reproduction of Copyrighted Material - Guidelines
GCSA/GCSA-R – Employee Computer and Internet Use
IJNDB – Student Technology Internet Use Rules
JICK - Bullying

Revised: 12/12/16
GRADING

The purpose of the grading system will be to establish a common mechanism of scoring to assess a student’s progress.

Scoring shall be an objective measure of how a student is performing in relation to specific material to be learned (as guided by the district curriculum frameworks and the Maine Learning Results). The purpose of scoring shall be to communicate progress toward accomplishment of identified achievement targets. Students should know in advance how scoring will occur in each class and they should know the standards in which they are expected to demonstrate proficiency. To ensure that every student and family has the information and resources they need, our schools, educators, and staff will clearly and consistently communicate all important and relevant information related to the grading system used in South Portland throughout the student’s educational career.

The primary purpose of the scoring system shall be to fairly, clearly, accurately, and consistently communicate learning progress and achievement to students, families, postsecondary institutions, potential employers, and other relevant stakeholders and audiences.

The scoring system will measure, report, and document student proficiency against a set of clearly defined targets in the areas of: communication, collaboration, critical thinking, creativity and innovation, problem solving, initiative and professionalism, and global awareness as well as in the content areas.

The scoring system will measure, report, and document academic progress and achievement separately from Habits of Work.

Scoring of a student’s work should provide both the student and the teacher with an indication of how well the student is progressing towards proficiency in the targets aligned to the lesson, unit or performance task.

Feedback should be specific and corrective to provide students with information as to where they are in relation to the target, the task, and what they need to do to improve their performance.

Adopted: Prior to 1986
Revised: March 5, 2002
Revised: July 8, 2002
Revised: March 16, 2015
GRADING SYSTEM

A Proficiency-based Learning System requires reporting formats reflective of student progress toward the Maine Learning Results.

**Grades K-9**

Student progress is rated on the skills, knowledge and understandings a student is expected to demonstrate in each content area by the end of the school year. These expectations align with Maine’s Learning Results which are the framework for classroom instruction and assessment. Habits of Work are scored independent of content.

**CONTENT KEY:**

- 4.0 – 3.01 = exceeding proficiency and honors level learning;
- 3.0 - 2.7 = represents proficient learning thus far;
- 2.6 – 2.5 = partially proficient and forming a solid foundation for further learning;
- 2.4 – 2.0 partially proficient at this point;
- Below 2.0 = concerns for further learning.

**HABITS OF WORK KEY:**

- 3.0 - 2.5 = indicates regular exhibition of behaviors important for learning identified by the HOW targets
- 2.4 – 2.0 = inconsistent exhibition of behaviors for learning identified by the HOW targets
- Below 2.0 = needs improvement

**Grades 10-12**

Student progress is rated on the skills, knowledge and understandings a student is expected to demonstrate in each content area. These expectations align with Maine’s Learning Results which are the framework for classroom instruction and assessment.

Until grades 10-12 transition to a Proficiency-based Learning System, high school transcripts and numerical report cards will reflect numerical and letter grade values as follows:

- A = 93-100
- B = 85-92
- C = 77-84
- D = 70-76

F = Below 70 is failing
I = Incomplete
70 shall be a passing grade

Reference: IKA-E

SOUTH PORTLAND SCHOOL DEPARTMENT
PARENT CONFERENCES

Report Cards and Progress Reports should be supplemented by informal notes, telephone calls, and personal conferences. Optimum growth of students is possible only if the home and school work together, and working together requires communication.

In grades K-8 there shall be at least two scheduled conferences each year. Directors and Principals will develop conference plans early in the school year. When possible and where appropriate, conferences will be student-parent-teacher conferences and will involve students sharing progress toward stated goals.

Teachers and counselors in grades 9 through 12, while not necessarily scheduling conferences regarding each pupil, should arrange student-involved conferences during times set aside for fall and spring semesters.

Adopted: June 12, 1972
Revised: March 8, 1976
Revised: February 26, 2002
Revised: July 8, 2002
HOMEWORK POLICY

It is the policy of the South Portland School Board of Education that homework be assigned to students at all grades K-12. Homework is defined as activities which provide practice and extension of material that has been previously taught and which fosters independent learning. In keeping with this definition, the amount and type of homework will be developmentally appropriate and related to the individual’s aptitude and ability. Homework is one means of informing parents about curriculum.

The following shall serve as a guide in the assignment of homework:

<table>
<thead>
<tr>
<th>Grade</th>
<th>Kindergarten *Special Assignments</th>
<th>15 minutes 2x weekly</th>
<th>15-30 minutes 2x weekly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grade 1 Special Assignments</td>
<td>15-30 minutes 3x weekly</td>
<td>30 minutes 3x weekly</td>
<td>30-45 minutes 4x weekly</td>
</tr>
<tr>
<td>Grade 2 Special Assignments</td>
<td>15-30 minutes 3x weekly</td>
<td>30 minutes 3x weekly</td>
<td>30-45 minutes 4x weekly</td>
</tr>
<tr>
<td>Grade 3 Special Assignments</td>
<td>15-30 minutes 3x weekly</td>
<td>30 minutes 3x weekly</td>
<td>30-45 minutes 4x weekly</td>
</tr>
<tr>
<td>Grade 4 Special Assignments</td>
<td>15-30 minutes 3x weekly</td>
<td>30 minutes 3x weekly</td>
<td>30-45 minutes 4x weekly</td>
</tr>
<tr>
<td>Grade 5 Special Assignments</td>
<td>15-30 minutes 3x weekly</td>
<td>30 minutes 3x weekly</td>
<td>30-45 minutes 4x weekly</td>
</tr>
<tr>
<td>Grade 6 Special Assignments</td>
<td>60-90 minutes 4x weekly</td>
<td>1-2 hours 4x weekly</td>
<td></td>
</tr>
<tr>
<td>Grade 7 Special Assignments</td>
<td>60-90 minutes 4x weekly</td>
<td>1-2 hours 4x weekly</td>
<td></td>
</tr>
<tr>
<td>Grade 8 Special Assignments</td>
<td>60-90 minutes 4x weekly</td>
<td>1-2 hours 4x weekly</td>
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</tbody>
</table>

Homework assignments are generally due the following day. Teachers will review the homework and provide feedback in a timely fashion. The grading of homework is left to professional discretion. However, it is the teacher’s responsibility to explain grading criteria to students.

*Special assignments refer to long term projects such as book reports, research papers, art projects and other assignments that require the management of time and materials.

Adopted: December 12, 1998
Revised: June 2001
Revised: May 2003
PROMOTION POLICY GRADES 9-12

The South Portland School Department is committed to recognizing the physical, social/emotional and cognitive growth of each child. While the majority of students will progress sequentially from grade to grade, some may require more time to reach their educational potential. Therefore, the school department will regularly review each child’s academic and social development in order to make appropriate recommendations regarding grade placement for the next school year.

Effective with the class of 1999, students enrolled in grades nine through twelve must acquire twenty (20) Carnegie Units and satisfy all state and local requirements in order to graduate from high school.

To achieve sophomore status a student must have earned a minimum of four (4) Carnegie Units in courses required for graduation, one of which must be Grade 9 English. To achieve junior class status a student must have earned a minimum of nine (9) Carnegie Units in courses required for graduation, including Grades 9 and 10 English. To achieve senior class status a student must have earned a minimum of fourteen (14) Carnegie Units in courses required for graduation, including three (3) Carnegie Units in English.

Effective with the class of 2004, students enrolled in Grades 9-12 must acquire twenty-four (24) Carnegie Units and satisfy all state and local requirements in order to graduate from high school.

To achieve sophomore status, a student must have earned a minimum of five (5) Carnegie Units in courses required for graduation, one of which must be Grade 9 English. To achieve junior status, a student must have earned a minimum of eleven (11) Carnegie Units in courses required for graduation, including grade 9 and 10 English, and one (1) Carnegie Unit in each of the following: math, science, and world history. In order to achieve senior status, a student must have earned a minimum of seventeen (17) Carnegie Units in courses required for graduation, including three (3) Carnegie Units in English, two (2) Carnegie Units in both math and science, and two (2) Carnegie Units our of the three required history courses.

Adopted: October 16, 1996
Revised: August 14, 2000
Revised: July 8, 2002
FEBRUARY  The building principal:

- Distributes student retention worksheets to classroom teacher
- Reviews the promotion/retention process with teachers
- Collects completed worksheets
- Initiates PET process, if applicable

MARCH  The building principal schedules team meetings to:

- Determine if student will be recommended for possible retention/alternative placement
- Plan for continued or further intervention
- Designate teacher or guidance counselor to notify parent of possible retention or alternative placement

MAY  The building principal schedules team meetings to:

- Reach a decision on promotion/retention or alternative placement (FORM 1 is completed)
- If appropriate, the teacher conferences with parent to discuss the team’s decision
- If appropriate, the principal completes Form 2 finalizing the team’s decision

*Team: Classroom teachers, guidance counselors, administration, other personnel (i.e. unified arts, social worker, home school coordinator, tutor, etc.) or other personnel as deemed necessary.
K-8
-STUDENT RETENTION/ALTERNATIVE PLACEMENT WORKSHEET

Date ___________________

Student’s Name _________________________ Grade _____ Teacher _____________

Parent’s Name ______________________________________School ______________

Age: Years _______ Months _____________ Birthdate ___________________

Absences ____________  Sex ____________

__________ Vision Problems _____________________________________________

__________ Hearing Problems _____________________________________________

__________ Speech/Language Problem ______________________________________

__________ Diagnosed Learning Disability __________________________________

__________ Social/Behavioral Concerns _____________________________________

ACADEMIC ACHIEVEMENT

Reading Level* ______________________  ______________________________

Math Level __________________________  ______________________________

Language Level ______________________  ______________________________

Written Work _______________________  ______________________________

*Below Average – Average – Above Average

Previous Interventions

<table>
<thead>
<tr>
<th></th>
<th>Current Year</th>
<th>Previous Year</th>
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<tbody>
<tr>
<td>Special Education</td>
<td></td>
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<tr>
<td>Speech Therapy</td>
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<tr>
<td>Tutoring</td>
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<tr>
<td>Retention</td>
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<tr>
<td>Other</td>
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</table>
Please complete the following using these symbols:

1. FR – for retention
2. AR – against retention
3. U – undecided
4. NA – not applicable

**Child Factors**

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<thead>
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<th>Factor</th>
<th>Symbol</th>
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<tr>
<td>Physical disability</td>
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<tr>
<td>Chronological age</td>
<td>_____________</td>
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<tr>
<td>Physical size</td>
<td>_____________</td>
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<tr>
<td>Previous retention</td>
<td>_____________</td>
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<tr>
<td>Academic potential</td>
<td>_____________</td>
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<tr>
<td>Habitual absenteeism</td>
<td>_____________</td>
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<tr>
<td>Psycho-social maturity</td>
<td>_____________</td>
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<tr>
<td>Basic skills competencies</td>
<td>_____________</td>
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<tr>
<td>Self-concept</td>
<td>_____________</td>
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<tr>
<td>Grade placement</td>
<td>_____________</td>
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<tr>
<td>Level of independence</td>
<td>_____________</td>
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<tr>
<td>Peer pressure</td>
<td>_____________</td>
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<tr>
<td>Out of school influences (i.e. death in family, abuse, divorce, frequent moves)</td>
<td>_____________</td>
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<tr>
<td>Child’s attitude</td>
<td>_____________</td>
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</table>

Comments

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<th>Comment</th>
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**Parent Participation**

1. Describe parents’ perceptions and concerns

<table>
<thead>
<tr>
<th>Description</th>
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2. Number of parent-teacher conferences this year

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<tr>
<th>Description</th>
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</table>
FORM 1

RETENTION/ALTERNATIVE PLACEMENT FORM

Student’s Name ____________________________________________

Classroom Teacher __________________________________________

I. Summarize reasons for Retention/Alternative Placement:

II. Intervention: Evaluate results of child’s intervention plan:

III. Examine alternative program options:
A. Changing schools                                    C. ½ year at Middle School, then to SPHS
B. Summer school if recommended                      D. FLEX

IV. Other considerations:
A. Motivation __________________________________________
B. Parent’s support of retention _________________________
C. Out of school influences _____________________________
D. Age, health, previous retentions _____________________
E. Other ______________________________________________

V. Retention/Alternative placement Team:

Name

Position

Team decision: Promote _______ Retain _______ Examine alternative options_______
Parents notified ________________________________
**FORM 2**

*RETENTION/ALTERNATIVE PLACEMENT FORM*

(Becomes part of permanent record)

After careful consideration, the Retention/Alternative placement Team* recommends that _________________ be retained/placed alternatively in _________________ for the school year ________________.

Please complete this form and return to your child’s teacher.

______________ I agree with the team’s decision.

______________ I do not agree with the team’s decision.

Comments: ____________________________________

______________________________________________

______________________________________________

______________________________________________

Parent’s Signature  (1) _____________________________

(2) _____________________________

Date __________________________

*Team Classroom teachers, guidance, administration, other personnel (i.e. unified arts, social worker, home school coordinator, tutor, etc.,) or other personnel as deemed necessary.

Parents may appeal the team’s decision in writing to the Superintendent of Schools within ten working days.

Adopted: February 2002
Graduation Requirements

Awarding a high school diploma based on the accumulation of credits earned for passing courses has been a longstanding practice in American high schools, but this system has not ensured that students meet high academic standards and demonstrate proficiency. Consequently, many graduates leave high school unprepared to succeed in postsecondary education and modern careers.

To ensure that all students graduate from our schools with the knowledge, skills, and work habits they will need in adult life, the South Portland School Department has adopted a proficiency-based system of teaching, learning, promotion, and graduation. Beginning with the South Portland High School Class of 2020, all students will need to demonstrate achievement of all cross-curricular and content-area graduation standards before receiving a high school diploma. These new graduation requirements will ensure that each student provides evidence that they have achieved expected learning standards, and acquired the knowledge, skills, and work habits that will prepare them for postsecondary education and modern careers.

The district’s proficiency-based diploma system also requires our schools and educators to provide the interventions, support systems, and personalized-learning pathways that each student needs to meet the expected standards and graduate college and career ready.

A. Communicating Graduation Requirements

To ensure that every student and family has the information and resources they need to appropriately plan and sequence the student’s educational decisions, our schools, educators, and staff will clearly and consistently communicate—prior to entering high school and throughout the student’s educational career—the graduation standards and diploma requirements that must be met to earn a high school diploma.

The Superintendent, through the high school principal or other designee, shall be responsible for ensuring that accurate, up-to-date information concerning all graduation standards and diploma requirements are (1) readily available to all incoming students and their families in the spring preceding the start of each school year, and (2) published on the district and high school websites. A detailed guide to graduation standards, academic expectations, and diploma requirements will be disseminated to all incoming ninth-grade students at the time of course selection. This policy will also be referenced in each edition of the high school student handbook and on the district and high school websites.

As soon as it is practical and feasible, the Board expects the Superintendent or designee to inform all students and their families of any modifications made to the district’s graduation requirements, which extends to all applicable changes in relevant state law, rules, or regulations.

The Board has approved the following schedule of minimum requirements for graduation, which encompasses minimum graduation requirements specified by the state and described in relevant
laws, rules, and regulations. The Board is aware that current law and regulations are subject to change.

**B. Academic Requirements for Graduation**

For the South Portland High School classes of 2013–2019, the following graduation requirements remain in effect:

**GRADUATION REQUIREMENTS**

1. Satisfactory completion of a minimum of twenty four (24) credits
2. Satisfactory completion of four (4) credits of English.
4. Satisfactory completion of one (1) credit of physical education and one-half (.5) credit of health.
5. Satisfactory completion of three (3) credits of science.
6. Satisfactory completion of three (3) credits of mathematics.
7. Satisfactory completion of one (1) credit of fine arts.
8. Satisfactory completion of one-half (.5) credit of Real Life to include evidence of computer literacy.
9. Satisfactory participation in the Maine High School Assessment for third year students per guidelines as provided by the Maine Department of Education, including exceptions provided for through MDOE allowable exemptions.

Notwithstanding the foregoing:

All students at South Portland must carry six credit bearing courses each semester, unless waived by the principal due to extenuating circumstances.

A student may meet these requirements through a post-secondary course, a State-approved adult education course, a State-approved summer school program, or an online course approved by the school principal in advance of registration. The student may participate in the next regular graduation ceremony following successful completion of the requirements.

Students who experience education disruption, as defined in section 5001-A, subsection 4, paragraph F, who successfully demonstrate achievement of the content standards of the system of learning results in addition to any other diploma requirements applicable to secondary school students as set forth in their school work recognition plans as defined in section 5161, subsection 6 must, with the approval of the commissioner, be awarded a Department of Education diploma as defined in section 5161, subsection 2.

A student who leaves South Portland High School to attend an accredited, degree-granting institution of higher education may upon satisfactory completion of the freshman year be awarded a high school diploma, provided that the student has notified the principal at the time of the early admission.
Commencing with the Class of 2020, all students attending South Portland High School must meet the following graduation requirements:

**B1.** All students will demonstrate that they have achieved proficiency in the content-area graduation standards of the Maine Learning Results. Meeting the standard entails demonstrating proficiency in each of the following content areas prior to graduation:

1. English Language Arts
2. Mathematics
3. Social Studies
4. Science and Technology
5. Health Education and Physical Education
6. Visual and Performing Arts
7. World Languages
8. Career and Education Development

**B2.** All students must engage in six educational experiences each year of their high school program. Any exceptions to this must be pre-approved by the Principal. The experiences will meet the following guidelines (A-H)

A. Engage in educational experiences in the content areas of English Language Arts, Mathematics, and Science and Technology in each year of their high school program.

B. Engage in at least three educational experiences in the content area of Social Studies during their high school program.

C. Engage in at least one educational experience in the content area of Visual and Performing arts during their high school program.

D. Engage in at least one and one half educational experiences in the content area of Health and Physical education during their high school program.

E. Engage in at least one educational experience in the content area of World Languages during their high school program.
F. Engage in at least one year of an educational experience in the content area of Career and Education Development to include evidence of digital literacy during their high school program.

G. Engage in ten (10) hours of Community Service

H. Engage in all State and Federal required assessments

Students enrolled in a fifth year for the purpose of meeting proficiency targets will develop an individualized plan with assistance from counselors and teachers. The plan will be approved by the Principal.

The South Portland High School administration, faculty, and staff will develop and apply a set of graduation standards and performance indicators that align with the content-area standards of the Maine Learning Results.

B3. All students will demonstrate that they have achieved proficiency in the cross-curricular Guiding Principles of the Maine Learning Results.

The Guiding Principles state that each Maine student must leave school as:

1. clear and effective communicator
2. self-directed and lifelong learner
3. creative and practical problem solver
4. responsible and involved citizen
5. an integrative and informed thinker

The South Portland High School administration, faculty, and staff will develop and apply a set of graduation standards and performance indicators that align with the cross-curricular standards of the Guiding Principles of the Maine Learning Results.

B4. Our structure will allow our students to distinguish themselves through academic rigor. Students who show proficiency on the Learning Targets beyond the guaranteed and viable curriculum will have an opportunity to earn recognition through endorsements.

B5. While most students will satisfy graduation requirements over the course of a four-year academic program, students may also satisfy South Portland High School’s graduation requirements during a period of time that is either accelerated or lengthened, based on their
distinct learning needs. If a student is accelerating or lengthening their academic program, they are expected to develop a personal learning plan with assistance from counselors, teachers, and/or an administrator that allows them to meet the expected proficiency targets at the pace and with the support they need.

C. Multiple Pathways
South Portland High School offers all students multiple learning options that allow students to demonstrate proficiency on expected learning standards, earn academic credit, and satisfy graduation requirements. South Portland High School also encourages its students to explore a broad range of learning experiences, including outside-of-school options.

Prior to pursuing outside-of-school learning options, students must describe their learning experiences in a Personal Learning Plan, including how the experience satisfies both graduation requirements and expected cross-curricular and content-area standards. The plan will be reviewed and approved by guidance and the department chair. Appeals will be brought to the principal. Decisions of the Principal shall be final.

Learning options may include, but are not limited to, the following:

1. Academic courses offered by the school
2. Dual enrollment or early college courses
3. Career and technical education programming
4. Online or blended learning options
5. Alternative or at-risk programming
6. Apprenticeships, internships, field work, or exchange experiences
7. Independent studies or long-term projects
8. Adult education

D. Transfer Students
For students who transfer to South Portland High School from another state, country, school, program, or home-schooling situation, including educational programs that are not aligned with South Portland High School’s cross-curricular and content-area graduation standards, Guidance and the Principal shall evaluate the value of the student’s prior educational experiences and determine to what degree the student has met the school’s graduation requirements. After enrolling in South Portland High School, these students will need to satisfy all assessment, proficiency, and graduation requirements in the appropriate subject areas, as determined by
The decision of the Principal shall be final. The Superintendent will ultimately determine whether these students are eligible to receive a diploma.

E. Home-Schooled Students
For home-schooled students wishing to receive a diploma from South Portland High School, the Principal shall evaluate the value of the student’s prior educational experiences and determine to what degree the student has met the school’s graduation requirements. After enrolling in South Portland High School, these students will need to satisfy all assessment, proficiency, and graduation requirements in the appropriate subject areas, as determined by Guidance and the Principal. The decision of the Principal shall be final. A home-schooled student must have attended South Portland High School for a minimum of two (2) years or four (4) semesters to be eligible for a diploma.

F. Students Receiving Special-Education Services
Students, who successfully meet South Portland High School’s cross-curricular and content-area graduation standards, as specified in the goals and objectives of their Individualized Education Plans (IEP), will be awarded diplomas.

I. Students Receiving ELL Services
Students, who successfully meet South Portland High School’s cross-curricular and content-area graduation standards, as specified in their personal learning plan, will be awarded diplomas.

H. Delayed Awarding of Diplomas
If a student leaves high school to attend an accredited, degree-granting institution of higher education, the student may, upon satisfactory completion of the freshman year, be awarded a high school diploma, provided that the student has notified the Principal at the time of the early admission.

I. Extended Study
Students are eligible for extended years of study to complete the school’s graduation requirements if they have not reached the age of 20. Students eligible for extended years of study may be referred to adult education or other programs and resources.

J. Participation in Graduation Ceremony
A student must complete all Board requirements for a high school diploma to participate in graduation exercises.

Legal Reference
20-A M.R.S.A. § 4722-A (as revised) Proficiency-Based Diploma Standards
Ch. 127 § 7 (Me. Dept. of Ed. Rule) (as revised)

Cross References
IGBI: LAU Plan
IK: Assessment of Student Learning
IKA: Grading and Reporting System
IKC: Transcripts
IHCDA: Dual Enrollment and Early College
IKD: Academic Recognition
IKE: Promotion, Retention, and Acceleration
IKFF: Multiple Pathways

Approved: December 8, 2014
Revised: July 13, 2015
EARLY GRADUATION

A student will be eligible for early completion of graduation credits if he/she meets the following requirements:

(1) Attendance for at least seven semesters (three and one-half school years) of secondary school – grades 9 through 12 – unless ruled otherwise by the principal of South Portland High School for the purpose of early college acceptance or other worthy training or experience.

(2) Completion of graduation requirements as outlined by the policy of the Board of Education.

(3) Declaration of a specific objective for early completion, such as early college or vocational school admission or specific job placement.

Further, it is required that for early completion a student make written application to his/her counselor, and, if under eighteen years of age, meet in conference with his/her counselor, the principal, and his/her parent or guardian. A student granted early completion status shall be encouraged to communicate with his/her counselor at regular intervals until his/her class graduates. An early completion student shall receive his/her diploma with his/her class or after the class graduates.

Adopted: December 8, 1975
Revised: February 14, 1977
DISTRICT STUDENT ASSESSMENT SYSTEM

Maine law requires that every school board adopt and fully implement a student assessment system as the measure of student progress toward achievement of the content standards of the system of Learning Results.

A student assessment system is defined as a coordinated collection of assessments administered to students that, as a whole, provides information on individual students, the school, and the school administrative unit with respect to achievement of the content standards of the system of Learning Results.

Through this policy, the Board adopts and directs the Superintendent to implement, the South Portland School Department District Student Assessment System. The Superintendent shall be responsible for reviewing the Student Assessment System for compliance with applicable statutes and rules.

The purpose of the District Student Assessment System is to provide information that will be used to guide and enhance classroom instruction and monitor student progress with respect to the school system curriculum and Maine’s Learning Results. In addition, the Student Assessment System is designed to provide information on student achievement in order to evaluate educational programs and practices and to make informed decisions related to curriculum and instruction, professional development, and the allocation of resources to better meet students’ needs.

The following general principles apply to the District Student Assessment System.

A. Assessments will be aligned with the curriculum and with the performance indicators of the content standards of the Learning Results.

B. The District Student Assessment System will use multiple measures of student learning for each grade span (K-5, 6-8, and 9-12). The assessment measures shall be developmentally appropriate for the age span.

C. The System is intended to provide for a fair and equitable opportunity for students to demonstrate knowledge and understanding.

D. The System will include at a minimum classroom, school, school administrative unit, and state levels of assessment. Regional and commercially produced tests may be used, but commercially produced tests may not carry a majority of the weight in determining student performance.

E. Neither the Maine Educational Assessment (MEA), the SAT, nor a commercially produced test may be the only measure of student achievement.
F. Efforts shall be made to see that testing contributes to the learning process rather than detracts from it.

G. Accommodations may be made in an assessment based on the needs of a student as established in the student’s Individualized Education Plan, his/her Section 504 plan, or, as is typical within classroom instruction, in accordance with MEA accommodations guidelines.

The Superintendent, through his/her designee, will be responsible for the design of the District Student Assessment System. The Board expects that there will be input from teachers and administrators in the development and refinement of the System.

The Board recognizes that teachers and school administrators will be primarily responsible for administering assessments and for collecting, organizing, and interpreting information. School personnel should be appropriately trained to develop, use, and adapt assessment data.

The Superintendent will be responsible for ensuring that provisions are made for review and analysis of information obtained through the District Student Assessment System and for appropriate instructional intervention when individual students or groups of students fail to achieve performance standards.

The Superintendent will be responsible for implementing a record-keeping and reporting system that will be used to provide understandable information to the Board and to students, parents, teachers/professional staff, administrators, and the community. Data will be presented in a way that conveys school and school unit performance on the content areas of the system of Learning Results and allows for comparison to statewide performance.

The Board will annually review the results of the District Student Assessment System.

Legal Reference: 20-A M.R.S.A. § 6201-6205  
Ch. 127 §§ 2, 4 (Me. Dept. of Ed. Rules)

Adopted: June 9, 2003
Revised: June 14, 2004
Revised: December 10, 2007
EDUCATIONAL RESEARCH: STUDENT SUBMISSION TO SURVEYS, ANALYSES, OR EVALUATIONS

In this policy, “surveys, analyses, or evaluations” refer to methods of gathering data for research purposes.

No student shall be required as part of any program wholly or partially funded by the U.S. Department of Education to submit to any survey, analysis, or evaluation that reveals information concerning:

A. Political affiliations or beliefs of the student or the student’s parent;
B. Mental or psychological problems of the student or the student’s family;
C. Sex behavior or attitudes;
D. Illegal, anti-social, self-incriminating, or demeaning behavior;
E. Critical appraisals of other individuals with whom respondents have close family relationships;
F. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
G. Religious practices, affiliations, or beliefs of the student or student’s parents; or
H. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program) without the prior written consent of the student’s parent/guardian, or of the student, if he/she is 18 years of age or older.

All instructional materials, including teachers’ manuals, films, tapes, or other supplementary material which will be used in connection with any such survey, analysis, or evaluation shall be available upon request for inspection by the student’s parent/guardian. For the purpose of this policy, “instructional material” does not include academic tests or assessments.

A parent may inspect, upon request, a survey created by a third party before the survey is administered or distributed to a student.

The Superintendent/designee will be responsible for implementing any procedures necessary to protect the privacy of participating students and to provide parents with access to surveys within a reasonable time before administration or distribution.

SOUTH PORTLAND SCHOOL DEPARTMENT
The school unit will notify parents of this policy at least annually at the beginning of the school year and within a reasonable time of any substantive change in policy. Insofar as practicable, the school unit will also directly notify parents annually at the beginning of the school year when surveys, analyses, or evaluations are scheduled or anticipated. Parents shall have the opportunity to opt their child out of participation in any survey, analysis, or evaluation. Students who are 18 years of age or older may opt out of such surveys, analyses, or evaluations.

Legal Reference: 20 U.S.C. § 1232(h)
Cross Reference: JRA-Student Educational Records
Adopted: April 14, 2003
TEACHING ABOUT CONTROVERSIAL/SENSITIVE ISSUES

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

Teaching Controversial Issues

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

A. It is the responsibility of the schools to make provision for the study of controversial issues.

1. The policy on controversial issues should be defined in terms of the rights of students rather than in terms of the rights of teachers.

2. The study should be emphasized in the high school, when most students are mature enough to study the significant controversial issues facing our society.

3. The study should be objective and scholarly with a minimum emphasis on opinion and a maximum emphasis on facts.

B. In the study of controversial issues the students have the following rights:

1. The right to study any controversial issue which has political, economic, or social significance and concerning which (at the appropriate level) he/she should begin to have an opinion;

2. The right to have free access to all relevant information;

3. The right to form and express opinions on controversial issues without thereby jeopardizing relations with the teacher or the school; and

4. The right to study under competent instruction in an atmosphere free from bias and prejudice
C. The teacher employs the same methods in handling controversial issues as characterize the best teaching at any time.

1. The teacher, in selecting both the content and the method of instruction, is mindful of the maturity level of the students.

2. The teacher has assured him/herself that the controversial subject to be discussed belongs within the framework of the curriculum to be covered, that the subject is significant as well as meaningful for the students, and that through the discussion, students will have the opportunity to grow.

3. The teacher handles the classroom presentation in ways which will ensure a wide range of information and interpretation for the students’ consideration and strives to present a balance among many points of view.

4. The teacher does not use the classroom as a personal forum. He/she does not employ the techniques of the demagogue or the propagandist for attention, for control, or simply for color. The teacher has the right to identify and express his/her own point of view in the classroom as long as he/she indicates clearly that it is his/her own.

5. The teacher emphasizes keeping an open mind, basing one’s judgment on known facts, looking closely at facts to evaluate them in terms of the subject under discussion, and being ready to change one’s opinion should new facts come into light.

6. The emphasis always is on the method of forming an opinion as much as on the opinion formed.

Adopted: July 8, 2002
ALTERNATIVES TO BIOLOGICAL DISSECTION

The South Portland School Department will provide alternative assignments to the students who refuse to perform dissection as part of their science program. The science instructor will provide the assignment based on the regulations established in IMBAA-R.

Adopted: July 8, 2002
ALTERNATIVE TO DISSECTION REGULATION

1. Instructors shall allow students to refuse to perform dissections and to perform alternative assignments in their place. The alternative assignments and grading procedure shall be in writing and agreed upon by both the instructor and the student.

