

RAYMOND SCHOOL DISTRICT
STUDENT
CODE OF CONDUCT

The Raymond School Board is committed to maintaining a supportive and orderly school environment in which students may receive and staff may deliver a quality education without disruption or interference and in which students may develop as ethical, responsible and involved citizens.

To achieve this goal, the Raymond School Board has established a set of expectations for student conduct. These expectations are based on the values identified by the community as essential to ethical and responsible behavior.

These core values are:

- Respect
- Honesty
- Responsibility
- Tolerance
- Courage
- Compassion

The Raymond School Board believes that each member of the school community should take responsibility for his/her own behavior. To that end, the Board recognizes the need to define unacceptable student conduct, identify the possible consequences for unacceptable conduct, and ensure that discipline is administered fairly, promptly, and appropriately.

Having considered the input of administrators, parents, students and the community, the Board adopts this Student Code of Conduct (Code), consistent with the requirements of 20-A MRSA § 1001(15).

The Code applies to students who are on school property, who are 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.

STANDARDS FOR ETHICAL AND RESPONSIBLE BEHAVIOR:
OUR VALUES IN ACTION

➤ A student who is **RESPECTFUL** of others and self

Does:

- Appreciate and recognize diversity
- Support and contribute to a healthy and safe environment through the proper use and care of school resources and property of others
- Demonstrate consideration for others and self through actions and words

Does not:

- Participate in activities that have the potential to cause physical or emotional harm
- Make derogatory statements about another's gender, sexual orientation, ethnicity, socioeconomic class, religion, disability, intellect, or appearance

➤ A student who is **HONEST** in academic endeavors and interpersonal relationships

Does:

- Truthfully represent their own actions and behavior
- Recognize that trust is an essential component of all relationships
- Interact with others in a sincere and genuine manner

Does not:

- Lie, cheat, or steal
- Plagiarize the work of others
- Engage in deceptive, fraudulent, or manipulative behavior

➤ A student who is **RESPONSIBLE** for personal actions as an individual and a member of the community

Does:

- Acknowledge making a mistake
- Answer for personal actions or failures to act
- Report harmful, hateful, or dangerous behavior to an adult

Does not:

- Rationalize or make excuses for unacceptable behavior
- Evade the consequences of personal actions

➤ A student who is **TOLERANT** of others

Does:

- Accept the right of others to have differing view, ideas, and beliefs
- Accept the diverse population in the school community

Does not:

- Engage in malicious criticism
- Hinder the freedom of ideas, views, and beliefs of others
- Attempt to further one's own interests at the expense of others.
- Demonstrate discriminatory behavior

➤ A student who exhibits **COURAGE**

Does:

- Raise thoughtful questions about the ideas and actions of others
- Take risks as an active participant in the learning community
- Seek assistance from adults when needed
- Make ethical decisions about their own conduct when faced with pressure from others

Does not:

- Make decisions without weighing outcomes
- Fall prey to negative or harmful peer pressure

➤ A student who is **COMPASSIONATE** in dealing with others

Does:

- Treat all living things with kindness
- Empathize with others
- Lend a helping hand to those in need
- Seek to understand others

Does not:

- Tease or taunt others
- Judge others
- Draw negative attention to another's differences

BOARD POLICIES RELATED TO STUDENT CONDUCT

The Board has adopted the following policies and administrative procedures to address areas of particular concern. These are selected policies and are not exhaustive. Additional policies and administrative procedures may be found on the Raymond School District website and are also available for viewing at the Superintendent's Office.

<u>Policies and Administrative Procedures:</u>	<u>Policy Code</u>	<u>Included in this document on page</u>
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➤ **STUDENT RIGHTS AND RESPONSIBILITIES**

(Policy Code JI)

Students have certain legal rights under federal/state constitutions and statutes as interpreted in pertinent court decisions. In connection with these rights is the expectation that students will demonstrate ethical and responsible behavior. Among these student rights are:

- A. The right to equal educational and extracurricular opportunity;
- B. The right to freedom from discrimination and harassment because of race, color, sex, religion, ancestry or national origin, or disability; the responsibility not to discriminate against others;
- C. The right to attend free public schools in accordance with provisions of Maine statutes and policies of the Board; the responsibility to attend school as required by law;
- D. The right to due process with respect to suspension, expulsion, or an administrative decision which a student believes has injured his/her rights; the responsibility to observe school rules and regulations essential for permitting others to learn at school;
- E. The right to free inquiry and expression and to voice grievances; the responsibility to observe reasonable rules regarding these rights and to express themselves in a manner that does not materially or substantially disrupt the operation of the school or conflict with the school's basic educational mission;
- F. The right to privacy regarding the content of student records, as defined by the Family Educational Rights and Privacy Act;
- G. The right to dress as he/she wishes within reasonable guidelines related to health, safety, and the avoidance of potential disruption;
- H. The right to be free from unreasonable searches and seizures; the responsibility to comply with school rules and policies; and
- I. The right to access school rules and, when necessary, an explanation of these rules from school personnel.

The Board has the authority to make or delegate authority to its staff to make rules and regulations regarding the orderly operation of the schools.

This policy shall be included in school handbooks or otherwise communicated to students and parents at the beginning of each school year. The Board expects all students and staff to abide by this policy in order to most effectively achieve mutual respect of rights and the acceptance of responsibility.

This Board policy is designed for educational and informational purposes and is not intended to create, expand, or restrict any student rights or responsibilities.

➤ **HARASSMENT AND SEXUAL HARASSMENT OF STUDENTS:
SCHOOL HARASSMENT AND DISCRIMINATION POLICY**

(Policy Code ACAA)

A. PURPOSE

To affirm the Raymond School District's opposition to discrimination, harassment and sexual harassment in the Raymond public school system.

To establish explicitly the responsibilities of all Raymond School District employees and students by defining conduct which constitutes prohibited and inappropriate behaviors.

To create a mandate to develop educational programs designed to help Raymond School District employees and students recognize, understand, prevent, and take corrective action to end discrimination, harassment and sexual harassment.

To establish the framework for effective procedures for addressing discrimination, harassment and sexual harassment complaints.

B. ISSUE

Discrimination, harassment and inappropriate sexual conduct will not be tolerated in the Raymond School District. Sexual harassment is an unlawful form of discrimination on the basis of sex under Title VII of the Civil Rights Act of 1964, as amended in 1972 and 1991, Title IX of the Education Amendment of 1972 and Maine Statutes. Some forms of harassment may also constitute criminal conduct resulting in criminal penalties.

By issuing a single, comprehensive policy statement, the Raymond School District seeks to clarify and reaffirm its commitment to ensuring that all Raymond School District employees and students are provided with a work and learning environment that is free of discrimination or harassment of any kind.

C. POSITION

Raymond School District does not condone or tolerate any form of discrimination or harassment of any kind of, or by, staff or students.

Raymond School District is committed to the creation and maintenance of a learning and work environment in which all persons who participate in school programs and activities can do so in an atmosphere free from all forms of discrimination and harassment of any kind. The superintendent is directed to make every effort to make certain that everyone affected by this policy shall be informed of its provisions and also that infractions of it may be in violation of Federal or Maine civil and/or criminal laws. It is the intention of Raymond School District to take whatever action may be needed to prevent, correct, and, if necessary, discipline behavior which violates this policy.

