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TO: Kate Brown, Candy deCsipkes, Maddy Vertenten

CC: Michelle Lickteig

FROM: Cynthia Alexander

DATE: November 13, 2018

RE: Policy Review – December 14, 2018 Meeting

The Policy Sub-Committee is scheduled to meet on Friday, December 14, 2018 at 8:30 a.m. at the RSU5 Central Office.

**Agenda**

1. JJE – Student Fundraising Activities
2. JK – Student Discipline
3. JIC – System-Wide Student Code of Conduct
4. JKB – Detention of Students
5. JKD – Suspension of Students
6. KHB – Advertising in the Schools
7. DFF – Student Activity Funds
8. DID – Inventories
9. DJ – Bidding/Purchasing Requirements

Regional School Unit No. 5

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## STUDENT FUNDRAISING ACTIVITIES

The Board recognizes that it is responsible for providing through the budget process the resources necessary to support the school unit's instructional program. However, the Board acknowledges that student organizations may wish to engage in fundraising in order to support their activities, to provide funding for social events and/or student travel, to benefit the school or community, or for humanitarian purposes.

It is the purpose of this policy to provide guidelines for student participation in fundraising activities.

### A. Fundraising Guidelines

The following general guidelines apply to fundraising by student organizations. These guidelines and additional considerations shall apply to student participation in fundraising conducted for other purposes.

1. All student fundraising activities must be approved in advance by the building principal who will determine. ~~There must be sufficient educational or financial benefits to the school and/or students to justify the fundraising activity and complies with section D of this policy.~~
2. Student fundraising activities must be supervised by a building administrator, teacher or activity advisor.
3. The activity must be one in which schools and students may appropriately engage, and must not subject the schools, students, or their families to unnecessary risk or responsibility. In the event there is a question regarding the appropriateness of a proposed activity or the proposed fundraising activity is one that is new to the school system, the building principal shall consult with the Superintendent.
4. Participation by students shall be voluntary.
5. The activity must not be unduly demanding of student or staff time or work. Neither students nor staff should miss instructional or advisory time to plan or implement fundraising activities, acquire, demonstrate or distribute products, solicit sales, or to collect or record monies. ~~Students may participate in fundraising activities during non-instructional time, such as lunch periods and before and after school.~~
6. There shall be no mandatory quotas for product sales or donations.
7. Class time will not be used for distribution of promotional materials.

8. Students participating in fundraising activities are expected to conduct themselves in accordance with Board policies, school rules and the student code of conduct.
9. In the interest of student safety, activities involving door-to-door solicitation by elementary level students are prohibited.
10. Club and class dues shall be determined by the club or class officers in consultation with the club or activity advisor. The building principal shall have final authority over the setting of club and class dues. To the greatest extent possible, scholarship funds will be made available to qualifying students.
11. The building administrator and teachers or advisors supervising fundraising activities will be responsible for the collection, monitoring, deposit into student activity accounts, and disbursement of funds raised in accordance with the Board's policy DFF, Student Activities Funds Management (or other applicable policy code and title).

**B. Solicitation of Funds By and From Students for Humanitarian or Charitable Organizations**

Student fundraising may be conducted to benefit humanitarian or charitable organizations or purposes only as follows:

1. The fundraising activity or charity drive must be sponsored by a recognized school club or student organization and approved in advance by the building principal.
2. The activity or drive must be supervised by a building administrator or teacher.
3. Instructional time should not be used for planning or soliciting funds unless there is an explicit correlation to curriculum goals. The building administrator has final decision making authority in this matter.
4. Class time should not be used for distribution of promotional materials.
5. Participation in or donation to any fundraising activity shall be optional. Under no circumstances will any student be compelled to participate or donate, or be penalized for not participating or donating.
6. Fundraising activities must be conducted in accordance with the guidelines in Section A of this policy.
7. The building administrator or teacher charged with supervising the fundraising activity or drive will be responsible for the collection,

monitoring and disbursement of funds raised. Use of any student activity account must be in accordance with the Board's policy DFF (or other

code), Student Activities Funds Management.

C. Use of Students in PTO/Parent Group Fundraisers

The Board recognizes that PTO's and other parent groups may wish to involve students in fundraising activities. The following provisions apply to student participation in such activities:

1. Any fundraising activity sponsored by a PTO or other parent group that involves student participation must be approved in advance by the building principal and be conducted in consultation with the building principal and staff.
2. Participation should provide a positive experience for students.
3. Participation by staff and students shall be voluntary.
4. Instructional time will not be used for fundraising activities or solicitations.
5. All activities must be conducted in accordance with the fundraising guidelines in Section A of this policy.

