

Freeport Middle School

Student Handbook 2016/2017

**19 Kendall Lane
Freeport, Maine 04032**

Tel: 865-6051

Fax: 865-2902

<http://fms.rsu5.org>

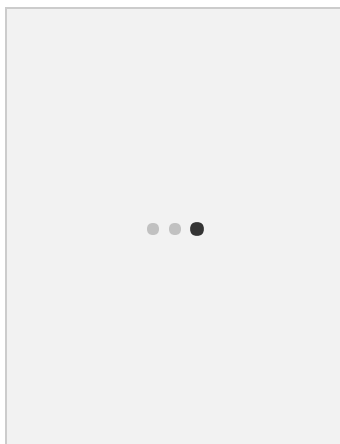


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***Please note that it is the right of administrators to change the terms of the handbook at any time, without notice. New expectations and changes will be posted in the handbook online. If there is a conflict between the handbook and policies, policies govern.**

Parent/Guardians: Please review Handbook with your child.

INTRODUCTION

Freeport Middle School Mission Statement

The Freeport Middle School exists to serve the unique academic, physical, social, and emotional needs of students who are in a special and critical period of their lives as they change from childhood to adolescence.

The staff of Freeport Middle School is committed to creating and maintaining an orderly, trusting, and caring environment where teaching and learning are exciting and students are assisted as they develop responsibility. All aspects of the school’s organization, curricular and cocurricular activities are child centered and designed to accommodate individual learning styles so that all may experience success.

BELIEF STATEMENTS OF FREEPORT MIDDLE SCHOOL

- **All programs are child centered** and all school activities are designed to accommodate the unique needs of middle school students.
- **Grade level teams** assume responsibility for planning a variety of instructional and non-instructional activities.
- **Teacher-advisor** programs exist to assist all students.

- **The process** of learning is as important as the content.
- Planning and instruction are **interdisciplinary** and extend across grade levels.
- **Exploratory courses, activities, and clubs are available** according to students' interests and abilities.
- **Flexible grouping** is important in all areas.
- **Parents' involvement** during the middle school years is crucial for success.

Faculty Message: Welcome to Students of Freeport Middle School

As you settle into Freeport Middle School you will see that our school is designed and organized for students your age. It is different from both the elementary and high school.

This is a time for you to explore. You will discover new skills and areas of success; you will develop new interests. The time to expand your knowledge and venture into new areas is now!

An important goal of our school is to teach you **how** to learn. We will encourage you to think for yourself, learn the art of asking useful questions, to seek answers on your own, and to study effectively. We will also emphasize the following skills:

1. How to organize materials, time, and information.
2. How and when to ask for help.
3. How to listen and follow directions.
4. How to begin and complete an assignment or task.

Student Code of Conduct

STUDENT RIGHTS AND RESPONSIBILITIES

Everyone has the right to feel **safe** and **welcome** at Freeport Middle School. Bullying, harassment, and mean teasing are unacceptable. "WE DON'T DO THAT HERE" is our way of reminding one another that **everyone has the responsibility** for ensuring that the school environment will be free of disrespect and violence. Another important thing to remember is that students absolutely need to tell an adult if they feel unsafe at school. It is the responsibility of ALL adults in our school and community to help everyone feel safe at school. If your child is being bullied please let the Principal know so it can be addressed immediately. (Refer to policy JIC)

FIVE IMPORTANT SCHOOL RULES

Even though a specific rule may not be listed below, we expect everyone to respect the rights of others.

1. **Bullying of any kind** (physical, verbal, or written) is **unacceptable** and will result in suspensions. "I was just joking" is never an acceptable excuse for making others uncomfortable.
2. **Vandalism of any kind** is **unacceptable**.
3. **Rough play or pretend fighting** is not permitted. Often people lose control and get hurt. Others who are watching may be hurt or feel threatened.
4. **Arrive for class on time** with necessary materials (pencils, pens, books, etc.)

5. **Public displays of affection** (kissing, hugging, hand holding, etc.) are not appropriate in school or during school activities

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ABSENCE FROM SCHOOL

Parents can call the school any time before 7:30 AM on the day of the absence. If parents know prior to the day of the absence they may call and leave a message the night before. (865-6051 and press 1). Students are expected to make up any work missed as a result of absences from class. Students who are absent are encouraged to visit the FMS web sites or email the teachers directly for homework assignments. Students have two days to make up work for each day they are out sick. School attendance is required by state law and policy JHB will be followed for students who are truant.

ANNOUNCEMENTS

A copy of each day's Announcements is emailed to all students, staff and parent email list by 4:00pm for the following day. Students should check for information of importance to them. Copies are also available in the office and on the FMS Web site.

BEHAVIOR EXPECTATIONS/DISCIPLINE

FMS students are expected to be courteous, orderly, and respectful of the rights of others. Disruptive behavior and harassing others will not be tolerated. Parents will be contacted by staff members if students participate in disruptive behavior. If students continue to behave inappropriately, they may not be allowed to attend school or extracurricular activities for a time and a family conference will be required to discuss conditions for their attendance. Freeport Middle School does use video cameras to monitor students and will use the tapes to determine discipline for students.

Discipline Rubric for Inappropriate Behavior

Although most forms of behavior will be governed by self-regulation, common decency, common sense, and mutual respect of students, faculty and administrators, some rules must be specifically stated. The following infractions of school rules will result in the consequences stated in the rubric.

The offenses listed in this rubric do not cover all incidents that may result in disciplinary action. Student behavior that violates general norms of student conduct will result in disciplinary action by the administration whose judgment will be based on the seriousness of that behavior relative to the offense. The following rubric is the general guideline the administrator will follow; individual situations may require additional discipline at the administrator's discretion. Violations of some school rules are also violations of the law and under certain circumstances will be referred to the police, superintendent and school board. (e.g., theft, drugs, alcohol, weapons, assaults, and traffic offenses.) (Refer to school district policy JIC). Any student suspended or having detentions during the three weeks prior to a social is not allowed at the social.

RESPECT

Incident	Disciplinary Action		
	First Offense	Second Offense	Third Offense
<p>Assault Including but not limited to fighting, assault and/or battery. Physically touching another person to intimidate or invoking pain on another student is considered an assault.</p>	<p>1 to 5 days of out of school suspension, Police will be notified and possible charges pressed</p>	<p>Minimum of 5 days of out of school suspension, re-entry meeting with Principal, Police will be notified and possible charges pressed</p>	<p>Minimum of 10 days of out of school suspension, re entry meeting with principal, Police will be notified and possible charges pressed</p>
<p>Bullying/Intimidation Harassment Harassment or intimidation of students via insults, rumors, etc. If the victim has been bullied by other students previously, the consequence will automatically be increased and step of the rubric will be skipped without warnings being given.</p>	<p>Conference and/or mediation and/or minimum of 1 detention</p>	<p>Minimum of 1 day out of school suspension</p>	<p>Minimum of 3 days out of school suspension</p>
<p>Disruption of School Function/Class Disruption – Any negative behavior that tends to disturb or endanger the educational process and/or the people involved, students watching a fight or bullying situation need to leave the scene and/or report it to a teacher</p>	<p>Conference and/or detention</p>	<p>3 detentions and required meeting with guidance</p>	<p>Minimum of 1 day out of school suspension, minimum 3 detentions and required parent meeting with Principal</p>
<p>Insubordination/ Disrespectful Behavior Refusal to identify one’s self, disrespectful language, challenging authority, lying to an adult in authority, refusing to obey reasonable request, (running from an adult, refusing to leave an area when requested by an adult in authority, skips to step 2)</p>	<p>Conference and/or detention and/or minimum of 1 out of school suspension</p>	<p>Minimum of 1 day out of school suspension</p>	<p>Minimum of 3 days out of school suspension</p>
<p>Sexual Harassment/Misconduct Sexual harassment consists of sexual</p>	<p>Conference, detention, possible</p>	<p>Minimum of 3 days out of school</p>	<p>Minimum of 5 days out of school</p>

advances, requests for sexual favors or inappropriate verbal, written, physical contact or conduct of a sexual nature, including, but not limited to, touching oneself, another student, making suggestive statements or asking or sharing inappropriate pictures, which makes people uncomfortable in the educational process.	1-3 days out of school suspension, student meeting with guidance	suspension, parent meeting with Principal	suspension, parent meeting with Principal
Verbal or written statements, which threaten, intimidate, harass others or lead to possible assaults or bullying situations Anything that tends to incite violence and/or disrupt the school program	Possible 1 – 3 days out of school suspension, 2 detentions, meeting with guidance	Minimum of 3 days out of school suspension, re-entry meeting with Principal	Minimum of 5 days out of school suspension, required parent meeting with Principal
Vulgarity or Obscene Language/Gesture/ Profanity directed at other students Obscene language, gestures (written, drawn, acted, or spoken) between students and used openly in school	Minimum of 1 detention	Minimum of 2 detentions	Minimum of 1 day out of school suspension
Destruction / Misuse of School or Personal Property - This includes writing on objects not meant to be written on or other misuse that is a distraction to the education of others	Minimum of 1 detention	Minimum of 2 detention	Minimum of 1 day out of school suspension

RESPONSIBILITY

Incident	Disciplinary Action		
	First Offense	Second Offense	Third Offense
Dress Code Violation Any shorts or skirt shorter than the fingertips, no undergarments showing. No references to drugs, alcohol, weapons or violence on any clothing. Please see the handbook for further details.	Change of clothing	Change of clothing and parent contacted	Remainder of day suspension and parent contacted
Electronic Equipment and other Items not to be used during school hours Electronic music players, toys, recorders,	Loss of item, student can retrieve the item at the end	Loss of item until parent retrieves the item (candy	Loss of item for 1 week and parent retrieves item

paggers, phones, games, candy, gum, chains, and other similar items are not allowed to be in or used in school.	of the day (candy and gum will not be returned)	and gum will not be returned)	(candy and gum will not be returned)
Failure to Serve Student who did not serve their detention or other consequence	Reschedule detention and 1 additional detention	Reschedule detention and 1 additional detention	Reschedule detention and 1 additional detention
Truancy Unauthorized absence from school. After the 8th day, a letter will be sent to the parents and the superintendent based on Maine State Law	Minimum of 1 day in or out of school suspension	Minimum of 3 days in or out of school suspension	Minimum of 5 days in or out of school suspension.
Violation of the school department's Tobacco policy	Minimum of 1 day out of school suspension, substance abuse referral, guidance referral	Minimum of 3 days out of school suspension, required parent meeting with Principal	Minimum of 5 days out of school suspension, required parent meeting with Principal
Violation of the School Unit's Drug/Alcohol policy	Minimum of 5 days out of school suspension. Principal required to report incident to the Superintendent and School Committee for possible further consequences	Minimum of 10 days out of school suspension. Principal required to report incident to the Superintendent and School Committee for possible further consequences	Minimum of 10 days out of school suspension. Principal required to report incident to the Superintendent and School Committee for possible further consequences

HONESTY

Incident	Disciplinary Action		
	First Offense	Second Offense	Third Offense
Forging/Misrepresentation Plagiarizing/Cheating Forging and/or changing school or parental documents/misrepresentation of parent/guardian when calling school, cheating on school work, any form thereof, including stealing/destroying tests, or	Conference and/or minimum of 1 detention, work needs to be redone for full credit	Conference and minimum of 2 detentions, work needs to be redone for full credit	Conference and 5 detentions, work needs to be redone for full credit

copying another's work (including cutting and pasting from the internet w/o citing the source			
Leaving school grounds (step 3 on first offense) or class without permission	Minimum of 1 detention, and/or conference with Principal and/or guidance	Minimum of 3 detentions and conference with Principal and/or guidance	Minimum of 1 day suspension and parent meeting with Principal
Stealing or attempting to steal school or personal property	Minimum of 5 detentions, or suspension, return/replace property, police will be notified	Minimum of 3 days of suspension, return/replace property, police will be notified	Minimum of 3 days of suspension, return/replace property, police will be notified

Drugs and Alcohol

No student shall distribute, dispense, possess, use, or be under the influence of any alcoholic beverage, malt beverage, fortified wine, or other intoxicating liquor. Nor shall a student manufacture, distribute, dispense, possess, use, or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, anabolic steroid, prescription drug, any other controlled substance defined in federal and state laws/regulations, any look-alike substance, or any substance that is represented to be a controlled substance. (Refer to school district policy JICH) 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. Random, unannounced police canine searches will take place in all areas of the school, including, but not limited to, personal bags and belongings.