It is the responsibility of every supervisor and principal to recognize acts of discrimination, harassment and sexual harassment and take necessary action to ensure that such instances are addressed swiftly, fairly, and effectively. Consequently, all Raymond School District administrative and supervisory staff in schools, offices, and other facilities shall be cognizant of, and responsible for, effectively implementing the discrimination and harassment complaint resolution procedures established in this policy.

1. Definitions

a) Discrimination includes, without limitation, segregation or separation or denial based on race, color, sex, sexual orientation, religion, ancestry or national origin, age, or disability.

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

c) Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal, written, or physical conduct of a sexual nature that takes place under any of the following circumstances:

i) When submission to such conduct is made, explicitly or implicitly, a term or condition of employment, instruction, or participation in other school activities.

ii) When submission to or rejection of such conduct by an individual is used by the offender as the basis for making personnel or academic decisions affecting the individual subjected to sexual advances.

iii) When such conduct has the effect of unreasonably interfering with the individual's work and/or academic performance or creating an intimidating, hostile, or offensive work or learning environment.

2. Application to Employees

a) This policy applies to all discrimination and harassment incidents involving Raymond School District employees. It also addresses incidents committed by a person of either sex against a person of the opposite or same sex. It also establishes that it is against policy and recognizes that it is unlawful for Raymond School District employees to commit acts of discrimination or harassment. Depending on the severity of the offense, any Raymond School District employee

who violates this policy shall be subject to appropriate disciplinary actions. These may include but are not limited to oral or written reprimand, reassignment, demotion, suspension, or termination.

b) Dating or sexual relationships between employees and students or between adult volunteers and students is prohibited.

3. Application to Students

Discrimination, sexual harassment or harassment committed by students of either sex against students or staff of the opposite or same sex constitutes inappropriate behavior. All allegations will be investigated using the guidelines of Section E of this policy. Depending on the severity of the offense, appropriate disciplinary action, from a conference to suspension or expulsion, can be taken using the discipline policies adopted by the District. In all cases, students will be notified that school counselors are available for counseling.

4. Application to Others

Employees and students also have a right to be free from discrimination and harassment by others, including, but not limited to contractors, vendors, and volunteers. All allegations will be investigated using the guidelines of Section E of this policy.

D. DESIRED OUTCOME

All Raymond School District employees and students are being educated to recognize inappropriate behavior in all its forms which may constitute discrimination or harassment and are enabled to respond with actions to prevent, correct, and/or eliminate these offensive behaviors from the Raymond School District system.

E IMPLEMENTATION PRINCIPLES AND GUIDELINES AND STRATEGIES

1. Principles and Guidelines

a) Any Raymond School District employee or student who believes that he/she has been subjected to discrimination or harassment has the right to file a complaint and to receive prompt and appropriate handling of her/his complaint. In all phases of the complaint resolution process, every reasonable effort shall be made to maintain the confidentiality and protect the privacy of all parties, consistent with Raymond School District's responsibility to investigate and address such complaints.

b) Any Raymond School District employee or student who believes that he/she has been subjected to discrimination or harassment should report such conduct promptly, orally or in writing, to the immediate supervisor/principal, a designated representative, or in a case involving an employee, directly to the Affirmative Action Officer. The supervisor/principal will report to the Affirmative Action Officer any complaint received regarding discrimination or harassment involving employees. If the complaint involves Raymond School District employees, the investigation will be conducted by the supervisor/principal in coordination with the Affirmative Action Officer.

c) The full circumstances of the situation will be considered in the investigation of possible discrimination or harassment incidents. In determining whether the alleged conduct constitutes sexual harassment, consideration shall be given to the record of the incident as a whole and to the totality of the circumstances, including the context in which the alleged incidents occurred. Employees and students should be aware that they are responsible for their conduct even if the conduct was not specifically intended to discriminate or harass.

d) Retaliation against an individual who either orally reports or files a written complaint regarding sexual harassment or who participates in or cooperates with an investigation is prohibited. The right to confidentiality, both of the complainant and the accused, shall be preserved consistent with applicable laws and Raymond School District's responsibility to investigate and address such complaints.

e) Raymond School District employees and students should seek guidance, support, and/or advocacy in addressing matters related to sexual harassment or inappropriate behavior of a sexual nature.

2. Strategies

The superintendent will direct the Affirmative Action Officer to coordinate the implementation of this policy. Implementation activities will include, but not be limited to:

- a) Education of all staff and students about this policy and associated federal and state laws prohibiting discrimination and harassment by disseminating information in documents such as announcements, bulletins, brochures, applications, contracts, and other communications.
- b) Publication and dissemination of information to all Raymond School District employees and students that will inform them of this policy, what discrimination, harassment and sexual harassment are, what the individual can do, and where to go for help.
- c) Development of mandatory training seminars and in-service programs for all principals, supervisors, and staff to ensure the appropriate implementation of this policy. These training programs shall be designed to:
 - (1) Inform them of their duties, responsibilities, and potential when dealing with incidents involving discrimination and harassment; and
 - (2) Provide clear guidelines and assistance for handling appropriately all incidents of sexual harassment in Raymond School District.
- d) Appropriate opportunities to educate students about matters related to discrimination and harassment in order to develop behaviors and attitudes that mitigate against inappropriate behaviors and sexual overtures and pressures in school, work, and social settings. Programs and curricula such as the Comprehensive Guidance and Counseling Program, which already include related competencies or objectives, should include student materials regarding harassment. K-12 curricular modifications that integrate activities and skill building to help students understand and overcome discrimination and harassment problems should be introduced as soon as possible.

F. REVIEW AND REPORTING

1. The superintendent will report quarterly to the School Committee on reported discrimination and harassment incidents. Reports shall include quantitative as well as qualitative incident data for both Raymond School District staff and students. The superintendent will report yearly to the School Committee on complaint and resolution process evaluations and improvements; training statistics and schedules; ongoing evaluation of work environments in all Raymond School District schools, offices, and work locations; and any other activities being planned or carried out by Raymond School District that are relevant to the successful implementation of this policy.

2. This policy will be reviewed on an on-going basis as deemed appropriate by the Superintendent or School Committee.

(See Appendix for Student Harassment Complaint Procedure)

➤ HAZING

(Policy Code ACAD)

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.”

Hazing activities of any type, either on or off school property, by any student, staff member, group or organization affiliated with this school unit, that impact the educational process 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, other employee of the school unit, or volunteer shall encourage, permit, condone, or tolerate hazing activities. No student shall plan, encourage, or engage in hazing activities.

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

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

Persons not associated with this school unit who fail to abide by this policy may be subject to removal 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 be responsible for administering this policy. In the event that an individual or organization disagrees with an action—or lack of action—on the part of the Superintendent/designee as he/she carries out the provisions of this policy, that individual or organization may appeal to the Board within 14 calendar days. The ruling of the Board with respect to the provisions of this policy shall be final.