2. The instructor’s alternative assignments shall:
   a. Preserve the integrity of the life science/biology program
   b. Be developed by the instructor involved and approved by the Science Department Chair
   c. Fully replace the dissection grade given to those students performing dissections

3. The review process for the alternative assessment shall be as follows:
   a. The student involved shall initiate the review
   b. The written alternative shall be presented to the principal and her (his) decision shall be final

4. The Alternative to Dissection Policy shall be posted in each classroom where dissection occurs and shall be reviewed at the beginning of each year in each class where dissection will take place.

Adopted: July 8, 2002
EXEMPTION FROM REQUIRED INSTRUCTION

The curriculum of the school unit is designed to include statutory requirements and other areas of study deemed appropriate by the professional staff and the Board. The curriculum includes topics and materials that are age and ability appropriate to the students.

The Board acknowledges that from time to time individual students may be exposed to some ideas and materials with which they or their parent(s)/legal guardian disagree. Students and their parent(s)/legal guardian cannot be required to adopt ideas with which they disagree, but such disagreement alone is not a sufficient basis to exempt a student from the prescribed curriculum. Exemptions from the required curriculum should be minimized because they can detract from the overall instruction provided to the class as a whole and the educational objectives sought to be achieved by the curriculum.

The Board recognizes, however, that there could be topics in the curriculum which may be objectionable to individual students and/or parent(s)/legal guardian based on their particular, sincerely held religious, moral, or philosophical beliefs. Exemption from instruction which infringes on such beliefs may be requested by the parent(s)/legal guardian.

Requests for exemption from instruction must be made in writing to the building Principal and are subject to the approval of the Principal. The Principal shall notify the Superintendent as soon as practicable of any request for exemption from instruction and of his/her decision. If the Principal denies an exemption request, the parent(s)/legal guardian may appeal to the Superintendent, whose decision shall be final.

In considering requests for exemption, factors that the Principal should consider may include:

A. Whether the course of instruction is required by state law or school policy;
B. Whether an exemption will adversely affect the instruction provided to other students;
C. The educational importance of the material or instruction from which exemption is requested;
D. Evidence regarding the sincerity of the belief on which the request is based;
E. Whether the school has a legal obligation to accommodate the exemption request; and
F. Other factors that bear upon the particular request.
When a student is exempted from a portion of the regular curriculum, the staff will make reasonable efforts, within the scope of existing resources, to accommodate alternative instruction for the student. Alternative instruction may be provided by the school or through approved independent study. Any alternative instruction shall be approved in advance by the Principal in consultation with the classroom teacher, and shall meet the standards and objectives of the part of the curriculum that is being replaced.

Legal Reference: 20-A MRSA § 6209
LD 1536, Chap. 51 Resolves
Chap. 127 and 131 (Me. Dept. of Ed. Rules)

Cross Reference: ADF – School District Commitment to Learning Results
IJJ – Instructional and Library Material Selection
IMB – Teaching About Controversial/Sensitive Issues
IMBAA – Alternatives To Biological Dissection

Adopted: July 8, 2002
FLAG DISPLAYS

The United States flag shall be displayed each day that schools are open for instruction, weather permitting.

The flag shall be flown at half mast only at such times as specified by the President of the United States or the Governor of the State of Maine.

Care should be taken to see that at all times when the flag is displayed it is in good condition, and not tattered nor torn, nor discolored.

Legal Ref: Title I  MRSA Section 252-A
Title 20-A  MRSA  Section 4805
Adopted: Prior to 1986
SCHOOL CEREMONIES AND OBSERVANCES

The Board of Education sanctions within the South Portland School Department celebrations as determined by the principals and staff in each building.

The South Portland School Department may acknowledge religious holidays by conveying a message of pluralism and freedom of belief in some manner or form that does not endorse religion. In determining whether an acknowledgement endorses religion, school officials shall consider the context in which the acknowledgement appears or occurs.

Legal Reference: Title 20-A: MRSA § 4805; Paragraph 9

Adopted: Prior to 1986
Revised: May, 2001
Revised: February 26, 2002
Revised: July 8, 2002
OPENING EXERCISES

Provisions shall be made for appropriate opening exercises at the beginning of each school day. The exercises shall include the Pledge of Allegiance to the United States Flag, as well as the teachings of the significance of the flag, and to teach students to love, honor and respect the American Flag.

The Board of Education of a school administrative unit may require, at the commencement of the first class of each day in all grades in all public schools in their unit, that the teacher in charge of the room in which each class is held shall announce that a period of silence shall be observed for reflection or meditation and during that period silence shall be maintained and no activities engaged in.

Legal Reference: Title 20-A MSRA § 4805
Adopted: July 8, 2002
ANIMALS IN THE CLASSROOM

South Portland Board of Education recognizes that exposure to animals may cause an allergic reaction in individuals with inhalant and or contact allergies/asthma. Since school attendance is mandatory and children spend one third of their day in the classroom, reasonable attempts to avoid allergen exposure is important.

Therefore, the South Portland School Department shall establish a practice that animals not be brought into the building. Field trips or special outdoor events involving animals can be scheduled in advance with parents having sufficient notice of plans to notify the school of any concerns regarding allergic reactions and alternate arrangements made.

Adopted:       Prior to 1986
Revised:       May 13, 1996
Revised:       June, 2001
Revised:       July 8, 2002
PROTOCOL FOR ANIMALS IN THE CLASSROOM

It is the intent of this policy to limit exposure to animals which may cause allergic reactions to individuals with inhalant and/or contact allergies or asthma.

Animals not known to cause allergic reactions may safely continue to be kept in the classroom. Goldfish bowls, saltwater and tropical aquariums are not known to cause allergic reactions and, therefore, are permissible for classroom use.

Salamanders, turtles and iguanas are known carriers of disease and must be kept in enclosed containers and only handled by an adult.

For a science unit, eggs may be hatched in a classroom environment, however, chicks must be removed as soon as practical. Insects for science units may be kept safely for short-term observations.

Staff members must secure their principal’s approval before animals are allowed in the classroom. In addition, they must give notification to the parents/guardians of their students.

Adopted: April 12, 1996
Revised: June, 2001
Revised: July 8, 2002
COMPULSORY ATTENDANCE

Public schools should ensure the rights of access for all school-age persons to an appropriate educational opportunity and, when necessary, should develop alternatives to regular school curricula for those children and youth at risk of becoming dropouts and those who may have left school.

Under state law, full-time school attendance is required of all children from their 7th to their 17th birthday except:

A. A person who graduates from high school before his/her 17th birthday;

B. A person who has:
   1. Reached the age of 15 years or completed the 9th grade;
   2. Permission to leave school from that person’s parent;
   3. Been approved by the principal for a suitable program of work and study or training;
   4. Permission to leave school from the Board or its designee; and
   5. Agreed in writing with that person’s parent and the Board or its designee to meet annually until that person’s 17th birthday to review that person’s educational needs. When the request to be excused from school has been denied pursuant to this paragraph, the student’s parent may appeal to the Commissioner; or

C. A person who has matriculated and is attending an accredited, post-secondary, degree-granting institution as a full-time student. An exception to the attendance in public school under this paragraph must be approved by the Commissioner.

Alternatives to Attendance at Public Day School

A. Equivalent instruction alternatives are as follows:
   1. A person shall be excused from attending a public day school if the person obtains equivalent instruction in:
      a. A private school approved for attendance purposes pursuant to 20-A MRSA § 2901;
      b. A private school recognized by the department as providing equivalent instruction;
c. A home instruction program that complies with the requirements of 20-A MRSA § 5001-A(3)(A)(4); or

d. Any other manner arranged for by the Board and approved by the Commissioner.

B. A person may be excused from attendance at a public day school pursuant to 20-A MRSA § 5104-A or §8605 (other public or private alternative programs).

Credit for Attendance at a Private School

A student shall be credited with attendance at a private school only if a certificate showing the name, residence and attendance of the person at the school, signed by the person or persons in charge of the school, has been filed with the school officials of the administrative unit in which the student resides.

Home Instruction

The following provisions apply to home instruction program:

a) The student’s parent/guardian must provide a written notice of intent to provide home instruction that meets the requirements of 20-A MRSA § 5001-A(3)(A)(4)(a) simultaneously to the school officials of the administrative unit in which the student resides and to the Commissioner within 10 calendar days of the beginning of home instruction.

b) On or before September 1 of each subsequent year of home instruction, the student’s parent/guardian must file a letter with the school officials of the administrative unit in which the student resides and the Commissioner stating the intention to continue providing home instruction and enclose a copy of one of the forms of annual assessment of the student’s academic progress described in 20-A MRSA 5001-A(3)(A)(4)(b).

c) Dissemination of any information filed under 20-A MRSA § 5001-A(3)(A) is governed by the provisions of 20-A MRSA § 6001 (dissemination of information); the federal Family Educational Rights and Privacy Act of 1974, 20 USC § 1232g (2002); and the federal Education for All Handicapped Children Act of 1975, 20 USC § 1401-1487 (2002), except that “directory information” as defined by the federal Family Educational Rights and Privacy Act (FERPA) is confidential and is not subject to public disclosure unless the parent/guardian specifically permits disclosure in writing or a judge orders otherwise. Copies of any information filed under 20-A MRSA § 5001-A(3)(A) must be maintained by the student’s parent/guardian until the home instruction program concludes. The records must be made available to the Commissioner upon request.

d) If the home instruction program is discontinued, students of compulsory school age must be enrolled in a public school or an equivalent instruction alternative as
provided for by law. The receiving school shall determine the placement of the student. At the secondary level, the principal of the receiving school shall determine the value of the prior educational experience toward meeting the standards of Maine’s system of Learning Results.

**Excusable Absence**

A person’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;
E. A planned absence for a personal or educational purpose which has been approved, or
F. Education disruption resulting from homelessness, unplanned psychiatric hospitalization, unplanned hospitalization for a medical emergency, foster care placement, youth development placement or some other out-of-district placement that is not otherwise authorized by either any individual education plan or a superintendents’ student transfer agreement. “Education disruption” does not apply to a student who is out of school for 10 or more consecutive school days as a result of a planned absence for a reason such as a family event or a medical absence for planned hospitalization or recovery.

Parents are responsible for the attendance of students who are under 17 years of age. The Board shall work with families in an effort to ensure compliance.

Secondary school students 20 years of age or more will only be admitted to the school unit with prior Board approval.

**Legal Reference:**
20-A MRSA § 5001-A
Ch. 125 § 8.06 (Maine Dept. of Ed. Rules)

**Cross Reference:**
IHBG - Home Schooling
JFC - Student Withdrawal From School/Dropout Prevention Committee

**Adopted:** April 12, 2004
**Revised:** July 14, 2008
STUDENT ABSENCES AND EXCUSES

Compulsory education is essential to the preservation of the rights and liberties of the people and the continued prosperity of our society and our nation. Maintaining regular student attendance is necessary to achieve the goal of an educated citizenry. Recognizing that regular and consistent school attendance is an essential component if students are to develop a sense of responsibility towards work and satisfy the school’s curriculum requirements, the Board of Education establishes the following administrative guideline:

A. The school administrator shall require satisfactory excuses in person, by phone or by written note, from the parents or guardians of students who have been absent or tardy. The reason for the absence, or for being tardy, must be clearly stated, and must be excusable according to Maine Education and School Statutes and South Portland School Board Policy JEA.

B. School-wide rules and guidelines will be established to provide appropriate consequences for unexcused absences to be administered at the discretion of the principal / designee.

For Grades K-12:

A. Students participating in a school related activity shall be regarded as present for the period of such activity.

B. Students shall be excused for missing classes because of verified illness or injury or for a medical appointment which could not be scheduled outside of the school day. If a student is absent due to illness for three (3) consecutive days, or multiple single days within a two week period, the school administrator may require a note from the student’s physician providing cause for the absence.

C. Students shall be excused for observance of a recognized religious holiday.

D. Students shall be excused in the case of a family emergency.

E. Students shall be excused for personal or educational purposes, at the discretion of the principal, provided that:

   1. A request stating the merits of said purpose is presented to the principal in writing at least one week prior to said purpose;
   2. The student and family recognize the likely impact of lost class time;
   3. All assignments be made up within five school days of return. (Teachers are not required or expected to provide assignments prior to the absence for personal or educational purposes).
   4. Exceptions to the above will be granted at the discretion of the principal.

F. A student required to attend school under Policy JEA is truant when an absence of ½ day or greater is unexcused.

For Grades 9-12:

Students who are absent, unexcused, for a full 10 days or 7 consecutive school days are considered truant and may be subject to the loss of credit for the class.
Implementation and Appeals

The following procedures are established to aid in the implementation of this policy:

1. If a student is absent from school, the parent must call each day of the absence. If a student is absent due to illness for three (3) consecutive days, or multiple single days within a two week period, the school administrator may require a note from the student’s physician providing cause for the absence.

2. The school will make every effort to notify the parents/guardians by phone after an unexcused absence is reported. Parents/guardians will be contacted to meet with an administrator or a guidance counselor to discuss unexcused absences.

3. Students and parents have the right to appeal to the principal should they deem the attendance failure to be in error. This must be done within five school days of notification.

4. The student and parents have the right to appeal the principal’s decision to the Superintendent. This must be done within five school days of notification of the principal’s decision. The Superintendent’s decision shall be final.

Legal Reference: Title 20A MRSA Sec. 5001-A

Cross Reference: JEDA – Truancy
                  JFC – Student Withdrawal from School / Dropout Prevention Committee
                  IHBG – Home Schooling

Adopted: August, 1987
Revised: August, 1988
Revised: August 14, 1985
Revised: February 12, 2002
Revised: April 12, 2004
Revised: July 14, 2008
Revised: July 9, 2012
South Portland School District
Planned Absence Request
Grades 6-12

To be completed and returned to school office at least one week prior to planned absence.

Name of Student________________________________________    Date ____________________ 
Grade ______________________       Dates of Planned Absence ___________________________
Reason for Planned Absence _____________________________________________________________
_____________________________________________________________________________________

Board of Education Policy: excerpt from Policy JEA - Compulsory Attendance
Excusable Absence: A person’s absence is excused when the absence is for the following reason:
E. A planned absence for a personal or educational purpose which has been approved.

All assignments are to be made up within five school days of return. Teachers are not required or expected to
prepare assignments prior to the absence for personal or educational purpose.

Prolonged absence will jeopardize typical progress.

The following course information is to be completed by all teachers prior to receiving student, parent, and
Principal signatures:

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<thead>
<tr>
<th>Course</th>
<th>Student Progress To-Date</th>
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<td>(Passing/In Danger of Failing/Failing)</td>
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<td>Teacher Signature/Date</td>
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</tbody>
</table>

My signature below indicates that I’ve read, understand and agree to abide by this form:

Parent/Guardian Signature       Date
Student Signature              Date
Principal’s Signature          Date

Copy of form to be mailed home, once complete
South Portland School District  
Planned Absence Request  
Grades K-5

To be completed and returned to school office at least one week prior to planned absence.

Name of Student________________________________________    Date ____________________
Grade ______________________       Dates of Planned Absence ___________________________
Reason for Planned Absence _____________________________________________________________
_____________________________________________________________________________________

**Board of Education Policy: excerpt from Policy JEA - Compulsory Attendance**

*Excusable Absence: A person’s absence is excused when the absence is for the following reason:*
*E. A planned absence for a personal or educational purpose which has been approved.*

All assignments are to be made up within five school days of return. Teachers are not required or expected to prepare assignments prior to the absence for personal or educational purpose.

Prolonged absence will jeopardize typical progress.

The following course information is to be completed by all teachers prior to receiving student, parent, and Principal signatures:

<table>
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<tr>
<th>Grade / Class</th>
<th>Student Progress To-Date</th>
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<tbody>
<tr>
<td></td>
<td>* Demonstrating typical progress and/or Meeting IEP goals*</td>
</tr>
<tr>
<td></td>
<td>* Not making typical progress and/or Not Meeting IEP Goals*</td>
</tr>
</tbody>
</table>

Teacher Signature/Date

Teacher Signature/Date

Teacher Signature/Date

Teacher Signature/Date

Teacher Signature/Date

Teacher Signature/Date

My signature below indicates that I’ve read, understand and agree to abide by this form:

Parent/Guardian Signature

Date

Student Signature

Date

Principal’s Signature

Date

*Copy of form to be mailed home, once complete*
ENTRANCE AGE

To enter kindergarten, a child must be five years of age on or before October 15th of the school year of admission. To enter grade one, a child must be six years of age on or before October 15th of the school year of admission.

Children who have not attained their sixth birthday on or before October 15th, but who have attended public kindergarten in another state and have been promoted to grade one or who are attending grade one in another state, may be placed in grade one upon being transferred to the South Portland School System.

It is recognized that exceptions to this initial placement may be justified under limited circumstances as is acceleration at any grade level. In such rare cases, enrolling five year old students may be placed in first grade at the discretion of school officials in accordance with the following:

A. Social and emotional maturity should have been documented such as to predict success in grade one; documentation will include recommendations by pre-school teachers, parent recommendations and pre-school testing as determined by the school principal.
B. The decision of placement lies with the principal and an advisory committee at the school.
C. The school reserves the right to administer testing as appropriate to make a proper determination of placement.
D. Any such placement is to be conditioned upon demonstrated success and reviewed at appropriate intervals, and
E. All exceptional placements are to be reported to the Superintendent
F. Any parent who disagrees with the decision of the advisory committee may appeal the decision to the Superintendent whose decision shall be final.

Schools shall require birth certificates, within 60 days of enrollment, of all children whose records do not show a certified date of birth. Only an official record of birth shall be acceptable.

Legal Reference: Title 20A MRSA Sec. 5201.02
Cross Reference: IKE Promotion, Retention and Acceleration of Students
Revised: June 12, 1978
Revised: June 14, 1995
ADMISSION OF NON-RESIDENT STUDENTS

Students whose parents or legal guardians are not residents of South Portland may attend the South Portland Schools only under extraordinary circumstances and, except as hereinafter provided, only upon payment of established tuition fees. The assignment of any such students to South Portland schools shall be by the office of the Superintendent of Schools.

Tuition fees shall be established by State Statute and/or State Department of Education regulations. Within one week of enrollment of tuition students, principals shall report to the Office of the Superintendent of Schools, all necessary information for identification of such students and for issuance of tuition bills therefore including name, date of entrance, school, grade, name and address of parent or guardian and name, address, and relationship of pupil, with who the student is residing. Tuition bills shall be issued and payable in a reasonable period of time as established by the administrative assistant for finance.

Residence shall be as determined by State Statutes- being where the parent or legal guardian maintains a home for his family, or in the event of separation of parents, that place where the person having custody of the student maintains his or her home.

Tuition may be waved in exceptional cases. Examples are:

1. Hardship cases as determined by concurrence of the Superintendent of Schools.
2. Post-graduate students who are residents of the city.
3. Students who are members of the senior class and whose parents or guardians move from the city after the fall term begins.
4. Students, at any age level, whose parents or guardians are in temporary residence in another school unit (city, town, or district).
5. Transfer from another administrative unit as approved by the Superintendent of Schools.

Legal Reference: Title 20-A MRSA Section 5801 et. Seq.
Title 20-A MRSA Section 5203 et. Seq.

Adopted: June 17, 1968
Revised: June 9, 1975
Revised: October 13, 1980
ADMISSION OF EXCHANGE STUDENTS AT SOUTH PORTLAND HIGH SCHOOL

The South Portland Board of Education authorizes acceptance of exchange students at South Portland High School. Exchange students must be sponsored by an approved exchange program as listed by International Educational Travel and Exchange program of the Council on Standards for International Educational Travel. Each exchange program must be approved by the exchange coordinator. Other exchange programs not listed on the approved list must be recommended by the exchange coordinator and approved by the building administrator.

In order to provide the best experience for students and families, the host family must get permission from the high school administration prior to attempting to enroll an exchange student. This should be done prior to July 1 of the enrollment year. The maximum number of exchange students who may enroll for one academic year is six. To ensure the highest level of interaction, no more than two students who speak the same native language will be enrolled for the same enrollment year.

Exchange students are expected to carry academic course work agreed upon by the student, host family, exchange coordinator, and guidance counselor. The exchange students are expected to share their expertise in their native language and culture by enrolling in the highest level of that language offered in the high school (if available). Students who have completed an equivalent of an American high school diploma in their home country are not eligible to play on a varsity sports team.

Exchange students must be here on a student visa and are subject to all local, state, and federal laws. Additionally, they are subject to all school rules and policies.

Exchange students are required to provide evidence of up-to-date immunizations and a recent physical examination. Evidence of medical insurance must also be provided.

Host families will not request or accept room and board. Exchange students will provide their own spending money.

Adopted: May 12, 1975
Revised: May 8, 1995
ASSIGNMENT OF STUDENTS TO SCHOOLS

Individual school attendance boundaries, elementary and secondary, shall be established by the Board of Education and may be changed as population conditions warrant or as capacities of buildings require adjustment of student loads.

Students shall attend the school in the attendance district in which they reside.

Exceptions to this policy (waivers) are unusual and will only be granted in extenuating circumstances when there is space available. Exceptions will be reviewed by a committee appointed by the Superintendent. The committee will make recommendations to the Superintendent. Decisions of the Superintendent are final. Exceptions are for one year only. Parents will provide transportation to and from school. Regular attendance, arrival at school on time each day, as well as positive school citizenship are all required. Failure to maintain any of these would be grounds for revoking the waiver.

The Board of Education recognizes that from 2009-2013 under the NCLB regulations, students attending schools in the CIPS process were allowed school choice. As such, a number of students elected to attend schools outside of their attendance district. Those students will be allowed to remain in their present schools through grade 5. Siblings of students granted waivers under NCLB regulations who start school in 2014-15, 2015-16, or 2016-17 will be granted exceptions (waivers) as long as the addition to a classroom does not exceed 10% of the Board’s class size policy. Once they have been granted the exception they will be able to stay through grade 5.

Beginning in 2017-18, all exceptions (waivers) will be reviewed and granted only in extenuating circumstances if there is space available.

Adopted: April 14, 2014
SOUTH PORTLAND SCHOOL DEPARTMENT
INTER-SCHOOL WAIVER REQUEST

Due Date: May 15

Please return this form to:
Assistant Superintendent, 130 Wescott Road
South Portland ME 04106
Fax: 871-0559  Germanka@spsd.org

<table>
<thead>
<tr>
<th>Student Name:</th>
<th>Grade Level in September:</th>
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<tbody>
<tr>
<td>Address:</td>
<td>Cell/Home Phone:</td>
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<tr>
<td>Parent/Guardian Name:</td>
<td>Work Phone:</td>
</tr>
<tr>
<td>Assigned School:</td>
<td>Requested School:</td>
</tr>
<tr>
<td>Parent/Guardian Signature:</td>
<td>Date:</td>
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</tbody>
</table>

**REASON(S) FOR REQUEST**

****This form is valid only for students moving within the City of South Portland****
(Requests for students moving out of the City of South Portland should be directed to delmoldo@spsd.org)
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<tr>
<th>Student Name:</th>
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<tbody>
<tr>
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<td>Date:</td>
</tr>
</tbody>
</table>

**REASON(S) FOR REQUEST**

****This form is valid only for students moving within the City of South Portland****

(Requests for students moving out of the City of South Portland should be directed to supt@spsd.org)
TRUANCY

Compulsory attendance is essential to the preservation of the rights and liberties of the people and the continued prosperity of our society and our nation.

A person required to attend school or alternative instruction under Maine compulsory attendance law (20-A M.R.S.A. § 5001-A) is truant when an absence of ½ day or more is not excused.

A student is habitually truant if he/she is required to attend school or alternative instruction under Maine compulsory attendance law (20-A M.R.S.A. § 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 7 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.

The Board of Education shall appoint one or more attendance coordinators in accordance with state law. The duties of the attendance coordinator include, but are not limited to:

A. When notified by a principal that a student’s attendance is irregular, interviewing the student and the parent(s) to determine the cause of the irregular attendance and file 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’s compulsory attendance and truancy laws (20-A M.R.S.A. § 5001-A, 5051-A).

As required by law, the procedure as described in Procedural Guideline JEDA-R shall be followed when a student is habitually truant.

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 M.R.S.A. §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 M.R.S.A. § 5053-A and explain the possible penalties;

4. State that the Superintendent/designee may notify local law enforcement authorities of a violation of the habitual truancy statute and the Department of Health and Human Services (DHHS) as provided by 20-A M.R.S.A. § 5051-A(C) (the notice provision); and

5. Outline the plan developed to address the student’s habitual truancy and the steps that have been taken to implement that plan.

When a student is determined to be habitually truant and in violation of the compulsory attendance law and the Superintendent/designee has made a good faith attempt to meet the requirements of paragraph B of this policy, the Superintendent/designee shall notify the Board and local law enforcement authorities of the truancy. After this notification, a local law enforcement officer may transport the truant student to the appropriate school if the truant student is off school grounds during school hours and not under the supervision of school personnel.

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

Legal Reference: 20-A MRSA §§ 5001-A; 5051-A-5054-A

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

Adopted: June 12, 1978
Revised: April 14, 2008
South Portland School Department  
Student Absenteeism Protocol  
Grades Kindergarten through Grade 6

1. A student who is at least seven (7) 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 the school year is considered truant.
   A. Data is collected on a monthly basis.
   B. Truant students are referred to school official for a home contact. If necessary the administrator may request a home visit.
   C. Special Education students are referred to an IEP meeting.
   D. If the principal determines that a student is habitually truant, the principal shall send a letter informing parents of the habitual truancy. Student names are reported to the Superintendent of Schools.
   E. School staff will document, in writing, all attempts to contact parents and students regarding matters of truancy.

2. The principal, as the superintendent’s designee, shall attempt to correct the problem informally.
   - Informal attempts **must** include meeting with the student and the student’s parents to identify possible causes of the habitual truancy and develop a plan to implement solutions to the problem. The meeting may also include representatives from DHHS and the Department of Corrections. Interventions may include, but are not limited to:
     A. Frequent communication between the teacher and the family;
     B. Changes in the learning environment;
     C. Mentoring;
     D. Student counseling;
     E. Tutoring, including peer tutoring;
     F. Placement into different classes;
     G. Evaluation for alternative education programs;
     H. Attendance contracts;
     I. Referral to other agencies for family services;
     J. Other interventions, including, but not limited to, referral to the school attendance coordinator, RTI, or dropout prevention committee; and
     K. After continued RTI action, special education referral can be considered.

3. If the superintendent’s designee is unable to correct the truancy of the child, the Superintendent shall send a certified letter to the parent with notice that attendance of the child at school is required by law.

4. The Superintendent shall schedule at least one meeting with the student and the student’s parents to reinforce or amend the plan developed previously.

5. If, after 3 school days after service of the notice to the parent, the student remains truant, and the parent and student refuse to attend scheduled meetings, the Superintendent shall report the facts of the unlawful absence to the local law enforcement department, which may proceed with action against the parent.
South Portland School Department  
Student Absenteeism Protocol  
Grades 7 through Grade 12

1. A student who 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 is considered truant.
   A. Data is collected on a monthly basis.
   B. Truant students are referred to school official for a home contact. If necessary the administrator may request a home visit.
   C. Special Education students are referred to an IEP meeting.
   D. If the principal determines that a student is habitually truant, the principal shall send a letter informing parents of the habitual truancy. Student names are reported to the Superintendent of Schools.
   E. School staff will document, in writing, all attempts to contact parents and students regarding matters of truancy.

2. The principal, as the superintendent’s designee, shall attempt to correct the problem informally.
   a. Informal attempts must include meeting with the student and the student’s parents to identify possible causes of the habitual truancy and develop a plan to implement solutions to the problem. The meeting may also include representatives from DHHS and the Department of Corrections. Interventions may include, but are not limited to:
      A. Frequent communication between the teacher and the family;
      B. Changes in the learning environment;
      C. Mentoring;
      D. Student counseling;
      E. Tutoring, including peer tutoring;
      F. Placement into different classes;
      G. Evaluation for alternative education programs;
      H. Attendance contracts;
      I. Referral to other agencies for family services;
      J. Other interventions, including, but not limited to, referral to the school attendance coordinator, RTI, or dropout prevention committee; and
      K. After continued RTI action, special education referral can be considered.

3. If the superintendent’s designee is unable to correct the truancy of the child, the Superintendent shall send a certified letter to the parent with notice that attendance of the child at school is required by law.

4. The Superintendent shall schedule at least one meeting with the student and the student’s parents to reinforce or amend the plan developed previously.

5. If, after 3 school days after service of the notice to the parent, the student remains truant, and the parent and student refuse to attend scheduled meetings, the Superintendent shall report the facts of the unlawful absence to the local law enforcement department, which may proceed with action against the parent.
To: (Student Name)  
(Parent(s) Name(s))  
(Address)  

From: (Administrator’s Name)  

Your child, ______________________________________, a student at ______________  
School has been absent from school without known reason for either X consecutive school  
days or a total of X cumulative days during this school year. A copy of _____________’s  
attendance record is enclosed. 

Under the laws of the State of Maine, these unexcused absences result in your child being  
considered truant and will be referred to the Superintendent of Schools for official action.  
The law provides that a parent may be held legally responsible for these absences and may  
face civil action if the child does not return to school. We ask that you call the school and  
schedule an appointment to discuss any issues that may be related to these unexcused  
absences. 

Thank you for your attention to this matter. 

Sincerely,
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<th>Date</th>
<th>Time</th>
<th>Method of Contact</th>
<th>Results</th>
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TRUANCY CONTACT LOG

Student Name:

Adopted: 4/14/08
STUDENT DISMISSAL PRECAUTIONS

The School Board seeks to safeguard students by requiring procedures for excusing students from attendance at school. The building principals are directed to develop and implement administrative procedures for dismissing students, subject to the approval of the Superintendent. It is understood that procedures may vary from school to school due to the differing ages of the students.

Students will be released only to parents, legal guardians, and other persons specifically authorized in writing by parents/legal guardians to pick up the student. If the building principal/designee has reason to question the authenticity of any written or verbal communication regarding the release of a student, the parents/guardians shall be contacted for confirmation. The building principal/designee has the authority to deny the release of students to unauthorized or unknown persons.

A custodial parent/guardian who wishes the school to comply with provisions of a court order to restrict access to a child is responsible for providing a certified copy of such order to the school.

In addition, administrative procedures concerning student dismissal shall incorporate the following components:

A. A procedure for dismissing students in the event of an emergency during the school day;

B. A procedure for dismissing students for illness and other reasons prior to the end of the school day; and

C. A procedure for confirming the identity of parents/guardians and others authorized to pick up students prior to releasing students.

Cross Reference: EBCA – Crisis Response Plan
JEA – Compulsory Attendance Ages
KI – Visitors to the Schools

Adopted: March 8, 1976
Revised: May, 2002
Revised: July 8, 2002
STUDENT DUE PROCESS RIGHTS

The Board of Education recognizes the rights afforded all students by Federal/State Constitutions and Statutes and shall endeavor to protect those rights in the provisions of its policies and in its official actions.