D. Coordination of Fundraising Activities

PTO's, boosters and other parent groups are encouraged to coordinate their fundraising activities with student organization-initiated fundraisers in order to avoid burdening local businesses and the community.

~~The Board encourages the use of a fundraising calendar at each school and across the district to assist in spreading fundraisers over the school year. Submit request form JJE-E and obtain both administrator and superintendent approval. The district office will coordinate requests to avoid duplication of fundraising.~~

Cross Reference: DFF-Student Activities Funds Management  
EFE-Competitive Food Sales  
~~JHBC-Relations with Booster Groups~~

Adopted: March 24, 2010  
Reviewed: March 13, 2013

## STUDENT DISCIPLINE

It is essential for schools to maintain a safe and orderly environment that supports student learning and achievement. Effective discipline enables the schools to discharge their primary responsibilities to educate students and promote citizenship and ethical behavior. All students are expected to conduct themselves with respect for others and in accordance with Board policies, school rules, and applicable state and federal laws. Disciplinary action may be taken against students who violate policies, rules, or laws, and/or whose conduct directly interferes with the operations, discipline or general welfare of the school.

The Board expects the following principles to guide the development and implementation of school rules and disciplinary procedures:

- A. Discipline should emphasize positive reinforcement for appropriate behavior, as well as appropriate consequences for misbehavior. The focus should be on providing a school environment where students are engaged in constructive learning and interactions with others.
- B. Expectations for student behavior should be clear and communicated to school staff, students and parents.
- C. Consequences for misbehavior should be in proportion to the offense, fair and consistently enforced. Administrators shall have the discretion to tailor discipline to the facts and circumstances of the particular case.
- D. Parents should be actively involved in the process of preventing and resolving disciplinary problems at school.

Any restraint or seclusion of students shall comply with applicable regulations and Board policy.

Physical force and corporal punishment shall not be used as disciplinary methods.

Maine law provides that “a teacher or other person entrusted with the care or supervision of a person for special or limited purposes may not be held civilly liable for the use of a reasonable degree of force against the person who creates a disturbance if the teacher or other person reasonably believes it is necessary to a) control the disturbing behavior; or b) remove the person from the scene of the disturbance.”

Teachers are authorized to make and enforce rules for effective classroom management and to foster appropriate student behavior, subject to the direction and approval by the building principal/designee.

School-wide rules shall be developed by the building principal with appropriate input from school staff, students and parents and subject to approval by the Superintendent. Principals shall provide for the suspension or other serious disciplinary action against students in accordance with Board policies, administrative procedures and Maine law.

Students with disabilities shall be disciplined in accordance with applicable federal and state law/regulations.

To reduce disciplinary problems and the potential for violence in the schools, the Superintendent may develop procedures for conflict resolution which may be accomplished through peer mediation, counseling, parent involvement, services of community agencies or other activities suitable to the school unit.

Legal Reference: 17-A MRSA § 106  
20-A MRSA §§ 1001(15A); 4009

Cross Reference: AC - Nondiscrimination/Equal Opportunity and Affirmative Action  
ACAA – Student Harassment and Sexual Harassment  
EBCA – Comprehensive Emergency Management Plan  
JIC – Student Code of Conduct  
JICIA Weapons, Violence and School Safety  
JKAA – Use of Physical Restraint and Seclusion  
JKB - Student Detention  
JKD - Suspension of Students  
JKE - Expulsion of Students  
JKF - Suspension/Expulsion of Students with Disabilities

Adopted: July 8, 2009  
Revised: January 26, 2011  
Revised: March 13, 2013

## **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 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

**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.

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-complaint 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:

KLK – Relations with Law Enforcement Authorities, **OR**  
KLGA – Relations with School Resource Officers and Law

RSU No. 5 School Department

Enforcement Authorities

**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

## **DETENTION OF STUDENTS**

Teachers and administrators have the authority to detain students after school hours for infractions of classroom or school rules. Before assigning students to detention, the student will be informed of the reason for the detention, and the student will be given an opportunity to explain his/her version of the incident. Teachers/administrators have the discretion to substitute alternative discipline in cases where they deem detention inappropriate.

All students detained for disciplinary purposes will be under the direct supervision of a member of the professional staff or other person designated by the building administrator. Students in detention are expected to use the time constructively to complete school assignments or for other educational purposes. Students who fail to serve a scheduled detention may be subject to additional disciplinary measures.

The Superintendent/designee is authorized to develop and implement any administrative procedures necessary to carry out this policy.

Cross Reference: JK - Student Discipline

Adopted: March 24, 2010

Reviewed: March 13, 2013

## SUSPENSION OF STUDENTS

The Board delegates to the principals the authority to suspend disobedient and disorderly students for a period not to exceed ten (10) school days. Suspensions may be in-school or out-of-school at the discretion of the principal. Suspensions longer than 10 days may be imposed by the Board.