This right to appeal does not apply 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.

➤ **TOBACCO USE AND POSSESSION** **(Policy Code ADC)**

In order to promote the health and safety of all students and staff and to promote the cleanliness of all facilities, the School Board prohibits smoking and the use of all other tobacco products, or look-alike tobacco products or any product that is represented to be tobacco, in school buildings and facilities, on school buses, during school sponsored events, and at all other times on school grounds by all persons.

In addition, students are prohibited from possessing, selling, distributing or dispensing tobacco products, or look-alike tobacco products or any product that is represented to be tobacco, in school buildings and facilities, on school buses, during school sponsored events, and on school grounds at all times.

Employees and all other persons are also prohibited under law and this Board Policy from selling, distributing or in any way dispensing tobacco products, or look-alike tobacco products or any product that is represented to be tobacco, to students on school property.

(See Appendix for Tobacco Use Administrative Procedure)

➤ **DRUG AND ALCOHOL USE BY STUDENTS**

(Policy Code JICH)

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

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

B. **Disciplinary Action**

Violations of this policy shall be handles in accordance with the established disciplinary procedures outlined in the Drug and Alcohol Use Administrative Procedure, JICH-R. 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.

D. **Intervention**

The Guidance Staff 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.

(See Appendix for Drug and Alcohol Use Administrative Procedure)

➤ **WEAPONS, VIOLENCE AND SCHOOL SAFETY**

(Policy Code JICIA)

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 except 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 a computer) which threaten, intimidate, or harass others, or 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 safety 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 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.

IV. NOTIFICATION TEAM / CONFIDENTIALITY

Maine law authorizes law enforcement officers and criminal justice agencies to share with a superintendent or principal information pertaining to a juvenile when the information is credible and indicates an imminent danger to the safety of students or school personnel on school grounds or at a school function. Maine law requires the District Attorney to notify the superintendent when a juvenile is charged with use or threatened use of force or is adjudicated as having committed one or more juvenile crimes that involve the use or threatened use of force. Within ten days, or immediately if necessary for school safety, the Superintendent shall convene a notification team. The notification team must include the administrator/designee of the school building where the student attends, at least one classroom teacher to whom the student is assigned, a guidance counselor, and the student's parent/guardian. The notification team shall determine on this basis of need which school employees are entitled to receive information concerning allegations or adjudications of use or threatened use of force. Information received by the Superintendent/designee and disclosed to the notification team and/or disclosed to school employees is confidential and may not become part of the student's educational record.

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

V. PSYCHOLOGICAL EVALUATION / RISK ASSESSMENT

The Board authorizes the Superintendent to request an immediate psychological evaluation of a student who engages in conduct prohibited by 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 or to return to school.

All such evaluations shall be performed at the school unit's expense.

If the parent/guardian and/or student refuses to permit a requested psychological evaluation, the Superintendent and the Board may draw any reasonable inferences from the student's behavior concerning the risk the student poses to school safety for purposes of determining appropriate action and may refuse to allow the student to return to school until the evaluation has been conducted and an assessment of risk has been performed.

➤ BULLYING

(Policy Code JICK)

The Board believes that promoting ethical and responsible behavior is an essential part of the school unit's educational purpose and such promotion is important if a student is to leave school as a "responsible and involved citizen" as described in the Guiding Principles of Maine's system of Learning Results. Bullying interferes with the accomplishment of this goal and, as it is defined in this policy, is not acceptable conduct in Raymond schools and is prohibited.

It is not the Board's intent to prohibit students from expressing their ideas, including ideas that may offend the sensibilities of others, or from engaging in civil debate. However, the Board does not condone conduct that interferes with students' opportunity to learn, the educational mission of the Raymond schools or the operation of the schools.

Bullying Defined

For the purpose of this policy, "bullying" is the repeated intimidation of others by the real or threatened infliction of physical, verbal, written, electronically transmitted, or emotional abuse, or through attacks on the property of another. It includes behavior that substantially disrupts the instructional program or the orderly operations of the school or is so severe, persistent or pervasive that it creates an intimidating, hostile educational environment.

Application of Policy

This policy applies to bullying that takes place at school or on school grounds, at any school-sponsored activity or event, or while students are being transported to or from school or school-sponsored activities or events. It also applies to bullying that occurs at any other time or place that substantially disrupts the instructional program, operations of the school or welfare of students.

Examples of conduct that may constitute bullying include, but are not limited to:

1. Physical contact or injury to another person or his/her property;
2. Threats of harm to a student, to his/her possessions or to other individuals, whether transmitted verbally, in writing or through cyberspace;
3. Blackmail, extortion, demands for protection money, or involuntary loans or donations;
4. Non-verbal threats and/or intimidations such as use of aggressive or menacing gestures;
5. Stalking;
6. Blocking access to school property or facilities;
7. Stealing or hiding books, backpacks or other possessions;
8. Repeated or pervasive taunting, name-calling, belittling, mocking, putdowns or demeaning humor relating to a student's race, color, ethnicity, gender, sexual orientation, ancestry, religion, disability, or other personal characteristics, whether or not the student actually possesses them, that could reasonably be expected to result in disruption of the instructional program or operations of the schools, or that results in a hostile educational environment for the student.
9. Verbal or non-verbal interactions which are designed to harm someone's social reputation and/or cause humiliation, such as: lying and spreading rumors about someone, playing nasty jokes to embarrass and humiliate someone, mimicking, encouraging others to socially exclude someone, damaging someone's social reputation and social acceptance

For the purpose of this policy, bullying does not mean 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, however.

Delegation of Responsibility

The Superintendent/designee will be responsible for developing and implementing procedures for:

1. Review of reports and investigation of bullying incidents;
2. Intervention with and/or discipline of students who engage in bullying;
3. Support for students who are victims of bullying;
4. Training staff and students in bullying prevention; and
5. Periodic evaluation of bullying prevention, intervention and training efforts in schools and reporting to the Board upon request.

Reporting

Students who have been bullied or who observe incidents of bullying are encouraged to report this behavior to a staff member or school administrator. Staff should report bullying to the building principal.

Acts of reprisal or retaliation against any person who reports an incident of bullying are prohibited. Any student who is determined to have falsely accused another of bullying shall be subject to disciplinary consequences.

Responding to Bullying

In determining whether particular conduct constitutes bullying and/or the appropriate response to students who engage in bullying behavior, school administrators should consider the ages and maturity of the students involved, the type of behaviors, the frequency and/or pattern of behaviors, the context in which the incident occurred, and other relevant circumstances. Consequences may range from positive behavioral interventions up to and including suspension, expulsion and/or reports to law enforcement officials, as outlined in the student Code of Conduct.

➤ **QUESTIONING AND SEARCHES OF STUDENTS**

(Policy Code JIH)

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

Students may not bring, possess or store at school any items or substances which are prohibited by law, Board policies and/or school rules, or which interfere with the operations, discipline or general welfare of the school.

Student use of all school storage facilities, including but not limited to lockers, desks, or school grounds, is a privilege granted by the school. All storage facilities are school property and remain under the control, custody and supervision of the school. Students have no expectation of privacy in school storage facilities or for any items placed in such storage facilities. School administrators have the authority to inspect and search storage facilities and their contents on a random basis, with or without reasonable suspicion, and without notice or consent.