Adopted: March 8, 1976
ADMISSION OF HOMELESS STUDENTS

The Board recognizes that homelessness alone should not be a sufficient reason to separate students from the mainstream school environment. The South Portland School Department will strive to ensure that homeless students are identified and provided access to the same free and appropriate public education provided to other students in the school system. In accordance with federal and state law and regulations, the school unit will provide homeless students with access to the instructional programming that supports achievement of the content standards of Maine’s system of Learning Results and to other services for which they are eligible. Students shall not be segregated into a separate school or program based on their status as homeless, nor shall they be stigmatized in any way.

I. DEFINITIONS
   A. “Homeless” students are those who lack a fixed, regular, and adequate nighttime residence and include the following:
      1. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement.
      2. Children and youths who have a primary nighttime residence that is a public or private place not designated for or ordinarily used as regular sleeping accommodation for human beings.
      3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.
      4. Migratory children who meet one of the above-described circumstances.
   B. “School of origin” means the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.
   C. “Unaccompanied youth” refers to a youth not in the physical custody of a parent or guardian (e.g., runaway and “throw away” children and youth).

II. ENROLLMENT/PLACEMENT
    The school unit will determine, according to the best interest of the child or youth, whether the child or youth will be enrolled in the school of origin or in the public school that non-homeless students who live in the attendance area in which the child is actually living are eligible to attend. In determining the best interest of the child or youth, the school unit will, to the extent feasible, keep the child or youth in the school of origin, unless doing so is contrary to the wishes of the parent.
If the youth is unaccompanied by a parent or guardian, the homeless liaison will assist in placement and enrollment decisions, with the views of the youth taken into consideration.

The school selected shall immediately enroll the homeless child or youth, even if the child or youth is unable to produce records normally required for enrollment, such as previous academic records, immunization records, evidence of residency, or other documentation.

The school unit may require a parent or guardian of a homeless child or youth to provide contact information.

The school unit must provide a written explanation, including a statement regarding the right to appeal, to the parent or guardian of the homeless child or youth if the school unit sends the child or youth to a school other than the school of origin or other than a school requested by the parent or guardian.

In the case of an unaccompanied youth, the homeless liaison will provide notice of the right to appeal.

The enrolling school shall contact the school last attended by the child or youth to obtain relevant academic and other records. If the child or youth needs to obtain immunizations or immunization medical records, the parent or guardian of the homeless child or youth will be referred to the homeless liaison for assistance.

III.  ENROLLMENT DISPUTES
If there is a dispute concerning enrollment, the child or youth shall be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute. The parent or guardian will be provided, in writing, with a written explanation of the school unit’s decision and the right to appeal the decision.

The homeless liaison shall ensure that an unaccompanied youth is enrolled in school, pending resolution of a dispute.

IV.  SERVICES
Homeless students shall be provided services comparable to services available to other students in the school system including, but not limited to, transportation services; educational services for which the student meets the eligibility criteria, such as educational programs for disadvantaged students, students with disabilities, gifted and talented students, and students with limited English proficiency; vocational and technical programs; preschool programs; before and after school-care programs; and school meals/nutrition programs.
V. TRANSPORTATION
Homeless students are entitled to transportation to their school of origin or the school where they are to be enrolled. If the school of origin is in another school unit and the student is enrolled in South Portland Schools or if a homeless student’s school of origin is in South Portland Schools but he or she is enrolled in a different school unit, the school systems will coordinate the transportation service necessary for the student, or will share the responsibilities and costs equally.

VI. RECORDS
Any records ordinarily kept by the school, including immunization records, medical records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, regarding each homeless student, shall be maintained to that records may be transferred when a student enters a new school system. Access to records will be available to parents and students in accordance with the Family Educational Rights and Privacy Act (FERPA).

VII. HOMELESS STUDENT LIAISON
A. The Superintendent shall designate an individual to act as the school unit’s Homeless Student Liaison. The school unit shall inform school personnel, service providers and advocates working with homeless families of the duties of the school unit’s Homeless Student Liaison.

B. The Homeless Student Liaison will be responsible for ensuring that:
   1. Homeless children and youths are identified by school personnel and through coordination activities with other entities and agencies;
   2. Homeless children and youths enroll in and have full and equal opportunity to succeed in schools within the school unit;
   3. Homeless families, children and youths receive educational services for which they are eligible, including Head Start, Even Start, and preschool programs administered by the school unit, and referrals to health care services, dental services, mental health services, and other appropriate services;
   4. The parents or guardians of homeless children and youths are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;
   5. Public notice of the educational rights of homeless children and youths is disseminated where such children and youths receive services, such as schools, family shelters, and soup kitchens;
   6. Enrollment disputes are mediated in accordance with law;
   7. The parent or guardian of a homeless child or youth, and any unaccompanied youth, is fully informed of all transportation services, including transportation to the school of origin, and is assisted in accessing transportation to the school the student will be attending;
8. Unaccompanied youths are assisted in placement or enrollment decisions and provided notice of the right to appeal; and
9. Children or youths who need to obtain immunizations or immunization medical records receive assistance.

Legal references:
- 42 U.S.C. § 11431-11435
- 20-A M.R.S.A. §§ 261,5205(7)
- Ch. 14 (ME. Dept. of Ed. Rules)
- Maine State Plan for the Education of Homeless Children and Youth

Revised: June 2003
Revised: July 14, 2003
DROPOUT PREVENTION COMMITTEE

The definition of “dropout” according to the Maine Education and School Statutes is: any person who has withdrawn for any reason except death, or has been expelled from school before graduation or completion of a program of studies and who has not enrolled in another educational institution or program. The following provisions apply to the dropout prevention committee:

1. **Committee.** Each Superintendent, with School Board approval, shall annually establish a separate dropout prevention committee for each individual school unit under the Superintendent’s supervision.

2. **Membership.** The dropout prevention committee shall be composed of the following members:
   a. A member of the School Board selected by that Board;
   b. A school administrator selected by the Superintendent;
   c. A teacher and a school counselor selected by the school administrative unit’s teacher organization;
   d. A parent selected by the unit’s organized parent group, or if no organized parent group exists, by the School Board;
   e. A school attendance coordinator from the district selected by the Superintendent;
   f. A high school student selected by the dropout prevention committee members.

3. **Responsibilities.** The following provisions apply to responsibilities of the dropout prevention committee. The dropout committee shall:
   a. Study the problem of dropouts, habitual truancy and need for alternative programs, kindergarten to grade 12.
   b. Make recommendations for addressing the problems; and
   c. Submit a plan of action to the School Board.

4. The dropout prevention committee shall consider the following when developing its plan:
   a. Reasons why students drop out of school;
   b. Maintenance of continuing contacts with recent dropouts in order to extend opportunities for alternate educational programs, counseling and referral;
   c. Education of teachers and administrators about the dropout problem;
   d. Use of human services programs to help dropouts;
   e. The school administrative unit’s policies on suspension, expulsion and other disciplinary action; and
   f. Discriminatory practices and attitudes within the school administrative unit.

Legal Reference: Title 20-A MRSA Section 5103
Adopted: January 4, 1978
Revised: February 6, 2002
Revised: February 23, 2005
STUDENT DRESS CODE

The South Portland School Board encourages students to use sound judgment and reflect respect for themselves and others in dress and grooming. In keeping with the district’s goals to provide a safe, healthy and non-discriminatory environment for educating students for maximum academic and social development, the Board specifically prohibits the following:

- Any clothing that causes a material and substantial disruption of the school
- Any clothing that promotes illegal activity (e.g., use of drugs)
- Any clothing that contains messages that violate the Board’s discrimination/harassment policies
- Clothing that is revealing (e.g., tops that reveal the midriff or that are low-cut, excessively short skirts, pants that hang too low, etc.)

Cross Reference: JIC System-Wide Student Code of Conduct
JICIA Weapons, Violence & School Safety

Revised: March 8, 1976
Revised: December, 2002
Revised: January 13, 2003
STUDENT CONDUCT ON SCHOOL BUSES

The busing of students as provided by the Board of Education is a privilege for those who qualify.

The bus shall be considered an extension of the classroom and the Board requires that students conduct themselves while on the bus in a manner consistent with established standards for classroom behavior. The bus driver is in charge of the bus and students are expected to comply with his/her requests at all times. The driver has the authority and responsibility to maintain orderly behavior of students on the bus.

Cases of improper conduct shall be reported to the principal. Serious disciplinary problems may result in the suspension of riding privileges. In such cases, it shall become the responsibility of the parents of the students involved to see that their students get to and from school safely and on time. In addition to being suspended from the bus, students are subject to discipline up to and including expulsion for serious misconduct on school buses.

Cross Reference: JIC System-wide Student Code of Conduct
                 JICIA Weapons, Violence & School Safety
Legal Reference: Title 20-A MRSA (Section 5401)
Adopted:       May 8, 1976
Revised:       December 2002
Revised:       January 13, 2003
ASSIGNMENT OF STUDENTS TO CLASSES: 
TRANSFER STUDENTS AND HOME SCHOOLING STUDENTS

The principal of the school in which a transfer or formerly home-schooled student is enrolling will be responsible for assigning the incoming student to a class or grade.

The principal shall be responsible for determining the value of the student’s prior educational experience toward meeting the content standards for the Learning Results in conformance with the school unit’s Local Assessment System and applicable Board policies. In assessing the value of the student’s prior educational experience, the principal may consider performance on standardized tests, academic records, portfolios, projects, writing samples, performances, and other demonstrations of achievement consistent with the Local Assessment System. The school unit may require an incoming student to participate in tests or other assessments to aid in this determination. For incoming high school students, tests or assessments may be required to determine whether a student has met course prerequisites or credit requirements for graduation. In addition, such tests and assessments may be used to determine when instructional intervention may be appropriate.

The principal/designee should meet with the student’s parents and, as appropriate, with the guidance counselor, special services director, and/or other professional staff before making a class/grade assignment decision.

The principal’s decision shall be final.

Legal Reference: Ch. 127 §§ 5.03, 6.02, 7.02(A) (5) (ME. Dept. of Ed. Rules)
Adopted: June 9, 2003
STUDENT SAFETY

The safety of students shall be assured through close supervision of students in all school buildings and on all school grounds and through special attention to the following:

1. Maintaining a safe school environment

2. Practicing safety in all areas, and in particular in those of instructional or extracurricular activities which offer special hazards (javelin, football, gymnastics, etc. to include laboratory sciences, industrial technology, etc.)

3. Providing school nurse services and first aid care for students in the case of accidents or illness.

4. Notifying the police of suspicious strangers loitering in or near the school buildings.

5. Instruction of students as to the dangers of accepting gifts or rides from strangers and their responsibility to report all suspicious strangers to the principal, teacher, their parents or the police.

Adopted: March 8, 1976
SUPERVISION OF STUDENTS

While students are in school, engaged in school-sponsored activities, or traveling to and from school in school buses provided (and operated) by the Board of Education, they are responsible to the school, and the school is responsible for their welfare.

Students who are in school, on school grounds, traveling under school auspices, or engaging in school-sponsored activities shall be supervised at all times by an assigned adult.

No teacher or other staff member shall leave his/her assigned area of supervision as per arrangement for emergencies.

Revised: March 8, 1976
BUILDING AND/OR PLAYGROUND DUTIES

Each school shall have a definite schedule of building and/or playground duties which must be followed faithfully. Duties are a part of a teacher’s total responsibility. Teachers may be liable for a charge of negligence if they fail to fulfill any part of their duties. Personal telephone calls, general conversations, etc., shall not prevent a teacher from carrying out assigned duties except when permission has been granted by the building principal or the principal’s designee and a replacement has been assigned to cover the duty area.

It shall be the responsibility of the building principal to design the schedule, inform the teachers of their assignments and to see that the schedule is posted where it is available to all teachers.

The duty schedule must fit the needs of the individual school for which it is designed. However, all schedules shall include the following points:

a. Opening of each session: Teachers shall report for duty no less than fifteen minutes before the opening of each session; one or more elementary teachers shall be on the playground duty at each school and shall give special attention to the traffic and playground hazards as students arrive at the school.

b. Dismissal of each session: All areas identified as needing supervision are to be covered.

c. Recess or breaks: All recess or breaks (i.e. basement) periods are to be properly supervised.

Revised: April 8, 1974
Revised: December 8, 1975
HONOR AND RECOGNITION SYSTEM

The Board of Education believes recognition in the South Portland School Department should honor academic and co-curricular accomplishments of South Portland students in addition to motivating and encouraging efforts toward the district’s shared vision of excellence and personal achievement.

The Board policy directs each school to develop a recognition system that exhibits the following characteristics:

- Transparent: clear and unambiguous standards (Content, 21st Century Skills and Habits of Work)
- Indicators of exemplary work
- Honors and encourages student learning styles and interests in and outside of the classroom via multiple, flexible pathways
- Academic recognition is contingent on meeting Habits of Work standards
- Course grades and Habits of Work are calculated at the end of each semester

The South Portland School Department honor and recognition system is based on the adopted criteria and grading system.

**Latin Honors and Recognition**

- **Summa Cum Laude** (with highest honor): 3.80 and Higher
- **Magna Cum Laude** (with great honor): 3.50 – 3.79
- **Cum Laude (with honor)**: 3.00 – 3.49

Recognition is based on course grades and Habits of Work calculated at the end of each grading period.

Adopted: October 15, 2014
SYSTEM-WIDE STUDENT CODE OF CONDUCT

Ethical and responsible student behavior is an essential part of the educational mission of our schools. To that end, the Board has developed this System-Wide Code of Conduct with input from school staff, students, parents and the community. The Code defines our expectations for student behavior and provides the framework for a safe, orderly and respectful learning environment.

Article 1 – Standards for Ethical and Responsible Behavior
The Code of Conduct is intended to support and encourage students to meet the following state-wide standards for ethical and responsible behavior:

- Respect
- Honesty
- Compassion
- Fairness
- Responsibility
- Courage

Article 2 – Code of Conduct
All students are expected to comply with the Code of Conduct and all related Board policies and school rules. The Code applies to students:

- 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.

Article 3 – General Behavior Expectations and Discipline Policies
The following expectations for student behavior are fundamental to a safe, orderly and respectful environment in our schools. Each student should:

1. Be courteous to fellow students, staff and visitors.
2. Respect the rights and privileges of other students and school staff.
3. Obey all Board policies and school rules governing student conduct.
4. Follow directions from school staff.
5. Cooperate with staff in maintaining school safety, order and discipline.
6. Attend school regularly (see Truancy Policy - #JEDA).
7. Meet school standards for grooming and dress (see Student Dress Code Policy - #JFCA)
8. Respect the property of others, including school property and facilities.
9. Refrain from cheating or plagiarizing the work of others.
10. Refrain from vulgarity, profanity, obscenity, lewdness, and indecency.
Violations of the Code of Conduct may result in disciplinary action. Disciplinary consequences depend upon the seriousness of the violation and the student’s prior disciplinary record. Consequences will range from a verbal warning for minor misconduct up to and including expulsion for the most serious offenses. Behavior that also violates the law may be referred to law enforcement authorities.

See policies:
Student Discipline - #JG & JK
Detention of Students - #JGB
Suspension of Students - #JKD
Expulsion of Students - #JKE

Article 4 – Expectations
The following is a summary of the school unit’s expectations for student behavior. In many cases, the Board has adopted policies that address these expectations in greater detail. Students, parents and others should refer to the policies and student handbooks for more information about the expectations and consequences. In case of an inconsistency between the Code of Conduct, Board policies and/or school handbooks, Board policies will prevail.

A. Violence and Threats
Students shall not engage in violent or threatening behavior. Prohibited behavior includes fighting, assault and/or battery, taking hostages, threats to commit violence against persons or property, or threats, intimidation, or harassment. Violations may result in disciplinary action up to and including expulsion.

See policies:
Weapons, Violence and School Safety JICIA
JICIB – Bomb Threats

B. Weapons
Students shall not possess or use weapons of any kind (examples include but are not limited to firearms, explosives and knives). Students also shall not use 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 include but are not limited to bats, lighters, tools and toy weapons). Firearms violations will result in expulsion in accordance with state and federal statutes; other weapons violations may result in disciplinary action up to and including expulsion.
See Weapons, Violence and school Safety Policy #JICIA

C. Hazing
Hazing is prohibited. Maine law 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.” No student shall plan, encourage, or engage in such activities in connection with any school program or activity, including extracurricular, co-curricular and athletic activities. Students who engage in hazing activities are subject to suspension, expulsion and/or other appropriate disciplinary measures.

See Hazing Policy- #ACAD

D. Discrimination and Harassment/Sexual Harassment
Students should not discriminate against other students on the basis of race, color, sex, religion, ancestry, national origin, or disability. Nor should students harass one another on the basis of race, color, sex, religion, ancestry, national origin, or disability. Sexual harassment is also prohibited. Harassment is grounds for disciplinary action up to and including expulsion.

See policies:

Nondiscrimination/Equal Opportunity and Affirmative Action - #AC

Harassment and Sexual Harassment of Students - #ACAA

E. Drug and Alcohol Use
Students shall not distribute, possess, use or be under the influence of any alcoholic beverage, drug, or look-alike substance as described in Board policy. Violations may result in disciplinary action up to and including expulsion from school.

See Substance Abuse Policy - #JICH

F. Tobacco Use
Students shall not smoke, use, possess, sell, or distribute any tobacco products. Violations of this policy may result in disciplinary action up to and including suspension from school.

See policies:

Smoking on school Premises Prohibited - #ADC

Substance Abuse Policy - #JICH
G. Conduct on School Buses
Students must comply with all Board policies and school rules while on school buses. Students who violate these policies and rules on a school bus may have their riding privileges suspended or revoked, and may also be subject to additional disciplinary action, up to and including expulsion, depending upon the particular violation.

See Student Conduct on School Buses Policy- #JFCC

H. Computer/Internet Use
Students may use school computers, networks and Internet services only for educational purposes. Students shall comply with all policies and rules governing acceptable use. Unacceptable use may result in suspension or cancellation of computer privileges as well as additional disciplinary and/or legal action.

See Student Internet and Appropriate Use Policy-#JDNDB

I. Co-Curricular Code of Conduct
Students must follow all Board policies and school rules while participating in athletics and extracurricular activities. Students who violate Board policies and/or school rules may be subject to suspension or removal from the team/activity as well as additional disciplinary action under applicable Board policies and/or school rules.

See Co-Curricular Eligibility Policy- #IGDJ-R

Article 5 – Removal of Disruptive/Violent/Threatening Students
1. Students who are disruptive, violent, or threatening death or bodily harm to others may be removed from classrooms, school buses, or other school property when necessary to maintain order and safety. The staff member who orders the student removed should arrange to have the student escorted to the office or other designated location.

2. If a student does not comply with a staff member’s order to leave, the staff member will contact an administrator, or, if not available, another suitable person, who shall respond promptly.

3. Staff members should not use force or restraint, except only to the minimum extent necessary to protect any person from imminent physical harm. Staff members are not required to take action that puts them at risk of serious injury.
4. The responding administrator will take appropriate action. If the student fails to obey verbal directions, force or restraint may be used only to the minimum extent necessary to protect any person from imminent physical harm or to quell a disturbance. Whenever practicable, law enforcement should be called to restrain or physically remove the non-compliant student. The administrator may invoke the school unit’s crisis response plan if appropriate.

See 20-A M.R.S.A. § 4009 – Protection from Liability
See Crisis Response Plan -#EBCA

Article 6 – Special Services
1. **Referral.** The school unit has adopted policies and procedures for determining when a student shall be referred for special services.

   See policies:
   * Referral/Pre-Referral of Students with Disabilities Policy- #IHBAB
   * Child Find Policy- #IHBAC

2. **Review of Individual Educational Plan.** The school shall schedule a PET meeting to review the IEP of a student who has been removed from class when: a) school officials and/or the parent believes the student may present a substantial likelihood of injury to himself/herself or others; b) the class removals are sufficient to constitute a change in the student’s special education program; or c) school officials or the parent believes that the student’s behavior may warrant a change in educational programming.

   See Disciplinary Removals of Students with Disabilities Policy- #JKF & #JKF-R

3. **Time Out Rooms and Therapeutic Restraint.** The school unit also has established a policy on the use of time out rooms and therapeutic restraints as required by Maine statute.

   See Time Out Rooms and Therapeutic Restraint Policy- #JKGA & #JKGA-R

Article 7 – Referrals to Law Enforcement Authorities
The Superintendent and administrators have the authority to seek the assistance of law enforcement authorities when there is a substantial threat to the safety of the schools, students or staff. The Superintendent/administration may also inform law enforcement authorities when they have reason to suspect that a student or staff member may have
violated a local, state or federal statute. All serious offenses, as determined by the Superintendent, must be reported to law enforcement authorities.

**Article 8 – Dissemination of System-Wide Student Code of Conduct**

The System-Wide Student Code of Conduct shall be distributed to staff, students and parents through handbooks and/or other means selected by the Superintendent and building administrators.

Legal Reference: 20-A M.R.S.A. §§ 254 (11); 1001 (15)


Adopted: September 9, 2002
SUBSTANCE ABUSE POLICY

The South Portland Board of Education regards substance use and abuse as a serious threat to student success in schools, and to preserving a safe and orderly school environment. The Board recognizes that chemical dependency is preceded by misuse and abuse, and, therefore, believes a coordinated education program should be implemented and system wide procedures established to deal with chemical use in the South Portland Schools. The goals of the policy are to create a safe, chemical free environment conducive to learning, and to aid students in abstaining from the use of alcohol, tobacco, and other drugs. The policy provides for intervention when use is detected, and provides corrective disciplinary action when necessary and support as appropriate.

No student shall possess, use, dispense, distribute, sell or be under the influence of any alcoholic beverage. No student shall possess, use, dispense, distribute or sell tobacco products of any kind. Nor shall a student manufacture, possess, use, dispense, distribute, sell or be under the influence of any scheduled drugs or controlled substances defined in federal and state laws and regulations, or any substance that is represented to be a controlled substance. Nor shall a student purposefully use a prescribed or over-the-counter medication in a manner other than specified by the medication directions and for/by the intended person.

Any student attempting to possess, use, dispense, distribute, or sell “look-alike” substances, counterfeit or imitation drugs, will be held to the provisions of the Substance Abuse Policy as if they were actual drugs. Any student participating in purchasing or accepting “look-alike” substances, counterfeit or imitation drugs, will be held to this policy as if he/she had bought actual drugs.

Any student who has not given his/her prescription or over-the-counter medication to the school nurse or main office upon arriving to school may face disciplinary consequences as outlined in this policy.

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.

Any violation of the policy constitutes sufficient grounds for student discipline, including suspension or expulsion from school at the appropriate discretion of the administration and the Board of Education. A student may also be referred to law enforcement for investigation and / or prosecution.

The Superintendent shall be responsible for the development of appropriate curricula programs, rules and procedures to implement this policy. The policy and appropriate information shall be distributed to students and parents through means selected by the administration.

Legal Reference: 21 USC § 812 (Controlled Substances Act); 21 CFR Part 1300.11-15: Pub. L.No. 101-226 (Drug-Free Schools and Communities Act Amendments of 1989); 17-A M.R.S.A. § 1101; 41 USC § 290dd-2; 42 CFR § 2.1 et seq.; 20-A M.R.S.A. § 1001(9); 4008.
Cross Reference: JLC – Administering Medication to Students
JICH-R – Substance Abuse Policy Administrative Procedures

Adopted: August 10, 1987
Revised: June 14, 1993
Revised: April 10, 1995
Revised: August 11, 1997
Revised: May 10, 1999
Revised: July 8, 2002
Revised: March 2003
Revised: April 14, 2003
Revised: May 11, 2009
SUBSTANCE ABUSE POLICY ADMINISTRATIVE PROCEDURES

These procedures are to be followed for disciplinary action to be taken when a student violates the South Portland School Department Substance Abuse Policy. These are guidelines only, and administration reserves discretion to impose consequences up to and including a recommendation of expulsion for any violation of the Substance Abuse Policy. In determining the level of discipline, the administration may consider any relevant facts and circumstances, including but not limited to the student behavior accompanying the violation, the student’s willingness to cooperate with the investigation, and the student’s prior disciplinary record, age and grade. Infractions are cumulative over the duration of a student’s career in the South Portland School System.

TOBACCO

The use or possession of tobacco products by any student enrolled in the South Portland Schools whether on school property, in any school vehicle, or at any school sponsored activity is prohibited. Tobacco products include cigarettes, cigars, any other form of tobacco, and any device used in smoking, or any form of tobacco consumption, including but not limited to cigarette papers and pipes.

First Infraction
1. Parent/Guardian is notified and student leaves the school with parent/guardian.
2. Tobacco product is confiscated. If the student is under 18 years of age, the South Portland Police Department will be notified.
3. An appointment will be made for the following day with a school counselor for a tobacco education appointment. Both the student and parent/guardian will attend. This will be followed by an assessment with the student and a school counselor.
4. A three day suspension will be assigned, reduced to two days, upon completion of the tobacco education program with a school counselor. The suspension begins on the school day immediately following the day of the infraction.

Second Infraction
1. Parent/guardian is notified and student leaves the school with parent/guardian.
2. Tobacco product is confiscated. If the student is under 18 years of age, the South Portland Police Department will be notified.
3. An appointment will be made for the following day with a school counselor for a second tobacco education appointment. Both the student and parent/guardian will attend.
4. A five day suspension will be assigned, reduced to four days, upon completion of a tobacco education program arranged through a school counselor. The suspension begins on the school day immediately following the day of the infraction.

Third Infraction
1. Parent/guardian is notified and student leaves the school with parent/guardian.
2. Tobacco product is confiscated. If the student is under 18 years of age, the South Portland Police Department will be notified.

3. An appointment will be made for the following day with a school counselor for further tobacco education. Both the student and parent/guardian will attend. Additional tobacco education will be recommended by a school counselor. A ten day suspension will be assigned. The suspension begins the day following the day of the infraction.

Subsequent Infractions
A ten day suspension will be assigned. At the discretion of the Superintendent of Schools, an expulsion hearing with the Board of Education will be initiated.

Smoking cessation programs and smoking awareness sessions will be available periodically throughout the school year. Any South Portland student may attend. Students who are out of school on suspension will be allowed to attend a smoking cessation program during their suspension time.

USE/POSSESSION OF ALCOHOL/DRUGS/DRUG PARAPHERNALIA

First Infraction
1. Police will be notified immediately. All drugs and drug paraphernalia will be confiscated and turned over to the police.
2. Parent/guardian will be notified and the student will leave school with the parent/guardian, unless the Police Department requires a different procedure.
3. An appointment will be made for the following day with a school counselor for an assessment appointment. While the assessment will be offered to the student privately, the parents must attend the appointment to review the Substance Abuse Policy. Literature of information regarding support for students and families will be available for their use.
4. A seven day suspension will be assigned, reduced to 6 days, upon completion of the assessment appointment with a school counselor. The suspension begins on the school day immediately following the day of the infraction.

Second Infraction
1. Police will be notified immediately. All drugs and drug paraphernalia will be confiscated and turned over to the police.
2. Parent/guardian will be notified and the student will leave school with the parent/guardian, unless the Police Department requires a different procedure.
3. An appointment will be made for the following day with a school counselor for an assessment appointment. While the assessment will be offered to the student
privately, the parents must attend the appointment to review the Substance Abuse Policy. Literature or information regarding support for students and families will be available for their use.

4. A ten-day suspension will be assigned, reduced to 9 days, upon completion of the assessment appointment with a school counselor. The suspension begins on the school day immediately following the day of the infraction.

Third Infraction

1. Police will be notified immediately. All drugs and drug paraphernalia will be confiscated and turned over to the police.
2. Parent/guardian will be notified and the student will leave school with the parent/guardian, unless the Police Department requires a different procedure.
3. An appointment will be made for the following day with a school counselor for an assessment appointment. While the assessment will be offered to the student privately, the parents must attend the appointment to review the Substance Abuse Policy. Literature of information regarding support for students and families will be available for their use.
4. A ten day suspension will be assigned. At the discretion of the Superintendent of Schools, an expulsion hearing with the Board of Education will be initiated. The suspension begins on the school day immediately following the day of the infraction.

SELLING OR FURNISHING OF ANY SCHEDULED DRUG AS CLASSIFIED BY MAINE CRIMINAL STATUTED- TITLE 17 A OR ALCOHOL TO OTHERS

1. The Police Department will be notified immediately.
2. All drugs and drug paraphernalia will be confiscated and turned over to the police.
3. Parent/guardian will be notified and the student will leave school with the parent/guardian, unless the Police Department requires a different procedure.
4. The student will be suspended immediately for 10 days pending expulsion proceedings by the Superintendent of Schools.
WEAPONS, VIOLENCE AND SCHOOL SAFETY

The South Portland Board of Education 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 is expected to immediately report incidents of prohibited conduct by students to the building administrator for investigation and appropriate action.

I. 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 or school activity:

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, and any other gun, ammunition, explosives, cross-bows, brass knuckles.

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 (including toys);

C. Violent or threatening behavior, including but not limited to fighting, assault and or battery, gang activities, 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 South Portland 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

II. Exceptions to Prohibition Against Possession and Use of Weapons on School Property

The prohibition on the possession and the discharge of a firearm does not apply to Law Enforcement officials.
III. Disciplinary Action

Students

Principals may suspend and/or recommend the expulsion of students who violate this policy based upon the facts of each case and in accordance with applicable state and federal laws. Conduct which violates this policy is deliberately disobedient and deliberately disorderly within the meaning of 20-A MRSA § 1001 (9) and will be grounds for expulsion under other provisions of 20-A MRSA § 1001 (9 and 9-A). This law specifically prohibits the use and possession of weapons, infractions of violence, and possession, furnishing and trafficking of scheduled drugs. Students who are found to have brought a firearm to school as defined in 18 United States Code, Section 921 shall be expelled for a period of not less than one year, except that the school board may authorize the superintendent to modify the requirement for expulsion of a student on a case-by-case basis. A decision to change the placement of a student with a disability must be made in accordance with the federal Individuals with Disabilities Act.

Nothing in this subsection prevents a school board from offering instructional activities related to firearms or from allowing a firearm to be brought to school for instructional purposes sanctioned by the district.

All firearm violations shall be referred to law enforcement authorities as required by law. Other violations of this policy shall be referred to law enforcement authorities at the discretion of the Superintendent.

Staff

School staff members who violate this policy shall, at the Superintendent’s discretion, be disciplined in accordance with any applicable collective bargaining agreement or School Department procedure.

Volunteers

Volunteers who violate this policy shall, at the Superintendent and building Administrator’s discretion, have their volunteer authorization revoked or restricted, depending on the circumstances of the particular case.

Visitors

Visitors who violate this policy shall be required to leave school property and Law Enforcement may be notified of violations.