In all cases, possession of paraphernalia, possession, use, or conduct showing effects of controlled substances or alcohol on school grounds will result in an automatic suspension. The selling or furnishing of drugs may result in the immediate recommendation to the School Committee for expulsion. (See Policy JICH)

Fire Crackers and Other Explosives

Possession of firecrackers and explosives is illegal and any student with them (detonated or not) will be referred to the Superintendent of Schools and to the police. The student will be suspended from school pending legal action.

Pyrotechnics

The setting of a fire or causing a disruption in the school or on school grounds by any devices, which are caused by fire, is a criminal offense. Any student who is responsible for, or contributes to such an act, will be suspended from school, and they will be reported to the appropriate law enforcement agency.

Smoking/Tobacco Use

Smoking and/or the possession of tobacco products in the building or anywhere on the school grounds are prohibited. Violations of this rule will result in disciplinary action. (Refer to school district policy ADC)

Weapons

Weapons are not permitted at Freeport Middle School. Any weapon or item that can be used as a weapon, (Examples of such articles include but are not limited to: pocket knives, stun guns, laser pointers, wrist bands and chokers with spikes, or any object which can cause harm to another) seen by a staff member will be taken. Depending on the nature of the weapon, the weapon or item may be turned over to the local law enforcement personnel. Disciplinary action will be taken which may include detention, suspension, meeting with the Superintendent/School Committee, or expulsion. (Refer to school district policy JICIA)

BICYCLES/SKATEBOARDS

State law requires helmets to be worn by everyone riding bicycles. Bikes are to be placed in the rack provided in front of the school. The bike must remain in the rack during school hours. Skateboards are not to be used in the school building ever; but may be used at recess as long as the student wears a helmet.

BOMB THREATS

The RSU No. 5 Board of Directors 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. Refer to NEPN/NSBA Code: EBCC for more information.

BUILDING USE AFTER SCHOOL HOURS

Students are not to loiter inside or outside the school building after 2:20pm. In order to be in the building, students must be supervised by a staff member. If there is a game or practice after school, students should get whatever they will need from their lockers before leaving because the building may not be open later. Students are not permitted to be in the gym without adult supervision.

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, including "cyberbullying," is not acceptable conduct in RSU5 and is prohibited. Retaliation for the reporting of incidents of such behavior is also prohibited. 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. (Refer to NEPN/NSBA Code: JICK)

BUSES AND TRANSPORTATION

Students who live a mile or more from the school are provided bus transportation. Refer to policy EEA. Bus schedules are published in the local paper at the end of August. Questions about busing should be directed to the Director of Transportation, Dennis Ouellette (865-0928).

For safety reasons a student must have a note from their parent or guardian in order to ride a different bus at the end of the school day. We cannot accept phone calls requesting changes in bus transportation, but can accept emails and faxes in addition to notes from home. Please plan accordingly as the bus drivers will not allow changes without a written note. **FMS Fax #: 865-2902**

Students can have their privilege to ride the bus revoked for short or long terms due to behavior issues. It will become the parents' responsibility to transport the child to and from school. (Refer to policy EEAEC)

CELLPHONE USE

School phones are to be used only by staff members for school business. Exceptions are made only for changes in schedules due to school sponsored activities such as sports, clubs, and at the request of a staff member. Cell phones are only allowed before or after school hours. Cell phones must be turned off during the school day. Students should plan ahead with their parents to avoid conflicts in after-school social schedules.

COMPUTER AND INTERNET USE

Students are required to sign an acceptable use policy before use of computers. (IJNDB-E). Policy IJNDB-R is the district's acceptable use policy. This includes what is acceptable and that discipline may be applied if the policy is not followed. The words laptop, computer, iPad and tablet are all considered the same for the middle school student handbook.

Student Computer and Internet Use

RSU No. 5's computers, network, and Internet access are provided to support the educational mission of the schools and to enhance the curriculum and learning opportunities for students and school staff. This policy and the accompanying rules also apply to laptops issued directly to students, whether they are used at school or off school premises. Compliance with RSU No. 5's policies and rules concerning computer and internet use is mandatory. Students who violate these policies and rules may have their computer privileges limited, suspended, or revoked. The building principal is authorized to determine, after considering the circumstances involved, whether and for how long a student's computer privileges will be altered. The building principal's decision shall be final. Violations of this policy and RSU No. 5's computer and Internet rules may also result in disciplinary action, referral to law enforcement, and/or legal action. RSU No. 5 computers remain under the control, custody, and supervision of the school unit at all times. The school unit monitors computer and Internet activity by students. Students have no expectation of privacy in their use of

school computers, whether they are used on school property or elsewhere.

Internet Safety

RSU No. 5 uses filtering technology designed to block materials that are obscene or harmful to minors, including child pornography. Although RSU No. 5 takes precautions to supervise student use of the Internet, parents should be aware that RSU No. 5 cannot reasonably prevent all instances of inappropriate computer and Internet use by students in violation of Board policies and rules, including access to objectionable materials and communication with persons outside of the school. The school unit is not responsible for the accuracy or quality of information that students obtain through the Internet. In the interest of student Internet safety, RSU No. 5 also educates students about online behavior, including interacting on social networking sites and chat rooms, the dangers of hacking, and issues surrounding “sexting” and cyberbullying awareness and response. (Refer to NEPN/NSBA Code: IJNDB)

MLTI Computer Use

All Freeport Middle School students receive an **Acceptable Use Agreement** form at the start of the year outlining our expectations for proper use of the school’s network, email system, computer equipment and Internet by students. Both the student and a parent/guardian must sign the form to acquire access to the above equipment outside of class.

All students in grades 6, 7 and 8 are issued laptops owned by the State of Maine. Acceptable Use Agreements must be signed by students and parents for student use of the laptops as well as other computers within the middle school. Normal wear and tear requiring repair is covered by the MLTI project. Information about this exciting teaching and learning project is distributed to families throughout the year.

Students are responsible for their laptop and the accompanying peripheral material (charger, cables, case). This includes seeing that they are fully charged at the start of each day and are not left unattended. Laptops are not to be moved from class to class without being placed in the case provided.

The laptops are to be used for educational purposes. Downloading or use of non-academic material while on school property is not allowed.

After receipt of a signed slip acknowledging responsibility for damage, theft, etc. when the laptop leaves school grounds (the same as if this was a musical instrument), a student may take his/her laptop home. (Information regarding acquisition of insurance to cover liability for the laptops is available in the school office.) Policies regarding use of a home computer apply to the use of the MLTI laptop at home.

DETENTION

A teacher or administrator may assign a detention after school or during recess or lunch (the student will still eat). Students must report promptly to the detention room and are expected to work quietly for the duration of the detention. Students asked to leave detention may be sent home and will need to make up the whole detention and another, the next school day. Three detentions for similar infractions may result in suspension.

Detentions will not be postponed for any extra curricular activities including sports, practices and games. It is the responsibility of the student who desires to be available for athletics to avoid detention

situations.

DISMISSAL FROM SCHOOL

Parents must come into the school office to sign students out. If students need to leave school early for a medical or other appointment, parents should provide a note to the school secretary before school begins. In the case of illness, the nurse or secretary may dismiss students but only with the permission of a parent or guardian.

DRESS CODE

All students should be neatly and appropriately dressed. Clothes that refer to drugs, alcohol, violence, weapons, tobacco or have inappropriate messages are not allowed. Dress that is distracting, too revealing or that disturbs the learning process is not allowed. If a staff member asks a student to cover up inappropriate clothing the student must cover up or change into appropriate clothing immediately. Students unwilling or unable to comply will be sent home for appropriate clothing.

Inappropriate dress includes clothing that is too revealing such as halter tops, tops with skinny straps, tank tops with excessively large neck or arm openings, low-cut tops, shoulderless tops, short tops which expose the midriff, see-through clothing, visible under clothing such as boxers or bras, and short skirts or shorts. Tank tops should be at least three fingers wide. Shorts and skirts should be longer than the finger tips.

Inappropriate accessories and other personal items include items decorated with messages, slogans, logos, symbols, etc. which are inappropriate for school. Examples of inappropriate messages include references to any race, symbols of racial supremacy, references to drugs, alcohol, tobacco, or any other controlled substance, reference to weapons or explosives, violent messages, profane, vulgar or sexual overtones. Inappropriate jewelry includes heavy chains such as spiked choke chains, spiked bracelets, "safety pin" jewelry, or jewelry with protrusions that could be considered dangerous, unsafe, or used to cause damage or injury.

Please note that these examples are not intended to be a complete list. Staff members and the administration will determine when clothing is inappropriate.

ELECTRONIC DEVICES

RSU5 believes that students learn best in classrooms free of unnecessary disruptions. Devices that may interrupt the teacher and other students have no place in the classroom. Personal radios, CD and MP3 players, iPods, video recorders, electronic games, pagers, cell phones, smartphones, or other similar devices are not to be used during the school day, unless a teacher gives permission and is providing direct supervision. School-owned electronic devices can only be used for the intended educational purposes.

The following guidelines apply to possession and use of electronic devices:

1. Electronic devices may not be used in any unethical or illegal manner.
2. Camera devices may not be used to photograph another person in areas or situations when a reasonable person would have an expectation of privacy (locker room, restroom, etc.).
3. Electronic devices may not be used in a way that would violate another person's copyright.

4. Electronic devices may not be used to harass, intimidate, or bully another person or to invade another person's 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:

1. 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.
2. The teacher may confiscate the device and release it to the student at the end of the regular school day.
3. 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.
4. The student will be subject to disciplinary consequences up to and including expulsion. Where appropriate, police authorities may be contacted.

EXTRA-CURRICULAR ACTIVITIES

Band

New members are always welcome! See Mrs. York, the band director, if you are interested in joining. Band members participate in a number of concerts and parades during the year. Except in cases of emergency, members are expected to attend **all** band functions. There is a sixth grade band and a separate, combined band for seventh and eighth graders. Students can also try out for jazz band. Small group lessons are scheduled on a rotating basis during the school day.

Chorus

New members are always welcome! See Mrs. Lawson, the choral director, if you are interested in joining. Chorus members are expected to participate in **all** chorus activities unless an emergency occurs. A sixth grade chorus, combined seventh and eighth grade chorus, and a chamber choir are opportunities for students to perform for the community.

Drama

Each year a performance is produced for the public by students. Watch for notices of tryouts if you are interested in participating. It may be a musical or a dramatic production. This is definitely a fun family event!

Other Activities

FMS students may participate in any of the following activities during their middle school years: Yearbook, Math Team, Travel Club, Camp Kieve Week for 6th graders, Science Club, Coding Club, Cooking Club, NASA Space Camp for 6th graders, Project Adventure activities, numerous field trips, Fab Fridays, and Odyssey of the Mind.

We also encourage students to participate in the many RSU5RCE and Teen Center activities offered throughout the year. Contact RSU5RCE (865-6171) and Teen Center (869-1036) for more information.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

RSU No. 5 shall comply with the Family Educational Rights and Privacy Act (“FERPA”) and all other federal and state laws and regulations concerning confidentiality and maintenance of student records and student information. (Refer to policy JRA-E)

FAMILY VACATIONS

School attendance is extremely important. Absences create difficulties for both students and teachers. Students fall behind in their work and it is more difficult for teachers to work with classes and plan group activities when students are missing. Although teachers may be able to provide some make-up assignments, it is very hard to replicate the quality of assignments and interactions that result from a student’s regular attendance and active participation in class. Teachers are not responsible to provide work for students during family vacations. *Although we realize the value of family activities, we ask that vacations be taken during scheduled school vacations. **Thank you in advance for your assistance!***

FIRE/EVACUATION DRILLS

Fire drills are necessary to assure that everyone knows how to exit the building safely and quickly. Fire exit signs posted in the rooms explain exiting procedures. Do not run. Once everyone is outside, the classroom teacher will take attendance of students. When directed by the classroom teacher, students should return to their classrooms in an orderly fashion.

FOOD/BEVERAGES

During school, healthy snacks may be consumed in the classroom with the teacher’s permission. According to federal law, only the school cafeteria may sell food to students during the school day. Food is not allowed to be taken out of the cafeteria. Caffeine drinks, soda and energy drinks are not allowed during school.