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.

School staff, students and parents shall be informed of this policy on an annual basis through handbooks and/or other means selected by school administrators.

The Superintendent is authorized to develop and implement, with input from legal counsel, administrators, staff and others as appropriate, any administrative procedures necessary to carry out this policy. Such administrative procedures shall be subject to Board approval.

(See Appendix for Questioning and Searches of Students Administrative Procedure)

➤ **STUDENT DRESS**

(Policy Code JICA)

The Board recognizes that responsibility for the dress and appearance of students rests with individual students and their parent(s)/guardian(s). The Board will not interfere with this right unless the personal choices of students create a disruptive influence on the school program or affect the health or safety of the student or of others.

Students are encouraged to use sound judgment and reflect respect for themselves and others in dress and grooming. While the dictates of fashion may pressure students to wear certain items of clothing, these items may, in fact, be disruptive in a school setting. Parents are urged to assist the school in monitoring the clothing which students wear to school. In keeping with the goals of the school unit to provide a safe, healthy and non-discriminatory environment for educating students for maximum academic and social development, the following restrictions on dress shall be enforced.

- A. Articles of clothing that promote the use of tobacco, alcohol or other drugs may not be worn on school grounds (when school is in session) or at school functions.
- B. Clothing, footwear, insignia or accessories that are intended to identify the wearer as a member of a particular gang are not permitted.
- C. Articles of clothing with displays that are sexual, vulgar, lewd or indecent or include insulting words (e.g., racial / ethnic slurs) are not permitted.
- D. Clothing, footwear, or accessories that are unsafe or destructive of school property (e.g., cleats, pants with metal inserts that scratch furniture) are not permitted.
- E. Clothing that does not appropriately cover the body is not permitted.

School administrators or teachers may require special clothing for health and safety reasons for students participating in physical education, certain extracurricular activities, work with or around machines or other activities. However, no particular brand shall be required.

The Superintendent is responsible for the development of any administrative procedures necessary to implement this policy.

➤ **CARE OF SCHOOL PROPERTY BY STUDENTS** **(Policy Code JICB)**

Textbooks, lockers, buses, other school property, facilities, and school grounds are available to students for their use. Each student is responsible for loss or damage beyond normal wear. Parents or legal guardians of students will be responsible for the repair or replacement costs of lost, damaged or destroyed items.

If reimbursement is not forthcoming within a reasonable time:

- A. Damage to school property may be recovered in a civil action; or
- B. Costs of lost, destroyed or damaged school books and instructional appliances may be recovered by requesting the municipal assessor to include the value in the next municipal tax of the delinquent parent, in accordance with the applicable legal statutes.

The Superintendent shall ensure that students and parents are notified annually of their responsibilities under this policy, such as by publication in student handbooks or other methods.

➤ **STUDENT CONDUCT ON BUSES (K-12)** **(Policy Code JICC)**

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 or after school activities.

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 a regular bus stop at the end of the school day or after school activities.

In view of the fact that a bus is an extension of the classroom, the Board requires children to conduct themselves on 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, or in the case of high school riders, the superintendent, by the bus driver. The building principal, or designee, will inform the parents 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 or the superintendent. In such cases, the parents of the children involved become responsible for seeing that their children get to and from school safely.

➤ **STUDENT COMPUTER AND NETWORK USE** **(Policy Code IJNDB)**

The school unit provides computers, network and Internet access to support the educational mission of the schools and to enhance the curriculum and learning opportunities for students and school staff. The Board believes that the resources available through the Internet are of significant value in the learning process and preparing students for future success. At the same time, the unregulated availability of information and communication on the

Internet requires that schools establish reasonable controls for lawful, efficient and appropriate use of this technology.

This policy and any accompanying rules also apply to all personal electronic devices brought to school, including but not limited to computers, cameras, PDA's, cell phones, i-pods, etc., as well as any school owned property used outside of school.

Student use of school computers, network and Internet services is a privilege not a right. Students are required to comply with this policy and any accompanying rules (see cross references below). Students who violate the policy and/or rules may have their computer privileges revoked and may also be subject to further disciplinary and/or legal action.

All school unit computers remain under the control, custody and supervision of the school unit. The school unit reserves the right to monitor all computer and Internet activity by students. Students have no expectation of privacy in their use of school computers, or any personal electronic devices.

While reasonable precautions will be taken to supervise student use of the Internet, the school unit cannot reasonably prevent all inappropriate uses, including access to objectionable materials and communication with persons outside of the school, in violation of Board policies/procedures and school rules. The school unit is not responsible for the accuracy or quality of information that students obtain through the Internet.

Before a student is allowed to use school computers, network and Internet services, the student and the student's parent/guardian must sign and return the Student Computer and Network Access Acknowledgment. The signed acknowledgment will be retained by the school.

The Superintendent shall be responsible for overseeing the implementation of this policy and the accompanying rules and for advising the Board of the need for any future amendments or revisions to the policy/rules. The Superintendent may develop additional administrative procedures/rules governing the day-to-day management and operations of the school unit's computer and network system as long as they are consistent with the Board's policy/rules. The Superintendent may delegate specific responsibilities to building principals and others as he/she deems appropriate.

(See Appendix for Laptop and Personal Electronic Devices Rules and Consequences & Student Computer and Network Access Acknowledgment)

➤ **STUDENT COMPUTER AND NETWORK USE RULES** **(Policy Code IJNDB-R)**

These rules implement Board policy IJNDB – Student Computer and Network Use. The rules are intended to provide general guidelines and examples of prohibited uses but do not attempt to state all required or prohibited activities by users. Failure to comply with Board policy IJNDB and any accompanying rules may result in loss of computer, other personal electronic devices, and/or Internet access or network privileges, disciplinary action and/or legal action.

A. Computer Use is a Privilege, Not a Right

Student use of the school unit's computers, networks and Internet services is a privilege, not a right. Unacceptable use/activity may result in suspension or cancellation of privileges as well as additional disciplinary and/or legal action.

The building principal shall have final authority to decide whether a student's privileges will be denied or revoked, consistent with any applicable rules, including but not limited to the Laptop and Personal Electronic Devices Rules & Consequences.

B. Acceptable Use

Student access to 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.

The same rules and expectations govern student use of computers and personal electronic devices as apply to other student conduct and communications.

Students are further expected to comply with these rules and all specific instructions from the teacher or other supervising staff member/volunteer when accessing the school unit's computers, networks and Internet services.