IV. Notification Team/Confidentiality

Maine law authorizes law enforcement officers and criminal justice agencies to share with a superintendent or principal information pertaining to a juvenile when the information is credible and indicates an imminent danger to the safety of students or school personnel on school grounds or at a school function. Maine law requires the District Attorney to notify the superintendent when a juvenile is charged with use or threatened use of force or is adjudicated as having committed one or more juvenile crimes that involve the use or threatened use of force.
Within ten days, or immediately if necessary for school safety, the Superintendent shall convene a notification team. The notification team must include the administrator/designee of the school building where the student attends, at least one classroom teacher to whom the student is assigned, a guidance counselor, and the student’s parent/guardian. The notification team shall determine on this basis of need which school employees are entitled to receive information concerning allegations or adjudications of use or threatened use of force. Information received by the Superintendent/designee and disclosed to the notification team and/or disclosed to school employees is confidential and may not become part of the student’s educational record.

The Superintendent shall ensure that confidentiality training is provided to all school employees who have access to this information.

V. Psychological Evaluation and Risk Assessment

The Board of Education authorizes the superintendent to request an immediate psychological evaluation of a student who violates this policy when, in his/her opinion, such an evaluation will assist in assessing the risk the student poses to school safety if the student were to remain in school.

The Superintendent is also authorized to request psychological evaluations of students who have been identified as posing a substantial risk of violent behavior.

The school psychologist at the school department’s expense shall perform all such evaluations.

If the parents/guardians and/or student refuse to permit a requested psychological evaluation the superintendent and the Board may draw any reasonable inferences from the student’s behavior concerning the risk the student poses to school safety for purposes of determining appropriate action.

VI. Student/Staff Training and Procedures

The Superintendent is authorized to institute training programs for staff and students designed to support the goal of providing a safe, orderly and respectful school environment. The Superintendent is also authorized to implement any administrative procedures necessary to carry out this policy.

Legal References: 20 USCA § 8921 (Gun-Free Schools Act of 1994) 20A MRSA §§ 1001 (9); 1001 (9-A); 6552 17A MRSA §§ 2 (9); 2 (12-A)

Cross References: ACAA Harassment and Sexual Harassment of Students ADA Tobacco Use and Possession EBCA Comprehensive Emergency Management Plan JIC Drug and Alcohol Use by Students JICD Student Code of Conduct JICK Bullying JIH Questioning and Search of Students JK Student Discipline JKD Suspension of Students JKE Expulsion of Students JKF Suspension/Expulsion of Students with Disabilities
It is the belief of the South Portland School Department that integrating technology into the school day is an extremely important strategy used to prepare our students for 21st Century learning. It also is the belief that students learn best in classrooms free of unnecessary disruptions. Thus, the use of personal electronic devices during the school day will be a privilege for students and members of the staff. Devices that may interrupt the teacher and/or other students are not to be used at any time to disrupt or interrupt. Examples of such articles include but are not limited to the following: cellular telephones, mp3 players, camera devices and other electronic devices.

The following core principles and guidelines apply to the use of electronic devices:

A. The use of electronic devices will be used primarily to enhance the educational experience of all students and staff.
B. All electronic devices will be used in a respectful and appropriate manner as not to disrupt the academic and social mission of the South Portland School Department.
C. Electronic devices will not be used to interfere with student to student or student to staff interactions within the school day.
D. Electronic devices may not be used in any unethical or illegal manner.
E. Camera devices may not be used to photograph another person who has a reasonable expectation of privacy.
F. Electronic devices may not be used in a way that would violate another person’s copyright.
G. Electronic devices may not be used to harass, intimidate, or bully another person or to invade another person’s privacy.
H. Camera devices may not be used in any locker room, restroom, or any other place where other people have a reasonable expectation of privacy.

When it has been established that a student has failed to follow the above stated guidelines, the school may take any or all of the following actions:

A. The teacher may give a warning to the student to put the electronic device in a locker, backpack/purse, or other secured location during the regular school day.
B. The teacher may confiscate the device and release it to the student at the end of the regular school day.
C. The principal or designee may confiscate the device and release it only to a parent/guardian. At the discretion of the principal or principal’s designee, the student may be prohibited from possessing a personal electronic device on school property or at any school-sponsored activity for such period of time as the principal or designee deems reasonable.
D. The student will be subject to disciplinary consequences up to and including expulsion. Where appropriate, police authorities may be contacted.

Adopted: February 14, 2005
Revised: August 24, 2009
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 the South Portland School Department 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:

A. 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;

B. 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

C. 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.

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.

Application of Policy

This policy applies to bullying that:

A. 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

B. 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
 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**

The South Portland School Department will provide professional development and staff training in bullying prevention and response.

**Delegation of Responsibility**

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

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.

A student of his/her parent/guardian who is dissatisfied with a decision of the Superintendent or designee related to the taking or not taking of disciplinary action in the course of implementing this policy may appeal, in writing, to the Superintendent within 14 calendar days of notice of the decision.

The Superintendent’s decision shall be final.

**Dissemination of Policy**

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

Legal Reference: 20-A M.R.S.A. § 1001(15), 6554

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  
                   IJNDB-R Student Computer and Internet Use and Internet Safety
BULLYING INVESTIGATION FORM

Date the alleged incident was reported: ______________

Name of person investigating alleged incident(s): _________________________

Position/title of investigator: __________________________________________

Name of complainant/person reporting bullying incident(s): ______________

Complainant/reporter is (circle one): Student    Parent    School employee
Coach/advisor    Volunteer    Other ________

Name(s) of alleged target(s): __________________________________________

Name(s) of alleged bully(ies): _________________________________________

Name(s) of potential witnesses: _________________________________________

Did the alleged incident(s) occur (check one or more):
   _____ on school property (including a school bus)
   _____ at a school sponsored activity
   _____ through use of technology
   _____ elsewhere

Time and location(s) of incident(s): ________________________________

Does the targeted student have an IEP?  _____Yes   ____No (If yes, refer to plan)

Does the targeted student have a 504 plan? ___Yes  ___No (If yes, refer to plan)

Is the targeted student in the referral process for either? ___Yes ___No
(If yes, specify)___________________________________

If the targeted student receives special services, when were the Special Services Director and/or 504 Coordinator notified of the incident:

Person notified:___________________________  Date:_________________

Does the alleged bully have an IEP? ___Yes ___No (If yes, refer to plan)

Does the alleged bully have a 504 plan? ___Yes ___No (If yes, refer to plan)

Is the alleged bully in the referral process for either? ___Yes ___No
(If yes, specify)_____________________________________

If the alleged bully receives special services, when were the Special Services Director and/or 504 Coordinator notified of the incident:

Person notified:___________________________  Date:_________________

Do the school unit’s records show prior reports of alleged or substantiated incidents of bullying involving the alleged target or alleged bully? If so, describe the incident(s) and outcome(s):_________________________
Meeting/interview of student who believes he/she has been bullied, description of alleged incident(s), date(s), and Detail(s):

Communications with parent(s) of student who believes he/she has been bullied (date and details):

Meeting/interview of alleged bully (bullies) (dates and details):

Communications with parent(s) of alleged bully (bullies) (dates and details):

Meeting/interview of persons identified as witnesses (dates and summary of information provided):

Further evidence of bullying examined (video, photos, email, letters, etc.):

Measures taken pending conclusion of the investigation to ensure the safety of the student who believes he/she has been bullied:

Safety measures communicated to the parent(S) of the student who believes he/she has been bullied (dates and details):

Is the alleged bullying substantiated, i.e., does the alleged conduct meet the definition of bullying as articulated in Board policy?  ___Yes  ___  No

Nature of harm incurred:
  ___Physical harm to student or damage to student’s property
  ___Student’s reasonable fear of physical harm or damage to property
  ___Hostile educational environment
  ___Infringement of student’s rights at school

Conduct resulting in harm (in item above) is on the basis of:
  ___National origin/ancestry/ethnicity
  ___Religion
  ___Physical, mental, emotional or learning disability
  ___Sexual orientation
  ___Gender/gender identity/expression
  ___Age
  ___Socioeconomic status
  ___Family status
  ___Physical appearance
  ___Weight
  ___Other distinguishing personal characteristics
Summary of investigation/Explanation of findings:

____________________________________________________________
____________________________________________________________
____________________________________________________________
____________________________________________________________

Recommended disposition:

Disciplinary action – alternative discipline: __________________________________________________________
Disciplinary action – suspension (in-school, out-of-school): ______________________________________________
Expulsion (recommended for expulsion): ______________________________________________________________

Recommendations for support services:

   Counseling/referral to services (targeted student): ___________________________________________________
   Counseling/referral to services (bully): ______________________________________________________________

Recommendation of report to law enforcement?  ___Yes  ___ No

   ____ Potential criminal violation
   ____ Potential civil rights violation

Recommendations in other substantiated bullying situations:

If bully is school employee or administrator, recommendation for action to be taken by the Superintendent (any action must be consistent with collective bargaining agreement or individual contract): ______________________________

If bullying is by another adult person associated with the school (e.g. volunteer, visitor, or contractor): ______________________________

If bullying involves a school-affiliated organization: __________________________________________________

Signature of investigator: _________________________________________

If investigator is not building principal, copy to principal on [___________]
   Date

Copy to Superintendent on [____________}
   Date

Approved: 2/27/17
BULLYING: SUMMARY OF DISCIPLINARY AND REMEDIAL ACTIONS

This page is for use when a substantiated incident of bullying is entered into the Report of Substantiated Incident of Bullying in the Maine Department of Education’s NEO data reporting system. It is aligned with the NEO data categories.

This documentation is in reference to the alleged incident of bullying reported on:

[Date of incident]

Name of student who was found to have bullied ____________ (name is for tracking in school unit files only; do not report name of student or any personally identifying information to the Maine Department of Education)

1. Delineate the specific nature(s) of the incident:
   _____ Cyberbullying
   _____ Electronic expression
   _____ Physical act or gesture
   _____ Retaliation
   _____ Verbal/Oral
   _____ Written

2. The student received/will receive the following discipline actions (consequences):
   _____ Alternative Discipline
   _____ Detention
   _____ Weekend Detention
   _____ In-school suspension
   _____ Out-of-school suspension
   _____ Expulsion/Recommended for expulsion

3. Alternative discipline imposed for this student (actions taken):
   _____ Meeting with the student and the student's parent(s) or guardian(s)
   _____ Reflective activities, such as requiring the student to write an essay about the student's misbehavior
   _____ Mediation, but only when there is mutual conflict between peers, rather than one-way negative behavior, and both parties voluntarily choose this option
   _____ Counseling
   _____ Anger management
   _____ Health counseling or intervention
   _____ Mental health counseling
   _____ Participation in skills building and resolution activities, such as social/ emotional/ cognitive skills building, resolution circles and restorative conferencing
   _____ Community service
The following serves as a record that a report of substantiated bullying has been submitted to the Maine Department of Education.

___________________________________________        Date: ______
Signature and position of person completing this form

Data reported to Maine DOE (NEO) on [Date] by ___________________________
Signature, Position of Reporter

Copy to building principal on [Date]

Copy to Superintendent on [Date]

Approved: 2/27/17

Page 2 of 2
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.

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 or his/her designee.

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 co-curricular 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 or his/her designee 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 or his/her designee.
Form of Reports

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

School employees are required to make reports of bullying to the principal or his/her designee 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.

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.

[NOTE: School personnel should be careful to respect the confidentiality of student information when communicating with the parents of a student who has reported being bullied. It should be sufficient to inform the parents of what the school is doing to protect the student from further bullying and to convey that the incident will be investigated and appropriate disciplinary consequences will be applied, without providing details that would be considered a violation of FERPA or an invasion of privacy.]

Investigation

The principal or his/her designee 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.

The determination of whether particular conduct constitutes bullying requires reasonable consideration of the circumstances, which include the frequency of the behavior 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.

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:

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

B. Reflective activities, such as requiring the student to write an essay about the student’s misbehavior;

C. Mediation when there is mutual conflict between peers, rather than one-way negative behavior, and when both parties freely choose to meet;

D. Counseling;

E. Anger management;

F. Health counseling or intervention;

G. Mental health counseling;

H. Participation in skills building and resolution activities, such as social-emotional cognitive skills building, resolution circles and restorative conferencing;

I. Community service; and

J. In-school detention or suspension, which may take place during lunchtime, after school or on weekends.

In order to remediate any substantial incident of bullying to counter the negative impact of the bullying and reduce the risk of future bullying incidents, the Superintendent or his/her designee may refer the targeted student/victim, perpetrator or other involved persons to counseling or other appropriate services.

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:

A. The parents/guardians of the targeted student, including the measures being taken to ensure the student’s safety; and to

B. 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: ACAA-R – Student Harassment and Sexual Harassment Procedure
JICK – Bullying
JRA-R – Student Education Records and Student Information

Adopted: January 14, 2013

Revised: February 27, 2107
QUESTIONING AND SEARCHES OF STUDENTS

The South Portland Board of Education seeks to maintain a safe and orderly environment in the schools. School administrators are authorized to question and/or search students in accordance with this policy and accompanying administrative procedures.

Students may not bring, possess, or store at school any items or substances, which are prohibited by law, Board policies and/or school rules, or which interfere with the operations, discipline or general welfare of the school. Students, their personal property, and their vehicles may be searched with reasonable suspicion that they possess any items or substances which are prohibited by law, Board of Education policies and/or school rules, or which interfere with the operations, discipline or general welfare of the school.

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

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

The Superintendent may authorize the use of exploratory canine patrols to assist in the detection of drugs, weapons, or other illicit substances. Canine patrols may be utilized on a random basis, with or without reasonable suspicion, and without notice or consent, to scan any school storage facilities and any personal property, including backpacks, that is brought onto school property.

If a search produces evidence that a student has violated or is violating the law, Board policies and/or school rules, such evidence may be seized and impounded by the school administrators and appropriate law enforcement authorities as required by law or as deemed appropriate by the Superintendent.

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

School, staff, students, and parents shall be informed of this policy on an annual basis through handbooks and/or other means selected by the school administrators.

The Superintendent is authorized to develop and implement, with input from legal counsel, administrative staff and others as appropriate, any administrative procedures
necessary to carry out this policy. Such administrative procedures shall be subject to Board approval.

Cross Reference: JIH-R – Questioning and Searches of Students, Administrative Procedure  
                 JICH – Substance Abuse Policy  
                 JICIA – Weapons, Violence and School Safety  
                 JK – Student Discipline

Adopted: March 8, 1976  
Revised: August 14, 2000  
Revised: January 11, 2010
STUDENT SEARCH FORM

Name/Title of Person Performing Search and Completing Form:
_______________________________________________________________________

Date: ___________________

1. Who was searched? _________________________________________________

2. Date, time and location of search _______________________________________

3. Was this search the result of a canine “alert”? ___________________________

4. What was searched (i.e., person, personal belongings, storage facilities)?
   ___________________________________________________________________
   ___________________________________________________________________

4. Witness(es) to search ________________________________________________
   ___________________________________________________________________

5. What did the search yield? ____________________________________________

6. Were police notified? ________________________________________________

7. Were parents notified? __________________________

7. Other relevant facts (if any) ____________________________
   ___________________________________________________________________
   ___________________________________________________________________

Signature of Person Performing Search and Completing Form:
__________________________________________________

ONCE COMPLETED, A COPY OF THIS FORM WILL BE FORWARDED TO THE
SUPERINTENDENT AND PLACED IN THE STUDENT’S FILE (IF SEARCH
RESULTED IN DISCIPLINE) OR IN SEPARATE FILE (IF NO DISCIPLINE
INVOLVED).
QUESTIONING AND SEARCHES OF STUDENTS
ADMINISTRATIVE PROCEDURE

The purpose of this administrative rule is to provide guidelines for the conduct of student questioning and searches by authorized school administrators. These are guidelines only and may be adjusted within reasonable and lawful limits on a case-by-case basis. School administrators have the discretion to request the assistance of law enforcement authorities as they deem necessary and in accordance with Board policy. Law enforcement authorities will not participate in searches except under exceptional circumstances.

During a search, if any item is found that is illegal, violates Board policies or school rules, or which in the reasonable judgment of school administrators represents a threat to the safety and welfare of the school population, it shall be seized. Illegal items may be turned over to law enforcement authorities. Other items shall be stored in a secure location until a determination is made regarding appropriate disposition.

School administrators are required to document all searches and items seized or impounded. The Superintendent and the parents of students involved shall be provided with a copy of such reports.

The Superintendent may authorize the use of exploratory canine patrols to assist in the detection of drugs, weapons, or other illicit substances. Canine patrols may be utilized on a random basis, with or without reasonable suspicion, and without notice or consent, to scan any school storage facilities and any personal property, including backpacks, that is brought onto school property.

A. Questioning by School Administrators

1. School administrators are under no obligation to notify a student’s parents/guardians prior to questioning a student regarding alleged violations of Board policies, school rules, and/or federal/state laws.

2. School administrators shall inform the student of the reasons for the questioning and provide an opportunity for the student to respond to any allegations. School administrators shall make a reasonable effort to question the student in a location out of the sight and hearing of other students.

3. If a student fails to cooperate, lies, misleads, or threatens any person during questioning, he/she may be subject to additional disciplinary action.

B. Searches of Students, Personal Property in Students’ Immediate Possession

1. School administrators are authorized to search students and/or personal property in students’ immediate possession, when, in their judgment, there are reasonable grounds to suspect that a student has violated or is violating Board policies, school rules, federal/state laws, or is interfering with the operations, discipline or general welfare of the school.
2. All searches of students and/or their personal property shall be authorized and conducted by a school administrator in the presence of a witness, except where the circumstances render the presence of a witness impractical. A reasonable effort will be made to conduct searches out of the sight and hearing of other students.

3. Searches should be reasonably related to the suspected violation and no more intrusive than necessary to discover the evidence for which the search was instigated. Searches may include pat downs and searches of the student’s outer clothes (e.g., pockets, jacket, shoes, hat) and personal belongings (e.g., purse, backpack, gym bag, lunch bag). The student may be given the opportunity to open any closed items or items that are not easily accessible to visual search. If the student refuses, the administrator shall open and search the items. If the search produces a reasonable suspicion of the presence of evidence, a broader search may be justified. School administrators shall not conduct strip searches. If a strip search appears to be necessary, law enforcement authorities shall be contacted.

4. Searches which disclose evidence that a student has violated Board policies or school rules will be addressed through school disciplinary procedures. Evidence of violation of federal/state laws may result in school disciplinary action and/or be forwarded to law enforcement authorities for possible investigation/prosecution.

C. Searches of Lockers, Desks, and Other School Storage Facilities

1. School administrators shall consult with the Superintendent prior to conducting random searches. Students have no expectation of privacy in school storage facilities or for any items placed in such storage facilities. School administrators have the authority to inspect and search storage facilities and their contents on a random basis, with or without reasonable suspicion, and without notice or consent.

2. Searches of individual student lockers, desks, or other storage facilities and their contents based upon reasonable suspicion will be conducted in the presence of the student and a witness, if practical under the circumstances of the search. A reasonable effort will be made to conduct searches out of the sight and hearing of other students. The student may be given the opportunity to open any closed items or items that are not easily accessible to visual search. If the student refuses, the administrator shall open and search the items.

3. Any search which discloses evidence that a student has violated Board policies or school rules will be addressed through school disciplinary procedures. Evidence of violation of federal/state laws may result in school disciplinary action and/or be forwarded to law enforcement authorities for possible investigation/prosecution.

D. Patrolling of Parking Lots and Searching Vehicles

1. Students may drive vehicles to school and park in designated areas in accordance with school rules. School administrators retain the authority to patrol parking lots.

2. If school administrators have a reasonable suspicion that a vehicle which a student has parked at school contains evidence that the student has or is violating Board policies or school rules, or federal/state laws, and/or there is a substantial threat to the welfare and safety of the schools, a school administrator will search the vehicle in the presence of a witness, except where the circumstances make the presence of a witness impractical.
3. If practical, the student should be present during the search. A reasonable effort will be made to conduct searches out of the sight and hearing of other students. The student may be given the opportunity to open any closed items or items that are not easily accessible to visual search. If the student refuses, the administrator shall open and search the items.

E. Canine Patrols and Searches

1. The Superintendent may authorize canine patrols to take place anywhere on school property, including in hallways and parking lots, if he/she deems it advisable to maintain a safe and orderly school environment and/or to discourage drugs, weapons and/or other illegal substances or items from being brought onto school grounds. Only certified dogs and handlers may be used.

2. Whenever possible, canine patrols will be scheduled to minimize disruption of the academic program and risk of contact with students.

3. When canine patrols take place during the school day, teachers will be notified prior to the initiation of a canine patrol to keep students in their classrooms during the patrol. Any students in the parking lot, or anywhere outside of a classroom, prior to a canine patrol will be instructed to report to the school office or appropriate classroom.

4. All student vehicles, lockers, and/or other school storage facilities in the targeted area will be scanned during a canine patrol. Any vehicle, locker or other school storage facility identified by the canine patrol will be noted by the school administrators accompanying the patrol.

5. Immediately following removal of the dogs, each area noted during the canine patrol will be searched. Each search will be conducted by a school administrator in the presence of a witness, except where the circumstances make the presence of a witness impractical.

6. If practical, the student should be present during a search of his/her vehicle, locker or other school storage facility. A reasonable effort may be made to conduct the search out of the sight and hearing of other students. The student may be given the opportunity to open any closed items or items that are not easily accessible to visual search. If the student refuses, the administrator shall open and search the items.

Cross Reference: JIH - Questioning and Searches of Students
PRIVATE SCHOOL STUDENTS ACCESS TO PUBLIC SCHOOL
CO-CURRICULAR ACTIVITIES

The Board recognizes that Maine law sets standards for access to public school co-curricular activities by students enrolled in equivalent instruction programs in private schools.

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

A. Is recognized as an equivalent instruction alternative under 20-A MRSA § 5001-A(3)(1)(a) or (b) (i.e., a private school approved for attendance purposes under 20-A MRSA § 2901 or a private school recognized by the Department of Education as providing equivalent instruction); and

B. Is not a member of an association that promotes, organizes or regulates statewide interscholastic activities in both public and private schools.

PARTICIPATION IN CO-CURRICULAR ACTIVITIES

A student enrolled in an equivalent instruction program as defined in this policy is eligible to participate in co-curricular activities sponsored by the South Portland School Department so long as:

A. The student or his/her parent/guardian applies in writing to and receives written approval from the school principal/designee; and

B. The student currently meets, and agrees to meet in the future, established behavioral, disciplinary, attendance and other rules applicable to all students.

C. The student complies with the same physical examination, immunization, insurance, age, and semester eligibility requirements as regularly enrolled students participating in the activity. All required documentation must be made available upon request by the school unit.

D. The student meets equivalent academic standards as those established for regularly enrolled students participating in the activity and provides evidence that the academic standards are being met.

E. The student abides by the same transportation policy as regularly enrolled students participating in the activity.

The principal/designee has reasonable discretion to grant or withhold approval based on factors including: whether the activity is at capacity with enrolled students, additional costs that would be caused by the student’s participation, the student’s behavioral and academic record provided by the private school, safety, and any other factors that involve the best interests of the school. The principal/designee’s decision shall not be subject to appeal or reconsideration unless it is in violation of the law or a Board policy.
After the approval of the principal/designee, the criteria for selection of participants shall be determined by the staff members (coaches, advisors and their supervisors) responsible for the activities. Tryouts are by nature competitive. Eligibility to try out does not guarantee participation. Decisions resulting in non-selection of individual students shall not be subject to appeal or reconsideration unless they are in violation of law or Board policy.

VERIFICATION OF ELIGIBILITY

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

DELEGATION OF AUTHORITY

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

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

APPEALS

Appeals that question the Board’s policy compliance with legal requirements must be made to the Commissioner, whose decision is final and binding.

Legal Reference: 20-A MRSA §§ 2901, 5001-A, 5021-A(3)
Cross Reference: IGDJ
              IGDJ-R
              JJIAA-R

Adopted: June 11, 2012
PRIVATE SCHOOL STUDENT APPLICATION FOR PARTICIPATION
IN SOUTH PORTLAND SCHOOL DEPARTMENT
CO-CURRICULAR ACTIVITIES

The parent (or student if 18 years of age or older) must submit a separate application for each activity in which participation is desired.

STUDENT INFORMATION

Student’s Name: _______________________________

Student’s Date of Birth: _________________________

Grade in Private School: _________________________

Student’s Address: ______________________________

Phone Number: _________________________________

Parent/Guardian’s Name: _________________________

Private School Name: ____________________________

Private School Address: __________________________

Private School Phone Number: ____________________

Private School Principal/Head’s Name: ______________

Student is Applying for Participation in the Following Activity: __________________
THE FOLLOWING DOCUMENTATION WILL BE REQUIRED PRIOR TO ADMINISTRATIVE APPROVAL FOR PARTICIPATION:

Consent to release records

Evidence that the student currently meets the same behavioral, disciplinary, attendance, academic standing, and other eligibility applicable to all students in the South Portland School department;

Student’s written agreement to comply with the same behavioral, disciplinary, attendance, eligibility, and transportation rules applicable to all students in the South Portland School Department;

Documentation of sports physical (if applicable) and clearance to play;

Documentation of immunization presented;

Birth certificate.
CONSENT TO RELEASE RECORDS

I authorize ______________________ ______________________ to provide to
Private School Name Phone Number Fax
____________________

upon its request all information necessary to verify that my
South Portland School

son/daughter, ______________________ meets the participation requirements in the
Student’s Name

Co-curricular activity that is the subject of this application.

____________________ ______________________
Parent’s Signature (or Student’s, if 18 or older) Date

STUDENT PARTICIPATION AGREEMENT

I agree to comply with all South Portland School Department policies, administrative procedures,
and behavioral, disciplinary, attendance and other rules that apply to South Portland students
participating in the co-curricular activity that is the subject of this application.

I also agree to abide by the same transportation rules that apply to all South Portland participants
in this activity.

____________________ ______________________
Student’s Signature Date
Administrative Checklist

_____ Written application received ____________________ Date

_____ Student’s written agreement to comply with behavioral, disciplinary, attendance, transportation, and other rules applicable to all students in South Portland

_____ Sports physical (if applicable) performed on ___________; Cleared to play? Yes/No Date

_____ Documentation of immunization presented

_____ Documentation of insurance

_____ Documentation of age eligibility

_____ Documentation of academic standing (principals may ask to see grades or other evidence that academic eligibility has been met)

_____ Student has completed tryout (if applicable)

_____ Student has been selected/not selected for the activity (circle one)

_____ Student participation in the desired activity is ______ approved ______ not approved

Decision by: ______________ (Name and Title) Date: _____

Student/parent notified of decision: Date: ______ Method: ________

Athletic Director/Co-Curricular Advisor notified of the decision: Date:______ Method:________
**MANAGEMENT OF CONCUSSIONS AND OTHER HEAD INJURIES**

The Board recognizes that concussions and other head injuries are potentially serious and may result in significant brain damage if not recognized and managed properly. The Board adopts this policy to promote the safety of students participating in school-sponsored activities, including but not limited to interscholastic sports and co-curricular activities.

**COGNITIVE AND ACADEMIC CONSIDERATIONS**

School personnel should be alert to cognitive and academic issues that may be experienced by students who have suffered a concussion or other head injury, including but not limited to difficulty with concentration, organization, long-and-short term memory and sensitivity to bright lights and sounds, and accommodate a gradual return to full participation in academic activities as appropriate, based on the recommendations of the student’s health care provider and appropriate designated school personnel (e.g., 504 Coordinator or school nurse). Full participation in academics will be required before resumption of non-academic school activities is allowed.

**MANAGEMENT OF CONCUSSIVE AND OTHER HEAD INJURIES**

It is the responsibility of staff members involved in a school activity and trained in the signs and symptoms related to concussion or other head injury, to act in accordance with this policy when the staff member recognizes that a student may be exhibiting signs, symptoms and behaviors associated with a concussion or other head injury.

Any student suspected of having sustained a concussion or other head injury during a school-sponsored activity including but not limited to competition, practice or scrimmage, must be removed from the activity immediately. The student and his/her parent(s) will be informed of the need for an evaluation for brain injury before the student will be allowed to return to the activity.

No student will be permitted to return to the activity or to participate in any other school-sponsored athletic activity on the day of the suspected concussion.

Any student who is suspected of having sustained a concussion or other head injury shall be prohibited from further participation in school-sponsored activities until he/she has been evaluated and received written medical clearance preferably from a licensed health care provider who is qualified and trained in concussion management.

School personnel shall comply with the student’s health care provider’s recommendations and in the absence of specific recommendations, with accepted district protocols in regard to gradual return to participation. No student will be permitted to return to full participation until cleared to do so. More than one evaluation by the student’s health care provider may be necessary before the student is cleared for full participation.

If at any time after the return to a school sponsored activity signs or symptoms of a concussion are observed, the student must be removed from the activity and referred to his/her health care provider for re-evaluation.
ATHLETICS-TRAINING

By June 30 of each year, the Athletic Director in conjunction with the athletic trainer will identify the school-sponsored athletic activities that pose a heightened risk of concussion or other head injury for additional monitoring. A list of these activities will be distributed to school administrators and coaches.

All coaches, including volunteer coaches, must undergo training in the identification and management of concussive and other head injuries prior to assuming their coaching responsibilities. The training must be consistent with such protocols as may be identified or developed by the Maine Department of Education (DOE) and include instruction in the use of such forms as the DOE may develop or require.

Coaches shall be required to undergo refresher training every two years or when protocols and/or forms have been revised.

School personnel must be made aware of the policy and protocol related to the management of concussive injuries.

STUDENT ATHLETE AND PARENT INFORMATION

Annually, at the beginning of each school year, students and parents of students who will be participating in school-sponsored athletic activities will be provided information regarding:

A. The risk of concussion and other head injuries and the dangers associated with continuing to participate when a concussion or other head injury is suspected;
B. The signs and symptoms of concussion and other head injuries; and
C. The school unit's protocols for 1) removal from the activity when a student is suspected of having sustained a concussion or other head injury, 2) evaluation, and 3) return to participation in the activity (“return to play”).

The student and his/her parent(s) must sign a statement acknowledging that they have received and read this information before the student will be allowed to participate in any school-sponsored athletic activity.

CONCUSSION MANAGEMENT TEAM

The Superintendent will appoint a concussion management team including a school administrator, to be responsible, under the administrative supervision of the Superintendent, to make recommendations related to implementation of this policy. The concussion management team will include the Athletic Director, a school nurse, a guidance counselor and may include one or more principals or assistant principals, the school physician and such other school personnel or consultants as the Superintendent deems appropriate.

Adopted: July 8, 2013
STUDENT DISCIPLINE

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

The Board expects the following principles to guide the development and implementation of school rules and disciplinary procedures:

A. Discipline should emphasize positive reinforcement for appropriate behavior, as well as appropriate consequences for misbehavior. The focus should be on providing a school environment where students are engaged in constructive learning and interactions with others.

B. Expectations for student behavior should be clear and communicated to school staff, students and parents.

C. Consequences for misbehavior should be reasonable and appropriate.

D. Parents should be actively involved in the process of preventing and resolving disciplinary problems at school.

Physical force and corporal punishment shall not be used as disciplinary methods. State law provides that: “a teacher or other person entrusted with the care or supervision of a person for special or limited purposes may not be held civilly liable for the use of a reasonable degree of force against the person who creates a disturbance if the teacher or other person reasonably believes it is necessary to a) control the disturbing behavior; or b) remove the person from the scene of the disturbance.”