GUIDANCE COUNSELOR

Guidance services and access to a counselor is an important aspect of effective middle school programs. The Guidance counselor is a resource to students, teachers, and parents in addressing many of the developmental needs of middle school students. Students may make an appointment with the counselor by seeing her in person or by leaving a note in the office. Individual and group sessions are available. Once an appointment has been arranged, students will receive a guidance pass. They **must show this pass** to the classroom teacher and obtain their permission BEFORE missing class for the appointment. **The classroom teacher** will determine whether a student will be able to attend a guidance session during class time.

GYMNASIUM USE – Physical Education Class

Students must wear sneakers to participate in activities in the gym. Please purchase sneakers with non-marking soles. All FMS students take Physical Education as part of their regular schedule.

HARASSMENT

The board recognizes the right of each employee and student to a working and learning atmosphere, which is free of intimidation, hostility, and offensiveness. In order to ensure such an atmosphere, employees and students are not to engage in harassment of any other person. Saying that you were just joking after is not an excuse. Acts of harassment based upon on race, color, sex, religion, ancestry or national origin, sexual

orientation, or disability are not only a violation of this policy but also constitute illegal discrimination under state and federal law. (Refer to school district policy ACAA)

Examples of prohibited harassment:

- Unwelcome sexual advances, gestures, comments, or contact
- Threats
- Offensive jokes
- Ridicule, slurs, derogatory action, or remarks
- Basing employment or academic decisions or practices on submission to 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.

Employees and students should also be advised of the importance of informing the harasser that his/her behavior is unwelcome, offensive, in poor taste, or highly inappropriate. Students who believe they are victims of harassment should report such occurrences to a teacher, counselor, or administrator, or parent/guardian. The person who has allegedly been harassed shall be advised of the various options available to the person; Maine Human Rights Commission complaint, Title IX civil action, or formal request for discipline by the superintendent and/or board. Freeport Middle School will take disciplinary action as well. (Refer to school district policy ACAA-R and AC). If there is an issue please immediately contact Ray Grogan, Principal.

HAZING

Maine statute defines injurious hazing as "any action or situation, including harassing behavior, that recklessly or intentionally endangers the mental or physical health of any school personnel or a student enrolled in a public school." Injurious hazing activities of any type are inconsistent with the educational process and shall be prohibited at all times. (Refer to school district policy ACAD)

HOMEWORK

Homework is an essential part of the middle school program. Homework completion is the responsibility of each student. Teachers assign homework as a review of skills taught in class or as a way of preparing students for upcoming classes. All teachers provide students with a system for keeping track of homework assignments using student agendas. Students should get into the habit of doing assignments well and on time. If you have questions about any assignment, ask the teacher. Students can get extra help by making an after-school appointment or a study hall session with a teacher. All teachers are available before or after school for extra help. All homework/classwork/projects/ tests/quizzes can be made up if they are not done on time.

HONOR ROLL

The FMS Honor Roll includes two categories: **High Honors for all grades of 3 and 4.** and **Honors for a grade point average of 3 or higher.** Habits of Work grades all need to be 3 or better for both high honors

and honors. All subjects in which grades are given are considered in the determination of honor roll status.

ILLNESS

If a student becomes ill or gets injured, they must report to the office and be seen by the nurse or front office staff. Students should NOT remain in the bathroom if they are not feeling well unless they send another student to let the office know where they are. Students are not to call parents to be dismissed without permission from the nurse or front office staff.

INTERSCHOLASTIC ACTIVITIES

Freeport Middle School offers the following interscholastic athletics for 7th and 8th graders:

Fall: field hockey, boys' and girls' soccer, and cross country (6th grade included), football

Winter: boys' and girls' basketball, downhill and nordic skiing, cheering, indoor track

Spring: boys' and girls' lacrosse, softball, and baseball, track (6th grade included)

Athletic Code

General Rules:

1. **Academic or disciplinary obligations take precedence over all other school activities.**
2. As a team member you represent your school and RSU5. Please respect both!
3. No smoking. No drinking.
4. No unauthorized use of drugs.
5. Athletes must attend all practices on time except for meeting academic or disciplinary obligations.
6. Dress Code:
Boys: During Basketball season and/or any season when competing in play-off or tournament: sweater and/or coat, and must be worn to and from games.
Girls: During basketball season and /or any season when competing in a play-off or tournament: dresses, skirts, or slacks must be worn to and from games.
7. School attendance: Athletes will be subject to all provisions of the school attendance policy. Additional school attendance regulations may be imposed by the coach.
8. All athletes are required to travel to and from out - of - town contests with the team. An athlete may be released directly to a parent (for certain reasons) if prior arrangements have been made with the coach.
9. All participants on a middle school athletic team must obtain in writing:
 - (a) permission to play by parent or guardian
 - (b) proof of insurance
 - (c) a medical examination
10. Students must be passing all classes to play in games.
11. Team managers must have permission and insurance.

Athletic Eligibility Policy

Co-curricular activities are an integral part of school life. The knowledge and skills learned through these activities are critically important to the healthy development of students (MPA – Sports Done Right, 2005). At

Freeport Middle School academic work is our first priority. While there are many benefits to participating in co-curricular activities, the time commitment involved can sometimes detract from academic work. In an effort to help students balance the demands of academics and participation in interscholastic competitions we have developed the following eligibility procedure:

Student Athletes must have habits of work or content grades of 3 or higher to participate in games. All classes include core academic classes, unified arts, band and chorus. Any student athlete who does not have a 3 on either the habits of work or content will immediately be placed on academic probation. Academic probation dictates that a student may not participate in game situations/interscholastic competitions with their respective team until he/she has successfully raised their grade(s) to 3 or higher. The student is expected to practice if they are not staying after school to make up work. If a student has been ineligible for 3 weeks they can be dismissed from the team.

Student athletes who fail to honor their academic commitments, between progress checks, may be referred to the Middle School A. D. by their teachers. The M.S.A.D. will communicate with staff, parents, coaches and the student to determine a plan of action. The student athlete may be placed on a probation plan at this time as well. Should a student continue to struggle with juggling the demands of co-curricular activities and academics, they would need to drop the co-curricular activity in order to focus on their academics.

LIBRARY

The library is open before, during, and after school. The library opens daily at 7:30am and is usually open after school until the 3:00pm late bus Mondays – Thursdays. Students are encouraged to check with the Librarian before the end of the day to be sure the library will be open. More information can be found on the library website, linked from the middle school website.

LOCKER AND DESK SPACES: SEARCHES

Lockers and desks used by students for the storage of their personal items are school property and shall remain at all times under the control, custody, authority and supervision of the school authorities. The school has absolute discretion whether or not to make lockers available to students for storage of student personal items. Lockers are assigned by homebase teachers. Students are not to place locks on school lockers. Valuables such as money and other personal items should not be left in lockers. Students should place their names on all personal items. Students can hang pictures, stickers, and/or mirrors **inside** their lockers, but do not write on them inside or out. Never open or bother anyone else's locker. School authorities may – at any time and without prior notice to students – open, inspect and search desks and lockers and their contents. Locker searches are governed by Board Policy. (Refer to policy JIH)

LUNCH

Lunch is served in the cafeteria. Teachers may open rooms for students to eat in provided a staff member is with them. During good weather students may eat outside in the picnic area outside of the cafeteria. Students will be dismissed by duty teachers after all litter has been picked up and tables cleaned. RSU No.5 does offer Free or Reduced lunch for those who qualify. For more information check with the middle school office. During the recess period, students may be able to play basketball in the gym. Students may be able to work quietly in the library during recess or in the classrooms if a teacher is with them. Students may go

outside during recess; they are to stay in the field area within sight and calling distance of the teachers on duty. Students are not to go near the pond, behind the school, in the parking lot, or on the circle in front of the school. ***Students are not to be near any automobiles or bicycles during recess.***

MEDICINE/MEDICATION

School policy is that student medication should be administered by a parent at home. The school nurse may approve exceptions to this policy. Please call the nurse with your individual situation. The medication and the medication form must be brought to the office. **Please obtain a medication form from the office if it becomes necessary to follow a doctor's prescription during the school day.** (Refer to NEPN/NSBA Code: JLCB)

PARENT RIGHT TO REQUEST QUALIFICATIONS OF STUDENT'S TEACHERS

As a parent, you have the right to request the professional qualifications of your child's teachers. This notification is part of our obligations under the "Parents' Right to Know" requirements of the federal No Child Left Behind Act (NCLB).

All teachers in Title 1 schools must meet general qualifications as well as the specific requirements of the subject they are teaching. This means we will be informing parents whenever a child is taught for four consecutive weeks by any teacher who does not meet the new federal definition of "Highly Qualified".

QUESTIONING AND SEARCHES OF STUDENTS

The Board of Directors seeks to maintain a safe and orderly environment in the schools. Therefore, school officials will conduct reasonable searches if there are grounds for suspecting that the search will reveal evidence that the student has violated or is violating either the law or the policies or regulations of the school. In an effort to minimize the threat of illegal drugs and weapons in our school environment we will be utilizing police canine teams to perform random drug searches without prior notice given of the school facilities which include (but are not limited to) school common area's, lockers, classrooms, locker rooms, parking lots, bags, computer cases and grounds.(Refer to school district policy JIH and JIH-R.) The search must be reasonable, related in scope to the circumstances which precipitated the search and must not be excessively intrusive in light of the age, sex of the student, and the nature of the alleged infraction. Lockers, cell phones, computers, iPads and desk spaces may be searched.

REPORT CARDS/STUDENT PROGRESS

Report cards will be available on PowerSchool to print out at the end of each trimester. FMS will not send home a paper copy. In addition to a letter grade in each subject, students are evaluated in effort and behavior. The Parent Portal, an online electronic gradebook, allows parents and students to access their grades and progress online at any time.

RIGHT TO EDUCATION FOR HANDICAPPED AND/OR DISABLED STUDENTS

The Federal Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973 entitles students with identified handicaps and/or disabilities to a range of educational services and accommodations.

Examples of such disabilities include physical handicaps, Attention Deficit Disorder, drug/alcohol addiction,

Learning Disabilities, temporary medical conditions due to illness or accident. If you think your child needs to be evaluated for special education, please contact the Office of Special Services. Policy IHBA is followed for special education referrals.

To get more information, contact the Office of Instructional Support 865-0928 x3, the Principal or the Guidance Office at the Middle School, 865-6051 x135.

SCHOOL CANCELLATIONS

School cancellations will be broadcast on all three local tv stations, local radio and you can get an automated phone call from the school on snow days. There are forms to opt out of the automated call in the middle school office.

SCHOOL HOURS

Freeport Middle School hours are 7:40am to 2:10pm. Students should not be dropped off at school prior to 7:30am. The first bell rings at 7:38am. This a 2 minute warning to students to go to their first period class. The second bell which rings at 7:40am designates the beginning of the school day. At this time all students must be in their first period class or they will be considered tardy and will be required to sign in at the office. The bell rings at 2:10pm to indicate the end of the school day.

SOCIALS

Socials are for only RSU 5 6th, 7th and 8th grade students. Students must be in school all day on the day of a social in order to attend (7:50-2:10). Students arriving after 7:50, may not be allowed to come to the social. If it is a special situation, please contact an administrator. Once students arrive at the social, they must stay inside until the social ends or their parent comes to pick them up. Socials are from 6:00pm – 9:00pm. The rules for behavior and dress are the same as during the school day.

For safety we ask that students arriving to a social more than a half hour late be brought into the social by a responsible adult, or that the student have a note from their parent letting the school know they are aware of their child's late arrival. Students who are suspended, given an office detention or placed on a restricted day, in the three weeks prior to a social may not attend the social.

STUDENT RECOGNITION AWARDS

Periodically faculty selects students to be recognized in one or more of the following categories: citizenship, service, leadership, behavior and participation, scholarship, effort, and improvement.

STUDENT-STAFF APPOINTMENTS

Teachers and staff may request students to come after school for academic or disciplinary reasons.

Students are expected to keep these appointments before any other school activity. If a student skips an afternoon appointment to go to a game, they will need to make up the afternoon appointment on a game day. If students fail to keep an appointment with a teacher they may be assigned **additional** detention time.

SUSPENSION

Parents will be contacted for all suspensions. Students must make up all work missed during a suspension.

They are not allowed on the school grounds or at any school activity during suspension. The suspension starts the day it is issued and continues until the morning they return to school. Any student suspended during the three weeks prior to a social will not be allowed to attend the social.

Please see the discipline rubric for the full details of expected behavior and consequences. If a student has been expelled or suspended, or withdrawn from a school before an expulsion hearing or suspension, the student will not be allowed to enroll in RSU5 until the superintendent has made a determination as to whether to admit the students and if so, under what conditions.

