

REGIONAL SCHOOL UNIT 19
PO BOX 40, 182 MOOSEHEAD TRAIL
NEWPORT, MAINE 04953



TO: RSU 19 Board of Directors
FR: Winn Price / Mike Hammer
DT: February 22, 2017
RE: **POLICY COMMITTEE MEETING AGENDA**

DAY: **TUESDAY**
DATE: **February 28, 2017**
TIME: **6:30 PM**
PLACE: **Central Office**

AGENDA

I. Public Comment

II. Policy Review

A. Policies

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| 1. GBEBB | Staff Conduct with Students |
| 2. JIC | System-Wide Student Code of Conduct |
| 3. JICIA | Weapons, Violence and School Safety |

III. Other

IV. Adjournment

A.D.A. NOTICE: If you have a special need that must be met to allow you to fully participate in this meeting, please contact the Office of the Superintendent at least two (2) days prior to this meeting.

RSU 19 STAFF CONDUCT WITH STUDENTS

The 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 intent of this policy is to ensure that the interactions and relationships between staff members and students are based upon mutual respect and trust; that staff members understand the importance of maintaining appropriate professional boundaries between adults and students in an educational setting; and that staff members conduct themselves in a manner consistent with the educational mission of the schools. It is understood that staff members may interact with and have friendships with students' families outside of school. This policy is not intended to prohibit such interactions and friendships, provided that professional boundaries are maintained at all times.

A. Prohibited Conduct

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

- Any type of sexual or inappropriate physical contact with students or any other conduct that might be considered harassment under the Board's policy on Harassment and Sexual Harassment of Students;
- Singling out a particular student or students for personal attention and friendship beyond the normal teacher-student relationship;
- For non-guidance/counseling staff, encouraging students to confide their personal or family problems and/or relationships. If student initiates such discussions, staff members are expected to be supportive, but to refer the student to appropriate guidance/counseling staff for assistance.
- Sexual banter, allusions, jokes or innuendos with students;
- Asking a student to keep a secret;
- Disclosing personal, sexual, family, employment concerns, or other private matters to one or more students;
- Addressing students with terms of endearment, pet names or otherwise in an overly familiar manner;
- Permitting students to address staff members by first name, nickname or otherwise in an overly familiar manner;
- "Friending" students on social networking sites (outside of any school approved activity); and
- Communicating with students on non-school matters via computer, text message, phone calls, letters, notes or any other means.

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

- Being alone with individual students out of public view;
- Driving students home or to other locations;
- Inviting or allowing students to visit the staff member's home (unless the student's parent approves of the activity, such as when a student baby-sits or performs chores for a staff member);
- Visiting a student at home or in another location, unless on official school business known to the parent;
- Exchanging personal gifts (beyond the customary student-teacher gifts); and/or
- 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 school-sponsored events or organized community activities.
- Staff members are expected to be sensitive to the appearance of impropriety in their conduct with students. Staff members are encouraged to discuss issues with their building administrator or supervisor whenever they are unsure whether particular conduct may constitute a violation of this policy.

B. Reporting Violations

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

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

C. Disciplinary Action

Staff violations of this policy shall result in disciplinary action up to and including dismissal. Violations involving sexual or other abuse will also result in referral to the Department of Health and Human Services, the District Attorney and/or law enforcement.

D. Policy to be included in Student/Parent and Staff Handbooks

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

Cross Reference: ACAA Harassment and Sexual Harassment of Students

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 School 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 RSU 19 community standards for ethical and responsible behavior:

- CommUNITY – minded when committed to a mutually supportive climate that ensures the safety and well-being of each individual.
- Compassionate when recognizing and responding to the needs of others.
- Courageous when standing for beliefs in the face of challenge, defending moral and ethical decisions and accepting the results of their actions.
- Honest with self and other in words, deeds and actions.
- Respectful of people, property and environment.
- Responsible by honoring commitment and being accountable for their words, deeds and actions.
- Fairness – all people treaded equally.

Article 2 Code of Conduct

All students are expected to comply with the Code of Conduct and all related School Committee policies and school rules. The Code applies to students:

1. on school property;
2. while in attendance at school or at any school-sponsored activity, or
3. at any time or place that such conduct directly interferes with the operations, discipline or general welfare of the school.