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

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

Legal Reference: 17-A MRSA § 106
20-A MRSA § 4009
Ch. 125.23, B,5,1 (Maine Dept of Ed Rule)
Cross Reference: AC- Nondiscrimination/Equal Opportunity and Affirmative Action
ACAA- Student Harassment and Sexual Harassment
JICIA- Weapons, Violence and School Safety
JKB - Student Detention
JKD - Suspension of Students
JKE- Expulsion of Students
JFK- Suspension/Expulsion of Students with Disabilities

Adopted: May 1999
USE OF PHYSICAL RESTRAINT AND SECLUSION

The 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 injury or harm to the student or others.

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

I. DEFINITIONS.

The following definitions apply to this policy and procedure:

A. Physical restraint: An intervention that restricts a student’s freedom of movement or normal access to his or her body, and includes physically moving a student who has not moved voluntarily.

Physical restraint does not include any of the following:

1. Physical escort: A temporary touching or holding, inducing a student to walk to another location, including assisting the student to the student’s feet in order to be escorted.

2. Physical prompt: A teaching technique that involves 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. Physical contact: When the purpose of the intervention is to comfort a student and the student voluntarily accepts the contact.

4. A brief period of physical contact necessary to break up a fight.

5. Momentarily deflecting the movement of a student when the student’s movements would be destructive, harmful or dangerous to the student or others.

6. 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.

7. The use of a medically prescribed harness, when used as intended; the use of protective equipment or devices that are part of a treatment plan prescribed by a licensed health care provider; or prescribed assistive devices when used as prescribed and supervised by qualified and trained individuals.

8. Restraints used by law enforcement officers or school resource officers employed by a police department in the course of their professional duties are not subject to this policy/procedure or MDOE Rule Chapter 33

8. MDOE Rule Chapter 33 does 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/procedure.
B. **Seclusion:** The involuntary confinement of a student alone in a room or clearly defined area from which the student is physically prevented from leaving, with no other person in the room or area with the student.

**Seclusion does not include:**

1. Timeout: An intervention where a student requests, or complies with an adult request for, a break.

II. 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.

III. ANNUAL NOTICE OF POLICY/PROCEDURE.

The South Portland School Department shall provide annual notice to parents/legal guardians of this policy/procedure by means determined by the Superintendent/designee.

IV. TRAINING REQUIREMENTS.

A. All school staff and contracted providers shall receive an annual overview of this policy/procedure.

B. The South Portland School Department will ensure that there are a sufficient number of administrators/designees, special education and other staff who maintain certification in a restraint and seclusion training program approved by the Maine Department of Education. A list of certified staff shall be updated annually and maintained in the Superintendent’s Office, in each school office and in the school unit's Emergency Management Plan.

V. PARENT/LEGAL GUARDIAN COMPLAINT PROCEDURE.

A parent/legal guardian who has a complaint concerning the implementation of this policy/procedure must submit it in writing to the Superintendent or the Director of Instructional Support as soon as possible. The Superintendent/designee shall investigate the complaint and provide written findings to the parent/legal guardian within twenty (20) business days, if practicable. A parent/legal guardian who is dissatisfied with the result of the local complaint process may file a complaint with the Maine Department of Education. The Department of Education will review the results of the local complaint process and may initiate its own investigation at its sole discretion. The Department shall issue a written report with specific findings to the parent/legal guardian and the school unit within 60 calendar days of receiving the complaint.

Legal Reference: 20-A M.R.S.A. §§ 4502(5) (M); 4009

ME. DOE Rule, ch. 33

Cross Reference: EBCA – Comprehensive Emergency Management Plan

JKAA-R – Procedures of Physical Restraint and Seclusion

JK – Student Discipline
PROCEDURES ON PHYSICAL RESTRAINT AND SECLUSION

These procedures are established for the purpose of meeting the obligations of the South Portland School Department 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.

I. 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. **Imminent 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 at any moment, such that a reasonable and prudent person would take steps instantly to protect the student and others against the risk of such injury or harm.

C. **Dangerous behavior:** Behavior that presents an imminent 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.

II. 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 imminent risk of injury or harm to the student or others, and only after other less intrusive interventions have failed or been deemed inappropriate.

2. Physical restraint may be used to move a student only if the need for movement outweighs the risk involved in such movement.
3. Prescribed medications, harnesses, and other assistive or protective devices may be used as permitted by Rule Chapter 33.

4. Parents may be requested to provide assistance at any time.

B. Prohibited Forms and Uses of Physical Restraint

1. Physical restraint used for punitive purposes; as a therapeutic or educational intervention; for staff convenience; or to control challenging behavior.

2. Physical restraint used solely to prevent property destruction or disruption of the environment in the absence of imminent risk of injury.

3. Physical restraint that restricts the free movement of a student’s diaphragm or chest, or that restricts the airway so as to interrupt normal breathing or speech (restraint-related asphyxia).

4. Physical restraint that relies on pain for control, including but not limited to joint hyperextension, excessive force, unsupported take-downs (e.g., tackles), the use of any physical structure (e.g., wall, railing or post), punching and hitting.

5. Aversive procedures and mechanical and chemical restraints.
   a. Aversive procedures are defined as the use of a substance or stimulus, intended to modify behavior, which the person administering it knows or should know is likely to cause physical and/or emotional trauma to a student, even when the substance or stimulus appears to be pleasant or neutral to others. Such substances and stimuli include but are not limited to infliction of bodily pain (e.g., hitting, pinching, slapping); water spray; noxious fumes; extreme physical exercise; costumes or signs.
   b. Mechanical restraints are defined as any item worn by or placed on the student to limit behavior or movement and which cannot be removed by the student. Prescribed assistive devices are not considered mechanical restraints when used as prescribed and their use is supervised by qualified and trained individuals in accordance with professional standards.
   c. Chemical restraints are defined as the use of medication, including those administered PRN (as needed), given involuntarily to control student behavior. Prescribed medications are not considered chemical restraints when administered by a health care provider in accordance with a student’s health care plan.

C. Monitoring Students in Physical Restraint

1. At least two adults must be present at all times when physical restraint is used except when, for safety reasons, waiting for a second adult to arrive is precluded by the particular circumstances.

2. The student must be continuously monitored until he/she no longer presents an imminent risk of injury or harm to him/herself or others.
3. If an injury occurs, applicable school policies and procedures should be followed.

**D. Termination of Physical Restraint**

1. The staff involved in the use of physical restraint must continually assess for signs that the student is no longer presenting an imminent risk of injury or harm to him/herself or others, and the emergency intervention must be discontinued as soon as possible.

   a. The time a student is in physical restraint must be monitored and recorded.

   b. If physical restraint continues for more than ten (10) minutes, an administrator/designee shall determine whether continued physical restraint is warranted, and shall continue to monitor the status of the physical restraint every ten (10) minutes until the restraint is terminated.

   c. If attempts to release a student from physical restraint have been unsuccessful and the student continues to present behaviors that create an imminent risk of injury or harm to himself/herself or others, then staff may request additional assistance from other school staff, parents, medical providers, or other appropriate persons or organizations.

**III. SECLUSION.**

To the extent possible, seclusion will be implemented by staff certified in a training program approved by the Maine Department of Education. If untrained staff have intervened and initiated seclusion in an emergency, trained staff must be summoned to the scene as soon as possible.

A “timeout” where a student requests, or complies with an adult request for, a break is not considered seclusion under this procedure. Seclusion also does not include any situation where others are present in the room or defined area with the student (including but not limited to classrooms, offices and other school locations).

**A. Permitted Uses and Location of Seclusion**

1. Seclusion may be used only as an emergency intervention when the behavior of a student presents imminent risk of injury or harm to the student or others, and only after other less intrusive interventions have failed or been deemed inappropriate.

2. Seclusion may be achieved in any part of a school building with adequate light, heat, ventilation and of normal room height.

   a. Seclusion may not take place in a locked room.

   b. If a specific room is designated as a seclusion room, it must be a minimum of sixty (60) square feet; have adequate light, heat and ventilation; be of normal room height; contain an unbreakable observation window in a wall or door; and must be free of hazardous materials and objects which the student could use to self-inflict bodily injury.
3. Parents may be requested to provide assistance at any time.

B. **Prohibited Uses of Seclusion**

1. Seclusion used for punitive purposes; as a therapeutic or educational intervention; for staff convenience; or to control challenging behavior.

2. Seclusion used solely to prevent property destruction or disruption of the environment in the absence of imminent risk of injury.

C. **Monitoring Students in Seclusion**

1. At least one adult must be physically present at all times to continuously monitor a student in seclusion. The adult, while not present in the room or defined area, must be situated so that the student is visible at all times.

2. The student must be continuously monitored until he/she no longer presents an imminent risk of injury or harm to him/herself or others.

3. If any injury occurs, applicable school policies and procedures should be followed.

D. **Termination of Seclusion**

1. The staff involved in the seclusion must continually assess for signs that the student is no longer presenting an imminent risk of injury or harm to himself/herself or others, and the emergency intervention must be discontinued as soon as possible.

   a. The time a student is in seclusion must be monitored and recorded.

   b. If seclusion continues for more than ten (10) minutes, an administrator/designee shall determine whether continued seclusion is warranted, and shall continue to monitor the status of the seclusion every ten (10) minutes until the restraint is terminated.

   c. If attempts to release a student from seclusion have been unsuccessful and the student continues to present behaviors that create an imminent risk of injury or harm to himself/herself or others, then staff may request additional assistance from other school staff, parents, medical providers, or other appropriate persons or organizations.

IV. **NOTIFICATION AND REPORTS OF PHYSICAL RESTRAINT AND SECLUSION INCIDENTS.**

For the purposes of this procedure, an “incident” consists of all actions between the time a student begins to create a risk of harm and the time the student ceases to pose a risk of harm and returns to his/her regular programming.
A. Notice Requirements

After each incident of physical restraint or seclusion:

1. A staff member involved in the incident shall make an oral notification to the administrator/designee as soon as possible, but no later than the end of the school day.

   (NOTE: For students in out-of-district placements, the entity must make this report to the sending school within 24 hours or by the next business day.)

2. An administrator/designee shall notify the parent/legal guardian about the physical restraint or seclusion (and any related first aid provided) as soon as practical, but within the school day in which the incident occurred. The administrator/designee must utilize all available phone number or other available contact information to reach the parent/legal guardian. If the parent/legal guardian is unavailable, the administrator/designee must leave a message (if the parent/legal guardian has a phone and message capability) to contact the school as soon as possible. The parent/legal guardian must be informed that written documentation will be provided within seven (7) calendar days.

3. If the physical restraint or seclusion incident occurred outside the school day, the notifications must be made as soon as possible and in accordance with the South Portland School Department usual emergency notification procedures.

4. If serious bodily injury or death of a student occurs during the implementation of physical restraint or seclusion, the South Portland School Department emergency notification procedures shall be followed and an administrator/designee shall notify the Maine Department of Education within twenty-four (24) hours or the next business day.

B. Incident Reports

Each use of physical restraint or seclusion must be documented in an incident report. The incident report must be completed and provided to an administrator/designee as soon as practical, and in all cases within two (2) school days of the incident. The parent/legal guardian must be provided a copy of the incident report within seven (7) calendar days of the incident.

   (NOTE: For students in out-of-district placements, the entity must make the incident report to the sending school.)

The incident report must include the following elements:

1. Student name;

2. Age, gender and grade;

3. Location of the incident;

4. Date of the incident;
5. Date of report;

6. Person completing the report;

7. Beginning and ending time of each physical restraint and/or seclusion;

8. Total time of incident;

9. Description of prior events and circumstances;

10. Less restrictive interventions tried prior to the use of physical restraint and/or seclusion and, if none were used, the reasons why;

11. The student behavior justifying the use of physical restraint or seclusion;

12. A detailed description of the physical restraint or seclusion used;

13. The staff person(s) involved, their role in the physical restraint or seclusion, and whether each person is certified in an approved training program;

14. Description of the incident, including the resolution and process of returning the student to his/her program, if appropriate;

15. Whether the student has an IEP, 504 Plan, behavior plan, IHP (individual health plan) or any other plan;

16. If a student and/or staff sustained bodily injury, the date and time of nurse or other response personnel notification and any treatment administered;

17. The date, time and method of parent/legal guardian notification;

18. The date and time of administrator/designee notification; and

19. Date and time of staff debriefing.

Copies of the incident reports shall be maintained in the student’s file and in the school office.

V. SCHOOL UNIT RESPONSE FOLLOWING THE USE OF PHYSICAL RESTRAINT OR SECLUSION.

A. Following each incident of physical restraint or seclusion, an administrator/designee shall take these steps within two (2) school days (unless serious bodily injury requiring emergency medical treatment occurred, in which case these steps must take place as soon as possible, but no later than the next school day):

1. Review the incident with all staff persons involved to discuss: (a) whether the use of physical restraint or seclusion complied with state and school board requirements and (b) how to prevent or reduce the need for physical restraint and/or seclusion in the future.
2. Meet with the student who was physically restrained or secluded to discuss: (a) what triggered the student’s escalation and (b) what the student and staff can do to reduce the need for physical restraint and/or seclusion in the future.

B. Following the meetings, staff must develop and implement a written plan for response and de-escalation for the student. If a plan already exists, staff must review it and make revisions, if appropriate. For the purposes of this procedure, “de-escalation” is the use of behavior management techniques intended to cause a situation involving problem behavior of a student to become more controlled, calm and less dangerous, thus reducing the risk of injury or harm.

VI. PROCEDURE FOR STUDENTS WITH THREE INCIDENTS IN A SCHOOL YEAR.

The school unit will make reasonable, documented efforts to encourage parent/legal guardian participation in the meetings required in this section, and to schedule meetings at times convenient for parents/legal guardians to attend.

A. Special Education/504 Students

1. After the third incident of physical restraint and/or seclusion in one school year, the student’s IEP or 504 Team shall meet within ten (10) school days of the third incident to discuss the incident and consider the need to conduct an FBA (functional behavioral assessment) and/or develop a BIP (behavior intervention plan), or amend an existing one.

B. All Other Students

1. A team consisting of the parent/legal guardian, administrator/designee, a teacher for the student, a staff member involved in the incident (if not the administrator/designee or teacher already invited), and other appropriate staff shall meet within ten (10) school days to discuss the incidents.

2. The team shall consider the appropriateness of a referral to special education and, regardless of whether a referral to special education is made, the need to conduct an FBA (functional behavior assessment) and/or develop a BIP (behavior intervention plan).

VII. CUMULATIVE REPORTING REQUIREMENTS

A. Reports within the School Unit

1. Each building administrator must report the following data on a quarterly and annual basis:

   a. Aggregate number of uses of physical restraint;

   b. Aggregate number of students placed in physical restraint;

   c. Aggregate number of uses of seclusion;
d. Aggregate number of students placed in seclusion;

e. Aggregate number of serious bodily injuries to students related to the use of physical restraints and seclusions; and

f. Aggregate number of serious bodily injuries to staff related to physical restraint and seclusion.

2. The Superintendent shall review the cumulative reports and identify any areas that could be addressed to reduce the future use of physical restraint and seclusion.

B. Reports to Maine Department of Education

1. The Superintendent shall submit an annual report to the Maine Department of Education on an annual basis that includes the information in Section 7.A.1 above.

Legal Reference: ME. DOE Rule, Ch. 33

Cross Reference: JKAA – Use of Physical Restraint and Seclusion

Adopted: October 10, 2012
SUSPENSION OF STUDENTS

The Board of Education delegates to the principals, to the assistant principals, to the Superintendent of Schools, and to the Assistant Superintendent authority to suspend disobedient and disorderly students for a period not to exceed ten (10) school days. Suspensions longer that 10 days may be imposed by the Board of Education.

Prior to the suspensions, except as hereinafter provided:
1. The student shall be given oral or written notices of the charge(s) against him/her;
2. The student shall be given an explanation of the evidence forming the basis for the charge(s); and
3. The student shall be given an opportunity to present his/her version of the incident.

However, students whose presence poses a continuing danger to persons or property or an ongoing threat of disrupting the instructional process may be immediately removed from school. In such cases, the notice of charges, explanation of evidence, and the student’s opportunity to present his/her version of the incident shall be arranged as soon as practicable after removal of the student from the school.

The student’s parents/guardians shall be notified of the suspension as soon as practicable by telephone (if possible) and by written notice sent by mail. A copy of the notice shall also be sent to the Office of the Superintendent.

Students shall be responsible for any schoolwork missed during their suspension. After re-admittance, they shall be permitted to take tests, quizzes or any other form of evaluation affecting their grades.

Legal Reference: 20-A MRSA§ 1001.9
Cross Reference: JICIA Weapons, Violence and School Safety
 JK Student Discipline
 JKE Expulsion of Students
 JKF Suspension/Expulsion of Students with Disabilities

Adopted: November 13, 1978
Revised: November 9, 1999
Revised: May 2001
Adopted: July 8, 2002
EXPULSION OF STUDENTS

No student shall be expelled from school except by action of the Board of Education. The Board shall expel students as provided in 20-A MRSA §§ 1001(9) and (9A). The Board also has the authority to readmit an expelled student after presentation of satisfactory evidence that the behavior, which was the cause of the student being expelled, will not likely reoccur.

The parents/guardians (and the student if 18 years of age or older) shall be notified by certified letter and regular mail of the Board expulsion hearing. The hearing shall be in a properly called executive session and may also be attended by persons designated by the Superintendent to present information in the case.

The notice of the hearing shall include:
1. The date, time and location of the hearing;
2. A description of the charge(s);
3. A statement that the student may be represented by legal counsel;
4. A statement that the student or his/her representative may present evidence, including witnesses and documents, on the student’s behalf and those witnesses may be cross examined by the administration.

Legal Reference: 20-A MRSA § 1001(9)(9A)
1 MRSA § 405(6)(B)

Cross Reference: JKE-R- Expulsion of Students- Guidelines
JICIA Weapons, Violence and School Safety
JK Student Discipline
JKD Suspension of Students
JKF Suspension/Expulsion of Students with Disabilities

Revised: September 1975
Revised: June 14, 1976
Revised: April 10, 1978
Revised: June 12, 1978
Revised: November 13, 1978
Revised: December 13, 1999
EXPULSION OF STUDENTS-GUIDELINES

The following steps constitute general guidelines for the conduct of an expulsion hearing. The guidelines may be adjusted to meet the flexible requirements of due process on a case-by-case basis.

Procedure for Conduct of Board Hearing to Expel

A. Any discussion, consideration or hearing by the Board of Education for suspension or expulsion of a student shall be in executive session.

B. The Board shall be in public meeting and vote to enter executive session. Executive session requires a 3/5 affirmative vote of the members present and voting, and the vote must be recorded.

C. The parents/guardians, the student and legal counsel (if any) must be present for the hearing, except that the hearing may go forward if the parents/guardians and student (if 18 years of age or older) have been provided prior written notice and failed to appear for the hearing.

Executive Session

I. General Rules of Conduct

A. The hearing officer (Board Chair/designee or Board attorney) will conduct the hearing.

B. Witnesses shall be sequestered during the hearing in response to a request by either party.

C. The hearing officer will state “no irrelevant or repetitious evidence will be allowed and no debate between the parties will be allowed.”

D. The hearing officer will state that “all parties are expected to maintain the confidentiality of the proceeding.”

E. The Board of Education and student (at his/her own expense) may be represented by legal counsel through each stage of the process.

II. Procedures

A. The hearing officer will state for the record:
   - Date of this hearing;
   - Place of hearing;
   - Time of hearing;
   - Name of student;
   - Those in attendance for the administration;
   - Those in attendance for the student; and
   - Those in attendance for the School Board.
B. The hearing officer will request from the Superintendent a copy of the hearing notice, read the hearing notice to the School Board and include the notice in the record. If no person appears at the hearing on the behalf of the parents/guardians or student, the hearing officer will request that the Superintendent confirm that the parents/guardians and student (if 18 or older) were provided notice of the hearing.

C. The Superintendent or designee, hereafter called “the administration,” will make an opening statement that includes an overview of the evidence, his/her recommendation, the reason(s) for the recommendation, and the legal basis for the recommend expulsion.

D. The hearing officer will inform the student and parents/guardians of their rights:
   1. To hear the evidence;
   2. To cross examine witnesses; and
   3. To present witnesses and offer relevant evidence.

E. The hearing officer will ask if any member of the Board finds him/herself in a possible conflict of interest situation because he/she knows the student or parents/guardians to such an extent, or has knowledge of the facts to such an extent, that he/she could not impartially hear the facts and decide the issue on its merits.

F. All witnesses shall be sworn in by the hearing officer. Each witness raises his/her right hand and is asked, “Do you solemnly affirm to tell the truth, the whole truth and nothing but the truth?”

G. The administration calls its witnesses.

H. After each witness has answered all questions put by the administration, then the student/designee (hereinafter, the student) may cross-examine. This should be limited to questions and not arguments with the witness.

I. The administration may cross-examine. The student may ask rebuttal questions. After the rebuttal questions, members of the Board may ask questions.

J. The student may then call his/her own witnesses to testify, and the student may testify. All witnesses will be sworn. The administration may cross-examine. The student may ask rebuttal questions. After the rebuttal questions, the Board may ask questions.
K. When all the student’s witnesses have completed testimony (including the student), the administration may call additional rebuttal witnesses who may be cross-examined.

L. At the end of the testimony, the administration shall make a statement, which should include its recommendation. The same may then be done by/for the student.

M. The Board should then deliberate in executive session. The Superintendent, Board attorney, administration, the student charged, his/her parents/guardians, and the student’s legal counsel may remain for deliberations. If the student and representative elect not to be present during deliberations, the administration will also be excluded from the deliberations, except that the Superintendent may remain to provide guidance to the Board if he/she was not directly involved in the investigation/presentation of evidence.

N. **The Board shall discuss whether the charges are more likely than not supported by the evidence presented.** The Board may discuss and/or draft proposed finding of fact(s) concerning the charges prior to leaving the executive session.

O. The Board shall return to public session.

III. Public Session

A. In public session, a member of the Board may make a motion to “expel a student and direct the Superintendent to provide the student and his/her parents/guardians with the Board’s finding of fact(s).” Following a second, the Board Chair should state the motion and the Board should vote. If no motion is made to expel, the student will return to school at the conclusion of the previously imposed administrative suspension.

B. The Superintendent is responsible for notifying the parent/guardians (and the student if age 18 or older) of the Board’s decision. If the student has been expelled, the Superintendent will also provide notice of the conditions, if any were given at that time, for Board consideration of readmission.

Revised: December 13, 1999
DISCIPLINARY REMOVAL OF STUDENTS WITH DISABILITIES

When removing students with disabilities from their regular school programs, whether as a result of a suspension, an expulsion, or any other removal covered by state and federal special education laws, it shall be the policy of South Portland School Department to comply fully with all applicable state and federal special education laws that govern such removals.

Legal Reference: 34 CFR § 300.101; .530-.536 (2006, as amended)

Adopted:    July 8, 2002
Revised:    February 9, 2009
DISCIPLINARY REMOVAL OF STUDENTS WITH DISABILITIES
ADMINISTRATIVE PROCEDURE

These procedures shall govern disciplinary removals of students with disabilities from their regular school program. These procedures shall be interpreted in a manner consistent with State and Federal special education laws and regulations.

A. School administrators may suspend students with disabilities for up to 10 cumulative school days in the school year under the same terms and conditions as students without disabilities are suspended, subject to the limitations set forth below:

1. In the event that a disabled student’s Individualized Education Plan (IEP) specifically lists a school response other than a suspension that must be followed for a particular type of misconduct, the school administrator shall follow the requirements of the IEP in responding to that misbehavior.

2. When calculating the 10 cumulative school day total, school administrators shall include school days spent in an in-school suspension or removal, unless during that removal the student continued to have access to the general curriculum, to the special education services in his/her IEP, and participation with non-disabled students to the extent he/she would have in the student’s regular program.

B. After a student with a disability has been removed from his/her current placement for 10 cumulative school days in the same school year, during any subsequent days of removal the school administrator shall consult with at least one of the student’s teachers and then shall arrange for the student to receive a level of educational services during the removal sufficient to enable the student to continue to participate in the general curriculum although in another setting and to progress toward meeting the goals listed in the student’s IEP.

C. Within 10 school days of any decision to “change the placement” of a student with a disability because of a violation of a code of student conduct, school officials shall hold an IEP team meeting to undertake the following:

1. The Team shall review all relevant information in the student’s file, including the IEP, any teacher observations and recent evaluations;

2. The Team shall then undertake a manifestation determination to decide whether the student’s misconduct was a manifestation of his/her disability.

3. If the Team determines that the misbehavior is a manifestation of the disability, the Team must either a) conduct a functional behavior assessment, unless one had been conducted before the behavior incident, and shall implement a behavior intervention plan for the student, or b) if a behavior plan has already been developed, review the plan and modify it as necessary to address the behavior. Except as provided in D. below, the Team must also return the student to the placement from which he/she was removed, unless the school and parent agree to a change of placement as part of the revision of the behavior plan.

SOUTH PORTLAND SCHOOL DEPARTMENT
4. If the Team determines that the misbehavior is not a manifestation of the disability, school personnel may apply the relevant disciplinary procedures in the same manner and for the same duration as the procedures would be applied to students without disabilities, except that services must be provided to the student during the disciplinary removal consistent with C(5) below.

5. When a student with a disability has a disciplinary removal that would be a “change of placement,” the IEP Team shall order services for the student that will enable the student a) to continue to participate in the general curriculum although in another setting; b) to progress toward meeting the goals in the IEP; and c) to receive, as appropriate, a functional behavior assessment and behavior intervention services and modifications that are designed to address the behavior violation so that it does not recur.

6. For purposes of this section, a “change of placement” occurs if: a) the removal is for more than 10 consecutive school days; or b) the student has been subjected to a series of removals that constitute a pattern and (i) because the series of removals totals more than 10 cumulative days in the school year, (ii) because the student’s behavior is substantially similar to the behavior in previous incidents resulting in the series of removals, and (iii) because of additional factors such as the length of each removal, the total length and the proximity of the removals to each other.

D. In those circumstances where a student brings a weapon to school, to a school function, or on school premises (including transportation), or where a student knowingly possesses, uses, sells or attempts to sell illegal drugs at school, a school function, or on school premises (including transportation), or when the student inflicts serious bodily injury upon another person while at school, a school function or on school premises (including transportation), school officials may place that student in an alternative educational setting for up to 45 school days, shall provide educational services for the student consistent with C(5) above, and shall schedule an IEP Team meeting to occur within 10 school days of commencing that removal. At that meeting, the Team shall undertake all necessary actions discussed in these procedures for responding to removals that constitute a change of placement for the student. Any further removals in response to the incident shall be made consistent with these procedures and State and Federal special education rules.


Adopted: July 8, 2002
Revised: May 11, 2009
TIME OUT ROOMS AND THERAPEUTIC RESTRAINT

The South Portland School Department hereby authorizes school officials to use designated time out rooms and therapeutic restraint to the extent permitted by law and in a manner consistent with state law and regulations. The Superintendent is responsible for developing procedures for the use of designated time out rooms and therapeutic restraint. This policy and any accompanying procedures shall be reviewed at least annually by the Superintendent or his/her designee. The Superintendent shall recommend to the School Board any needed changes in this policy.

For purposes of this policy and any accompanying procedures, the terms “designated time out room” and “therapeutic restraint” shall have the following meanings:

“Designated Time Out Room”
A designated time out room is a room used specifically to isolate a student for the purpose of bringing under control student behavior that is dangerous or presents a risk of significant property damage. Dangerous behavior is behavior that presents a risk of injury or harm to that student or to others and, in the judgment of those involved, cannot be controlled through interventions short of isolation in the designated time out room.

School personnel should not use as a type of therapeutic restraint any restraint that restricts the free movement of the diaphragm or chest or that restricts the airway so as to interrupt normal breathing or speech of students.

This policy and any accompanying procedures do not apply to interventions such as sending a student to the principal’s office, to any staff member’s room or office, or to any other such setting, but it is instead limited to use of a room specifically designated by the Superintendent for the purpose of isolating students as described above. Use of this area to control student behavior must comply with this policy and any procedures developed hereunder.

“Therapeutic Restraint”
Therapeutic restraint is a physical restraint of a student for the purpose of preventing that student from injuring him/herself or others when such restraint is undertaken in accordance with an individualized, written plan that specifically calls for therapeutic restraint. Therapeutic restraint as defined in this policy and any accompanying procedures should be administered by personnel trained in that restraint.

Therapeutic restraint does not include any intervention by any school official that would otherwise be governed by state law on the use of reasonable force (20-A MRSA § 4009), which includes the use of a reasonable degree of force by school officials against a person who is creating a disturbance, when the official believes that force is necessary to control the disturbing behavior or to remove the person from the scene of the disturbance.

Legal Reference: 20-A MRSA § 4502(5)(M) and accompanying regulations 20-A MRSA § 4009; Maine DOE Commissioner’s Administrative Letter, September 10, 2010.

Adopted: July 8, 2002
Revised: December 13, 2010
QUESTIONING AND SEARCHES OF STUDENTS
ADMINISTRATIVE PROCEDURE

The purpose of this administrative rule is to provide guidelines for the conduct of student questioning and searches by authorized school administrators. These are guidelines only and may be adjusted within reasonable and lawful limits on a case-by-case basis. School administrators have the discretion to request the assistance of law enforcement authorities as they deem necessary and in accordance with Board policy. Law enforcement authorities will not participate in searches except under exceptional circumstances.

During a search, if any item is found that is illegal, violates Board policies or school rules, or which in the reasonable judgment of school administrators represents a threat to the safety and welfare of the school population, it shall be seized. Illegal items may be turned over to law enforcement authorities. Other items shall be stored in a secure location until a determination is made regarding appropriate disposition.

School administrators are required to document all searches and items seized or impounded. The Superintendent and the parents of students involved shall be provided with a copy of such reports.

The Superintendent may authorize the use of exploratory canine patrols to assist in the detection of drugs, weapons, or other illicit substances. Canine patrols may be utilized on a random basis, with or without reasonable suspicion, and without notice or consent, to scan any school storage facilities and any personal property, including backpacks, that is brought onto school property.

A. Questioning by School Administrators

1. School administrators are under no obligation to notify a student’s parents/guardians prior to questioning a student regarding alleged violations of Board policies, school rules, and/or federal/state laws.

2. School administrators shall inform the student of the reasons for the questioning and provide an opportunity for the student to respond to any allegations. School administrators shall make a reasonable effort to question the student in a location out of the sight and hearing of other students.

3. If a student fails to cooperate, lies, misleads, or threatens any person during questioning, he/she may be subject to additional disciplinary action.