TEACHER ADVISORS

All FMS students will meet each day with their advisor in a small advisory group. Advisors serve as the families' link to the school. During the year the advisor and student will meet to discuss school-related issues.

TEXTBOOKS AND SUPPLIES

Textbooks and supplies, including laptops, are loaned to students by RSU 5. Students are financially responsible for all material issued to them.

VISITORS/GUESTS

All visitors must report directly to the office upon entering the building. FMS does not allow student guests of students. For example: If a cousin is staying with you for a week, they will not be allowed to attend school for the week.

POLICY APPENDIX

The following are the policies referenced in the FMS student handbook. All of the RSU5 policies are listed on the RSU5 website. The RSU5 Board of Directors are always reviewing and updating policies. The most up to date policy will always govern, not what is in the handbook.

NEPN/NSBA Code: ACAD

RSU No. 5 School Department

HAZING

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

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

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

"Acts of intimidation" include extortion; menacing; direct or indirect threats of violence; incidents of violence; bullying; statements or taunting of a malicious and/or

derogatory nature that recklessly or intentionally endanger the mental or physical health of another person; and property damage or theft.

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

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

In the case of an organization affiliated with this school unit 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 unit.

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

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

The Superintendent/designee shall 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 Board. The ruling of the Board, with respect to the provisions of this policy, shall be final.

This right to appeal does not apply to student suspensions of 10 days or less or to matters submitted to grievance procedures under applicable collective bargaining agreements.

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

Legal Reference: 20-A MRSA § 6553

Cross Reference: ACAA - Harassment and Sexual Harassment of Students

ACAB - Harassment and Sexual Harassment of Employees

JICIA - Weapons, Violence and School Safety

Adopted: May 27, 2009

Revised: December 8, 2010

Reviewed: November 20, 2013

NEPN/NSBA Code: IHBA

RSU No. 5 School Department

REFERRAL AND GENERAL EDUCATION INTERVENTIONS POLICY

It shall be the policy of RSU No. 5 to refer all school-age students suspected of having a disability that requires special education to the IEP Team for an evaluation in all suspected areas of disability. Referrals of students to the IEP team may be made by parents at any time, and by professional school staff regardless of the results of the initial child find activities, but after completion of the general

education intervention process. Other individuals or agency representatives (including representatives of the Department of Health and Human Services) with knowledge of the child may also make referrals. Any such referral should be made in accordance with procedures that may be approved by the Superintendent of Schools.

Regardless of the source of the referral, a referral will be considered received by the school unit on the date that the written referral is received by the office of the Director of Instructional Support. It shall be signed and dated by the Director of Instructional Support or designee, thereby indicating the date of the receipt of that referral.

The Superintendent of Schools, in consultation with the Director of Instructional Support, may develop procedures for referral and the use of general education interventions within the local school unit, and may from time to time amend those procedures as necessary.

References: Me. Dep't of Educ. Reg. ch. 101, §§ II(17), III, IV(2)(D), (E),

V(4)(A) (July 2011).

Adopted: June 24, 2009

Reviewed: April 25, 2012

Revised: April 24, 2013

NEPN/NSBA Code: IJNDB
RSU No. 5 School Department

STUDENT COMPUTER AND INTERNET USE AND INTERNET SAFETY

RSU5's computers, network, and Internet access are provided to support the educational mission of the schools and to enhance the curriculum and learning opportunities for students and school staff. This policy and the accompanying rules also apply to laptops and tablets issued directly to students, whether they are used at school or off school premises.

Compliance with RSU5's policies and rules concerning computer and Internet use is mandatory. Students who violate these policies and rules may have their computer privileges limited, suspended, or revoked. The building principal is authorized to determine, after considering the circumstances involved, whether and for how long a student's computer privileges will be altered. The building principal's decision shall be final.

Violations of this policy and RSU5's computer and Internet rules may also result in disciplinary action, referral to law enforcement, and/or legal action.

RSU5 computers remain under the control, custody, and supervision of the school unit at all times. The school unit monitors computer and Internet activity by students. Students have no expectation of privacy in their use of school computers, whether they are used on school property or elsewhere.

INTERNET SAFETY

RSU5 uses filtering technology designed to block materials that are obscene or harmful to minors, and child pornography. Although RSU5 takes precautions to supervise student use of the Internet, parents should be aware that RSU5 cannot reasonably prevent all instances of inappropriate computer and Internet use by students in violation of Board policies and rules, including access to objectionable materials and communication with persons outside of the school. The school unit is not responsible for the accuracy or quality of information that students obtain through the Internet.

In the interest of student Internet safety, RSU5 also educates students about online

behavior, including interacting on social networking sites and chat rooms, the dangers of hacking, and issues surrounding “sexting” and cyberbullying awareness and response.

The Superintendent /designee shall be responsible for integrating Internet safety training and “digital citizenship” into the curriculum and for documenting Internet safety training.

The Superintendent shall be responsible for implementation of this policy and the accompanying “acceptable use” rules. The Superintendent/designee may implement additional administrative procedures or school rules consistent with Board policy to govern the day-to-day management and operations of the school unit’s computer system.

Students and parents shall be informed of this policy and the accompanying rules through student handbooks, the school website, and/or other means selected by the Superintendent.

Legal Reference: 20 USC § 677 (Enhancing Education through Technology Act)
47 USC § 254(h)(5) (Children’s Internet Protection Act)
47 CFR § 54.52
Federal Communications Commission Order and Report 11-125

Cross Reference: EGAD - Copyright Compliance
GCSA - Employee Computer and Internet Use
IJNDB-R - Student Computer and Internet Use Rules
IJND – Distance Learning Program

Adopted: February 24, 2010
Revised: June 13, 2012
Revised: November 20, 2013

NEPN/NSBA Code: ADC
RSU No. 5 School Department
TOBACCO USE AND POSSESSION

In order to promote the health and safety of students, staff and visitors and in compliance with applicable state and federal laws, the RSU5 Board of Directors prohibits smoking and all other use of tobacco products in school buildings, and other school unit facilities, on school buses or in other school-owned vehicles, and on school grounds at all times by all persons. In addition, students are further prohibited from possessing, selling, distributing or dispensing tobacco products in school buildings, facilities and on school grounds and buses during school-sponsored events and at all other times. Students are also prohibited from wearing and/or displaying any type of tobacco promotion materials. Employees and all other persons are also strictly prohibited, under law and the Board of Directors’ policy, from selling, distributing or in any way dispensing tobacco products to students. Violation of this policy will be considered a serious offense. Disciplinary actions will be taken in accordance with school procedures. All of these same prohibitions shall apply to electronic cigarettes and other devices designed to deliver nicotine through inhalation or “vaping”, or used to simulate smoking. Legal References: 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: JL – Student Wellness KF – Community Use of School Facilities KHB – Advertising in the Schools Adopted: May 27, 2009 Revised: December 8, 2010 Revised: November 30, 2011 Reviewed: November

NEPN/NSBA: ACAA-R

RSU No. 5 School Department
STUDENT DISCRIMINATION AND HARASSMENT
COMPLAINT PROCEDURE

This procedure has been adopted by the RSU5 Board of Directors 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, religion, ancestry, national origin, sexual orientation, or disability; and
- B. “Discrimination or harassment” means discrimination or harassment on the basis of race, color, sex, religion, ancestry, national origin, sexual orientation, or disability.

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 the Curriculum Director/Affirmative Action Officer. Students who are unsure whether discrimination or harassment has occurred are encouraged to discuss the situation with the Affirmative Action Officer.
- B. School staff is expected to report possible incidents of discrimination or harassment of students to the building administrator/designee. Parents and other adults are also encouraged to report any concerns about possible discrimination or harassment of students.
- 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: 207-624-6050) and/or to the U.S. Department of Education, Office for Civil Rights, 5 Post Office Square, Suite 900, Boston, MA 02109-3921 (Telephone: 617-223-9622; TDD 877-521-2172; Fax 617-289-0150).

Complaint Handling and Investigation

- A. Affirmative Action Officer shall promptly inform the Superintendent and the person(s) who is the subject of the complaint that a complaint has been received.
- B. Affirmative Action Officer 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.
- C. The complaint will be investigated by 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 Board of Directors, 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. Affirmative Action Officer shall keep a written record of the investigation process.
 5. Affirmative Action Officer may take interim remedial measures to reduce the risk of further discrimination or harassment while the investigation is pending.
 6. 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 business days of receiving the complaint, if practicable.
- D. If the 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 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 parents/legal guardians are dissatisfied with the resolution, an appeal may be made in writing 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 Education Amendments of 1972 (20 SC § 1681 et seq.)
Title VI of the Civil Rights Act of 1964 (PL 88-352)
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

Adopted: May 27, 2009
Revised: December 8, 2010
Revised: November 28, 2012
Revised: November 20, 2013

NEPN/NSBA Code: ACAA
RSU No. 5 School Department
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HARASSMENT AND SEXUAL HARASSMENT OF STUDENTS

Harassment of students because of race, color, sex, religion, ancestry or national origin, sexual orientation, or disability is prohibited. Such conduct is a violation of Board of Directors 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, religion, ancestry or national origin, sexual orientation, or disability. Harassment that rises to the level of physical assault, battery and/or abuse is also addressed in the Board of Director's 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 Affirmative Action Officer will investigate complaints of harassment in accordance with the Student Harassment Complaint 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 MRS § 4602; 4681 et seq.
20 MRS § 6553

Cross Reference: ACAA-R-Student Harassment Complaint Procedure
AC- Nondiscrimination/Equal Opportunity and Affirmative Action
ACAD-Hazing
JICIA-Weapons, Violence and School Safety

Adopted: May 27, 2009
Reviewed: December 8, 2010
Reviewed: November 20, 2013

NEPN/NSBA Code: JICH
RSU No. 5 School Department

DRUG AND ALCOHOL USE BY STUDENTS

The RSU No. 5 Board of Directors and staff of the RSU No. 5 School Department support a safe and healthy learning environment for students which is free of the detrimental effects of drugs and alcohol. Accomplishing this goal requires a cooperative effort among school staff, students, parents, law enforcement and organizations concerned with the use of drugs and alcohol by school-aged

youth.

In order to promote the safety, health and well-being of students, the Board of Directors endorses a three-pronged approach to address the issue of drug and alcohol use; prevention/education; intervention and discipline. The Superintendent is responsible for developing appropriate administrative procedures, curricula and programs to implement this policy.

A. Prohibited Conduct

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

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

B. Disciplinary Action

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

C. Prevention/Education

The school unit will provide students with appropriate information and activities focused on educating students about drugs and alcohol and preventing their use.

Programs shall teach students that the use of drugs and alcohol is wrong and harmful; how to resist peer pressure; and address the legal, social and health consequences of drug and alcohol abuse.

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

E. Policy Communication

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

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 MRSA § 1101

42 USC § 290dd-2

42 CFR § 2.1 et seq.

20-A MRSA §§ 1001 (9); 4008

Cross Reference: GBEC-Drug-Free Workplace

JICIA-Weapons, Violence and School Safety

JKD-Suspension of Students

JKE-Expulsion of Students

JLCD-Administering Medication to Students

JRA-Student Records

Adopted: July 8, 2009

Revised: December 14, 2011

NEPN/NSBA Code: JLCD

RSU No. 5 School Department

ADMINISTERING MEDICATION TO STUDENTS

The 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. The Board discourages the administration of medication on school premises where other options exist. Whenever possible, it is recommended that the first dose of a newly-prescribed medication be given at home.

I. REQUESTS TO ADMINISTER MEDICATIONS PURSUANT TO HEALTH PROVIDER ORDER

The following procedure must be followed for any prescription medication to be administered to a student pursuant to a health care provider's order. Such an order must be obtained from a medical/health practitioner who has a current Maine license with a scope that includes administering medication.

1. The parent/legal guardian shall obtain a copy of the RSU No. 5's Request/Permission to Administer Medication in School Form and Board Policy JLCD from the Principal/designee.
2. The parent/legal guardian and the student's health care provider shall complete and sign the Request/Permission Form.
3. The parent/legal guardian shall return the Request/Permission Form to the Principal/designee along with the medication:
 - In the original container (and in the case of prescription medications, appropriately labeled by the health care provider or pharmacy);
 - Including no more than the amount of medication necessary to comply with the health provider's order.
4. The licensed school personnel shall review the Request/Permission form for completeness and clarity. If the licensed school personnel has any questions or concerns about the form, he/she will contact the parent/legal guardian, and/or health care provider as appropriate for more information.
5. If there is a later change in the medical order (such as change in dose, frequency or type of medication), a new Request/Permission form must be completed.
6. Medication orders must be renewed at least annually.
7. Medication no longer required (or remaining at the end of the school year) must be removed by the parent/legal guardian. Medication not removed by the parent/legal guardian in a timely manner shall be disposed of by the school unit.
8. The Board disclaims any and all responsibility for the diagnosis, prescription of treatment, and administration of medication for any student, and for any injury arising from a student's self-administration of medication.