Article 3 General Behavior Expectations and Discipline Policies

The following expectations for student behavior are fundamental to a safe, orderly and respectful environment in our schools. Each student will:

1. Be courteous to fellow students, staff and visitors.
2. Respect the rights and privileges of other students and school staff.
3. Obey all School 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.

Violations of the Code of Conduct may result in disciplinary action. Disciplinary consequences depend upon the seriousness of the violation and the student's prior disciplinary record. Consequences will range from a verbal warning for minor misconduct up to and including expulsion for the most serious offenses. Behavior that also violates the law may be referred to law enforcement authorities.

*See policies: JK Student Discipline
JKD Student Suspension and Expulsion*

Article 4 Expectations

The following is a summary of RSU 19's expectations for student behavior. In many cases, the School Board has adopted policies that address these expectations in greater detail. Students, parents and others should refer to the policies and student handbooks for more information about the expectations and consequences. In case of an inconsistency between the Code of Conduct, School Board policies and/or school handbooks, the School 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
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 hard 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 policy: JICIA Weapons, Violence and School Safety

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

Students should not discriminate against other students on the basis of race, color, sex, religion, ancestry, national origin or disability. Nor should students harass one another on the basis of race, color, sex, religion, age, 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/Equal Opportunity and Affirmative Action
ACAA Harassment*

E. Drug and Alcohol Use

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

See policy: JICH Drug and Alcohol Use by Students

F. Tobacco Use

Students shall not smoke, use, possess, sell, or distribute any tobacco products. Violations of this policy may result in disciplinary action up to and including suspension from school.

See policy: JICH Tobacco Use and Possession

G. Conduct on School Buses

Students must comply with all School Board policies and school rules while on school buses. Students who violate these policies and rules on a school bus may have their riding privileges suspended or revoked, and may also be subject to additional disciplinary action, up to and including expulsion, depending upon the particular violation.

H. Computer/Internet Use

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

See policy: IJNDB Co-Curricular Code of Conduct

I. Co-Curricular Code of Conduct

Students must follow all School Board policies and school rules while participating in athletics and extracurricular activities. In addition, a separate policy has been developed governing students participating in these activities. Students who violate the policy may be subject to suspension or removal from the team/activity as well as additional disciplinary action under School Board policies and/or school rules.

See policy: JJ Co-Curricular and Interscholastic Programs

Article 5 Removal of Disruptive/Violent/Threatening Students

- A. Students who are disruptive, violent, or threatening death or bodily harm to others will 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.
- B. 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.
- C. Staff members should not use force or restraint, except only to the minimum extent necessary to protect any person from imminent physical harm. Staff members are not required to take action that puts them at risk of serious injury.
- D. The responding administrator will take appropriate action. If the student fails to obey verbal directions, force or restraint may be used only to the minimum extent necessary to protect any person from imminent physical harm or to quell a disturbance. Whenever practicable, law enforcement should be called

to restrain or physically remove the non-compliant student. The administrator may invoke the school unit's crisis response plan if appropriate.

See 20-A M.R.S.A. § 4009 – Protection from Liability
See Crisis Response Plan

Article 6 Special Services

A. Referral

RSU 19 has adopted policies and procedures for determining when a student shall be referred for special services.

See policies: IHBAA Referral/Pre-Referral Policy
IHBAC Child Find Policy

B. Review of Individual Education Plan

The School shall schedule a PET meeting to review the IEP of a student who has been removed from class when:

1. school officials and/or the parent believes the student may present a substantial likelihood of injury to himself/herself or others;
2. the class removals are sufficient to constitute a change in the student's special education program; or
3. school officials or the parent believes that the student's behavior may warrant a change in educational programming.

See policy: JKF Disciplinary Removal of Students with Disabilities

C. Time Out Rooms and Therapeutic Restraint

RSU 19 also has established a policy o the use of time out rooms and therapeutic restraints as required by Maine statute.

See policy: JKGA Time Out Rooms and Therapeutic Restraint

Article 7 Referrals to Law Enforcement Authorities

The Superintendent and administrators have the authority to seek the assistance of law enforcement authorities when there is a substantial threat to the safety of the schools, students or staff. The Superintendent/administration may also inform law enforcement authorities when they have reason to suspect that a student or staff member may have violated a local, state or federal statute. All serious offenses, as determined by the Superintendent, must be reported to law enforcement authorities.