B. Searches of Students, Personal Property in Students’ Immediate Possession

1. School administrators are authorized to search students and/or personal property in students’ immediate possession, when, in their judgment, there are reasonable grounds to suspect that a student has violated or is violating Board policies, school rules, federal/state laws, or is interfering with the operations, discipline or general welfare of the school.
2. All searches of students and/or their personal property shall be authorized and conducted by a school administrator in the presence of a witness, except where the circumstances render the presence of a witness impractical. A reasonable effort will be made to conduct searches out of the sight and hearing of other students.

3. Searches should be reasonably related to the suspected violation and no more intrusive than necessary to discover the evidence for which the search was instigated. Searches may include pat downs and searches of the student’s outer clothes (e.g., pockets, jacket, shoes, hat) and personal belongings (e.g., purse, backpack, gym bag, lunch bag). The student may be given the opportunity to open any closed items or items that are not easily accessible to visual search. If the student refuses, the administrator shall open and search the items. If the search produces a reasonable suspicion of the presence of evidence, a broader search may be justified. School administrators shall not conduct strip searches. If a strip search appears to be necessary, law enforcement authorities shall be contacted.

4. Searches which disclose evidence that a student has violated Board policies or school rules will be addressed through school disciplinary procedures. Evidence of violation of federal/state laws may result in school disciplinary action and/or be forwarded to law enforcement authorities for possible investigation/prosecution.

C. Searches of Lockers, Desks, and Other School Storage Facilities

1. School administrators shall consult with the Superintendent prior to conducting random searches. Students have no expectation of privacy in school storage facilities or for any items placed in such storage facilities. School administrators have the authority to inspect and search storage facilities and their contents on a random basis, with or without reasonable suspicion, and without notice or consent.

2. Searches of individual student lockers, desks, or other storage facilities and their contents based upon reasonable suspicion will be conducted in the presence of the student and a witness, if practical under the circumstances of the search. A reasonable effort will be made to conduct searches out of the sight and hearing of other students. The student may be given the opportunity to open any closed items or items that are not easily accessible to visual search. If the student refuses, the administrator shall open and search the items.

3. Any search which discloses evidence that a student has violated Board policies or school rules will be addressed through school disciplinary procedures. Evidence of violation of federal/state laws may result in school disciplinary action and/or be forwarded to law enforcement authorities for possible investigation/prosecution.

D. Patrolling of Parking Lots and Searching Vehicles

1. Students may drive vehicles to school and park in designated areas in accordance with school rules. School administrators retain the authority to patrol parking lots.

2. If school administrators have a reasonable suspicion that a vehicle which a student has parked at school contains evidence that the student has or is violating Board policies or school rules, or federal/state laws, and/or there is a substantial threat to the welfare and safety of the schools, a school administrator will search the vehicle in the presence of a witness, except where the circumstances make the presence of a witness impractical.
3. If practical, the student should be present during the search. A reasonable effort will be made to conduct searches out of the sight and hearing of other students. The student may be given the opportunity to open any closed items or items that are not easily accessible to visual search. If the student refuses, the administrator shall open and search the items.

E. Canine Patrols and Searches

1. The Superintendent may authorize canine patrols to take place anywhere on school property, including in hallways and parking lots, if he/she deems it advisable to maintain a safe and orderly school environment and/or to discourage drugs, weapons and/or other illegal substances or items from being brought onto school grounds. Only certified dogs and handlers may be used.

2. Whenever possible, canine patrols will be scheduled to minimize disruption of the academic program and risk of contact with students.

3. When canine patrols take place during the school day, teachers will be notified prior to the initiation of a canine patrol to keep students in their classrooms during the patrol. Any students in the parking lot, or anywhere outside of a classroom, prior to a canine patrol will be instructed to report to the school office or appropriate classroom.

4. All student vehicles, lockers, and/or other school storage facilities in the targeted area will be scanned during a canine patrol. Any vehicle, locker or other school storage facility identified by the canine patrol will be noted by the school administrators accompanying the patrol.

5. Immediately following removal of the dogs, each area noted during the canine patrol will be searched. Each search will be conducted by a school administrator in the presence of a witness, except where the circumstances make the presence of a witness impractical.

6. If practical, the student should be present during a search of his/her vehicle, locker or other school storage facility. A reasonable effort may be made to conduct the search out of the sight and hearing of other students. The student may be given the opportunity to open any closed items or items that are not easily accessible to visual search. If the student refuses, the administrator shall open and search the items.

Cross Reference: JIH - Questioning and Searches of Students
STUDENT GIFTS

Teachers and/or staff members shall not give presents, gifts or articles of value to students in school.

For those who wish to express their appreciation and affection for their students, the following examples are acceptable:

1. Personal notes
2. Telephone calls to the home
3. Non-material recognition of birthdays, such as bulletin board notices, singing of songs, etc., Birthday parties are not acceptable forms of recognition.

Special holidays may be recognized and celebrated by classes, as part of the accepted curriculum, through their participation in appropriate exercises utilizing special decorations and student creations from materials purchased by the school.

The exchange of gifts and other materials between students is to be discouraged.

Revised: May 12, 1975
Revised: September 2002
Revised: October 16, 2002

SOUTH PORTLAND SCHOOL DEPARTMENT
SOUTH PORTLAND STUDENT WELLNESS POLICY

The South Portland School Department is committed to creating a healthy school environment that enhances the development of lifelong wellness practices to promote healthy eating and physical activity.

**Nutrition Education**
Nutrition education will be integrated into the instructional program through the health education program and/or the curriculum as aligned with the content standards of the Maine Learning Results. Nutrition education should focus on skills students need to adopt and maintain healthy eating behaviors. Students should receive consistent nutrition messages throughout the schools, including classrooms, cafeteria, and school-home communications.

**Nutrition Standards**
The South Portland School Department will ensure that meals provided by its Food Services Program meet the nutrition standards established by federal regulations. Sales of foods and beverages that compete with the Food Services Program must be in compliance with the Board’s policy EFE, Competitive Food Sales/Sales in Competition with the School Food Services Program.

**Assurance**
This policy serves as assurance that school unit guidelines for reimbursable meals are not less restrictive than regulations and guidance issued by the Secretary of Agriculture pursuant to the National School Lunch Act and the Child Nutrition Act.

**Physical Education and Physical Activity Opportunities**
The South Portland School Department will strive to provide all students developmentally appropriate opportunities for physical activity through physical education classes, recess periods for elementary school students, and extracurricular activities (clubs, intramural and interscholastic athletics). School programs are intended to build and maintain physical fitness and to promote healthy lifestyles. The schools should encourage parents to support their children’s participation in physical activities, including available before-and after-school programs.

**Other School-Based Wellness Activities**
The schools, with prior approval of the Superintendent/designee, may implement other appropriate programs that support consistent wellness messages and promote healthy eating and physical activity.
Implementation and Monitoring
The Superintendent shall develop and implement administrative rules consistent with this policy. Input from teachers (including specialists in healthy and physical education). Parents/guardians, students, representative of the school food service program, the school board, school administrators, and the public shall be considered before implementing such rules. A sustained effort is necessary to implement and enforce this policy. The Superintendent shall measure how well this policy is being implemented, managed, and enforced. The Superintendent shall report to the Board, as requested, on the District’s programs and efforts to meet the purpose and intent of this policy.

Appointment and Role of the Wellness Committee
The South Portland School department shall establish a Wellness Committee to provide an ongoing review and evaluation of the South Portland School Department Local Wellness Policy.

The Wellness Committee will include representation from each of the following:
- Health education,
- Physical education,
- Health services,
- Food services,
- Administration,
- Board of Education,
- Parent, student and community.

The Wellness Committee shall serve as an advisory committee in regard to student wellness issues and will be responsible for making recommendations related to the wellness policy, wellness goals, administrative or school regulations and practices, or raising awareness of student health issues.

The Wellness Committee shall provide periodic reports to the Superintendent/designee and, as requested, to the Board.

Wellness Goals - The Board has identified the following goals associated with student wellness:

Nutrition Education:
The schools will provide nutrition education that focuses on the skills students need to adopt and maintain healthy eating behaviors.

The school’s nutrition education will be provided in a sequential, comprehensive healthy education program aligned with the content standards of the Maine Learning Results.

Nutrition education will be integrated into other subjects as appropriate to complement, not replace, the health education program.
Consistent nutrition messages will be disseminated throughout the school unit in the classroom, the cafeteria, and school-home communications.

**Physical Activity:**
The physical education program will provide all students with the knowledge and skills needed to be physically fit and take part in healthful physical activity on a regular basis.

Students will develop motor skills and apply them to enhance their coordination and physical performance.

Students will demonstrate responsible personal and social behaviors in physical activity settings.

The physical education curriculum will be aligned with the content standards of the Maine Learning Results.

Physical education classes will keep all students involved in purposeful activity for a majority of the class period.

Physical education classes will provide opportunity to learn for students of all abilities.

The schools will provide opportunities for physical activity through physical education classes, recess periods for elementary school students, and extracurricular activities (clubs, intramural and interscholastic athletics).

**Other School-Based Activities:**
Goals of the wellness policy will be considered when planning school or classroom parties, celebrations or events.

Parents will be encouraged to provide nutritionally sound snacks from home and a balance of nutritionally sound snacks for classroom parties or events.

Schools will encourage parents and students to take advantage of developmentally appropriate community-based after-school programs that emphasize physical activity.

School administrators, staff, parents, students and community members will be encouraged to serve as role models in practicing healthy eating and being physically active, both in the school environment and at home.

Legal Reference: Section 204 of Public Law 108-265
Cross References: EFE – Competitive Food Sales – Sales of Foods in Competition With the School Food Service Program.

Adopted: June 12, 2006
IMMUNIZATION OF STUDENTS

All students who enroll in the school unit schools are required by Maine law to present a certificate of immunization or evidence of immunization or immunity against poliomyelitis, diphtheria, pertussis (whooping cough), tetanus, measles, mumps, rubella and varicella (chicken pox).

Non-immunized students shall not be permitted to attend school unless one of the following conditions are met:

A. The parents/guardians provide to the school written assurance that the child will be immunized within 90 days of enrolling in school or his/her first attendance in classes, whichever date is earlier. This option is available only once to each student during their school career; or

B. The parents/guardians provide a physician’s written statement each year that immunization against one or more diseases may be medically inadvisable (as defined by law/regulation); or

C. The parents/guardians state in writing each year that immunization is contrary to their sincere religious or philosophical beliefs.

The Superintendent shall exclude from school any non-immunized student when notified by the State Bureau of Health Center for Disease Control, there is a clear danger to the health of others as provided by law.

The Superintendent/designee is directed to develop such administrative procedures as are necessary to carry out this policy and comply with statutory requirements.

Legal Reference: 20-A MRSA §§ 6352-6359
Chapter 126 (Me. Dept. of Ed. Rules)

Cross Reference: JLCC – Communicable/Infectious Diseases
                  JRA – Student Educational Records

Adopted: June 13, 1998
Revised: April 10, 2005
IMMUNIZATION OF STUDENTS - ADMINISTRATIVE PROCEDURE

These procedures shall govern the registration of students in regards to immunization. It is understood that students will not be considered registered for school unless one of the three following conditions is present. These procedures shall be interpreted in a manner consistent with state and federal laws and regulations.

1. **Proof of Immunization** – Proof of all immunizations required by the Department of Education are necessary to complete registration. Clerks will verify proof of the following immunizations:

<table>
<thead>
<tr>
<th>Doses</th>
<th>Immunization</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>DPT (4 if the 4th dose is given after 4th birthday)</td>
</tr>
<tr>
<td>4</td>
<td>OPV (3 if the 3rd dose is given after the 4th birthday)</td>
</tr>
<tr>
<td>2</td>
<td>MMR</td>
</tr>
<tr>
<td>1</td>
<td>Varicella (or proof of immunity)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>School Year</th>
<th>Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005/2006</td>
<td>K, 1, 2, 3, 6, 9, and 10</td>
</tr>
<tr>
<td>2006/2007</td>
<td>K, 1, 2, 3, 4, 6, 7, 9, 10, and 11</td>
</tr>
<tr>
<td>2007/2008</td>
<td>K – 12</td>
</tr>
</tbody>
</table>

2. **Intent to Immunize** – Students lacking proof of immunization may provide a letter of intent to immunize signed by the parent, in order to register for school. The letter of intent to immunize must provide the date of a scheduled appointment for immunization. Although a student may enter school, the registration will be considered complete when proof of immunization is received from the student’s physician.

3. **Exemption to Immunization** – Students requesting exemption from immunization must complete an Immunization Waiver Form stating the reason for exemption. Registration will be considered complete when a signed Immunization Waiver Form is presented.
COMMUNICABLE DISEASES

INTENT:
As potential incubators of communicable diseases, schools need to assume an active role in preventing transmission of contagious diseases, especially those to which children are susceptible.

POLICY:
It is the policy of the South Portland School Department to aid in the control of diseases and infestations in accordance with Maine Education Laws, Title 20-A, § 1001, 6301, 6356, 6551, 1011, 1012, 1016, 1029, 1030, 1031, 1032, 1033, 1034.

PROTOCOL:
See page II (Communicable Diseases)

Adopted: June 13, 1988
ADMINISTERING MEDICATION TO STUDENTS

The School Board acknowledges that in certain instances it may be necessary for a student to have medication administered to him/her while in attendance at school. Although the Board discourages the administration of medication on school premises where other options exist, it shall not deny educational opportunities to students requiring the administration of medication in order to participate in the school program and/or where there are no other options.

I. PARENT/LEGAL GUARDIAN WRITTEN REQUEST

In the event that no alternative exists, the parent/legal guardian may request in writing that medication be administered to the student during the school day. Such written request shall provide for an acknowledgment and agreement that unlicensed personnel may administer the medication as per physician’s instructions. In addition, such a request shall indicate that information regarding the student’s medication may be shared with appropriate school personnel. Parents may, if they so choose, reveal the reason (diagnosis) for the administration of medication; however, the provision of such information is optional and disclosure shall not be compelled.

II. PHYSICIAN’S ORDER

Parental requests for administration of prescription medication must be accompanied by a written order from the student’s physician/medical practitioner or dentist, substantiating the fact that the administration of a particular medication during the school day is necessary for the pupil’s health and attendance in school. Parental authorization to administer medication shall state any unique administration procedure, if appropriate, and shall also include:

A. The nature (e.g., liquid, tablet) and amount of the medication provided to the school;

B. The individual dosage;

C. The specific frequency with which the medication is to be administered;

D. The length of time for which the medicine is prescribed—no longer than for the current school year;

E. Any possible side effects of the medication; and

F. The medical personnel to be notified in the event complications arise with the administration of medication, including missed medication and, if appropriate, how to reach those persons to be notified.
III. INSUFFICIENT INFORMATION AND REQUESTS FOR LICENSED PERSONNEL

In those circumstances where the school believes that the prescription does not provide sufficient specificity on when it should be administered or when the physician has designated that he/she does not want the medication administered by unlicensed personnel at the school, the school nurse shall be immediately informed and shall schedule a meeting of the nurse, the building administrator, the parent(s) and other appropriate professionals to discuss alternative options for administration of medication for the student.

IV. MISCELLANEOUS PROVISIONS

A. All medication shall be delivered to the school in its original container by the student’s parent/legal guardian. In the event this is not practical, the parent/legal guardian will contact the school in order to make alternate arrangements.

B. Only a limited, necessary supply can be kept in the school. Medication no longer required must be removed by the parent/legal guardian. Furthermore, it shall be the parent’s responsibility to notify the school of any changes in or the discontinuation of a prescribed medication that is being administered to the child in school.

C. All medication will be appropriately maintained and secured in a locked area by the school nurse.

D. School staff administering the medication shall document each instance medication is administered including the date, time and dosage given.

E. The school nurse shall maintain a record including the physician and parent/legal guardian request, details of the specific medication(s), dosage and timing of medication and a notation of each instance of administration of medication.

F. Any changes to the following shall require new written requests/orders as applicable:
   1. Information on original physician’s written order;
   2. Health care provider(s);
   3. Any unique procedures for the administration of medication;
   4. Condition of the child; and
   5. Any changes in types and dosage.

G. Students shall not be permitted to carry and self-administer prescription medicine in school except under very special circumstances—as requested and described by the student’s physician or dentist and approved by the school designated school official and school medical personnel [such as in the case of a responsible, adequately instructed asthmatic/allergic student given special permission to carry an inhaler and self-medicate].
H. To the extent legally permissible, staff members may be provided with information regarding medication and its administration as may be in the student’s best interest.

I. All unlicensed personnel who administer medication must receive training before being authorized to do so.

J. The principal and school medical personnel will monitor compliance with this policy and administrative procedures.

[Please Note: The Board disclaims any and all responsibility for the diagnosis, prescription of treatment and administration of medication for any student. For purposes of this policy, “medication” shall include all medicine prescribed by a physician/medical practitioner/dentist for a particular student.]

Legal Reference: 20-A MRSA § 254 and § 4009(4)
34 CFR Part 104 (Section 504 of the Rehabilitation Act of 1973)
34 CFR Part 300 (Individuals with Disabilities Education Act)

Adopted: June 13, 1988
Revised: November 19, 2002
Revised: December 9, 2002
**Authorization to Administer Medication in School Which Must be Taken During School Hours**

**All medication(s) must be in a clearly labeled container with student’s name, prescribed dosage and name of medication. Prescription medication must be in original prescription container. Your pharmacist can provide an additional labeled container for use at school.**

Parental requests must be accompanied by a written order from the student’s physician/medical practitioner or dentist, substantiating the fact that the administration of a particular medication during the school day is necessary for the pupil’s health and attendance in school. Such order shall state any unique administration procedure, if appropriate.

**Parent/guardian must personally provide school with up to one week’s dosage unless other arrangements have been made with the school nurse.**

Student’s Name: ___________________________ School: ___________ Grade: ___________

Name of Medication: ___________________________

Medication Description: Circle one (capsule, tablet, gel cap, liquid, drops, inhalants)

If Tablet: Shape: _______________ Markings (letter/#s): _______________ Color: ______

Dosage: _______________ Time to be given: _______________

Doctor’s Name: ___________________________ Doctor’s Phone #: ___________________

Reason for Medication: ___________________________

Are there any side effects that school staff should be aware of? _______________

________________________________________

**Termination date (not beyond the current school year): ___________________________

Medication Removal**

Only a limited, necessary supply of medication(s) can be kept in the school. Medication(s) no longer required must be removed by the parent/legal guardian. Furthermore, it shall be the parent’s responsibility to notify the school of any changes in or the discontinuation of a prescribed medication that is being administered to the child in school.

**Informed Consent of Parent/Legal Guardian**

*I hereby request that school department personnel administer the above medication to my child. I am aware that this medication may be administered by medical or non-medical school personnel.*

*I give my permission for the school nurse to contact the above named prescribing physician to obtain information about the medication and the administration schedule. I give permission for the school nurse to share information with the doctor about the effects of the medication on my child’s learning.*

I understand that information regarding the student’s medication may be shared with appropriate school personnel.

Parent/Legal Guardian Signature ___________________________ Home Phone Number ___________ Work Phone Number ___________

Date ___________________________ Work Phone Number ___________

Revised: November 19, 2002

Adopted: December 9, 2002
MEDICAL MARIJUANA IN SCHOOLS

The Board recognizes that there may be some students in the South Portland Schools who rely on the use of medical marijuana to manage a medical condition and who may be unable to effectively function at school without it.

Maine law provides that a “primary caregiver” (defined as parent, guardian or legal custodian under Maine’s medical marijuana law, 22 MRSA § 2423-A91)(E)) may possess and administer marijuana in a non-smokeable form in a school bus or on the grounds of the preschool or primary or secondary school in which a minor qualifying patient is enrolled, if: a) a medical provider has provided the minor qualifying patient with a current written certification for the medical use of marijuana and b) possession of medical marijuana is for the purpose of administering it to the minor qualifying patient. In accordance with applicable law, this only applies to students under the age of 18. Students 18 years of age or older may not use medical marijuana at school.

In order to facilitate administration of medical marijuana with a minimum interruption of instructional time for the student and with a minimum of disruption of routine school operations, the Board approves the following guidelines for the administration of medical marijuana:

A. The person administering the medical marijuana must provide proof that
   1. He/she is the primary caregiver for the student;
   2. The student has a current written certification from a medical provider for the use of medical marijuana;
   3. The student needs to have the drug administered during the school day, as opposed to before or after school.

B. The marijuana must be in a non-smokeable form;

C. The marijuana must be possessed only by the primary caregiver and only for the purpose of administering it to the student at school;

D. Medical marijuana may only be possessed by the primary caregiver; it cannot be given to or held by any school employee, student or other person in school, with the exception of the “qualifying patient;”

E. Only the primary caregiver may administer medical marijuana – it cannot be done by, or delegated to, a school employee or any other person than the primary caregiver;
F. The primary caregiver must check-in and present identification at the school office upon arrival for the administration of medical marijuana. Medical marijuana may be administered only in the principal’s office or in a designated space. If being administered in the nurses’ office an administrator must accompany the caregiver to that location;

G. The primary caregiver must check-out at the school office following administration of the medical marijuana and transport any remaining medical marijuana with him/her off school premises.

A student who holds written certification for the medical use of marijuana may not be excluded (suspended or expelled) from school because he/she requires medical marijuana to attend school.

Legal Reference: Maine 2015 P.L. Ch. 369

Adopted: June 13, 2016
Maine law provides that a “primary caregiver” (defined as parent, guardian or legal custodian under Maine’s medical marijuana law, 22 MRSA § 2423-A91(E)) may possess and administer marijuana in a non-smokeable form in a school bus or on the grounds of the preschool or primary or secondary school in which a minor qualifying patient is enrolled, if: a) a medical provider has provided the minor qualifying patient with a current written certification for the medical use of marijuana and b) possession of medical marijuana is for the purpose of administering it to the minor qualifying patient. In accordance with applicable law, this only applies to students under the age of 18. Students 18 years of age or older may not use medical marijuana at school.

Student’s Name: ____________________________

DOB*: _______________ Note: Medical marijuana can only be administered at school or on a school bus to a student under the age of 18.

School: __________________ Grade: ______

A. To be completed by Physician or Certified Nurse Practitioner:

Reason for use of medical marijuana: __________________________________________________________

Form of medical marijuana: _________________________________________________________________

Note: Medical marijuana may only be administered at school in non-smokeable form.

Dosage (amount): ____________________________________________________________

The medical marijuana must be administered during school hours: ☐ Yes    ☐ No

If yes, time to be administered: ____________________________________________________________

Restrictions and/or important side effects:    ☐ None anticipated

☐ Yes. Please describe in detail:_________________________________________________________________
Date prescribed: __________________________________________

Date to be discontinued: ______________________________________

Any other necessary instructions or information: ________________________________

**NOTE: THE SCHOOL ADMINISTRATOR OR HIS/HER DESIGNEE MAY CONTACT YOU IF THERE ARE FURTHER QUESTIONS CONCERNING THIS REQUEST.**

Provider’s Signature: ________________________________ Date: __________________

Printed Name: __________________________________________

Address: ________________________________________________

Phone Number: __________________ Fax Number: ________________

Email Address: __________________________________________

Note: Any changes to the information above shall require a new request/permission form.

B. **To be completed by parent/guardian/legal custodian (designated “primary caregiver” under Maine law for medical use of marijuana purposes):**

I understand and agree that if the administrator has questions regarding the provider’s order, that he/she or their designee may contact the child’s provider and obtain additional information about the medication. I consent to the provider releasing that information.

I have read Board Policy JLCD – Administering Medical Marijuana to Students and understand that I must comply with all the requirements concerning the administration of medical marijuana.

Signature: ________________________________ Relationship: ____________

Primary Caregiver

Signature: ________________________________ Relationship: ____________

Primary Caregiver

Date: ________________________________

**NOTE: A COPY OF THE CURRENT WRITTEN CERTIFICATION FOR THE USE OF MEDICAL MARIJUANA MUST BE ATTACHED TO THIS FORM.**
C. To be completed by school:

Date received: __________________________ By whom: __________________________
Date reviewed: _________________________ Reviewed by: _________________________

Notes: ____________________________________________________________________
POLICY REGARDING DO NOT RESUSCITATE REQUESTS

A primary concern of all District employees shall be student health and safety. Implementation of a “Do Not Resuscitate” (“DNR”) request is not consistent with this policy. Accordingly, a “DNR” request shall not be honored and no student is to be denied the fullest genuine, appropriate efforts to preserve life and health.

Adopted:
REINTEGRATION OF STUDENTS FROM JUVENILE CORRECTIONAL FACILITIES

Maine law requires the establishment of a reintegration team to assist a student entering a public school from a juvenile correctional facility. The Board recognizes the need for advance planning and appropriate confidentiality in these circumstances.

The Superintendent shall be responsible for determining whether a student will be accepted or denied access to school based on compliance with the juvenile’s rehabilitation plan as it affects reintegration. Access may be denied until the Superintendent is satisfied that conditions have been met.

The school unit will comply with reintegration standards established by the Maine Department of Education. The Superintendent will be responsible for overseeing the transition of students from juvenile correctional facilities based on the following guidelines.

A. Within ten days of receiving information from the Department of Corrections concerning the release of the juvenile offender, the Superintendent shall establish and convene a meeting of a reintegration team to review information received from the Department of Corrections, evaluate the student’s individual educational needs, and determine what additional information may be relevant.

B. The reintegration team shall include at a minimum the principal/designee of the school to which the student will be admitted, at least one classroom teacher to which the student will be assigned or who is involved in the school’s student assistance team, the student’s parent/guardian/custodian, and a guidance counselor. The student’s juvenile correctional officer or other representative from the Department of Corrections may be invited to attend.

C. The reintegration team will determine, on the basis of need, which school employees should be given (or receive information or have access to) information that would otherwise be considered confidential. The nature and extent of information provided should be limited to that needed to implement the student’s reintegration plan and ensure the health and safety of the student, the safety of the school’s students and staff, and the integrity of school property.

D. The Superintendent/designee will be responsible for ensuring that confidentiality training, including a review of the school unit’s policy and administrative procedures pertinent to records from the juvenile criminal justice system, including the juvenile correctional facility, and to all student educational records under the Family Education Records and Privacy Act (FERPA), is provided to all school employees who have access to this information.
E. Before the student enters school, at least one additional meeting of the reintegration team should be held to develop an individualized plan for the student’s reintegration based on the student’s educational needs and the options available within the school system. This meeting should include the student as well as the members of the reintegration team. The reintegration plan will address the student’s educational program, participation in activities (including co-curricular and extracurricular activities), and access to school facilities (including transportation).

F. Placement in grade, class, and/or school programs will be based on the student’s abilities and academic achievement demonstrated in prior educational settings, including the student’s stay at the juvenile correctional facility. The principal will be responsible for evaluating the student’s transcript and portfolio from the juvenile correctional facility to assess progress toward meeting the content standards of the Learning Results. The principal may require the student to participate in additional tests or other demonstrations of skill or knowledge, consistent with the local assessment system, for the purpose of determining appropriate placement.

G. The Superintendent/designee will be responsible for developing and implementing a process for monitoring and reporting a student’s progress and compliance with the reintegration plan and for modifying the plan as needed.

H. A student who violates Board policy or school rules will be subject to the disciplinary consequences described in policy, administrative procedures, and/or the student handbook/student code of conduct.

I. The Superintendent/designee shall make any reports that may be required by the Department of Education concerning numbers of students entering the local school unit from juvenile correctional facilities.

Legal Reference: 20-A M.R.S.A. §§ 254(12), 1055(12), 2902(10), 4502(5)(O), 6001-B(1), 6001-B(2), 6001-B(3-A)
15 M.R.S.A. § 3009

Adopted: June 9, 2003
REINTEGRATION OF STUDENTS FROM JUVENILE CORRECTIONAL FACILITIES

15 M.R.S.A. § 3308(7)(E) provides that when a juvenile has been charged with or adjudicated of a juvenile offense that involves the use or threatened use of physical force against a person, the District’s attorney in the district where the charges were brought will provide certain information to the Superintendent (or designee) of the juvenile’s school.

This information is limited to:

1. The name of the juvenile;
2. The nature of the alleged offense or offense;
3. The date of the alleged offense or offense;
4. The date of the petition (date charged);
5. The date of the adjudication, if applicable; and
6. The location of the court where the case was brought, if applicable.

By law, this information is not to become part of the student’s educational record.

This information is to be regarded as confidential except as provided in 20-A M.R.S.A. § 1055(11). This statute requires the Superintendent to convene a notification team within ten days of receiving notice of an alleged or adjudicated juvenile offense. This team must include the administrator/designee of the school building where the student attends, at least one classroom teacher to whom the student is assigned, a guidance counselor, and the student’s parent/guardian. The notification team is to determine on the basis of need which school employees are entitled to receive this information. The Superintendent “shall ensure” that confidentiality training is provided to all school employees who have access to this information.

Approved: June 9, 2003
REPORTING CHILD ABUSE AND NEGLECT

I. DEFINITIONS

A. Child abuse or neglect. Child abuse or neglect is defined by Maine law as “threat to a child’s health or welfare by physical, mental or emotional injury or impairment, sexual abuse or exploitation, deprivation of essential needs or lack of protection from these, or failure to ensure compliance with school attendance requirements under Title 20-A” (specifically when a child who is at least seven years of age and has not completed grade six, has the equivalent of seven full days of unexcused absences or five consecutive school days of unexcused absences during a school year).

B. Person responsible for the child. A “person responsible for the child” means a person with responsibility for a child’s health or welfare, whether in the child’s home or another home or a facility which, as part of its function, provides for the care of the child. It includes the child’s parent, guardian or other custodian.

II. EMPLOYEES’ DUTY TO REPORT

A. Any employee of the school unit who has reason to suspect that a child has been or is likely to be abused or neglected must immediately notify the building principal.

1. In addition to notifying the building principal, the employee may also make a report directly to the Department of Health and Human Services (DHHS) or the District Attorney (see also Section III.B which provides further information about reporting to DHHS and/or the District Attorney).

B. If the reporting employee does not receive written confirmation from the building administrator/Superintendent within 24 hours of his/her report that a report has been made to DHHS and/or District Attorney, the employee shall make an immediate report directly to DHHS and, if the person suspected is not a person responsible for the child, to the District Attorney. In such cases, the employee shall then complete a copy of the Suspected Child Abuse and Neglect Reporting Form (JLF-E).
C. If the reporting employees does receive written confirmation from the building administrator/Superintendent within 24 hours of his/her report (which is a copy of the Suspected Child Abuse and Neglect Reporting Form (JLF-E), he/she shall sign the form as acknowledgement that the report was made and return it to the building administrator/Superintendent.

III. ADMINISTRATOR REPORTING AND CONFIRMATION DUTIES

All building administrators, the Superintendent, and/or their designees are designated agents to make child abuse and neglect reports.

A. If a building administrator receives the report, he/she shall notify the Superintendent immediately.

B. The Superintendent or building administrator shall then make a verbal and written report(s) of suspected abuse or neglect to DHHS. In addition, if the person suspected is not the parent, guardian or other custodian of the child, the Superintendent/building administrator shall also make a report to the District Attorney.