II. SELF-ADMINISTRATION OF MEDICATIONS

Inhalers and Epi-Pens

Students shall be authorized to possess and self-administer emergency medication from an asthma inhaler or epinephrine pen (epi-pen) if the following requirements are met.

1. The student must have the prior written approval of the student's health care provider and, if the student is a minor, the prior written approval of his/her parent/guardian (see Request/Permission Form).
2. The student's parent/guardian must submit written verification from the student's health care provider confirming that the student has the knowledge and the skills to safely possess and use an asthma inhaler or epi-pen in school.
3. The licensed school personnel shall evaluate the student's technique to ensure proper and effective use of an asthma inhaler or epi-pen in school.

Other Medications

Students shall be permitted to possess and self-administer prescription medications in school on a case-by-case basis. All such requests must be approved by the licensed school personnel.

III. ADMINISTRATION OF OVER THE COUNTER MEDICATIONS

With prior parental/legal guardian permission, students may receive certain over the counter medications at school.

IV. PERSONNEL AUTHORIZED TO ADMINISTER MEDICATIONS

Medications may be administered by licensed school personnel such as the certified school nurse, registered nurse and licensed practical nurse and/or by authorized unlicensed school personnel who have received appropriate training. An annual review is required for all unlicensed personnel authorized to administer medications. The licensed school personnel shall maintain appropriate documentation of training. Authorization to administer medications shall be made by the Superintendent based upon the recommendation of the licensed school personnel.

V. CONFIDENTIALITY OF INFORMATION

To the extent legally permissible, school staff may be provided with such information regarding a student's medication(s) as may be in the best interest of the student.

VI. STORAGE OF MEDICATIONS/RECORDKEEPING

1. All medications shall be stored in a secure space in the licensed school personnel's office or school office and locked at all times except during the actual administration of medication.

2. A Medication Record Book shall be maintained by the licensed school personnel/designee, including the Request/Permission Forms and individual medication records for each student to document the administration of all medications (dose administered, by whom, date, time and any errors).

VII. ADMINISTRATIVE PROCEDURES

The Superintendent/designee shall develop any administrative procedures necessary to implement this policy and as required by Maine Department of Education Rules.

Legal Reference: 20-A MRS Section 254(5) and Section 4009(4)

Maine Department of Education Rule Chapter 40

28 CFR Part 35 (Americans with Disabilities Act of 1990)

34 CFR Part 104 (Section 504 of the Rehabilitation Act of 1973)

34 CFR Part 300 (Individuals with Disabilities Education Act)

Adopted: July 8, 2009

Revised: December 8, 2010

NEPN/NSBA CODE: JRA

STUDENT EDUCATION RECORDS AND INFORMATION

RSU No. 5 shall comply with the Family Educational Rights and Privacy Act ("FERPA") and all other federal and state laws and regulations concerning confidentiality and maintenance of student records and student information.

A. Directory Information

RSU No. 5 designates the following student information as directory information: name, participation and grade level of students in recognized activities and sports, height and weight of student athletes, dates of attendance in the school unit, and honors and awards received. RSU No. 5 may disclose directory information if it has provided notice to parents (and eligible students over 18) and has not received timely written notice refusing permission to designate such information as directory information.

B. Military Recruiters/Higher Education Access to Information

Under federal law, military recruiters and institutions of higher education are entitled to receive the names, addresses and telephone numbers of secondary students and RSU No. 5 must comply with any such request, provided that parents have been notified of their right to request that this information not be released without their prior written consent.

C. Information on the Internet

Under Maine law, RSU No. 5 shall not publish on the Internet any information 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, without written parental consent.

D. Transfer of Student Records

As required by Maine law, RSU No. 5 sends student education records to a school unit to which a student applies for transfer, including disciplinary records, attendance records, special education records and health records (except for confidential health records for which consent for dissemination has not been obtained).

E. Designation of Law Enforcement Unit

School units may disclose student education records without parental consent to personnel of its law enforcement unit, provided that they have been designated as school officials with legitimate educational interests for the purpose of compliance with FERPA. The Board hereby designates its School Resource Officer, Freeport Police Department, Cumberland County Sheriff's Department and the Androscoggin Sheriff's Department as RSU No. 5's law enforcement unit for the purpose of disclosure of student education records under FERPA. NEPN/NSBA CODE: JRA

F Health or Safety Emergency Emergencies

As permitted by FERPA, the school unit may disclose personally identifiable information from a student's educational record to appropriate parties, including parents of an eligible student, if taking into account the totality of the circumstances, it determines that there is an articulable and significant threat to the health or safety of the student or other individuals and that knowledge of the information is necessary to protect the health or safety of the student or other individuals. In the event of disclosure, the school unit will record the articulable and significant threat that formed the basis for the disclosure and the parties to whom the school unit has disclosed and maintain such record with the student's educational record.

G. Administrative Procedures and Notices

The Superintendent is responsible for developing and implementing any administrative procedures and parent notices necessary to

comply with the applicable laws and regulations concerning student education records and information. Notices shall be distributed annually to parents and eligible students concerning their rights under these laws and regulations. A copy of this policy shall be posted in each school.

Legal Reference: 20 U.S.C. § 1232g; 34 C.F.R. Part 99

20 U.S.C. § 7908

20-A M.R.S.A. §§ 6001, 6001-B

Ch. 101, 125 (Me. Dept. of Ed. Rules)

Cross Reference: JRA-E – Annual Notice of Student Education Records and Information Rights

JRA-R – Education Records and Information Administrative Procedure

ILD – Student Surveys

Adopted: July 8, 2009

Revised: November 30, 2011

NEPN/NSBA Code: JRA-E

RSU No. 5 School Department

ANNUAL NOTICE OF STUDENT EDUCATION RECORDS AND INFORMATION RIGHTS

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

A. Inspection of Records

Parents/eligible students may inspect and review the student’s education records within 45 days of making a request. Such requests must be submitted to the Superintendent or building administrator in writing and must identify the record(s) to be inspected. The Superintendent or building administrator will notify the parent/eligible student of the time and place where the record(s) may be inspected. Parents/eligible students may obtain copies of education records at a cost of \$.10 per page.

B. Amendment of Records

Parents/eligible students may ask RSU No. 5 to amend education records they believe are inaccurate, misleading or in violation of the student’s right to privacy. Such requests must be submitted to the Superintendent or building administrator in writing, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the Superintendent or building administrator decides not to amend the record as requested, the parent/eligible student will be notified of the decision, their right to request a hearing, and information about the hearing procedure.

C. Disclosure of Records

RSU No. 5 must obtain a parent/eligible student’s written consent prior to disclosure of personally identifiable information in education records except in circumstances as permitted by law.

1. Directory Information

RSU No. 5 designates the following student information as directory information that may be made public at its discretion: name, participation and grade level of students in officially recognized activities and sports, height and weight of student athletes, dates of attendance in the school unit, and honors and awards received. Parents/eligible students who do not want

RSU No. 5 to disclose directory information must notify the Superintendent in writing by September 15th or within thirty (30) days of enrollment, whichever is later. NEPN/NSBA Code: JRA-E

2. Military Recruiters/Institutions of Higher Education

Military recruiters and institutions of higher education are entitled to receive the names, addresses and telephone numbers of secondary students and RSU No. 5 must comply with any such request, provided that parents have been notified of their right to request that this information not be released without their prior written consent. Parents/eligible students who do not want RSU No. 5 to disclose this information must notify the Superintendent in writing by September 15th or within thirty (30) days of enrollment, whichever is later.

3. School Officials with Legitimate Educational Interests

Education records may be disclosed to school officials with a “legitimate educational interest.” A school official has a legitimate educational interest if he/she needs to review an education record in order to fulfill his/her professional responsibility. School officials include persons employed by RSU No. 5 as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); members of the Board of Education; persons or companies with whom RSU No. 5

has contracted to provide specific services (such as attorneys, auditors, medical consultants, evaluators, or therapists); and parents, students and volunteers serving on an official committee (such as a disciplinary or grievance committee) or assisting a school official in performing his/her professional responsibilities.

4. Other School Units

As required by Maine law, RSU No. 5 sends student education records to a school unit to which a student applies for transfer, including disciplinary records, attendance records, special education records and health records (except for confidential health records for which consent for dissemination has not been obtained).

5. Health or Safety Emergencies

In accordance with federal regulations, RSU No. 5 may disclose education records without prior written consent in a health and safety emergency to any person whose knowledge or the information is necessary to protect the health or safety of the student or other individuals.

6. Other Entities/Individuals

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

D. Complaints Regarding School Department Compliance with FERPA

Parents/eligible students who believe that RSU No. 5 has not complied with the requirements of FERPA have the right to file a complaint with the U.S. Department of Education. The office that administers FERPA is:

Family Policy Compliance Office

U.S. Department of Education

400 Maryland Avenue, SW

Washington, DC 20202

Adopted: July 8, 2009

Revised: December 8, 2010; November 30, 2011

NEPN/NSBA Code: JICK

RSU No. 5 School Department

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 RSU5 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:

- a. A student's actual or perceived characteristics identified in NEPN/NSBA Code: JICK 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
- b. A student's association with a person with one or more of these actual or perceived characteristics or any other distinguishing characteristics; and that has the effect described in subparagraph A. or B. above.

Cyberbullying

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

Application of Policy

This policy applies to bullying that:

- 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. NEPN/NSBA Code: JICK

School Employees and Others

Administrators, professional staff and all other employees who violate this policy may be subject to disciplinary action up to and including dismissal, and in accordance with any applicable collective bargaining agreements. Volunteers, contractors and visitors who violate this policy will be excluded 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

RSU5 will provide professional development and staff training in bullying prevention and response.

Delegation of Responsibility

The Superintendent will designate the school principal and/or other school personnel to be responsible for implementation/enforcement of this policy and associated procedures on the school level. The Superintendent/designee will be responsible for developing and implementing procedures in accordance with applicable law to implement this policy.

Dissemination of Policy

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

Legal Reference: 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 NEPN/NSBA Code: JICK

JI - Student Rights and Responsibilities

JIC - Student Code of Conduct

JICC - Student Conduct on Buses

JICIA - Weapons, Violence and School Safety
JK - Student Discipline
JKD - Suspension of Students
JKE - Expulsion of Students
KLG - Relations with Law Enforcement Authorities
Adopted: July 8, 2009
Revised: March 27, 2013

NEPN/NSBA Code: JICK-R

RSU No. 5 School Department

BULLYING – ADMINISTRATIVE PROCEDURE

This procedure is intended as guidance for school administrators in carrying out their responsibilities when bullying is alleged to have occurred. It provides important definitions as well as steps for reporting, investigating and responding to allegations of bullying. Bullying behavior alleged to be based on race, color, ancestry, national origin, sex, sexual orientation, religion or disability should be addressed under the procedures set forth in the Student Harassment and Sexual Harassment procedure, ACAA-R, rather than under this procedure.

Definitions

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

Bullying

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

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:

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

Cyberbullying

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

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

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

Retaliation

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

School Grounds

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

Alternative Discipline

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

Bullying Reports

Students and Parents/Guardians

Students who believe they have been bullied, or who have witnessed or learned about an act of bullying should report this behavior to the building principal. NEPN/NSBA Code: JICK-R

Parents/guardians may report bullying on behalf of their children or when they have witnessed or are aware of the occurrence of bullying. Reports of bullying may be made anonymously, but no disciplinary action shall be taken against a student solely on the basis of an anonymous report. Any student who has been determined to have made a false report of bullying will be subject to disciplinary consequences.

School Employees

For the purposes of this procedure, “school employees” includes coaches, advisors for cocurricular or extracurricular activities and volunteers. All school employees are expected to intervene when they see acts of bullying in progress and are required to report incidents of bullying they have witnessed or become aware of to the building principal as soon as practicable.