C. **Prohibited Use**

The user is responsible for his/her actions and activities involving school unit computers, networks and Internet services and for his/her computer files, passwords and accounts. Examples of unacceptable uses that are expressly prohibited include but are not limited to the following:

1. **Accessing Inappropriate Materials** – Accessing, submitting, posting, publishing, forwarding, downloading, scanning or displaying materials that are defamatory, abusive, obscene, vulgar, sexually explicit, sexually suggestive, threatening, discriminatory, harassing and/or illegal;
2. **Illegal Activities** – Using the school unit's computers, networks and Internet services for any illegal activity or activity that violates other Board policies, procedures and/or school rules;
3. **Plagiarism** – Representing as one's own work any materials obtained on the Internet (such as term papers, articles, etc.). When Internet sources are used in student work, the author, publisher and Website must be identified;
4. **Copying Software** – Copying or downloading software without the express authorization of the system administrator, and/or violating any copyright laws;
5. **Non-School-Related Uses** – Using the school unit's computers, networks and Internet services for non-school-related purposes such as private financial gain, commercial, advertising or solicitation purposes, or for any other personal use;
6. **Misuse of Passwords/Unauthorized Access** – Sharing passwords, using other users' passwords without permission and/or accessing 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 Chat Rooms/News Groups** – Accessing chat rooms or news groups without specific authorization from the supervising teacher.

D. **No Expectation of Privacy**

The school unit retains control, custody and supervision of all computers, networks and Internet services owned or leased by the school unit. The school unit reserves the right to monitor all computer and Internet activity by students. Students have no expectations of privacy in their use of school computers, including e-mail and stored files. This includes all personal electronic devices brought to school, including but not limited to computers, cameras, PDA's, cell phones, i-pods, etc.

E. **Compensation for Losses, Costs and/or Damages to School or Privately Owned Computers, Networks, Internet or Personal Electronic Devices**

The responsible student and/or the student's parent/guardian shall be responsible for compensating the school unit and/or the legal owner of any personal electronic devices for any losses, costs or damages incurred related to violations of policy IJNDB and/or these rules, including investigation of violations.

F. School Unit Assumes No Responsibility for Unauthorized Charges, Costs or Illegal Use

The school unit assumes no responsibility for any unauthorized charges made by students, including but not limited to credit card charges, long distance telephone charges, equipment and line costs, or for any illegal use of its computers or a personal electronic device.

G. Student Security

A student shall not reveal his/her full name, address or telephone number on the Internet without prior permission from a supervising teacher. Students should never meet people they have contacted through the Internet without parental permission. Students should inform their supervising teacher if they access information or messages that are dangerous, inappropriate or make them uncomfortable in any way.

H. System Security

The security of the school unit's computers, networks and Internet services is a high priority. Any user who identifies a security problem must notify the supervisor or building principal. The user shall not demonstrate the problem to others. Any user who attempts or causes a breach of system security shall have his/her privileges revoked and may be subject to additional disciplinary and/or legal action.

I. Parental Permission Required

Students and their parent/guardian are required to sign and return the Computer and Network Access Acknowledgment Form (IJNDB-E) before being allowed to use school computers or school networks.

➤ **STUDENT DISCIPLINE**

(Policy Code JK)

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

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

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

problems at school.

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

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

To reduce disciplinary problems and the potential for violence in the schools, the Superintendent will be responsible for developing 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.

(See Appendix for Discipline and Behavior Related Offenses and Consequences
& Student Code of Conduct Disciplinary Consequences)

➤ **DETENTION OF STUDENTS**

(Policy Code JKB)

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.

The student’s parents/guardians will be informed of the reason for the detention and requested to make arrangements for the student’s transportation following the detention, if necessary. The detention will not begin until the parents have been notified.

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.

➤ **SUSPENSION OF STUDENTS**

(Policy Code JKD)

The School Board delegates to the principal or designee the authority to suspend disobedient and disorderly students for a period not to exceed ten (10) consecutive school days. Suspensions longer than 10 consecutive 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 reasons for the suspension;
- B. The student shall be given an explanation of the evidence forming the basis for the suspension;

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 reasons, 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 the suspension as soon as practicable by telephone (if possible) and by written notice sent by mail. A copy of the notice shall also be sent to the Office of the Superintendent.

The building principal shall request a meeting with the parent/legal guardian to occur prior to the student's return to school.

Any student suspended from school shall become ineligible to participate in extracurricular activities or any other school functions and is prohibited on school grounds unless the student has been given specific permission by the school principal or designee.

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.

➤ **EXPULSION OF STUDENTS**

(Policy Code JKE)

No student shall be expelled from school except by action of the Board. The Board shall expel students as provided in 20-A MRS § 1001(9) and (9A). The Board also has the authority to readmit an expelled student on satisfactory evidence that the behavior which was the cause of the student being expelled will not likely recur.

The parents/guardians (and the student if 18 years of age or older) shall be notified by certified letter or regular mail of the Board expulsion hearing. The hearing shall be in a properly called executive session and may also be attended by persons designated by the Superintendent to present information in the case.

The notice of hearing shall include:

- A. The date, time and location of the hearing;
- B. A description of the charge(s);
- C. A statement that the student may be represented by legal counsel;
- D. A statement that the student or his/her representative may cross-examine any witnesses presented by the administration at the hearing; and
- E. A statement that the parents/guardians and student may present evidence, including witnesses and documents, on the student's behalf.

(See Appendix for Expulsion of Students Guidelines)

➤ **REFERRAL/PRE-REFERRAL OF STUDENTS WITH DISABILITIES (Policy Code IHBA)**

It is the policy of the school unit to refer all school-age students suspected of having a disability that requires special education to the Pupil Evaluation Team (PET) for an evaluation in the suspected areas of disability. Referrals of students to the PET may be made by professional school staff, by parents and by other persons knowledgeable about the child's educational needs.

The Superintendent of Schools, in consultation with the Director of Special Services, may develop procedures for referral and the use of pre-referral interventions within the local school unit, and may, from time to time, amend those procedures as necessary.

(See Appendix for Referral/Pre-Referral of Students with Disabilities Administrative Procedure)

➤ **DISCIPLINARY REMOVAL OF STUDENTS WITH DISABILITIES (Policy Code JKF)**

When removing students with disabilities from their regular school programs, whether as a result of a suspension, an expulsion, or any other removal covered by state and federal special education laws, it shall be the policy of the local school unit to comply fully with all applicable state and federal special education laws that govern such removals.

The Superintendent, in consultation with the Director of Special Education and other school administrators, may develop and promulgate procedures for implementing this policy and may, from time to time, amend those procedures as necessary.

(See Appendix for Disciplinary Removal of Students with Disabilities Administrative Procedure)

➤ **VISITORS TO THE SCHOOL AND PUBLIC CONDUCT ON SCHOOL PROPERTY (Policy Code KI)**

Residents are encouraged to visit the school and to attend school functions, activities and extracurricular events.

In classrooms, visitors must realize that the teacher's first responsibility is to the children and that the teacher will be unable to converse at any length of time with the visitor.

Visitors are required to check in at the building office if their visit occurs during the regular school day.

Any unauthorized person on school property or any person who behaves in an unsporting manner during an athletic or extracurricular event may be removed from school property. Examples of unsporting conduct include, but are not limited to:

- A. Using vulgar or obscene language or gestures;
- B. Possessing or being under the influence of any alcoholic beverage or illegal substance;
- C. Using tobacco products;
- D. Possessing a weapon;
- E. Fighting or otherwise striking, injuring or threatening another person; and
- F. Engaging in any activity that is illegal, disruptive, or may result in criminal charges.