1. The law requires the reporting employee to make his/her own report to DHHS and/or the District Attorney if he/she has not received confirmation within 24 hours that such a report has been made by the Superintendent/building administrator.

C. The person making the report to DHHS and/or the District Attorney shall complete the Suspected Child Abuse or Neglect Form (JLF-E).

D. The Superintendent/building administrator shall provide a copy of the Suspected Child Abuse or Neglect Form to the reporting employee within 24 hours of the employee’s initial report. The reporting employee shall sign the report and return it to the Superintendent/building administrator.

E. The form will be forwarded to DHHS and/or the District Attorney, and shall be retained by the school unit for ten years, as specified in the Maine Archives Rules, along with any other information relevant to the case.
IV. INTERNAL INVESTIGATIONS AND DISCIPLINE

A. Employees. If the person suspected of abuse or neglect is an employee, the Superintendent/designee shall investigate and take appropriate action, in accordance with applicable Board policies, collective bargaining contracts, and federal and state laws.

B. Students. If the person suspected of abuse or neglect is a student, and the abuse or neglect occurred on school premises, during a school activity, or is otherwise related to the school, the Superintendent/designee shall investigate and take appropriate action, in accordance with applicable Board policies and federal and state laws.

V. INTERVIEWS OF CHILD AND SCHOOL PERSONNEL

DHHS personnel shall be permitted to meet with and interview the child named in the report when the child is present at school as provided in this section. The building administrator or designee shall:

A. Require the DHHS employee requesting to interview the child to provide written certification that in the Department’s judgment, the interview is necessary to carry out its duties;

B. Require the DHHS caseworker to discuss the circumstances of the interview and any relevant information regarding the alleged abuse or neglect with the child’s teacher, guidance, school nurse, social worker or building administrator as the caseworker deems is necessary to provide needed emotional support to the child prior to and following the interview;

C. Not place conditions on how the interview is conducted, including, but not necessarily limited to requiring that certain persons be present during the interview; prohibiting certain persons from being present during the interview; and requiring notice to or consent from a parent or guardian;

D. Provide an appropriate, quiet and private place for the interview; and
E. Not disclose any information about DHHS’s intention to interview the child except to school officials or the school’s attorney who need the information to comply with the interview request.

VI. CONFIDENTIALITY OF INFORMATION AND RECORDS

All records, reports and information concerning alleged cases of child abuse and neglect shall be kept confidential to the extent required by Board policies and applicable law.

The building administrator/designee is permitted to release a child’s school records without prior consent of the parent/guardian to DHHS or law enforcement officials as necessary to protect the health or safety of the child or other individuals under federal law.

VII. GOOD FAITH IMMUNITY FROM LIABILITY

Any person who in good faith reports, assists DHHS in making the child available for an interview, or participates in the investigation or proceedings of a child protection investigation is immune from any criminal or civil liability for the act of reporting or participating in the investigation or proceeding. Good faith does not include instances when a false report is made and the person knows the report is false.


Cross Reference: ACAA – Harassment and Sexual Harassment of Students JLF-E – Suspected Child Abuse/Neglect Report Form JRA – Student Records

Adopted: March 13, 2017
SUSPECTED CHILD ABUSE/NEGLECT REPORT FORM

Any employee of South Portland School Department who suspects that a child has been or is likely to be abused or neglected must immediately notify the building principal/his or her designee using this form. The purpose of this form is to document your reporting and to facilitate confirmation to you that the building principal or other designated school official has made your report to the Department of Health and Human Services (DHHS) or, as appropriate to the District Attorney.

If you have not received written confirmation within 24 hours of submitting this form to the building principal, you must make your own report to DHHS or, if appropriate, to the DA.

1) Name/title/telephone number and email address of notifying person (person who originally has the information and is required to report it):
____________________________________________________________________
____________________________________________________________________

2) Date and time of notifying person’s report: _________________________________

3) Name/title of school principal/designated agent first report made to:
____________________________________________________________________

4) Did notifying person contact DHS independently: _____ Yes _____ No

5) Name of student who is subject of report: _________________________________
   Birthdate: ___________________ Sex: _____________ Grade: _______________
   Known history of abuse/neglect? _________________________________________
   Parent/Guardian Name(s): _______________________________________________
   Address: ________________________________
   Home and work telephone numbers: _____________________________
   Name(s) of sibling(s): ________________________________________________
6) Has the family been prepared for the referral? Yes  No

7) Has the notifying person given permission for his/her name to be used by the Department of Human Services? Yes  No

8) Statements or indicators leading to the suspicion of abuse/neglect (include all known information, including date, time and location, name of alleged abuser, and relationship to student): _____________________________________________
_____________________________________________________________________
_____________________________________________________________________
_____________________________________________________________________
_____________________________________________________________________

9) List any photographs taken or other materials collected related to the report: ______
_____________________________________________________________________
_____________________________________________________________________

10) Actions taken by school personnel (list date, time and personnel involved):
_____________________________________________________________________
_____________________________________________________________________
_____________________________________________________________________
_____________________________________________________________________

CONFIRMATION OF REPORT

(Used for confirming principal or designated agent’s report to authorities)

Name of principal or designated agent: _____________________________________
Agency contacted by telephone: _____________________________________________
Name and title of agency contact: __________________________________________
Date and time of telephone report: _________________________________________
Copy of report form sent (include date and addressee):  ______________________
____________________________________________________________________
____________________________________________________________________

_________________________________________    _____________________
Principal/Designated Agent Signature   Date and Time
I have received confirmation that my report has been made to DHHS or the DA by the Principal or other Designated Agent.

______________________________   __________________
Notifying Person/Original Reporter’s Signature   Date and Time

(Employee’s Signature)

Adopted: March 13, 2017
REPORTING CHILD ABUSE AND NEGLECT-
ADMINISTRATIVE PROCEDURE

This procedure implements the Board’s policy JLF – Reporting Suspected Child Abuse and Neglect. It summarizes the steps to be taken when a school employee suspects that a child has been or is likely to be abused or neglected.

The “notifying person” refers to the person who has the information that gives rise to the suspicion that a child has been is likely to be abused or neglected and is required by law to report it, such as a teacher, principal, guidance counselor or bus driver.

A. The notifying person should immediately notify the principal or other designated agent of the suspected abuse or neglect. The person may notify the Department of Health and Human Services (DHHS) directly, or if appropriate, the District Attorney (DA).

B. The principal or designated agent should immediately directly report it to DHHS and, if appropriate, to the DA.

C. The principal or designated agent should send a written confirmation containing the name of the person reporting, the date and time of the report and a summary of the information to the notifying person.

D. The notifying person should acknowledge in writing that he/she has received the confirmation that the report has been made by the principal or designated agent.

E. The confirmation and acknowledgement should be retained in the school’s records.

F. If the notifying person has not received written confirmation within 24 hours of making his/her report to the principal or designated agent has caused a report to be made to DHHS and, if appropriate, the DA, the notifying person shall immediately make a report to DHHS and, if appropriate, the DA.

Cross Reference: JLF – Reporting Suspected Child Abuse and Neglect
JLF-E – Suspected Child Abuse and Neglect Report Form

Adopted: March 13, 2017
STUDENT AUTOMOBILE USE AND PARKING

The South Portland Board of Education provides bus transportation for students within the distance guidelines as established by the Board. It is the preferred means of transport for students to and from school.

South Portland High School students may be allowed to use legally registered automobiles and other legally registered motorized vehicles for transportation to and from school. Students shall be expected to abide by any and all rules and regulations as may be set forth by the Board of Education as well as the regulations and laws set forth by the South Portland Police Department and the State of Maine Motor Vehicle Department.

All vehicles so used will be properly parked in school parking lots and may not be moved or entered during school hours, prior to dismissal of the student, without the permission of the Principal or his/her designee. School parking lots are considered school “storage facilities.”

Students who do not observe the school rules regarding the use of vehicles or who do not operate them on school property in a safe and prudent manner may lose the privilege to bring their vehicles to school.

Adopted: January 11, 2010
STUDENT CHARGES

While it is the intent of the Board of Education that the schools not sponsor activities that would involve a continuing expense to students, there may be occasions when permission for such activities may be desirable.

In each instance, approval shall be granted only after careful review and recommendation by the school’s principal and the appropriate Assistant Superintendent of Schools.

Adopted: February 3, 1960
Revised: March 8, 1976
LIBRARY FINES

All monies collected in the school’s libraries for fines for late and lost books shall be used for library purposes. Fines shall not exceed fines charged by the South Portland Public Library.

Adopted: July 10, 1940
Revised: June 9, 1975
Revised: May 2002
Revised: July 9, 2002
STUDENT PHOTOGRAPHS

The Board of Education grants permission for parents’ groups or individual schools to sponsor individual and/or group photographs with specific guidelines.

It is the intent of the Board that the margin of profit be at a minimal level and that all programs be generally beneficial to students and parents.

Adopted: March 8, 1976
STUDENT EDUCATIONAL RECORDS

It shall be the policy of South Portland School Department to provide for the confidentiality of all student education records that are maintained by South Portland School Department, as required by both Maine law and the Federal Family Educational Rights and Privacy Act (FERPA).

South Portland School Department shall provide annual notification to the parents of students currently in attendance and to eligible students (18 years old or older) of their rights in relation to the student education records being maintained by South Portland School Department.

South Portland School Department designates the following information about students as directory information: name, the student’s participation in officially recognized activities and sports, height and weight of student athletes and grade level in school of students in extracurricular activities, date of attendance at South Portland School Department schools, and honors and awards received.

South Portland School Department may disclose directory information about students in attendance if it has given the notification required by FERPA to parents of the students and to eligible students and has not received timely written notice refusing permission to designate some or all of the types of information about a student as directory information.

Under Maine law, South Portland School Department 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, photograph, personal biography, e-mail address, home address, date of birth, social security number, and parents’ names.

The Superintendent, in consultation with other school administrators of South Portland School Department, shall develop and promulgate procedures for implementing this policy, including a description of the access rights of parents, students, and educational personnel to records and the confidentiality rights of parents and students. Such procedures may be amended from time to time, as necessary.

A copy of the policy and procedure shall be posted in each school. Parents shall be notified annually of the policy and procedure.

Legal Reference: 20 USC § 1232g
34 CFR Part 99
20-A MRSA § 6001
Ch. 101 § 15 (Me.Dept. of Ed. Rule)
Ch. 125 § 12.01(E) (Me. Dept. of Ed. Rule)

Adopted: July 8, 2002
Revised: March 2003
Revised: April 14, 2003
NOTIFICATION OF RIGHTS UNDER FERPA

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (“eligible students”) certain rights with respect to the student’s education records. They are:

A. The right to inspect and review the student’s education records within 45 days of the day the South Portland School Department receives a request for access.

Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

B. The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate or misleading.

Parents or eligible students may ask South Portland School Department to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed and specify why it is inaccurate or misleading.

If the South Portland School Department decides not to amend the record as requested by the parent or eligible student, the South Portland School Department will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

C. The right to consent to disclosure of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.

One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school unit as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the school unit has contracted to perform a special task (such as an attorney, auditor, medical consultant or therapist); or 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.
A school official has a legitimate educational interest if the official need to review an education record in order to fulfill his/her professional responsibility.

Upon request, the South Portland School Department discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.

D. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the South Portland Schools to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, DC 20202-4605

**Additional Notifications under FERPA**

- The South Portland School Department may make public at its discretion personally identifiable information from the education records of a student without parental consent if that information has been designated as directory information by the school. This school unit has designated the following information as directory information: the student’s name, participation in officially recognized activities and sports, weight and height of athletes, honors and awards received.

- Such information will not be disclosed if the parent of the student informs the school unit 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 as directory information with respect to that student. Any such notice should be sent to the Superintendent of Schools at the following address: 130 Wescott Road, South Portland, Maine 04106.

- Federal law permits military recruiters and institutions of higher learning to request and receive the names, addresses and telephone numbers of high school students upon request, unless the student’s parent or eligible student notifies the school unit that he/she does not want such information released. Such information will not be disclosed if the student’s parent or eligible student notifies the school unit, in writing, that such information should not be released without his/her written consent. Any such notice should be sent to the Superintendent of Schools at the following address: 130 Wescott Road, South Portland, Maine 04106.
• Under Maine law, the South Portland School Department shall not publish on the Internet without written parental consent (or 18-year old student’s consent) any information, whether directory or otherwise, that identifies a student, including but not limited to the student’s full name, photograph, personal biography, e-mail address, home address, date of birth, social security number and parents’ names.

• The South Portland School Department maintains a more extensive policy and procedure concerning education records. This policy and procedure can be obtained by contacting the Superintendent of Schools.

• The Maine Legislature passed a law, Chapter 448, in 2009 that authorizes the Maine Commissioner of Education to require local school units to request that parents provide students’ social security numbers to the school. Your compliance with this request is completely voluntary. We must request that you provide your child(ren)’s social security number, but you are not required to provide the number to us. The social security numbers will be used by the Department of Education to create a “longitudinal data system” which will link data about the student’s educational history to data about the student’s endeavors after leaving school, such as earnings, educational attainment, and choice of career. There will be no adverse consequences for your child if you decline to provide the social security number. Your child will still be enrolled in school, and he or she will have all the same rights and privileges of every other student in our schools. If you are a student aged 18 or over, you have the right to decide whether to allow use of your social security number. No child’s social security number may be used for longitudinal data purposes without the parent’s or 18-year-old student’s consent.

Legal Reference:  20 U.S.C. § 7908
                 34 CFR § 99.7
                 20-A MRSA § 6001

Adopted:  July 8, 2002
Revised:  March 2003
Revised:  April 14, 2003
Revised:  August 30, 2010
DENIAL OF CONSENT TO RELEASE STUDENT INFORMATION

Federal law and regulations pertaining to family educational rights and privacy allow schools, without prior consent, to release at their discretion information from student educational records that has been designated by the school system as “directory information.” The South Portland School Department has designated the following as directory information: student’s name, participation in officially recognized activities and sports, weight and height of student athletes, grade level in school of participants in extracurricular activities, date of attendance at local school unit schools, and honors and awards received.

In addition, the “No Child Left Behind Act of 2001” contains provisions that require that the school unit provide student names, addresses and telephone numbers to military recruiters and institutions of higher learning when requested to do so, unless the student’s parent/guardian or student 18 years of age or older requests in writing that such information not be released.

If you DO NOT want the information released, please complete the appropriate section of this form and return it to: Superintendent or Principal (name).  

FOR PARENTS OF STUDENTS UNDER THE AGE OF 18:

I request that South Portland High School

☐ NOT release information of any kind, including “directory information” (see above), concerning my son/daughter ___________ without my prior written consent. (This will restrict including the student in honor roll lists, officially recognized athletic and activity programs, graduation programs, and yearbooks.)

☐ NOT release the name, address, or telephone number of my son/daughter ___________ to any military recruiter or military recruiting organization without my prior written consent.

☐ NOT release the name, address, or telephone number of my son/daughter ___________ to any institution of higher learning without my prior written consent.

Parent/Guardian Signature ___________________ Date __________

FOR STUDENTS 18 YEARS OF AGE OR OLDER:

I request that South Portland High School

☐ NOT release information of any kind concerning me, including “directory information” (see above), without my prior written consent. (This will restrict including the student in honor roll lists, officially recognized athletic and activity programs, graduation programs, and yearbooks.)

☐ NOT release my name, address, or telephone number to any military recruiter or military recruiting organization without my prior written consent.

☐ NOT release my name, address, or telephone number to any institution of higher learning without my prior written consent.

Student Signature ___________________ Date __________

Revised: 1.04.12
DENIAL OF CONSENT TO RELEASE
STUDENT INFORMATION
(For Elementary & Middle Schools)

Federal law and regulations pertaining to family educational rights and privacy allow schools, without prior consent, to release at their discretion information from student educational records that has been designated by the school system as “directory information.” The South Portland School Department has designated the following as directory information: student’s name, participation in officially recognized activities and sports, weight and height of student athletes, grade level in school of participants in extracurricular activities, date of attendance at local school unit schools, and honors and awards received.

(This might include releasing honor roll lists to newspapers identifying student participants in plays, athletics and other performances, etc.)

If you do NOT want the school system to release directory information, please complete the form below and return it to the school.

School Principal

________________________
________________________

☐ I request that _____________________________ School NOT release information of any kind, including “directory information,” concerning my son/daughter _____________________________ without my prior written consent.

__________________________ __________________________
Parent/Guardian Signature Date

4/4/03
STUDENT EDUCATIONAL RECORDS ADMINISTRATIVE PROCEDURE

I. INTRODUCTION

These procedures have been adopted to implement federal and state legislation establishing guidelines governing the manner in which student records are maintained and supervised. The purpose of the legislation is to ensure students and parents of students access to their official records, to guarantee that these records are used only for legitimate educational purposes, and to ensure that the records are not released without the written permission of the student or parent of the student except as permitted by law. These procedures do not contain all the information contained in the federal or state legislation, but do adopt and incorporate such laws.

II. DEFINITIONS

The following definitions apply to terms used in this policy.

A. “Act” means the Family Educational Rights and Privacy Act (20 USC § 1232g).

B. “Directory information” means the following information contained in an education record of a student: name, the student’s participation in officially recognized activities and sports, weight and height of student athletes, grade level in school of participants in extracurricular activities, date of attendance at South Portland schools and honors and awards received.

C. “Eligible student” means a student who has attained eighteen years of age, has not been judged by a court of competent jurisdiction to be so severely impaired that the student is unable to make decisions or exercise judgment on his/her own behalf or is attending an institution of post-secondary education.

D. “Parent” means parent, regardless of divorce or separation, a legal guardian, or individual acting as a parent or guardian provided that there shall be a presumption that a parent has the authority to exercise the rights inherent in the Act, unless there is evidence of a state law or court order governing such matters as divorce, separation or custody or a legally binding instrument that specifically revokes such rights.

E. “Record” means any information or data recorded in any medium including, but not limited to, handwriting, print, computer media, video or audio tape, microfilm and microfiche, but excluding records of instructional, supervisory and administrative personnel and educational personnel ancillary to those persons which are in the sole possession of the maker thereof and which are not accessible or revealed to any other person except a temporary substitute for the maker of the record.

F. “School” means South Portland and each school within the system.

G. “Student” includes any individual with respect to whom the South Portland schools maintains education records.
III. ANNUAL NOTIFICATION OF RIGHTS

Each year parents of students attending school or eligible students attending school will be provided with a summary of their rights through any of the following means:

A. A letter to each parent or eligible student within South Portland School Department.

B. Publication of the policy summary in a school newspaper, newsletter or handbook distributed to each parent or eligible student.

A model copy of that summary is attached to this policy as JRA-E. A copy of this procedure, JRA-R, and the policy statement that is the basis for this procedure, JRA, shall be posted in each school. That summary shall also inform the parents of locations where copies of the Board’s policy statement and administrative procedure may be obtained.

IV. INSPECTION AND REVIEW OF EDUCATION RECORDS

Parents of students and eligible students may review and inspect their educational records by the following procedure:

A. The parent or eligible student must request in writing to review the records through the building principal.

B. The school will comply with the request within a reasonable period of time, but in no case more than 45 days after it received the request, and will comply before any meeting regarding an Individualized Education Program (IEP) or any due process hearing relating to the identification, evaluation or placement of the student.

C. The Director of Special Education will list the types and locations of all records, the names and titles of officials responsible for those records and the names of non-school personnel who have received copies or reviewed the education records.

D. The school may deny a request for access to or a copy of the student’s record if there is reasonable doubt as to the legality of the parent/child relationship. Access will be withheld until a determination of legal right to access can be established.

V. DISCLOSURE OF EDUCATION RECORDS

A. The school will not disclose any personally identifiable information from the education records of a student without the prior written consent of the parent or eligible student. The written consent shall include a specification of the records that may be disclosed, the purpose(s) of the disclosure(s) and the identity of the party or parties to whom the disclosure(s) may be made. Exceptions to these disclosure requirements are as follows:
1. As provided by 20-A MRSA § 6001-B, when a student transfers from South Portland School Department to another unit in Maine or any other state, a copy of all his/her education records, including special education records, disciplinary records, attendance records, and health records other than confidential health records for which consent for dissemination has not been obtained, will be sent to the receiving school unit upon written request of the Superintendent or designee of that unit; there is no requirement for written consent by the parent/guardian or eligible student.

Confidential health records may be provided only if the Superintendent/designee of the school unit from which the student is transferring receives the authorization or consent necessary for the dissemination of information contained in records pertaining to HIV infection status, alcohol and other drug abuse treatment, health care and treatment, and mental health treatment. At the request of the receiving unit, the student’s current or former school administrator will disclose orally or in writing whether the student seeking admission has been expelled, suspended or is the subject of an expulsion or suspension proceeding.

2. Personally identifiable information may be disclosed without written consent if the disclosure is to:

   a. State and local educational authorities, the Comptroller General of the United States, or the Secretary of the U.S. Department of Education (including those acting for the Secretary) in connection with the audit and evaluation of federal and state supported educational programs or for enforcement of or compliance with federal legal requirements, and to state and local educational authorities as required by state statute and permitted by federal law;

   b. School administrators, board members, officials, teachers and other school personnel, contracted providers of educational services for the student and lawyers within the South Portland School Department who have legitimate educational interests;

   c. Officials of another school, school system or institution of post-secondary education in which the student seeks or intends to enroll;

   d. Institutions to which the student has applied for or has received financial aid if the information is necessary to determine the eligibility, amount or conditions of the aid or to enforce the terms or conditions of the aid;

   e. Organizations conducting studies for, or on behalf of, educational agencies or institutions, including but not limited to studies to develop, validate or administer predictive tests;
f. Accrediting organizations for the purpose of carrying out their accrediting functions;

g. Parents of a dependent student, as defined in § 152 of the Internal Revenue Code of 1954;

h. Those as directed by a judicial order or lawfully issued subpoena, provided that reasonable effort is made to notify the parent of the student or the eligible student of the order or subpoena prior to compliance herewith, unless the subpoena or judicial order directs that the disclosure not occur;

i. A court of law, if relevant to an action brought by the parents of the child against the school unit, or brought by the school unit against the child or child’s parents;

j. Appropriate parties in a health or safety emergency provided that knowledge of the information is necessary to protect the health or safety of the student or other individuals. This disclosure may include the release of appropriate information to school officials in other school units about disciplinary action taken against a student for conduct that posed a significant risk to the safety or well-being of that student or other members of the school community, if the officials in the other school unit have a legitimate educational interest in the behaviors of the student;

k. Criminal justice agencies or other agencies that by court order or agreement are responsible for the juvenile in circumstances as described in 20-A MRSA § 6001(3); and

l. Other circumstances specifically permitted by law.

3. Directory information may be disclosed without parental consent about former students.

4. The South Portland School Department reserves the right to make public at its discretion personally identifiable information from the education records of a student if that information has been designated as directory information as that term is defined under subparagraph B in section II of this policy, unless the parent of the student or eligible student informs the school in writing by July 1 for the upcoming year or within 30 days after enrollment, whichever is later, that such personally identifiable information is not to be designated as directory information with respect to that student.

5. The school unit will provide military recruiters and institutions of higher learning with the names, addresses, and telephone numbers of high school students, upon their request, unless the student’s parent/guardian
or eligible student notifies the school unit in writing that he/she does not want such information released. Such information will not be disclosed if the student’s parent or eligible student notifies the school unit, in writing, that such information may not be released without his/her written consent.

B. All disclosures of information under this section will comply with regulations and guidelines provided by the Federal Government and the Maine Department of Education.

C. The school will maintain a record of disclosures of personally identifiable information from the education records of a student and will permit a parent or eligible student to inspect that record, except that such record shall not include disclosures to the parent of a student or an eligible student, disclosures pursuant to written consent, disclosures to school officials or disclosures of directory information.

VI. REQUEST TO AMEND EDUCATION RECORDS

A. All parents of students/eligible students may seek correction of education records of the student through a request to amend the record on the grounds that it is inaccurate, misleading or in violation of the privacy or other rights of the student. The school shall, within 15 days of receipt of the request, either amend the information in accordance with the parent’s/eligible student’s request or inform the parent/eligible student of its refusal to amend the information and advise the parent/eligible student of the opportunity for a hearing.

B. If the request is denied, the parent or the eligible student shall be entitled to a hearing upon request. The hearing shall be held within a reasonable period of time from the time the school receives the request, and the parent or the eligible student shall be given advance notice of the date, place and time of the hearing. The Superintendent may designate an individual to conduct the hearing. The individual may be an employee of the school unit but may not have a direct interest in the outcome of the hearing. The parent or the eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised and may be assisted or represented by individuals of his/her choice at his/her own expense, including an attorney.

The school shall make its decision in writing within a reasonable period of time. The decision of the school shall include a summary of the evidence and the reasons for the decision.

C. If, as a result of the hearing, the school decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall amend the education records of the student accordingly and so inform the parent or the eligible student in writing.

D. If, as a result of the hearing, the school decides that the information is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall inform the parent or eligible student of the right to place in the education records of the student a statement commenting upon the contested
information in the education records and/or setting forth any reasons for disagreeing with the decision of the school.

E. Any explanation placed in the education record of the student under the preceding paragraph shall be maintained by the school as part of the education records of the student as long as the record or contested portion is maintained by the school, and if the education records of the student or the contested portion is disclosed by the school to any party, the explanation shall also be disclosed to that party.

VII. STUDENT RIGHTS

When a student becomes an eligible student, the rights accorded to and the consent required of the parent of the student shall thereafter transfer to the eligible student.

VIII. LIMITATIONS ON WAIVERS

A parent of a student/eligible student may waive any of his/her rights regarding confidentiality of educational records as set forth in this policy and in the Act, but such a waiver shall be in writing and signed by the parent or student as appropriate. The school may not require that a parent/eligible student waive his/her rights.

A waiver under this section may be revoked with respect to any actions occurring after the revocation. A revocation under this paragraph must be in writing. If a parent executes a waiver under this section, that waiver may be revoked by the student any time after he/she becomes an eligible student.

IX. FEES

The school shall provide copies of education records to parents/eligible students upon request. The cost of producing copies of the record, if desired, to the parent/eligible student will be twenty-five cents per page copied. This fee, however, will not prohibit a parent’s/eligible student’s opportunity for access to the records if they are unable to pay for such copies. There will be no charge to search for or to retrieve the education records of a student.

X. LIMITATION OF DESTRUCTION OF EDUCATION RECORDS

The school may destroy parts of an education record of a student when they are no longer deemed useful, subject to the following exceptions:

A. The school may not destroy any education record if there is any outstanding request to inspect or review such records.

B. The record of access maintained shall be retained for as long as the education record to which it pertains is maintained.

C. The school shall inform parents of students with disabilities when education records are no longer needed to provide educational services to the student or to demonstrate that the school has provided the student with a free appropriate
public education as required by law. At that point, the records shall be destroyed at the request of the parents and may be turned over to parents or eligible student upon their request.

D. A permanent record of a special education student’s name, address, phone number, grades, attendance record, classes attended and grade and year completed shall be maintained without time limitations.

E. High school transcripts of all students shall be maintained permanently.

XI. COMPLAINT PROCEDURE

The Secretary of the U. S. Department of Education maintains an office that will investigate, process and review complaints that may be filed concerning alleged violations of the provision of the Act. Complaints regarding violations of rights accorded parents and eligible students may be submitted in writing to the following address:

Family Policy Compliance Office
Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Legal Reference: 20 USC § 1232g, 7908
34 CFR Part 99
20-A MRSA § 6001
Ch. 101 § 15 (Me. Dept. of Ed. Rule)
Ch. 125 § 12.01 (Me. Dept. of Ed. Rule)

Adopted: July 8, 2002
Revised: March 2003
Revised: April 14, 2003
Revised: March 8, 2004
SCHOOL-COMMUNITY RELATIONS GOALS

The School Board acknowledges that it is charged with the governance of the public schools which belong to the people. The Board recognizes that intelligent, informed support of the schools is dependent upon knowledge, understanding, and participation in the efforts, goals, and programs of the schools. It is also aware of its responsibility to provide the public with information and opportunities leading to participation of the public in the establishment of programs and policies which are in the public interest.

Therefore, the Board and the schools will strive to:

A. Recognize and encourage the fact that schools belong to the community and cannot be separated from it;

B. Create and maintain an atmosphere of mutual understanding and respect for children and adults studying, residing, or employed within the school system;

C. Create and maintain an atmosphere of welcome public involvement in school affairs;

D. Ensure that the community has full access to information concerning programs and policies; and

E. Determine the public’s reaction to the policies and programs conducted by the schools.

Achieving these objectives requires that the Board and staff express positive attitudes toward the schools in their daily contacts with parents and the community. They will make systematic, honest, and continuing efforts to receive public input. They will develop an active partnership with the community in working toward improvement of the educational program, and take an active interest in the needs of the total community to find ways to assure that the schools are a vital and positive experience for all students and other citizens of the community.

Adopted: April 14, 1975
Revised: October 13, 1980
Revised: April, 2002
Revised: July 8, 2002
South Portland School Department
Application for Public Access to Records

Please print or type. Date Submitted: ____________________

To the South Portland School Department Records Access Officer:

I hereby apply to ☐ inspect ☐ obtain a copy of (@ .25 per page) ☐ obtain a copy of a diskette(@ $2.00 per diskette) or ☐ obtain an electronic copy of the following record(s) (Please note: A fee of not more than $10/hr. after the first hour of staff time may be charged for the preparation of these records.):

(Be as specific as possible)

____________________________________________________________________________________________________________________

____________________________________________________________________________________________________________________

Individual Submitting Application ____________________________________________ Representing (if applicable) ______________________________

Mailing Address ____________________________________________________________

Phone ___________________________ FAX ________________________________

Signature ____________________________

(For District Use Only)

Interim Response (If Applicable) ______________________ Date ________________

____________________________________________________________________________________________________________________

Final Disposition

☐ Approved Describe Disposition of Application ____________________________________________

____________________________________________________________________________________________________________________

Fee Estimate (if any) _________ Fee Charged (if any) _________

☐ Denied for the reason(s) checked below:

☐ Confidential Disclosure ☐ Part of an Investigatory File

☐ Unwanted Invasion of Personal Privacy ☐ Exempted by Statute

☐ Record of which the School District is Legal Custodian cannot be found

☐ Other______________________________________________________________

☐ Record is not maintained by the school district.

Signature of Records Access Officer __________________________ Date ________________

Note: You have a right to appeal this decision to: ________________________________

SOUTH PORTLAND SCHOOL DEPARTMENT
Because the school system is a public institution endeavoring to serve the educational needs of the community, it is important that information be disseminated concerning activities and problems in our schools. In order that this publicity be given wide coverage and be coordinated into a common effort and purpose, the following procedures shall be followed in giving official information to the news media.

A. The Board Chair shall be the official spokesperson for the Board, except as this duty is delegated to the Superintendent.

B. News releases which are of a system-wide nature or pertain to established policy are the responsibility of the Superintendent or a member of the administrative staff whom he/she may designate.

C. News releases which are of concern to only one school, or to an organization of one school, are the responsibility of the building administrator of that particular school. All statements made to the press by other staff members of the particular school must be cleared with the building administrator.