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

Others

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

Form of Reports

Complaints or reports of bullying may be made orally or in writing, but all reports will be recorded in writing by school personnel authorized to receive complaints or reports, using the school unit’s reporting form (JICK-E1). School employees are required to make reports of bullying to the principal in writing. Although students, parents and others, as identified above, may make bullying reports anonymously, all persons reporting incidents of bullying are encouraged to identify themselves. Bullying reports may be made anonymously, but in no instance will action be taken against any person or organization affiliated with the schools solely on the basis of an anonymous report. The building principal will forward a copy of the report to the Superintendent by the end of the next school day. NEPN/NSBA Code: JICK-R

Interim Measures

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

Investigation

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

Response to Bullying by Students

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

Alternative discipline includes but is not limited to:

- 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.
- NEPN/NSBA Code: JICK-R 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: ACA-R – Student Harassment and Sexual Harassment Procedure

JICK – Bullying

JRA-R – Student Education Records and Student Information

Adopted: March 27, 2013

NEPN/NSBA Code: JICIA

RSU No. 5 School Department

WEAPONS, VIOLENCE AND SCHOOL SAFETY

The RSU No. 5 Board of Directors believes that students and staff are entitled to learn and work in a school environment free of violence, threats and disruptive behavior. Students are expected to conduct themselves with respect for others and in accordance with Board policies, school rules, reasonable unwritten behavior expectations, and applicable state and federal laws. School staff are required to report immediately incidents of prohibited conduct by students to the building administrator/designee for investigation and appropriate action.

Prohibited Conduct

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

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

Disciplinary Action

Principals may suspend and/or recommend expulsion of students who violate this policy based upon the facts of each case and in accordance with 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 if found necessary for the peace and usefulness of the school. Such conduct may also be grounds for expulsion under other provisions of 20-A MRSA § 1001 (9 and 9-A) that specifically prohibit 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 by federal law), shall be expelled for a period of not less than one year, unless this requirement is modified by the Superintendent on a case-by-case basis.

All firearms 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. Students with disabilities shall be disciplined in accordance with applicable federal and state laws/regulations and School Committee Policy JFK

The School Committee authorized 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. All such evaluations shall be performed at the school unit's expense. If the parents/guardians and/or student refuse to permit a requested psychological evaluation, the Superintendent and the School Committee 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.

Legal References: 20 USCA § 8921 (Gun-Free Schools Act of 1994)

20-A MRSA §§ 1001 (9); 1001 (9-A); 6552

17-A MRSA §§ 2(9); 2(12-A)NEPN/NSBA Code: JICIA

Cross Reference: ACAA-Harassment and Sexual Harassment of Students

ADC-Tobacco Use and Possession

EBCA-Crisis Response Plan

JICH-Drug and Alcohol Use by Students

JK-Student Discipline

JKD-Suspension of Students

JKE-Expulsion of Students

JKF-Disciplinary/Removal of Students with Disabilities

JIH-Questioning and Searches of Students

KLK-Relations with Law Enforcement Authorities

Adopted: July 8, 2009

Reviewed: January 23, 2013

NEPN/NSBA Code: JIH

RSU No. 5 School Department

QUESTIONING AND SEARCHES OF STUDENTS

The Board seeks to maintain a safe and orderly environment in the schools. School administrators may question and/or search students in accordance with this policy and accompanying administrative procedure.

Students, their personal property, and their vehicles may be searched upon reasonable suspicion that they possess 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.

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. Only locks provided by RSU5 may be used to secure student lockers.

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. Canine patrols may be used.

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 school administrators and appropriate disciplinary action may be taken. Evidence may be forwarded to law enforcement authorities as required by law or as deemed appropriate by school administrators.

The Superintendent is authorized to develop and implement, with input from legal counsel, administrators, and/or other appropriate persons, any administrative procedure necessary to carry out this policy.

This policy and the accompanying procedure will be included in student/parent handbooks. Such administrative procedures shall be subject to Board approval.

Cross Reference: JICH – Drug and Alcohol Use by Students
JICIA – Weapons, Violence, and School Safety
JK – Student Discipline
KLG – Relations with Law Enforcement Authorities

Adopted: March 24, 2010
Reviewed: March 13, 2013
Revised: November 20, 2013

NEPN/NSBA Code: EEA
RSU No. 5 School Department
STUDENT TRANSPORTATION SERVICES

The Board of Directors will provide transportation for all elementary students living beyond a reasonable distance from their school or from a scheduled bus stop as the Board has determined. This distance is defined as one mile. Transportation for secondary students is optional and shall be determined by a vote of the Board either by specific vote or by vote on the annual budget.

Distance shall be measured by the shortest publicly traveled way from the residence to the bus stop or school door. In cases questioned, distance will be measured and established by the Superintendent or his/her designee. Exceptions to the above distance shall be made for the following reasons only:

A. Health

Exceptions to established walking distances may be made for students with disabilities as required by their IEP or Individual Health Plan (504 Plan). Exceptions may also be made to accommodate a student's need for transportation with written documentation for the student's physician.

B. Kindergarten Students

Kindergarten bus service will include pick-up and delivery to the home, providing a suitable bus turn is available.

C. Hazardous Walking Conditions

Hazardous walking conditions shall be defined as those which would place a child of a given age in a situation of greater than normal or average danger.

Authorized bus stops will be located so as to load and unload students with the most safety allowed by road conditions. The distance between stops may vary according to safety factors. If possible, students will be loaded and unloaded so that it is not necessary for them to cross a main highway to reach their homes. Requests for bus stops, inconsistent with this regulation must be made in writing and submitted to the Superintendent or his/her designee.

Cross Reference: JICC – Student Conduct on School Buses

Legal Reference: title 20A MRSA, Sec. 5401

Adopted: April 28, 2010

Revised: December 14, 2011

NEPN/NSBA Code: EEAEC

RSU No. 5 School Department

STUDENT CONDUCT ON SCHOOL BUSES

The law does not relieve parents of students from the responsibility of supervision before the child boards the bus in the morning and after the child leaves the bus at the end of the school day. Once a child boards the bus-and only at that time-does he/she become the responsibility of the school system. Such responsibility shall end when the child is delivered to an established bus stop at the close of the school day. In view of the fact that a bus is an extension of the classroom, the Board requires children to conduct themselves in the bus in a manner consistent with established standards for classroom behavior. In cases when a child does not conduct him/herself properly on a bus, such instances are to be brought to the attention of the building Principal by the bus driver. The building Principal will inform the parents immediately of the misconduct and request their cooperation in checking the child's behavior. Children who become a serious disciplinary problem on the school bus may have their riding privileges suspended by the Principal. In such cases, the parents of the children involved become responsible for seeing that their children get to and from school safely.

Legal Reference: 20-A MRSA Section 5401

Cross Reference: EEA - Student Transportation Services

Adopted: April 28, 2010

Reviewed: January 25, 2012

NEPN/NSBA Code: GBEBB

RSU No. 5 School Department

STAFF CONDUCT WITH STUDENTS

The RSU No. 5 Board expects all staff members, including teachers, coaches, counselors, administrators, and others to maintain the highest professional, moral, and ethical standards in their conduct with students. For the purposes of this policy, staff members also include school volunteers.

The 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 and outside of the educational setting; and consistency with the educational mission of the schools.

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.

Unacceptable Conduct

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

- A. Any type of sexual or inappropriate physical contact with students or any other conduct that might be considered harassment under the Board's policy on Harassment and Sexual Harassment of Students;
- B. Singling out a particular student or students for personal attention and friendship beyond the normal teacher-student relationship;
- C. Associating with students in any situation or activity that includes the presence of alcohol, drugs, or tobacco or that could be considered sexually suggestive;
- D. For non-guidance/counseling staff, encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, staff members are expected to be supportive but to refer the student to appropriate guidance/counseling staff. In either case, staff involvement should be limited to a direct connection to the student's school

performance;

E. Sending students on personal errands;

F. Sexual banter, allusions, jokes, or innuendos with students;

G. Asking a student to keep a secret; NEPN/NSBA Code: GBEBB

H. Disclosing personal, sexual, family, employment concerns, or other private matters to one or more students;

I. Addressing students with terms of endearment, pet names, or otherwise in an overly familiar manner; and

J. Permitting students to address you by your first name, nickname or otherwise in an overly familiar manner.

K. Being alone with individual students out of the view of others;

L. Inviting or allowing students to visit the staff member's home;

M. Visiting a student's home, unless on official school business;

N. Maintaining personal contact with a student outside of school by phone, email, Instant Messenger or Internet chat rooms, social networking websites, or letters (beyond homework or other legitimate school business);

O. Exchanging personal gifts (beyond the customary student-teacher gifts); and/or

P. Socializing or spending time with students (including but not limited to activities such as going out for meals or movies, shopping, traveling, and recreational activities) outside of school-sponsored events or except as participants in organized community activities.

Reporting Violations

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

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

Disciplinary Action

Staff violations of this policy may result in disciplinary action up to and including dismissal. Violations involving sexual or other abuse will also result in referral to the Department of Human Services and/or law enforcement in accordance with the Board's policy on Reporting Child Abuse and Neglect.

Dissemination of Policy

This policy shall be included in all employee, student and volunteer handbooks. NEPN/NSBA Code: GBEBB

Cross Reference: ACAA - Harassment and Sexual Harassment of Students

GCSA - Staff Computer/Internet Use

JLF - Reporting Child Abuse and Neglect

Adopted: June 9, 2010

Reviewed: February 29, 2012

NEPN/NSBA Code: IJNDB-E RSU No. 5 School Department

STUDENT COMPUTER AND INTERNET USE AND INTERNET SAFETY ACKNOWLEDGMENT FORM

No student shall be allowed to use school computers or the Internet until the student and parent/guardian have signed and returned this acknowledgment to the school.

Student:

I have read policy IJNDB – Student Computer and Internet Use and Internet Safety and IJNDB-R – Student Computer and Internet Use and Internet Safety Rules and agree to comply with them.

Signature of Student Date

Student's Name – Please Print

Parent/Guardian:

I have read policy IJNDB – Student Computer and Internet Use and Internet Safety and IJNDB-R – Student Computer and Internet Use and Internet Safety Rules and understand that my son/daughter's use of school computers is subject to compliance with these rules.

Signature of Parent/Guardian Date

Parent/Guardian's Name – Please Print

Adopted: February 24, 2010
Revised: June 13, 2012
Revised: November 20, 2013

NEPN/NSBA Code: IJNDB-R
RSU No. 5 School Department

STUDENT COMPUTER AND INTERNET USE AND INTERNET SAFETY RULES

These rules accompany Board policy IJNDB (Student Computer and Internet Use and Internet Safety). Each student is responsible for his/her actions and activities involving school unit computers (including laptops or tablets issued to students), networks, and Internet services, and for his/her computer files, passwords, and accounts.

These rules provide general guidance concerning the use of the school unit'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 the building principal or the Technology Director.

A. Acceptable Use

The school unit's computers, networks, and Internet services are provided for educational purposes and research consistent with the school unit's educational mission, curriculum, and instructional goals. Incidental personal use is acceptable given that it does not interfere with educational activities.

All Board policies, school rules, and expectations concerning student conduct and communications apply when students are using computers, whether the use is on or off school property.

Students are also expected to comply with all specific instructions from school administrators, school staff or volunteers when using the school unit's computers.

B. Consequences for Violation of Computer Use Policy and Rules

Compliance with the school unit's policies and rules concerning computer use is mandatory. Students who violate these policies and rules may, after having been given the opportunity to respond to an alleged violation, have their computer privileges limited, suspended, or revoked. Such violations may also result in disciplinary action, referral to law enforcement, and or legal action.

The building principal shall have final authority to decide whether a student's privileges will be limited, suspended or revoked based upon the circumstances of the particular case, the student's prior disciplinary record, and any other relevant factors.