Visitors to the schools and school property shall comply with all applicable Board policies and school rules. Visitors who violate these policies or rules and/or disrupt the safe and orderly operation of the school shall be asked to leave school grounds. The building administrator/designee has the authority to refuse entry to persons who do not have legitimate, school-related business, and/or who may disrupt the safety or operations of the schools.

The building administrator/designee may request the assistance of law enforcement as necessary to deal with unauthorized persons or violations of policies, rules or the law by visitors.

The Superintendent or building administrator/designee is authorized to report incidents involving violence, threats of bodily harm (including bomb threats), possession of a weapon, possession, selling, distribution, or use of illegal substances, or other activity that is illegal or which disrupts the operation of the schools or school activities, and to furnish information concerning such incidents to law enforcement officials.

➤ **PARENT INVOLVEMENT IN EDUCATION**

(Policy Code KB)

The Board recognizes that a student's education is a responsibility shared by the school, the student, and the family. Research indicates that involvement of parents in support of the children's education increases student achievement. Schools and parents must work as partners if the school system is to meet its goal of educating students effectively.

It is the intent of the Board that the Raymond School Department promote parent involvement by:

- A. Supporting meaningful two-way communication between school and home;
- B. Offering parenting support;
- C. Encouraging parents to play an integral role in assisting student learning;
- D. Assisting parents in their efforts to support, reinforce, and extend their children's learning;
- E. Providing opportunities for parent input in school programs and curriculum;
- F. Respecting parents as partners in decisions affecting children and families;
- G. Welcoming parents as visitors to the schools;
- H. Engaging in meaningful parent-teacher communications that are collaborative in nature and provide opportunities for parents to become resources for best learning environments and to discuss each student's progress toward meeting the content standards of the system of Learning Results and other learning goals, individual instructional needs and student welfare issues;
- I. Communicating with parents about school system policies and regulations;
- J. Encouraging parents to volunteer in the schools and school-related activities;
- K. Encouraging parent involvement through PTA groups and Board and school advisory committees;
- L. Encouraging school administrators to set expectations and create a climate conducive to parent participation;
- M. Developing methods to accommodate and support parent involvement for parents with special needs, such as limited English proficiency;
- N. Providing parents with the opportunity for input into an individualized, differentiated approach to instruction for each child that will enhance student achievement and promote individual strengths and interests; and
- O. Providing communications and informational forums for 7th and 8th grade students and parents that would assist them in making informed decisions about their choices for high school.

The Board expects parents to:

- A. Make every effort to provide for the physical well being of their children;
- B. Establish a home environment that supports learning and appropriate behavior;
- C. Strive to prepare the student emotionally and socially so that the student is receptive to learning, a disciplined environment, and behavioral expectations;
- D. Have students attend school regularly and on time;
- E. Help students to develop good study habits;
- F. Monitor their student's learning progress;
- G. See that their child participates in remedial activities and/or additional instruction, as recommended, to provide them with the opportunity to progress toward meeting the content standards of the system of Learning Results and other instructional goals and objectives;
- H. Review their children's homework and reinforce reading, math, and other skills;
- I. Become familiar with school rules and procedures;
- J. Discuss problems and concerns with appropriate persons;
- K. Participate in conferences with teachers and other professional staff;

- L. Cooperate with the school's system to develop a positive self-concept and positive outlook on learning for each child;
- M. When practicable, volunteer in the schools and/or in support of school activities; and
- N. When practicable, participate in PTA groups, advisory committees and other opportunities to support student learning.

➤ **COMPLAINTS ABOUT SCHOOL PERSONNEL**

(Policy Code KEB)

This policy is intended (1) to create a climate in the schools whereby persons are encouraged to bring complaints to the attention of school officials for resolution, and (2) to explain the responsibilities of school officials in handling complaints. The school board believes that constructive criticism, when it is motivated by a sincere desire to improve the quality of our educational programs, assists school personnel to perform their responsibilities more effectively. At the same time, the school board places trust in its employees and desires to support their actions in such a manner that employees not be subjected to unnecessary, spiteful, or frivolous complaints.

Complaints will be referred to the proper school official for resolution. Generally, the first step will be for the complainant to discuss the matter directly with the employee with whom there is an issue. If resolution is not reached or if this step is clearly inappropriate because of the nature or severity of the complaint, the person making the complaint may request a conference with the principal/immediate supervisor to discuss the complaint. The principal/immediate supervisor or his/her designee will investigate the complaint and communicate with the person making the complaint. Privacy rights of all parties to the complaint will be respected.

If a complaint cannot be resolved following suggested protocols, it may be presented to the superintendent. The person requesting the superintendent's review must submit the complaint in writing, setting forth the specific facts on which the complaint is based and attaching all documents in support of the complaint. The superintendent will provide a copy of the written complaint to the person against whom the complaint is made.

If a complaint remains unresolved at the superintendent's level, the person making the complaint may request that the matter be placed on the school board's agenda as per policy BEDB. Per agenda policy, the school board chairperson will decide whether the complaint will be placed on a school board agenda. If a complaint is placed on an agenda, the superintendent will invite the complainant and the person against whom the complaint is made to attend the meeting and will provide the school board members with appropriate documents.

The school board will determine the procedural rules for any meeting to hear a complaint. Any such meeting will be held in executive session. Only if the school board elects to record the meeting will any recording of the meeting be permitted. If a group submits a complaint that is placed on the school board agenda, a delegation of no more than two individuals must be designated to represent the group and to present the complaint to the school board.

➤ **RELATIONS WITH LAW ENFORCEMENT AUTHORITIES**

(Policy Code KLG)

The School Board recognizes that a cooperative relationship with law enforcement authorities is desirable for the protection of students and staff, maintaining a safe school environment, and safeguarding school property.

School administrators and staff shall have the primary responsibility for maintaining proper order in the schools and for disciplining students for violations of Board policies and school rules. However, the Board authorizes the Superintendent/administration to seek the assistance of law enforcement authorities when they believe there is a substantial threat to the welfare and safety of the schools, students and/or staff. The Superintendent/administration 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 law.

The Board strongly discourages law enforcement authorities from using the schools as a venue to arrest and/or interrogate students for activities not related to or affecting the schools.

The Board authorizes the Superintendent and administration to work with local law enforcement authorities to develop administrative procedures to guide interactions between the schools and law enforcement. Such procedures should safeguard the rights of students and parents, be consistent with Board policies, and minimize disruptions to the instructional program. These administrative procedures are subject to the approval of the Board.

The Superintendent shall include law enforcement authorities in the development and implementation of the

school unit's crisis response plan. The Board also encourages the Superintendent/administration to include law enforcement authorities in the development and/or implementation of instructional programs/activities related to student safety.