Prior to the suspension, except as hereinafter provided:

- A. The student shall be given oral or written notice of the charge(s) against him/her;
- B. The student shall be given an explanation of the evidence forming the basis for the charge(s); and
- C. The student shall be given an opportunity to present his/her version of the incident.

However, students whose presence poses a continuing danger to persons or property or an ongoing threat of disrupting the instructional process may be immediately removed from school. In such cases, the notice of charges, explanation of evidence, and the student's opportunity to present his/her version of the incident shall be arranged as soon as practicable after removal of the student from school.

The student's parents/guardians shall be notified of any in-school or out-of-school suspension as soon as practicable by telephone (if possible) and by written notice sent by mail. A copy of the notice shall also be sent to the Superintendent.

Students are not allowed on school property during any out-of-school suspension except with the prior authorization of the principal or Superintendent.

Students shall be responsible for any schoolwork missed during their suspension. After readmittance, they shall be permitted to take tests, quizzes or any other form of evaluation affecting their grades.

Students serving in-school suspension shall not be permitted to participate in extracurricular activities.

Legal Reference: 20-A MRSA §§ 1001(9), (15-A)(D)

Cross Reference: JIC – Student Code of Conduct  
 JICIA – Weapons, Violence and School Safety  
 JICK - Bullying  
 JK - Student Discipline  
 JKE - Expulsion of Students  
 JKF – Suspension/Expulsion of Students with Disabilities

Adopted: March 24, 2010

Revised: March 13, 2013

## ADVERTISING IN THE SCHOOLS

The Board of Directors believes that, in general, product advertising and/or endorsement is to be discouraged in the schools. The Board has an obligation to assure that students, who are required by law to attend, are not subjected to commercial messages of any kind without careful analysis of the benefits and risks that pertain in each instance. Since the issue of advertising in the schools can be attended by strong opinions, the Board may seek comments and recommendations from the administration, the professional teaching staff and the community prior to considering any form of advertising in schools, on school grounds or on school buses.

The Board is opposed in principle to accepting any programming, equipment or services that are offered only on the basis of mandatory exposure of students to product advertising. The Board recognizes, however, that in some instances product names, logos or advertising may be acceptable when the programming, equipment or services can be clearly shown to be of significant benefit to the school program.

The Board reserves the right to consider requests for advertising in the schools, on school grounds or on school buses on a case-by-case basis, except that:

- A. Brand specific advertising of food or beverages is prohibited in school buildings, on school grounds or on school buses except for food and beverages meeting standards for sale or distribution on school grounds in accordance with Department of Education rules. For the purpose of this paragraph, "advertising" does not include advertising on broadcast media or in print media such as newspapers and magazines, clothing with brand images worn on school grounds or advertising on product packaging.
- B. Consistent with its efforts to promote a tobacco, alcohol and drug-free environment, the Board will not agree to displays of advertising in school buildings, on school grounds or on school buses for tobacco products, alcoholic beverages, drugs (including prescription and over the counter medications), performance enhancing substances or dietary supplements.

Legal Reference: 20-A M.R.S.A. § 6662  
Me. Dept. of Ed. Rule Ch.51

Cross Reference: EFE – Competitive Food Sales – Sales of Foods in Competition with the School Food Services Program

Adopted: August 25, 2010  
Reviewed: April 24, 2013

## STUDENT ACTIVITIES FUNDS

Revenues collected from gate receipts from athletic competitions, admissions to school entertainment events, profits from school stores, club and class dues, and student organization fundraising activities shall be deposited and accounted for in a student activities fund maintained for each school. Within this fund, separate accounts will be maintained for accounting purposes. These revenues will be considered school unit funds under the direct control of the Superintendent, who may develop and implement procedures relative to these funds, and delegate specific responsibility for deposits, expenditures, and record keeping to the building principals and/or appropriate staff. Procedures for management of student activities funds shall be consistent with sound business and accounting practices.

Student activity funds are to be used only for student activities that augment the school unit's programs; they are not intended to replace school unit funding for school unit programs and activities. Funds raised by approved student clubs or organizations or from classes shall be expended to benefit the specific club or organization or class. All expenditures from student activities funds must be approved in advance by the administrator/designee.

Remaining funds from the Grade 8 class account shall remain with the school.

The senior class may decide how to disburse funds remaining in its class account after graduation. Such disbursements may include gifts to the school, to a scholarship fund, or used for an activity approved in advance by the principal. All of the class's outstanding obligations must be paid before the class may expend its remaining funds. Unexpended remaining funds at the end of the calendar year five years after the class has graduated and any interest earned on these funds will be transferred to a scholarship fund from which any graduating student is eligible to benefit.