See policy: KLG Relations with School resource Officers and Law Enforcement Authorities

Article 8 Dissemination of System-Wide Student Code of Conduct

The System-Wide Student Code of Conduct shall be distributed to staff, students and parents through handbooks and/or other means selected by the Superintendent and building administrators.

Legal Reference: 20-A M.R.S.A. §§ 254 (11); 1001 (15)

Cross Reference: *Taking Responsibility: Standards for Ethical and Responsible Behavior in Maine Schools and Communities* (Report of The Commission for Ethical and Responsible Behavior, February 2001)

WEAPONS, VIOLENCE AND SCHOOL SAFETY

The School Board believes that students and staff are entitled to learn and work in a school environment free of violence, threats and disruptive behavior. Students are expected to conduct themselves with respect for others and in accordance with Board policies, school rules, reasonable unwritten behavior expectations, and applicable state and federal laws.

School staff is required to immediately report incidents of prohibited conduct by students to the building administrator/designee for investigation and appropriate action.

I. PROHIBITED CONDUCT

Students, staff and all other persons 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. Possession and or use of articles are allowed when used in an approved instructional activity. 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 nunchucks;
- 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 an electronic device) which threaten, intimidate, or harass others, which tend to incite violence and/or disrupt the school program;
- E. Willful and malicious damage to school or personal property;

- F. Stealing or attempting to steal school or personal property;
- G. Lewd, indecent or obscene acts or expressions of any kind;
- H. Violations of the school unit's drug/alcohol and tobacco policies;
- I. Violations of state or federal laws; and
- J. Any other conduct that may be harmful to persons or property.

II. 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 firearm violations shall be referred to law enforcement authorities as required by law. Other violations of this policy shall be referred to law enforcement authorities at the discretion of the Superintendent.

Students with disabilities shall be disciplined in accordance with applicable federal and state laws/regulations and Board Policy JKF.

III. USE OF FIREARMS AND OTHER WEAPONS IN INSTRUCTIONAL ACTIVITIES

Nothing in this policy shall prevent the school system from offering instructional activities related to firearms or other objects that are generally considered weapons (e.g., bows and arrows) or from allowing a firearm or other object generally considered a weapon to be brought to school for instructional activities (e.g., archery, hunter safety) approved by the school system so long as appropriate safeguards have been adopted to ensure student and staff safety. No weapons may be used in instructional activities or brought to school for instructional activities unless the Superintendent/designee has given specific permission in advance.

1st Reading: 05/19/09

Adopted: 06/16/09; Revised: 06/21/11

IV. NOTIFICATION TEAM/CONFIDENTIALITY

Maine law authorizes law enforcement officers and criminal justice agencies to share with a superintendent or principal information pertaining to a juvenile when the information is credible and indicates an imminent danger to the safety of students or school personnel on school grounds or at a school function. Maine law requires the District Attorney to notify the superintendent when a juvenile is charged with use or threatened use of force or is adjudicated as having committed one or more juvenile crimes that involve the use or threatened use of force.

Within ten days, or immediately if necessary for school safety, the Superintendent shall convene a notification team. The notification team must include the administrator/designee of the school building where the student attends, at least one classroom teacher to whom the student is assigned, a guidance counselor, and the student's parent/guardian. The notification team shall determine on this basis of need which school employees are entitled to receive information concerning allegations or adjudications of use or threatened use of force. Information received by the Superintendent/designee and disclosed to the notification team and/or disclosed to school employees is confidential and may not become part of the student's educational record.

The Superintendent shall ensure that confidentiality training is provided to all school employees who have access to this information.

Legal Reference: 5 MRSA § 4681 et seq.
 15 M.R.S.A. §§ 3301-A; 3308(7)(E); 3009
 17-A MRSA §§ 2(9); 2(12-A)
 20 USCA § 7151 (Gun-Free Schools Act)
 20-A MRSA §§ 1001(9); 1001(9-A); 1055(1 1); 6552

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
 ME - Expulsion of Students
 JKF - Suspension/Expulsion of Students with Disabilities
 JIH - Questioning and Searches of Students
 KLG - Relations with Law Enforcement Authorities

1st Reading: 05/19/09

Adopted: 06/16/09; Revised: 06/21/11