**DISCIPLINE AND BEHAVIOR RELATED
OFFENSES AND CONSEQUENCES**

The following range of consequences should apply in most circumstances. In unusual or extreme cases, this range may not be appropriate. For cases involving absence, truancy, class cutting, tardiness to school or class, the intention is not to remove the student from the school or the classroom setting except in extreme circumstances. All attendance related offenses must be dealt with in accordance with the Board of Education attendance policy. The range of options may include, but are not limited to, the following:

1 Staff / Administrative Response	2 Parent / Guardian Involvement	3 Reallocation of Student's Time	4 Exclusion from Normal School Activities	5 Expulsion
<ul style="list-style-type: none"> • Verbal reprimand • Time-out or out of classroom • Loss of privileges • Teacher / administrator conference with student • Contact with parent 	<ul style="list-style-type: none"> • Phone call to parent / guardian • Written notification • Conference with parent / guardian • Parent / guardian accompanies student to school / classes 	<ul style="list-style-type: none"> • Detention • Campus cleanup • In school suspension <p align="center">(Parent / Guardian notification required)</p>	<ul style="list-style-type: none"> • Restricted access • Suspension • Alternative placement • Police referral <p align="center">(Parent / Guardian notification required)</p>	<ul style="list-style-type: none"> • Police Referral <p align="center">(Parent / Guardian notification required)</p>

Loss of credit for assignment or course may be appropriate in addition to any of the above consequences. Restitution for loss or damage may be requested in addition to any of the above consequences. Where appropriate, law enforcement will be involved.

STUDENT CODE OF CONDUCT DISCIPLINARY CONSEQUENCES

Modifications to disciplinary consequences may be made depending upon the facts of the individual circumstances at the discretion of the superintendent, building administrator, or designee.

Unacceptable Behavior	1st Violation	2nd Violation	3rd or Subsequent Violations
Absence, unexcused	1	1 - 2	2 - 3
Alcohol Violations	4	4 - 5	4 - 5
Arson	4	5	5
Breaking into School / Burglary	4	4 - 5	4 - 5
Bus Misbehavior	1	1 - 2	2 - 4
Cheating / Academic Dishonesty / Plagiarism	1	1 - 2	3 - 4

Computer / Internet / Electronic Communication Misuse	1 - 5	1 - 5	1 - 5
Cutting Class	1 - 3	2 - 3	2 - 4
Defamation, Discrimination	1 - 2	2 - 3	3 - 4
Disrespect Toward Adults	1 - 2	2 - 3	3 - 4
Disruptive Behavior	1 - 2	2 - 3	3 - 5
Dress Code Violation	1	1 - 2	2 - 3
Drug Violations	4	4 - 5	5
Extortion	4	4 - 5	5
Failure to Complete Assigned Consequences	3	3 - 4	3 - 5
False Fire Alarm / 911 Call / Bomb Threat	4	4	4 - 5
Fighting / Assault	2 - 3	2 - 4	3 - 5
Fireworks / Explosives, possession / use	4	4 - 5	4 - 5
Food Throwing	1	2 - 3	3 - 4
Forgery	1	1 - 2	3 - 4
Gambling	1 - 2	2 - 3	3 - 4
Hate Crimes	3	3 - 4	4 - 5
Hazing, Intimidation, Harassment	1 - 5	2 - 5	3 - 5
Leaving School Grounds Without Permission	2 - 4	3 - 4	3 - 5
Pornography, possession / creation of	1 - 2	2 - 3	3 - 4
Profanity / Obscene or Abusive Language	1 - 3	2 - 4	3 - 5
Records Falsification	4	4	4 - 5
Refusal to Follow Staff Instructions	1 - 2	1 - 3	1 - 4
Tardiness	1	1 - 2	2 - 4
Theft, Receiving or Possessing Stolen Property	4	4 - 5	4 - 5
Threats, Threatening Behavior	1 - 5	2 - 5	2 - 5
Tobacco Violations	3 - 4	4	4 - 5
Truancy	3	3 - 4	3 - 4
Vandalism	1 - 5	1 - 5	1 - 5
Weapons Violations	4 - 5	4 - 5	4 - 5
Unique Situations Not Addressed in Code of Conduct	1 - 5	1 - 5	1 - 5

Revised: October 3, 2007

➤ **LAPTOP AND PERSONAL ELECTRONIC DEVICES RULES AND CONSEQUENCES**

The Raymond School District has developed the following rules and consequences in order to provide your child with the best technology training and access possible. Since this technology is very costly, consequences for misuse have been developed to promote the highest level of student responsibility.

Any reference to “laptop” in these Rules and Consequences shall be construed, where appropriate, to include laptops, computers, cell phones, PDA’s, i-pods and other personal electronic devices, either owned by the Raymond School District and used by a student, or privately owned and used by a student in school or to access a school network.

Each student is responsible for their own laptop. At no time should a student allow another student to use their laptop. Every effort shall be made to identify the actual perpetrator of any damage to a laptop, however, ultimately, such damage is the owner’s or using student’s responsibility, whether or not they did the damage. The Raymond School District will not be responsible for damage done to a laptop, whether owned by Raymond School District or privately owned.

Penalties for infractions of the following conditions, in the form of loss of use of a laptop, are listed below (this list is not exclusive, other infractions not listed here shall incur penalties at the principal’s discretion):

<u>Infraction</u>	<u>Maximum Penalty</u>	
1. Student generated hardware problems or damage	1 st offense	1 week
	2 nd offense	1 month
2. Internet histories found empty or erased when periodic checks are done	1 st offense	verbal warning
	2 nd offense	1 week
	3 rd offense	1 month
3. Use of unapproved programs or sites	1 st offense	verbal warning
	2 nd offense	1 week
	3 rd offense	1 month
	4 th offense	loss for remainder of year
4. Intentional destruction of any part of a laptop	1 st offense	1 month
	2 nd offense	loss for remainder of year
5. Food and drink around laptop	1 st offense	verbal warning
	2 nd offense	1 week
	3 rd offense	1 month
6. Laptop left in another room or location at the end of the day	1 st offense	verbal warning
	2 nd offense	1 week
	3 rd offense	1 month
7. Laptop not shut down properly	1 st offense	verbal warning
	2 nd offense	1 week
	3 rd offense	1 month
8. Laptop not put away and/or plugged in at day’s end	1 st offense	verbal warning
	2 nd offense	1 week
	3 rd offense	1 month

9. E-mail without teacher approval	1 st offense	verbal warning
	2 nd offense	1 week
	3 rd offense	1 month
10. Laptop and peripherals not brought to class when needed	1 st offense	verbal warning
	2 nd offense	1 week
	3 rd offense	1 month
11. Printing without teacher approval	1 st offense	verbal warning
	2 nd offense	1 week
	3 rd offense	1 month
12. Internet article printed whole instead of being cut and pasted to an Apple works document	1 st offense	verbal warning
	2 nd offense	1 week
	3 rd offense	1 month

Any serious, habitual misuse of a laptop by a student will result in confiscation or permanent loss for the remainder of that school year. All student incidents will be recorded on the Electronic Use Incident Record Sheet by the teacher and turned in to the MLTI teacher leader who will record the incident in the database. When any student reaches the point where confiscation or loss of privileges occurs, the student will be given a Parent Information Form stating the specific offense and penalty. This form shall be taken home for parents to sign and then returned to school.

Privileges will not be restored to a student until the signed Parent Information Form has been returned to the MLTI teacher leader.

Additional disciplinary action may be pursued if a student has purposefully or willfully damaged a laptop.