Student activity funds are part of the total fiscal operation of the District and shall be audited as part of the District's annual audit.

Cross Reference:     DI-Fiscal Accounting and Reporting  
                          JJE-Student Fundraising Activities

Adopted:     January 27, 2010  
Reviewed:    April 30, 2014

## **INVENTORIES**

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

Responsibility for this shall be with the Superintendent/designee to whom principals and supervisors shall be accountable for the maintenance of proper inventories in their schools.

Adopted: January 27, 2010  
Reviewed: November 30, 2011  
Reviewed: April 30, 2014

## **BIDDING/PURCHASING REQUIREMENTS**

The Board of Directors expect all purchases made by the school unit to be consistent with applicable laws and sound business practices. The Superintendent shall be responsible for developing and implementing administrative procedures for bidding and purchasing consistent with this policy.

This policy is intended solely as an internal guide to purchasing by the school unit. It does not afford any vendor any property or contractual rights against the school unit. No vendor shall have any enforceable rights against the school unit based upon this policy or alleged violations of this policy. No vendor shall have any rights against the school unit until such time as a written contract between the vendor and the school unit is executed by the vendor and an authorized representative of the school unit.

### **A. Bidding Required by Law**

Maine law requires the Board to competitively bid property and casualty insurance; school bus and transportation contracts in excess of \$4,000; school building construction, alterations and repairs over \$25,000 (except contracts for professional architectural and engineering services); and bond anticipation notes for state-subsidized school construction projects.

### **B. Competitive Bidding of Other Purchases**

Where bidding is not required by law, it shall be the policy of the school unit to competitively bid purchases of equipment, supplies, materials or services over \$10,000.00 provided that it is practical and cost-effective to specify the materials or services with sufficient particularity to allow meaningful comparison of bids.

If competitive bidding is not utilized, the Superintendent may seek Requests for Proposals (RFP) for purchases over \$10,000.00. An RFP identifies the need the school unit intends to meet, but permits the vendor to propose the manner in which the work is to be performed and the materials to be used.

The Superintendent may forego the competitive bid or RFP process only when he/she determines that quality, expertise, time factors, or other important considerations outweigh the possible benefits of bidding or requesting proposals. In each such case, the Board shall be informed of the Superintendent's decision and the reasons for it in advance of entering into a contract.

### **C. Procedures for Bidding and Requesting Proposals**

The method of notification that the school unit uses to solicit bids and proposals shall be reasonably designed to attract qualified vendors. Depending upon the circumstances, such notification may include public advertising and/or mailing of notices to potential vendors.

## Bid Procedures

- A. The notification shall specify the deadline for submitting bids and the time and place of bid opening. Bid alternates shall be permitted at the discretion of the Superintendent. The notice shall reserve the right of the school unit to reject any or all bids, and to waive technical or immaterial non-conformities in bids if in the best interest of the school unit, and to exercise judgment in evaluating bids.
- B. **Written bids.** Bids shall be in writing, sealed with outside envelope or wrapper plainly marked "Bid, not to be opened until (insert appropriate date)," and mailed or filed with the Superintendent of the unit.
- C. **Time of opening.** A Board member or employee of the school unit may not open a bid until the appointed time.
- D. **Public opening.** At the time and place stated in the public notice, and open to the public, all bids shall be opened by the Superintendent/*designee* or, in the Superintendent's absence or disability, by any Board member designated for the purpose by the Chair of the Board of Directors.
- E. **Reading.** If any citizens who are not Board members or employees of the school unit or if any representatives of the press are present, bids shall, at that time, either be made available for examination by them or shall be read aloud in a manner to be heard plainly by those in attendance.
- F. In general, the Board will award contracts to the lowest bidder which the Superintendent and Board deem can satisfactorily fulfill the contract.

## RFP Procedures

- A. Proposals should be submitted in plain envelopes clearly marked "Proposal, not to be opened until (state time and date)." The RFP shall state the time and date that proposals shall be opened, and no proposals shall be opened before that time. Public opening is not required.
- B. Proposals are to be evaluated based on criteria appropriate for the project in question, and the contract will be awarded to the vendor whom the Superintendent and Board deem best able to meet the requirements of the school unit.

Legal Reference: 5 MRSA § 1743-A (ALL)  
 20-A MRSA §§ 1001(14), 5401(13)(D); 5402 (ALL)  
 20-A MRSA § 1314 (MSAD)  
 § 13 c (Maine State Committee of Education Rules for School  
 Construction Projects) (ALL)

Adopted: January 27, 2010  
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