C. Prohibited Uses

Examples of unacceptable use of school unit computers that are expressly prohibited include, but are not limited to, the following:

1. Accessing or Posting Inappropriate Materials – Accessing, submitting, posting, publishing, forwarding, downloading, scanning or displaying defamatory, abusive, obscene, vulgar, sexually explicit, sexually

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suggestive, threatening, discriminatory, harassing and/or illegal materials or engaging in "cyber bullying;"

2. Illegal Activities – Using the school unit's computers, networks, and Internet services for any illegal activity or in violation of any Board policy or school rules. The school unit assumes no responsibility for illegal activities of students while using school computers;

3. Violating Copyrights – Copying, downloading or sharing any type of

copyrighted materials (including music or films) without the owner's permission (see Board policy/procedure EGAD – Copyright Compliance). The school unit assumes no responsibility for copyright violations by students;

4. Copying Software – Copying or downloading software without the express authorization of the Technology Coordinator. Unauthorized copying of software is illegal and may subject the copier to substantial civil and criminal penalties. The school unit assumes no responsibility for illegal software copying by students;

5. Plagiarism – Representing as one's 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 website must be identified;

6. Misuse of Passwords/Unauthorized Access – Sharing passwords, using other users' passwords, and accessing or using other users' accounts;

7. Malicious Use/Vandalism – Any malicious use, disruption or harm to the school unit's computers, networks, and Internet services, including but not limited to hacking activities and creation/uploading of computer viruses; and

8. Unauthorized Access to Blogs/Chat Rooms/Social Networking Sites – Accessing blogs, chat rooms or social networking sites to which student access is prohibited.

D. No Expectation of Privacy

RSU5 computers remain under the control, custody, and supervision of the school unit at all times. Students have no expectation of privacy in their use of school computers, including email, stored files, and Internet access logs.

E. Compensation for Losses, Costs, and/or Damages

The student and his/her parents are responsible for compensating the school unit for any losses, costs, or damages incurred by the school unit for violations of Board policies and rules while the student is using school unit computers, NEPN/NSBA Code: IJNDB-R
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including the cost of investigating such violations. The school unit assumes no responsibility for any unauthorized charges or costs incurred by a student while using school unit computers.

F. Student Security

A student is not allowed to reveal his/her full name, address or telephone number,

social security number, or other personal information on the Internet without prior permission from a teacher. 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.

G. System Security

The security of the school unit's computers, networks, and Internet services is a high priority. Any student who identifies a security problem must notify his/her teacher immediately. The student shall not demonstrate the problem to others or access unauthorized material. Any user who attempts to breach system security, causes a breach of system security, or fails to report a system security problem shall be subject to disciplinary and/or legal action in addition to having his/her computer privileges limited, suspended, or revoked.

H. Additional Rules for Laptops and Tablets Issued to Students

1. Laptops and tablets are loaned to students as an educational tool and are only authorized for use in completing school assignments unless permission is given to a student by a teacher or parent to use the device for personal reasons.

2. Before a laptop or tablet is issued to a student, the student must sign the school's "acceptable use" agreement and parents must attend an informational meeting. Attendance will be documented by means of a "sign in" sheet. The meeting will orient parents to the goals and workings of the laptop program, expectations for care of school-issued laptops, Internet safety, and the school unit's rules in regard to use of this technology.

3. Students and their parents are responsible for the proper care of laptops and tablets at all times, whether on or off school property, including costs associated with repairing or replacing the laptop. RSU5 offers a protection program for parents to cover replacement costs and/or repair costs for damages not covered by the warranty. Parents who choose not to participate in the protection program should be aware that they are responsible for any costs associated with loss, theft, or damage to a laptop or tablet issued to their child.

4. Loss or theft of a laptop or tablet must be reported immediately to the Principal, and, if stolen, to the local law enforcement authority as well.

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5. The Board's policy and rules concerning computer and Internet use apply to use of laptops and tablets at any time or place, on or off school property. Students are responsible for obeying any additional rules concerning care of laptops and tablets issued by school staff.

6. Violation of policies or rules governing the use of computers, or any careless use of a laptop or tablet may result in a student's device being confiscated and/or a student only being allowed to use the device under the direct supervision of school staff. The student will also be subject to disciplinary action for any violations of Board policies or school rules.

7. Parents are responsible for supervising their child's use of the laptop or tablet and Internet access when in use at home.

8. The laptop or tablet may only be used by the student to whom it is assigned and by family members.

9. Laptops and tablets must be returned in acceptable working order at the end of the school year or whenever requested by school staff.

Cross Reference: EGAD – Copyright Compliance
IJNDB – Student Computer and Internet Use and Internet Safety

Adopted: February 24, 2010

Revised: June 13, 2012

Revised: November 20, 2013

NEPN/NSBA Code: IKB

RSU No. 5 School Department

HOMEWORK

The RSU No. 5 Board believes that there are several reasons for assigning meaningful homework:

A. Homework is an avenue for families to become involved with education. We know that for schools to do the best possible job educating each student, parents and schools must work together. Homework is one way parents can make a meaningful contribution to helping their sons and daughters achieve. When students see that their parents think education is important, their performance improves.

B. Appropriately designed homework communicates the value of learning as an integrative reflective process. Assigning meaningful homework is one way of letting students develop confidence in their own abilities.

C. In addition to applied learning opportunities homework has the potential to help students develop self-discipline, initiative, and organizational skills. Homework also provides the opportunity to further develop individual interests. Through homework, students learn how to manage their time. Students learn the importance of setting goals and working to achieve them.

D. Homework helps students apply the skills they have been taught in school. The amount of homework assigned should be gradually increased from grade to grade. As a child advances through school, it is reasonable to expect that the amount of homework can be increased using the following guidelines for homework an average of 4 nights per week:

Grades K-5: Gradually adding minutes with each grade to a maximum of 60 minutes in grade 5 for all subjects combined; Grades 6-8: A maximum of two hours per night for all subjects combined; and Grades 9-12: A maximum of three hours per night for all subjects combined. Homework should be meaningful, engaging, process oriented, and integrative, while being mindful of the diverse capacities of students.

Legal Reference: CH. 125.23, B, 5, 1 (Maine Dept. of Ed. Rule)

Adopted: February 24, 2010

Reviewed: December 12, 2012

NEPN/NSBA Code: JKAA

RSU No. 5 School Department

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 a 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 DOE Rule Chapter 33.
9. DOE 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.

RSU5 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. RSU5 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 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. NEPN/NSBA Code: JKAA

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

KLK/KLG-R – Relations with Law Enforcement

Adopted: June 24, 2009

Reviewed: March 24, 2010

Revised: January 26, 2011

Revised: November 28, 2012

Revised: June 12, 2013

NEPN/NSBA Code: JKAA-R

RSU No. 5 School Department

PROCEDURES ON PHYSICAL RESTRAINT AND SECLUSION

These procedures are established for the purpose of meeting the obligations of RSU5 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. Risk of injury or harm: A situation in which a student has the means to cause physical harm or injury to him/herself or others and such injury or harm is likely to occur, such that a reasonable and prudent person would take steps to protect the student and others against the risk of such injury or harm.

C. Dangerous behavior: Behavior that presents a 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 a 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. NEPN/NSBA Code: JKAA-R

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 to prevent property destruction or disruption of the environment in the absence of a risk of injury or harm.

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. NEPN/NSBA Code: JKAA-R

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 a 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 a 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 a risk of injury or harm to him/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). NEPN/NSBA Code: JKAA-R

A. Permitted Uses and Location of Seclusion

1. Seclusion may be used only as an emergency intervention when the behavior of a student presents a 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 to prevent property destruction or disruption of the environment in the absence of risk of injury or harm.

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 a 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 Seclusion

1. The staff involved in the seclusion must continually assess for signs that the student is no longer presenting a risk of injury or harm to him/herself or others, and the emergency intervention must be discontinued as soon as possible. NEPN/NSBA Code: JKAA-R

- 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 him/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.
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 RSU5 usual emergency notification procedures.
4. If serious bodily injury or death of a student occurs during the implementation of physical restraint or seclusion, the RSU5 emergency NEPN/NSBA Code: JKAA-R 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.

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; NEPN/NSBA Code: JKAA-R
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. NEPN/NSBA Code: JKAA-R

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. NEPN/NSBA Code: JKAA-R

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 required in Section 7.A.1 above.

Legal Reference: Me. DOE Rule Ch. 33

Cross Reference: JKAA – Use of Physical Restraint and Seclusion

Administrative Procedure Adopted: March 16, 2010

Administrative Procedure Revised: December 14, 2010

Board of Directors Adopted: November 28, 2012

Revised: June 12, 2013

NEPN/NSBA Code: JLCS

RSU No. 5 School Department

IMMUNIZATION OF STUDENTS

All students who enroll in the RSU No. 5 School Department 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, varicella, mumps and rubella. Pre-Kindergarten students must have a certificate of immunization or evidence of immunization against IPV, MMR, Varicella, and polio.

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 activities any non-immunized student when 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: July 8, 2009

NEPN/NSBA Code: JLCC

RSU No. 5 School Department

Page 1 of 1

COMMUNICABLE/INFECTIOUS DISEASES

Teachers shall be alert to signs of illness and communicable disease and refer students who show such symptoms to the school nurse. All students under quarantine shall be excluded from school and school activities. Quarantine regulations established by the Bureau of Health shall be observed. The school nurse shall be responsible for notifying the local health department of all students having a communicable disease as required by law and Department of Education rules. The building principal shall be notified of all communicable disease cases and contacts in the school. Students who have other types of communicable diseases shall be excluded from school as prescribed by law, or shall observe other protective procedures according to recommendations issued by the Maine Center for Disease Control and Prevention and in accordance with laws of confidentiality.

When a student returns to school after having had a communicable disease, a certificate from the attending physician may be required. The building principal and/or the school nurse must give permission before the student is readmitted to class.

Legal Reference: 5 MRSA § 19201 ets.eq.

20-A MRSA §§ -1001.1 I-A~ 6301

22 MRSA § § 8-0 1, 80211, 806, 823, 824

Adopted: July 8, 2009

NEPN/NSBA Code: JLCD

RSU No. 5 School Department

ADMINISTERING MEDICATION TO STUDENTS

The 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. The Board discourages the administration of medication on school premises where other options exist. Whenever possible, it is recommended that the first dose of a newly-prescribed medication be given at home.

I. REQUESTS TO ADMINISTER MEDICATIONS PURSUANT TO HEALTH PROVIDER ORDER

The following procedure must be followed for any prescription medication to be administered to a student pursuant to a health care provider's order. Such an order must be obtained from a medical/health practitioner who has a current Maine license with a scope that includes administering medication.

1. The parent/legal guardian shall obtain a copy of the RSU No. 5's Request/Permission to Administer Medication in School Form and Board Policy JLCD from the Principal/designee.
2. The parent/legal guardian and the student's health care provider shall complete and sign the Request/Permission Form.
3. The parent/legal guardian shall return the Request/Permission Form to the Principal/designee along with the medication:
 - In the original container (and in the case of prescription medications, appropriately labeled by the health care provider or pharmacy);
 - Including no more than the amount of medication necessary to comply with the health provider's order.
4. The licensed school personnel shall review the Request/Permission form for completeness and clarity. If the licensed school personnel has any questions or concerns about the form, he/she will contact the parent/legal guardian, and/or health care provider as appropriate for more information.
5. If there is a later change in the medical order (such as change in dose, frequency or type of medication), a new Request/Permission form must be completed.
6. Medication orders must be renewed at least annually.
7. Medication no longer required (or remaining at the end of the school year) must be removed by the parent/legal guardian. Medication not removed by the parent/legal guardian in a timely manner shall be disposed of by the school unit.
8. The Board disclaims any and all responsibility for the diagnosis, prescription of treatment, and administration of medication for any student, and for any injury arising from a student's self-administration of medication.

II. SELF-ADMINISTRATION OF MEDICATIONS

Inhalers and Epi-Pens

Students shall be authorized to possess and self-administer emergency medication from an asthma inhaler or epinephrine pen (epi-pen) if the following requirements are met. NEPN/NSBA Code: JLCD

1. The student must have the prior written approval of the student's health care provider and, if the student is a minor, the prior written approval of his/her parent/guardian (see Request/Permission Form).
2. The student's parent/guardian must submit written verification from the student's health care provider confirming that the student has the knowledge and the skills to safely possess and use an asthma inhaler or epi-pen in school.
3. The licensed school personnel shall evaluate the student's technique to ensure proper and effective use of an asthma inhaler or epi-pen in school.

Other Medications

Students shall be permitted to possess and self-administer prescription medications in school on a case-by-case basis. All such requests must be approved by the licensed school personnel.

III. ADMINISTRATION OF OVER THE COUNTER MEDICATIONS

With prior parental/legal guardian permission, students may receive certain over the counter medications at school.

IV. PERSONNEL AUTHORIZED TO ADMINISTER MEDICATIONS

Medications may be administered by licensed school personnel such as the certified school nurse, registered nurse and licensed practical nurse and/or by authorized unlicensed school personnel who have received appropriate training. An annual review is required for all unlicensed personnel authorized to administer medications. The licensed school personnel shall maintain appropriate documentation of training. Authorization to administer medications shall be made by the Superintendent based upon the recommendation of the licensed school personnel.