While it is impossible to predict how news releases will be treated by the press, every possible effort should be made to obtain coverage of school activities which will create and maintain a dignified and professionally responsible image for the South Portland Schools.

To avoid disruption of classrooms, media representatives are requested to make arrangements with school principals for interviews, pictures, etc. that are to take place during the school day.

Revised: April 2002
Adopted: July 8, 2002
SCHOOL SPEAKERS

Plans for speakers to address students are to receive approval of the Principal prior to the making of arrangements. If, in the judgment of the Principal, the topic or speaker is controversial, approval shall be requested of the Superintendent or Assistant Superintendent.

Adopted: January 4, 1978
PARENT INVOLVEMENT IN TITLE I

The South Portland Board of Education 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, agree on 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 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:

A. 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 academic standards of the Maine State Learning Results;

B. 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
C. 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.

Schools shall provide other opportunities for meetings, to be held at various times of the day and/or evenings, for parents/guardians of students participating in Title I programs.

These meetings shall be used to provide parents with:

A. Information about programs the school provides under Title I;

B. 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;

C. Opportunities to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children; and

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

Title I funding, if sufficient, may be used to facilitate parent/guardian attendance at meetings through the payment of transportation and childcare costs.

IV. PARENT RELATIONS

Parents/guardians of children identified for participation in a Title I program shall receive from the building principal 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 will 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: 1995
Revised: March 8, 2004
COMMUNITY INVOLVEMENT IN DECISION MAKING

The Board encourages the participation of citizens on behalf of their public schools and welcomes their input as volunteers with the school system, members of ad-hoc committees and contributions in educational policy discussions.

Adopted: July 8, 2002
PUBLIC PARTICIPATION IN BOARD MEETINGS

All meetings of the Board of Education shall be open to the public except as otherwise provided by the Freedom of Access Statutes. Time shall be reserved at each regular meeting of the Board of Education for audience of citizens groups at which time any citizen may speak on, or request information regarding, any topic related to the operation of the schools.

To avoid conflict, it is recommended that citizens arrange in advance to appear before the Board by contacting the Superintendent of Schools or the Chairperson of the Board of Education.

Legal Ref: Title I MRSA Section 403

Adopted: April 14, 1975
Revised: October 13, 1980
PUBLIC’S RIGHT TO KNOW/FREEDOM OF ACCESS

The Board recognizes the importance of a well-informed public to the operations of the school unit. The Board will comply with all applicable sections of Maine’s Freedom of Access Act.

The Board designates the Superintendent, and to act in the absence of the Superintendent, the Director of Technology as the Public Access Officer for the South Portland School Department.

Except as otherwise provided by statute, all Board proceedings shall be open to the public, any person shall be permitted to attend, and any records or minutes of such proceedings that are required by law shall be made promptly and shall be open to public inspection.

Board agendas and minutes, proposed and approved Board policies, annual budget reports, student handbooks and Board member Freedom of Access training documentation/certificates shall be available for immediate inspection and/or copying in the Superintendent’s Office. Requests for all other public records shall be made, preferably in writing, to the Superintendent, specifying the records desired for inspection/copying. The Superintendent/designee may request clarification concerning which public record or records are being requested.

The Superintendent/designee shall acknowledge receipt of a request for inspection and/or copying of public records within a reasonable period of time.

If the request is denied, the Superintendent/designee shall inform the requestor in writing within five working days of the request and shall state the reason for denial. Otherwise, inspection and/or copying may be scheduled to occur within a reasonable period of time following the request at a time that will not delay or inconvenience the regular activities of the school unit.

The school unit is not required to create a record that does not exist.

ELECTRONICALLY STORED PUBLIC RECORDS

In compliance with the Freedom of Access Act, the school unit will provide access to an electronically stored public record as a printed document or the record or in the medium in which the record is stored, at the requester’s option, except that the school unit is not required to provide access to an electronically stored public record as a computer file if the school unit does not have the ability to separate or prevent the disclosure of confidential information contained in or associated with that file. The school unit is not required to provide access to a computer terminal.

FEES

Except as otherwise provided by law or court order the South Portland School Department may charge fees as follows:

A. A fee of $.25 per page to cover the cost of copying

B. A fee of $15 per hour after the first hour of staff time per request to cover the actual cost of searching for, retrieving, and compiling the requested public record. Compiling the public record includes reviewing and redacting confidential information.
C. If conversion of a public record into a form susceptible of visual or aural comprehension or into a usable format, a fee to cover the actual cost of translation.

D. A charge for the actual mailing costs to mail a copy of the record.

E. No fee shall be charged for inspection of public records, unless the record cannot be inspected without being compiled or converted, in which case paragraph B or C applies.

As required by law, the school unit will provide the person making the request an estimate of the time necessary to complete the request and of the total cost and, if the estimated total cost exceeds $100.00, will inform the requestor before proceeding. If the estimated total cost is greater than $100.00 or if the requestor has previously failed to pay a fee assessed for access to the South Portland School Department records, the requestor may be required to pay all or a portion of the estimated cost prior to the search, retrieval, compiling, conversion and copying of the public record.

The Superintendent is directed to develop and implement such administrative procedures as may be necessary to carry out this policy.

Legal Reference: 1 M.R.S.A. § 401 et seq.

Cross Reference: BEC – Executive Sessions
GBJ – Personnel Records and Files
JRA – Student Educational Records

Adopted: October 10, 2012
COMMUNITY USE OF SCHOOL FACILITIES

The schools belong to the people of the City of South Portland and are supported largely by local taxes. The Board of Education, therefore, intends to make school buildings available to responsible community groups and individuals during non-school hours. Any day time events must be sponsored by a school department administrator and pre-approved by the Superintendent. The Board of Education through the Superintendent as its designee retains the right at all times to make individual decisions regarding the use of school facilities. At the Board’s discretion school facilities will generally be made available in keeping with the following policy.

Priority Use of Facilities
1. The use of school facilities for school educational activities, sanctioned extra-curricular activities and activities of any organization which exists solely for the purpose of supporting school programs shall, in that order, at all times, take precedence over any community use of the facilities.

2. If not in use for the above purposes, facilities may be available to responsible organizations or individuals for appropriate civic, cultural, educational, recreational, religious or political activities which in the opinion of the Board of Education do not interfere with the conduct of the school programs or the best interests of the school system.

3. Facilities may be available to accredited educational institutions which support and contribute to the professional growth of South Portland staff members.

4. Groups or individuals shall be scheduled on a first come, first serve basis with consideration given to the school department’s annual use. Applications for school spaces other than the auditorium/lecture hall will be available in the offices of the building principals and the Athletic Director. Applications for use of the auditorium/lecture hall will be available in the office of the Auditorium/lecture hall Manager (see Application for Use of Facilities). Once an application is approved, and rental obligations are met, the date is considered to be secured.

5. To maximize use of the South Portland High School Auditorium/lecture hall, no non-school group or individual will be given exclusive use of any portion of the facility for a period to exceed three weeks or on a regular continuing basis.

Prohibited Activities
1. No school facility shall be made available for any purpose that may in the opinion of the Board of Education present a risk of damage to any school building, grounds, or equipment.

2. No school facility shall be made available to any group that advocates unconstitutional or illegal acts. No school facility shall be made available for any activities that are, in the opinion of the Board of Education, contrary to the best interest of the school system or to the educational welfare of the students.

3. Weapons, alcoholic beverages, tobacco products and illegal drugs are prohibited within any building or on school grounds.

4. Animals will not be allowed in school facilities, except for service animals, and only with prior approval and at the discretion of the Superintendent of Schools.

5. The use of open flame, including candles, or special effects involving fire or smoke, will be prohibited in any school facility being rented.

6. No school facility, with the exception of the auditorium/lecture hall or associated spaces such as the cafeteria, choral and instrumental rooms, ticket room and dressing rooms, will be made available to any group or individual for private or corporate gain, nor will any facility other than the
auditorium/lecture hall and associated space be used for commercial venture. Those associated spaces will be rented only to support the specific use of the auditorium/lecture hall.

Application For Use of Facilities

1. Building administrators will determine the availability of the space within the building. The Athletic Director will determine availability of fields during school athletic seasons. During non-school hours including vacations, Parks and Recreation will determine field availability.

2. Once availability has been determined, the applicant will be provided with the application form, which must be submitted to the administrator who will then submit it to the Director of Buildings and Grounds. The Director of Buildings and Grounds will submit the application to the Superintendent for final approval. Decisions of the Superintendent are final. Written application shall be made in a timely fashion and well in advance of the expected use, so that scheduling of facilities can be coordinated. However, no application for use of space shall be approved for six months in advance except with special permission, following consultation with appropriate building administrators. Applications for rental of the facilities and auditorium/lecture hall are limited by the school department’s specific annual activities.

3. Every reasonable attempt will be made to provide for advance scheduling of facilities, including the Auditorium/lecture hall for organizations that can demonstrate a legitimate need to reserve space on this basis. Any applicant for facility use shall agree in writing to accept the assignment of alternate space if unanticipated needs for the space should arise.

4. The Superintendent has the right to revoke any permission for the use of school facilities, at any time and without prior notice or liability, should the Superintendent determine that such action is necessary or desirable.

Conditions of Use

1. It is the responsibility of the persons or organizations using school facilities to leave them in the same condition in which they were received. If this is not done to the satisfaction of the appropriate building principal a charge shall be levied for any required clean-up costs above and beyond any fees that would otherwise be applicable.

2. All individuals or groups using school facilities are responsible for the preservation of order during all activities and are required to comply with all applicable statutes, ordinances and regulation, in addition to any policies or conditions imposed by the Board of Education. If security is deemed to be necessary, payment for police or fire services shall be the responsibility of the individual or group in question. Evidence of meeting all legal obligations shall be provided to the Director of Buildings and Grounds or the Manager of South Portland High School Auditorium/lecture hall 14 days in advance of use.

3. Any group or individual using school facilities shall be responsible for any loss or damage to facilities or equipment, and proof of liability insurance shall be required as a condition of approval. (A damage deposit equal to the deductible clause in the insurance may be assessed and payable at the time required for all other financial obligations.)

In the rental of school facilities:

1. Any non-school or non-South Portland government group must have an insurance bond for liability ($1,000,000) and damage ($25,000). Any facilities used by the applicant will be examined carefully after use and the applicant agrees to make restitution promptly for any loss or damage occurring during the applicant’s use of the facilities.
2. The Board of Education and school department shall be named as additional insured in all such policies and all insurance provided by the Sponsor shall be primary to any occurrences, which the school department may have.

3. The Sponsor will furnish certificates of insurance indicating that it has provided the coverage required herein no later than fourteen (14) days prior to the event.

4. All insurance required by this agreement shall be placed with insurers licensed to do business in the State of Maine and acceptable to the school department.

5. If minors are to be involved in the use of a facility they are to be supervised at a ratio of 15 minors to 1 adult.

6. Use of the Auditorium/lecture hall stage lighting, sound studio or projection areas require employment of a technician certified by South Portland School Department. Special regulatory or technical requirements may necessitate the hiring of additional technical assistance. Cost of this technical support is to be paid by the sponsor at the rate established in the fee schedule. All arrangements are subject to the approval of the manager of the Auditorium/lecture hall.

7. The Board of Education requires custodial staff to be present and reserves the right through its designee to determine the appropriate level of staffing for each event. The cost of the employee(s) must be borne by the sponsor, according to the fee schedule.

8. Use of any kitchen facility requires the presence of a food services employee for health, security, and sanitation reasons. The cost of the food services employee will be borne by the sponsor, according to the current rate.

9. As a general rule, school equipment will not be loaned for use outside the buildings, except movable tables and chairs, when available, at a rate noted in the fee schedule. A custodian must be present when tables and chairs are moved in and out of school buildings.

Indemnification

To the fullest extent permitted by law, the Sponsor shall indemnify and hold harmless the Board of Education and school department, its officers and employees, from and against all claims, damages, losses and expenses, just or unjust, including but not limited to costs of defense, including attorney’s fees arising out of or resulting from the performance of the signed agreement, provided that any such claims, damage, loss or expense:

- is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property, including the loss or use thereof, and
- is caused in whole or in part by any negligent act or omission of the Sponsor, anyone directly or indirectly employed by it, or anyone for whose act it may be liable, except to the extent that it is caused by the Board of Education, the school department, its officers or employees.

Alterations

The sponsor of an event shall not make any interior or exterior alterations, including, but not limited to, the attachment of any item to any part of a facility; and specifically without the prior written approval of the director of building and grounds or the Auditorium/lecture hall manager.

Installing decorations or scenery, or moving pianos, equipment or other furniture is prohibited unless special permission is obtained from the director of buildings and grounds or the Auditorium/lecture hall Manager.

Termination
The director of building and grounds or manager of the Auditorium/lecture hall may terminate this agreement without prior notice to the sponsor either upon its failure to comply with any of the terms and conditions of the agreement or upon his determination that the sponsor has made any misrepresentation to the School Department in connection with its use or occupancy of the facilities.

Termination by Sponsor

The sponsor may terminate the agreement by written notice at any time prior to thirty (30) days before the date scheduled for use. In the event of termination without such written notice at least thirty (30) days before the date specified, Sponsor shall forfeit the amount specified in the fee schedule as liquidated damages to the school department and compensation for its anticipated losses in failing to rent the Performing Arts Center and unavoidable costs. Notwithstanding the foregoing, the school department shall not be required to account or otherwise offset any revenues it may receive in re-letting the Auditorium/lecture hall in the event of such termination.

Fees (and Written Agreement) for Use of School Facilities

The Board of Education shall approve a schedule of fees for the use of school facilities, based upon actual costs as determined by the business manager. Waivers of fees may be granted, at the discretion of the Board of Education, in exceptional situations.

Appurtenances

Rental of the Auditorium/lecture hall does not include use of basic stage lighting or special lighting, public address system, or piano, studio or projection room unless the Sponsor has received permission for such use and tendered payment therefore according to the schedule of fees.

Payment of Fees and Charges

All fees shall be paid by the sponsor no later than fourteen (14) days prior to the event.

Late Payments

The Sponsor agrees to pay interest at the rate of 1-1/2% per month on any payment that is not made within the time limits set forth in the Agreement.

Cross Reference: KG-R

Adopted: July 14, 1980
Revised: February, 1998
Revised: August 10, 1998
Revised: February 26, 2003
Revised: March 10, 2003
Revised: March 19, 2012
Revised: June 11, 2012
Revised: March 10, 2014
## South Portland School Department
### Elementary/Middle School
### Rental Fees Schedule

<table>
<thead>
<tr>
<th></th>
<th>Multi-Purpose Room/Gym</th>
<th>Auditorium-Mahoney</th>
<th>Cafeteria-Mahoney/Memorial</th>
<th>Classroom</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Internal/Local Govt Entity</strong></td>
<td>Fee Waived</td>
<td>Fee Waived</td>
<td>Fee Waived</td>
<td>Fee Waived</td>
</tr>
<tr>
<td><strong>Non Profit Organizations</strong></td>
<td>$200 for each use</td>
<td>$200 for each use</td>
<td>$150 for each use</td>
<td>$100 for each use</td>
</tr>
<tr>
<td>Rehearsal Time</td>
<td>$40 per hour</td>
<td>$40 per hour</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>For Profit Organizations</strong></td>
<td>$400 for each use</td>
<td>$400 for each performance</td>
<td>$250</td>
<td>$200</td>
</tr>
<tr>
<td>Rehearsal Time</td>
<td>$65 per hour</td>
<td>$65 per hour</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Technician</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>House Manager</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Custodial/Cafeteria Staff</td>
<td>$38 Mon-Fri. Weekend rate $50</td>
<td>$38 Mon-Fri. Weekend rate $50</td>
<td>$38 Mon-Fri. Weekend rate $50</td>
<td></td>
</tr>
<tr>
<td>Security</td>
<td>SPPD Rates</td>
<td>SPPD Rates</td>
<td>SPPD Rates</td>
<td>N/A</td>
</tr>
<tr>
<td>Fire</td>
<td>SPPD Rates</td>
<td>SPPD Rates</td>
<td>SPFD Rates</td>
<td>N/A</td>
</tr>
<tr>
<td>IT Services</td>
<td>$40 per hour (1 hour minimum)</td>
<td>$40 per hour (1 hour minimum)</td>
<td>$40 per hour (1 hour minimum)</td>
<td>$40 per hour (1 hour minimum)</td>
</tr>
<tr>
<td>Audio-Visual Equipment Rental</td>
<td>Use of AV equipment requires IT services</td>
<td>Use of AV equipment requires IT services</td>
<td>Use of AV equipment requires IT services</td>
<td></td>
</tr>
<tr>
<td>Piano Rental</td>
<td>N/A</td>
<td>$200</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Piano Tuning</td>
<td>N/A</td>
<td>$200</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Fees are subject to change

Revised: 1/25/16
# South Portland High School Rental Fees Schedule

<table>
<thead>
<tr>
<th></th>
<th>Lecture Hall</th>
<th>Gym</th>
<th>Auditorium</th>
<th>Learning Commons</th>
<th>Cafeteria</th>
<th>Classroom</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Internal/Local Govt Entity</strong></td>
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<tr>
<td></td>
<td>$40 per hour</td>
<td>$75 per hour</td>
<td>$40 per hour</td>
<td>$150 for each use</td>
<td>$150 for each use</td>
<td></td>
</tr>
<tr>
<td><strong>For Profit Organizations</strong></td>
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<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
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<td>$250</td>
<td>$200</td>
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<td>$80 per hour</td>
<td>$250</td>
<td>$250</td>
<td></td>
</tr>
<tr>
<td><strong>Technician</strong></td>
<td>$30 per hour</td>
<td>$30 per hour</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td><strong>House Manager</strong></td>
<td>$35 per hour</td>
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<td></td>
<td></td>
</tr>
<tr>
<td><strong>Choral Risers/Shells</strong></td>
<td>N/A</td>
<td>N/A</td>
<td>$150</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td><strong>Follow Spots</strong></td>
<td>N/A</td>
<td>N/A</td>
<td>$50 per hour</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<td>$200</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Miscellaneous</strong></td>
<td>TBD</td>
<td>N/A</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
</tbody>
</table>

Fees are subject to change Revised 1/25/16
PUBLIC CONDUCT ON SCHOOL PROPERTY – PLAYGROUNDS

The school playgrounds were built with community funds for the enjoyment of the children of South Portland.

A. Playground hours are sunrise to sundown.

B. Children should be supervised by an adult at all times.

C. No bikes or vehicles are allowed on the play areas.

D. Litter is to be placed in trash barrels.

E. No alcoholic beverages or illegal substances allowed.

F. Equipment is to be used properly.

G. No pets allowed.

Police Take Notice

Legal Reference: South Portland City Council Ordinance

Adopted: July 8, 2002
CAFETERIA SUPERVISION AND FEES

One or members of the Food Service personnel shall supervise the kitchen whenever it is used by the public. The Food Services Director or his designee shall assign such supervisors.

The fee for the supervision of the kitchen by Food Services personnel shall be in accordance with the negotiated agreement between the Board of Education and the Food Service association; reference to hourly pay.

Adopted: October 5, 1962
ADVERTISING IN THE SCHOOLS

The South Portland Board of Education believes that product advertising and/or endorsement should be discouraged in schools and on school property. The Board has an obligation to ensure that students are not subjected to commercial messages that distract from the educational mission.

The Board of Education is opposed to accepting any programming, equipment or services that subject students to product advertising. The Board recognizes, however, that in some instances, exposure to product names, logos or similar trademarks and service marks may be acceptable when the programming, equipment or services clearly can be shown to be of significant benefit to the school program when weighed against the nature of the exposure. Therefore:

A. Commercial advertising in the schools is not permitted. Any exception to this policy must have prior approval of the Superintendent of Schools.

B. All vendors must have prior approval of the Superintendent.

Adopted: January 1, 1964
Revised: May, 2002
Revised: July 8, 2002
Revised: February 23, 2005 (Code Change)
Revised: March 14, 2011
DISTRIBUTION OF LITERATURE

The distribution of literature/pamphlets, etc. to students from outside agencies must be approved by the Superintendent or his/her designated agents.

Adopted: July 8, 2002
VISITORS TO SCHOOLS

A. The Board of Education encourages the active interest and involvement of parents and citizens in our schools. In order to avoid interruption of the instructional programs and to promote the safety of students and staff, building principals shall institute administrative procedures concerning visitors to the schools. Such procedures shall be subject to the approval of the Superintendent. The term “visitor” shall apply to any person on school grounds or in school buildings who is not an employee or student of the South Portland School Department.

B. Building administrators have the responsibility and authority for determining the authorization of visitors to the building or school grounds.

C. All visitors shall report to the school’s main office upon arrival at the school at which time they shall sign in and pick up a “Visitor Badge”. The Visitor Badge is to be worn and displayed at all times while visiting within the school. A clearly marked sign should be displayed at all entrances making known this requirement.

Unauthorized Persons in School Building or on School Property

1. Visitors shall comply with all applicable Board of Education policies and school rules. Visitors who violate these policies / rules and/or disrespect the safe and orderly operation of the school shall be asked to leave the premises.

2. The building administrator has the responsibility and authority for determining the authorization of visitors to the building or school grounds and to refuse entry to school grounds or buildings to persons who do not have legitimate, school-related business and/or who may disrupt the operations of the school. This may include, but not be limited to, the news media, profit-making businesses, fundraisers and other organizations seeking access to students and/or staff.

3. All school personnel are expected to assist the building administration by informing the office of any unauthorized persons who are in the building or on the school grounds.

4. People not displaying a badge will be directed to the main office for proper authorization to visit in the school.

5. Should the person refuse to follow this request, the administrator will immediately be notified of his/her presence

6. Failure to leave the building upon request shall be sufficient cause to inform the visitor that the police will be called.

Legal Reference: Title 20A MRSA Sec. 6804
EBCA - Comprehensive Emergency Management Plan

Adopted: July 8, 2002
Revised: July 14, 2009
PUBLIC CONCERNS / COMPLAINTS

The South Portland Board of Education welcomes constructive criticism of the schools when it is motivated by a sincere desire to improve the quality of the educational program. Whenever a complaint is made directly to the Board as a whole, or to a Board Member as an individual, it will be referred to the school administrator for study and possible resolution. The individual employee involved will be advised of the nature of the complaint and given every opportunity for explanation, comment, and presentation of the facts as he/she sees them.

Adopted: July 8, 2002
PUBLIC COMPLAINTS REGARDING SCHOOL PERSONNEL

The South Portland Board of Education believes in the fundamental principle that the schools exist primarily for the students. Consistent with the principle, complaints concerning school personnel should be viewed as an opportunity for parents and school officials to work together to resolve issues of concern in a manner that is both responsive and responsible.

Furthermore, the board believes that public complaints about school personnel should be handled in a timely manner for the benefit of students, parents and staff. Therefore, the Board has developed this policy that has several specific purposes: (1) to create a climate in the schools whereby persons having school-related complaints concerning school personnel will be encouraged to bring those complaints to the attention of school officials; (2) to explain the responsibilities of school officials in handling such complaints to ensure administrative accountability and follow-through; and (3) to guarantee that the school department will be responsive to such complaints so that mistrust will be prevented and corrective measures taken as appropriate.

Any person having a school-related complaint concerning any department employee is encouraged to meet directly with that employee to resolve the complaint. If this is deemed not appropriate because of the nature of severity of the complaint, the person can request a conference with the principal to discuss the complaint. The Principal or his/her designee will then be responsible for investigating the complaint and for communicating with the person making the complaint to the extent practicable within five school days of its receipt. Persons making such complaints will be encouraged but will not be required to put them in writing. A written record of complaints about school personnel will be maintained by the principal and copied to the employee.

If the principal or his/her designee is unable to effect a satisfactory resolution of a complaint, he/she will inform the Superintendent in writing. If the person bringing the complaint is not satisfied with the resolution he/she can appeal in writing to the Superintendent.

The Superintendent or his/her designee will investigate the matter and take appropriate action, including communication with the person making the complaint to the extent practicable within five school days of receiving the complaint in order to explain his/her response to the complaint. Complaints not resolved to the satisfaction of the person making the complaint shall at the request of that person be referred by the Superintendent to the Board of Education for consideration at a future meeting. The Chairperson of the Board will contact the person making the complaint in writing as soon as possible. The Board will decide if it is appropriate to rule on a complaint referred to the Board. Any complaint consisting of a sexual nature shall be reported immediately to the Superintendent of Schools.

Adopted: July 12, 1993
RElATIONS With LAW ENFORCEMENT AUTHORITYs

The Board recognizes that a cooperative relationship with law enforcement is desirable for the protection of students and staff, maintaining a safe school environment, and safeguarding school property.

School administrators and staff shall have the primary responsibility for maintaining proper order in the schools and for disciplining students for violations of Board policies and school rules. However, the Board authorizes the Superintendent/administration to seek the assistance of law enforcement authorities when they believe there is a substantial threat to the welfare and safety of the schools, students, and/or staff. The Superintendent/administration shall also inform law enforcement authorities when they have reason to suspect that a student or staff member may have violated a local, state, or federal law.

The Board strongly discourages law enforcement authorities from using the schools as a venue to arrest and/or interrogate students for activities not related to or affecting the schools. When access is necessary, authorities are requested to coordinate such access with the building administrator and/or School Resource Officer. The Superintendent/administration retains the authority to deny law enforcement access to students for non-school-related investigations.

The Board authorizes the Superintendent and administration to work with local law enforcement authorities to develop administrative regulations to guide interactions between the schools and law enforcement. Such regulations should safeguard the rights of students and parents, be consistent with board policies, and minimize disruptions to the instructional program. These administrative regulations are subject to the approval of the Board.

The Superintendent shall include law enforcement authorities in the development and implementation of the school department’s comprehensive emergency plan. The Board also encourages the Superintendent/administration to include law enforcement authorities in the development and/or implementation of instructional programs/activities related to student safety.

The Board authorizes law enforcement to be assigned as School Resource Officers.


Adopted: May 9, 2016
RELATIONS WITH LAW ENFORCEMENT AUTHORITIES
ADMINISTRATIVE PROCEDURES

The following procedures are intended to guide the involvement of law enforcement authorities in the schools:

A. Law enforcement officials may enter school premises:
   1. In the event of an emergency endangering student or staff safety;
   2. At the request of the building administrator;
   3. When there is a warrant to arrest a student which cannot be executed outside of school hours. Building administrators are not obligated to make students or school facilities available to law enforcement for non-school related investigations/arrest
   4. In exigent circumstances as authorized by law

B. Building administrators shall attempt to contact the student’s parents/guardians prior to allowing law enforcement authorities to interrogate, search or arrest a student at school, except when there are reasonable grounds to believe that a health or safety emergency requires the interrogation, search or arrest to take place without prior notice.

C. Law enforcement authorities are responsible for ensuring that a student is informed of his/her rights prior to an interrogation, search or arrest conducted by law enforcement authorities.

D. A student may be removed from school by law enforcement authorities when there is a court order, an arrest or when a warrantless arrest is authorized by law. Building administrators shall attempt to notify the student’s parent/guardians as soon as possible of the student’s removal from school.

E. Building administrators shall release student information to law enforcement authorities only as allowed by the Family Educational Rights and Privacy Act.

Cross Reference: JRA-Student Educational Records

Adopted: May 9, 2016
RELATIONS WITH PARENT ORGANIZATIONS

The school administrators and the teachers shall be encouraged to work with parent-teacher groups to attain the very best understanding and cooperation between the home and school.

It shall be the purpose of such groups to work for the common good of the schools, to establish good public relations, and to assist in carrying out the educational program.

It shall not be the purpose of such groups to establish, change or dictate policies that fall within the responsibility and authority of the Board of Education.

The name of parent-teacher groups may vary as determined by each individual group.

Adopted: Prior to 1985
RELATIONS WITH BOOSTER ORGANIZATIONS

The Board recognizes and appreciates the important contributions made by the special interest group identified as the All Sports Boosters Club.

A. The Board expresses support for the All Sports Boosters Club as the only outside fundraising organization for athletic programs.

B. The Board recognizes the All Sports Boosters Club’s freedom to spend the money it raises in programs approved by the Board.

C. Supporters of a sport not funded in the regular budget shall have the opportunity to raise necessary money through private fundraising efforts, coordinated through the All Sports Boosters Club following Board approval.

It shall be the purpose of such a group to work in the best interest of the schools, maintain good public relations, and direct energies and resources in support of the educational program.

It shall not be the purpose of such a group to establish, change, or dictate policies that fall within the authority of the Board.

Adopted: May 12, 1975
Revised: October 12, 1983
Revised: May, 2002
Revised: July 8, 2002
RELATIONS WITH BOOSTER ORGANIZATIONS

All school-sponsored programs and all personnel assigned to these programs will function under the authority and control of the Board of Education.

All school-sponsored programs, current or proposed, must be approved by the Board of Education.

All personnel assigned to school-sponsored programs must be approved by the Board of Education.

The funds of clubs, organizations, or other special interest groups will not be used to finance or otherwise employ personnel for school-sponsored programs, unless approved by the Board of Education. Further, the same funds will not be used to award gifts to school personnel for services that fall within the normal course of their duties and employment.

The Board of Education does not and will not sponsor any group or organization for the purpose of fund-raising. Clubs and organizations will take reasonable precautions not to identify themselves as having school department of Board of Education sponsorship.

The Quarterback Club is granted permission to operate the concession at George E. Beal Gymnasium under the following conditions:

1. That the club secure and continue products and liability insurance.
2. That the club assume costs of upkeep of concession equipment required by normal use and/or due to damage occasioned during the club use.
3. That the club operate its concession for all athletic functions (the school and/or school student groups, or other organizations, to operate the concession for other purposes with permission of the Superintendent of Schools).
4. That this agreement be subject to review at the discretion of the Board of Education.

Adopted: May 12, 1975
RELATIONS WITH ELECTION OFFICIALS

Upon application to the Board of Education through the Superintendent of Schools, school facilities will be made available for polling places.

Legal Reference: Title 20-A MRSA Section 1001

 Adopted: May 4, 1960
STUDENT TEACHERS/INTERNS

The Board of Education recognizes the importance of assisting the colleges and universities with their teacher training programs. The South Portland School Department shall cooperate insofar as it is possible, to provide student teachers/interns with opportunities to work and train with fully certified and highly qualified professional teachers.

Student teachers/interns will be accepted under the following conditions:

1. The training college or university must properly submit all requests for student teacher/intern placement to the Superintendent of Schools or his/her designee Assistant Superintendent of Schools.
2. Proper grade level or subject area positions must be available before student teachers/interns can be assigned.
3. Students accepted will fulfill all obligations required by the college or university.
4. Students will abide by all rules and regulations in keeping with the Board’s policies including the specific rules and regulations of the individual school and that of the supervising teacher.
5. Students accepted will strive to the best of their abilities to maintain the standards of the South Portland School System.
6. All student teachers/interns will hold a valid CHRC and provide it prior to beginning their placement.

Adopted: Prior to 1985
Revised: February 9, 2015