V. CONFIDENTIALITY OF INFORMATION

To the extent legally permissible, school staff may be provided with such information regarding a student's medication(s) as may be in the best interest of the student.

VI. STORAGE OF MEDICATIONS/RECORDKEEPING

1. All medications shall be stored in a secure space in the licensed school personnel's office or school office and locked at all times except during the actual administration of medication.

2. A Medication Record Book shall be maintained by the licensed school personnel/designee, including the Request/Permission Forms and individual medication records for each student to document the administration of all medications (dose administered, by whom, date, time and any errors). NEPN/NSBA Code: JLCD

VII. ADMINISTRATIVE PROCEDURES

The Superintendent/designee shall develop any administrative procedures necessary to implement this policy and as required by Maine Department of Education Rules.

Legal Reference: 20-A MRSA Section 254(5) and Section 4009(4)

Maine Department of Education Rule Chapter 40

28 CFR Part 35 (Americans with Disabilities Act of 1990)

34 CFR Part 104 (Section 504 of the Rehabilitation Act of 1973)

34 CFR Part 300 (Individuals with Disabilities Education Act)

Adopted: July 8, 2009

Revised: December 8, 2010

NEPN/NSBA Code: JEA

RSU No. 5 School Department

COMPULSORY ATTENDANCE

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 their 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 NEPN/NSBA Code: JEA

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 (other public or private alternative programs) or § 8605 (student attendance in adult education courses).

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.

Discontinuation of Home Instruction

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 that has been approved;
 - 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 NEPN/NSBA Code: JEA 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 school 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; 5003; 5201

Ch. 125 § 8.06 (Maine Dept. of Ed. Rules)

Cross Reference: IHBG - Home Schooling

JFC - Student Withdrawal From School/Dropout Prevention Committee

JHB - Truancy

Adopted: July 8, 2009

Reviewed: January 23, 2013

TRUANCY/Truancy Defined

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

- A. Has completed grade 6 and has the equivalent of 10 full days of unexcused absences or 7 consecutive school days of unexcused absences during a school year; or
- B. Is at least 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.

ATTENDANCE COORDINATORS

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

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

TRUANCY PROCEDURES

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

- A. The principal, upon determining that a student is truant, shall notify the Superintendent of the student's truancy within five school days of the last unexcused absence.
- B. Within five school days of notification, the Superintendent/designee will refer the student who has been determined to be truant to the school's student assistance team.

C. The student assistance team will meet to determine the cause of the truancy and assess the effect of the student's absences, as well as any future absences for the student. If it is determined that a negative effect exists, the student assistance team shall develop an intervention plan to address the student's absences and the negative effect of these absences.

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

1. Frequent communication between the teacher and the family;
2. Changes in the learning environment;
3. Mentoring;
4. Student counseling;
5. Tutoring, including peer tutoring;
6. Placement into different classes;
7. Evaluation for alternative education programs;
8. Attendance contracts;
9. Referral to other agencies for family services; and
10. Other interventions including but not limited to referral to the school attendance coordinator, student assistance team, or dropout prevention committee.

Failure of the student or the student's parent(s) to appear at scheduled meetings does not preclude school administrators from implementing a plan to address a student's truancy.

D. The student and his/her parents/guardians shall be invited to attend any meetings scheduled to discuss the student's truancy and the intervention plan.

E. If the Superintendent/designee is unable to correct the student's truancy, the Superintendent/designee shall serve or cause to be served upon the parent(s) in hand or by registered mail a written notice that the student's attendance is required by law. The notice shall:

1. State that the student is required to attend school pursuant to 20-A MRSA §5001-A (the compulsory attendance law);
2. Explain the parent's right to inspect the student's attendance records, attendance coordinator's reports, and principal's reports;
3. Explain that the failure to send the student to school and maintain the student in regular attendance is a civil violation in accordance with 20-A

MRSA § 5053-A and will jeopardize the student's status in the grade he/she is in;

4. State that the Superintendent/designee may notify local law enforcement authorities of a violation of 20-A MRSA § 5053-A and the Department of Health and Human Services (DHHS) of a violation under and 20-AMRSA § 5051-A(1)(C); and
5. Outline the plan developed to address the student's truancy and the steps that have been taken to implement that plan.

F. Prior to notifying local law enforcement authorities, the Superintendent/ designee shall schedule at least one meeting of the student assistance team as required by law and paragraph B of this policy and may invite a local prosecutor.

G. If after three school days after the service of the notice described in paragraph E of this policy the student remains truant and the parent(s) and student refuse to attend the meeting referred to in paragraph F, the Superintendent/designee shall report the facts of the unlawful absence to local law enforcement authorities. Local law enforcement may proceed with enforcement action against the parent unless the student is at once placed in an appropriate school or otherwise meets the requirements of the compulsory attendance law.

ANNUAL REPORT TO COMMISSIONER

The Superintendent shall submit an annual report regarding truancy to the Commissioner by October 1. The report must identify the number of truants in the school administrative unit in the preceding school year; describe the school unit's efforts to deal with truancy; account for actions brought to enforce the truancy law; and include any other information on truancy requested by the Commissioner. Legal Reference: 20-A MRSA §§ 5001-A; 5051-A-5054-A22 MRSA § 4002

Cross Reference: JEA – Compulsory Attendance

JFC – Dropout Prevention—Student Withdrawal from School

JLF – Reporting Child Abuse and Neglect

Adopted: November 18, 2009

Revised: January 23, 2013

Revised: March 26, 2014

NEPN/NSBA Code: JIC

RSU No. 5 School Department

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

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.
7. Meet school standards for grooming and dress.
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.

Article 4 – Discipline

Violations of the Code of Conduct may result in positive and restorative interventions and/or disciplinary action. Administrators have the discretion to tailor discipline to the facts and circumstances of the particular case. 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:

JK – Student Discipline

JKB – Detention of Students

JKD – Suspension of Students

JKE – Expulsion of Students

Article 5 – 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 this 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:

JICIA – Weapons, Violence and School Safety

JICK – Bullying

EBCC – 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 NEPN/NSBA Code: JIC 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 Policies:

JICIA – Weapons, Violence and School Safety

JICK – Bullying

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 Policy – ACAD – Hazing

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, sexual orientation, religion, ancestry, or national origin or disability. Sexual harassment is also prohibited. Harassment is grounds for disciplinary action up to and including expulsion.

See Policies:

AC – Nondiscrimination

ACAA – Harassment and Sexual Harassment of Students

E. Bullying

Students shall not engage in bullying behavior, including unwanted physical contact, acts or communications of any kind that: 1) damage a student’s property; place a student in reasonable fear of physical harm and/or damage his/her property; and/or disrupt the instructional program or the orderly operation of the school; and/or 2) is so severe that it creates a hostile educational environment for the student who is bullied. Violations may result in disciplinary action up to and including expulsion from school.

See Policy – JICIA – Weapons, Violence and School Safety NEPN/NSBA Code: JIC

F. Drug and Alcohol Use

Students shall not distribute, possess, use or be under the influence of any alcoholic beverage, drug, look-alike substance or other prohibited materials and/or substances as described in Board policy. Violations may result in disciplinary action up to and including expulsion from school.

See Policy – JICH – Drug and Alcohol Use by Students

G. 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 Policy – ADC – Tobacco Use and Possession

H. 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 their particular violation.

See Policy – JICC – Student Conduct on School Buses

I. Computer/Internet Use

Students may use school computers, networks and Internet services only for educational purposes and other purposes authorized by the school unit. Students shall comply with all policies and rules governing acceptable use. Unacceptable use may result in use restrictions suspension or cancellation of computer privileges as well as additional disciplinary and/or legal action.

See Policy – IJNDB – Student Computer and Internet Use

Article 6 – 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. NEPN/NSBA Code: JIC

3. Staff members should not use physical force or restraint, except 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 MRSA § 4009 – Protection from Liability

See Comprehensive Emergency Management Plan

Article 7 – 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:

IHBAA – Referral/Pre-Referral Policy of Students with Disabilities

IHBAC – Child Find

2. Review of Individual Educational Plan. The school shall schedule an IEP 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 other; 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 Policy – JKF – Disciplinary Removals of Students with Disabilities

Article 8 – 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.

See Policies:

KLG – Relations with Law Enforcement Authorities, OR

KLGA – Relations with School Resource Officers and Law

Enforcement Authorities NEPN/NSBA Code: JIC

Article 9 – 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 MRSA §§ 254 (11); 1001 (15), (15-A)

Adopted: March 24, 2010

Revised: January 23, 2013

NEPN/NSBA Code: EBCC

RSU No. 5 School Department

BOMB THREATS

The RSU No. 5 Board of Directors 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 nonverbal, that a bomb has been, or will be, placed on school premises, including possession or placement of a bomb or look-alike bomb on school premises.
4. "School premises" means any school property and any location where any school activities may take place.

C. Development of Bomb Threat Procedures

The Superintendent/designee shall be responsible for developing and implementing procedures specific to bomb threats as part of the school unit's Crisis Response Plan. NEPN/NSBA Code: EBCC 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 reentry (including selection of potential alternative sites for those who are evacuated);
3. Incident "command and control" (who is in charge, and when);
4. Communications contacts and mandatory bomb threat reporting;
5. Parent notification process;
6. Training for staff members, and
7. Support services for students and staff.

The initial bomb threat procedure will be subject to approval by the Board of Directors. 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.

D. Reporting of Bomb Threats

A student who learns of a bomb threat or the existence of a bomb on school premises must immediately report such information to the building principal, teacher, the School Resource Officer or other employee in a position of authority. An employee of the school unit who learns of a bomb threat shall immediately inform the building administrator. The building administrator shall immediately take appropriate steps to protect the safety of students and staff in accordance with the school unit's bomb threat procedure, as developed under Section C, and inform the Superintendent of the threat. All bomb threats shall be reported immediately to the local law enforcement authority, as provided in the bomb threat procedures. The Superintendent shall be responsible for reporting any bomb threat to the Department of Education within two business days of the incident. Reports will include the name of the school, the date and time of the threat, the medium used to communicate the threat, and whether or not the perpetrators have been apprehended.

E. Student Disciplinary Consequences

Making a bomb threat is a crime under Maine law. Any student suspected of making a bomb threat shall be reported to law enforcement authorities for investigation and possible prosecution. Apart from any penalty imposed by law, and without regard to NEPN/NSBA Code: EBC 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. Section 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 of Directors 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. Section 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 JKF.

F. Aiding Other Students in Making Bomb Threats

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

G. Failure to Report a Bomb Threat

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

H. Staff Disciplinary Consequences

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

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

I. Civil Liability

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

J. Lost Instructional Time

Instructional time lost as a result of a bomb threat will be rescheduled at the earliest practicable opportunity, as determined by the Superintendent in consultation with the Board of Directors. 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.

K. Notification Through Student Handbook

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

Legal References: 18 U.S.C. Section 921; 8921

17-A M.R.S.A. Section 210

20-A M.R.S.A. Section 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: June 24, 2009

Reviewed: December 14, 2011

JRA E1

RSU NO. 5 CONSENT TO RELEASE PREK-8 STUDENT INFORMATION

2013-2014 School Year Dear Parents/Guardians:

Directory Information

During the school year there are groups who support school activities like the parent/teacher organizations, boosters for various sports and activities who request Directory Information from us. These groups are directly associated with the school and any information given to them is not shared with anyone else. RSU No. 5 designates the following student information as directory information: name, participation and grade level of students in recognized activities and sports, height and weight of student athletes, dates of attendance in the school unit, and honors and awards received. While directory information can be released without written permission, it has been our custom to honor your wishes regarding this issue. RSU5 may disclose directory information if we have not received timely written notice refusing permission to designate such information as directory information.

Student Name: _____ Grade: _____

_____ I request that the school NOT release my child's information of any kind, including "directory information"

Signature of Parent/Guardian: _____ Date: _____

Information on the Internet

There are also activities such as music presentations, plays, etc. that are photographed or video taped and played over the local cable access channel or other television stations. Photos and student names are sometimes released to the press, such as the honor roll, and/or displayed on teacher's classroom and school websites.

Student Name: _____ Grade: _____

_____ I request that the school NOT release my child's information on the internet or television. _____ My child's information may be released on the internet or television

Signature of Parent/Guardian: _____ Date: _____

Administrative Procedure Adopted 3/16/10
Administrative Procedure Revised: 1/17/12; 10/2/12