➤ STUDENT COMPUTER AND NETWORK ACCESS ACKNOWLEDGMENT

Please read the following carefully before signing this document. This is a legally binding document. The user's network access will not be allowed until after the completed application forms are received.

Rationale for Network Use

Network and limited Internet access are now available to students and teachers at the Raymond School Department. We believe this availability offers vast, diverse and unique resources to both students and teachers. Our goal in providing this service to teachers and students is to promote educational excellence in our school by facilitating resource sharing, innovation and communication.

The Internet is an electronic highway connecting thousands of computers and millions of individual users all over the world. Students and teachers have access to:

- Electronic mail communication with people all over the world.
- Information access from government agencies, scientific research institutions, schools of higher learning and educational entities.
- Public domain software, technical information, and software updates.
- Discussion groups on topics ranging from Chinese culture to environmental issues to music and politics.
- Many university and public libraries as well as the Library of Congress and the Smithsonian.

With access to computers and people all over the world, also comes the availability of materials that may not be considered to be of educational value in the context of the school setting. On a global network it is impossible to control all controversial materials an industrious user may discover. The Raymond School Department believes that the valuable information and interaction available on this worldwide network far outweigh the possibility that users may procure material that is inconsistent with the educational goals of the school.

Internet access is coordinated through a complex association of government agencies, and regional and state networks. In addition, smooth operation of the network relies upon the proper conduct of the end users who must adhere to strict guidelines. These guidelines are provided here so that you are aware of the responsibilities you are about to acquire. In general this requires efficient, ethical and legal utilization of the network resources. If a Raymond School Department user violates any of these provisions, his or her access will be terminated and future access could possibly be denied. The signature(s) at the end of this document is (are) legally binding and indicates the parties who signed have read the terms and conditions carefully and understand their significance.

Internet Access Terms and Conditions

1. The purpose of Internet access is to provide unique resources and the opportunity for collaborative work. The use of your access must be in support of education and research and consistent with the educational objectives of the school. Use of other organizations' network of computing resources must comply with the rules appropriated for that network. Transmission of any material in violation of any US or state regulation is prohibited. This includes, but is not limited to: copyrighted material, threatening or obscene material, or material protected by trade secret. Use for commercial activities by for-profit institutions is not acceptable. Use for product advertisement or political lobbying is also prohibited.

2. The use of the Internet is a privilege, not a right, and inappropriate use will result in a cancellation of those privileges. The supervising faculty member will deem what is inappropriate use and their decision is final. The administration, faculty and staff of The Raymond School Department may request the supervising faculty member to deny, revoke, or suspend specific user access.

3. Users are expected to abide by the generally accepted rules of Internet etiquette. These include, but are not limited to the following:

- Be polite. Do not get abusive in your messages to others.
- Use appropriate language. Do not swear, use vulgarities or any other inappropriate language.

- Do not reveal your personal address or phone number, or those of students or colleagues.
- Note that electronic mail (e-mail) is not guaranteed to be private. People who operate networks do have access to all mail. Messages relating to or in support of illegal activities may be reported to the authorities.
- Do not use the Internet access in such a way that disrupts access for other network users.
- All communications and information accessible via the Internet should be assumed to be private property.

4.The Raymond School Department makes no warranties of any kind, whether expressed or implied, for the service it is providing. The school will not be responsible for any damages suffered. This includes loss of data, delays or service interruption. Use of any information obtained via network access is at your own risk. The Raymond School Department specifically denies any responsibility for accuracy or quality of the information obtained on the Internet.

5.Security on any computer system is a high priority, especially when the system involves many users. If you feel you can identify a security problem on the network, you must notify your supervising faculty member.

6.Vandalism will result in cancellation of privileges. Vandalism is defined as any malicious attempt to harm or destroy data of another user or the network.

7.All terms and conditions as stated in this document are applicable to The Raymond School Department and the network. These terms and conditions reflect the entire agreement of the parties and support all prior oral or written agreements and understandings of the parties. These terms and conditions shall be governed and interpreted in accordance with the laws of the State of Maine and the United States of America.

Detach and return this bottom section. Keep the remainder for your records.

Student and Parent/Guardian Agreement

Student’s Full Name (please print): _____
 Home Address: _____
 Home Phone: _____

I am a Raymond student in the ____ grade. I understand and will abide by the **Student Computer and Network Use Rules** and the Terms and Conditions contained in this Application for Network Access. I further understand that any violation of these rules, terms and conditions may revoke my access to the network, and that school disciplinary action and/or appropriate legal action may be taken.

Student’s Signature: _____ Date: _____

As the parent/ guardian of this student, I have read this **Application for Network Access**, including its Terms and Conditions as well as the **Student Computer and Network Use Rules** and agree to abide by such. I understand that network access is designed for educational purposes and is supervised, but the faculty and staff of the Raymond School Department cannot guarantee prevention of access to controversial materials, and I will not hold them responsible for materials acquired on the network. I hereby give permission for my child to be allowed network access and certify that the information contained on this form is correct. I further understand that I can have my child's access suspended or canceled at any time by requesting such in writing.

Parent/Guardian Signature: _____ Date: _____

➤ **STUDENT DISCRIMINATION AND HARASSMENT COMPLAINT PROCEDURE POLICY**

This procedure has been adopted by the School Committee to provide a method of prompt and equitable resolution of student complaints of discrimination or discriminatory harassment as described in policy ACCA – Harassment and Sexual Harassment of Students: School Harassment and Discrimination Policy.

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, age, or disability; and
- B. "Discrimination or harassment" means discrimination or harassment on the basis of race, color, sex, religion, ancestry, national origin, age, 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 a staff member authorized to receive and investigate student discrimination and harassment complaints. Staff authorized to receive and investigate student discrimination and harassment complaints are the Affirmative Action Officer, building principal, guidance counselor or, if none of those listed are practicable, a teacher. Students who are unsure whether discrimination or harassment has occurred are encouraged to discuss the situation with a staff member listed above.
 - B. School staff are expected to report possible incidents of discrimination or harassment of students. Parents and other adults are also encouraged to report any concerns about possible discrimination or harassment of students.
 - 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'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 federal office for Civil Rights, Regional Director, U.S. Department of Education, SW McCormack POCH Room 222, Boston, MA 02109-4557 (telephone: 617-223-9622).
- Complaint Handling and Investigation

A. **INFORMAL RESOLUTION:** A staff member receiving a complaint of student discrimination or harassment shall report such complaint to the Affirmative Action Officer within two business days of such receipt. The Affirmative Action Officer or building principal may pursue an informal resolution of a complaint involving only students. A written record of all complaints and resolutions shall be maintained.

Any complaint involving both an adult and student(s) shall be handled in accordance with Paragraph B of this section; Formal Resolution.

B. FORMAL RESOLUTION:

1. If informal resolution is not warranted or is not successful, the 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 and the Superintendent shall inform the Harassment Committee. The Harassment Committee shall be comprised of the Affirmative Action Officer, a teacher from JSMS, a teacher from RES, a guidance counselor and an administrator, all of whom shall be appointed by the Superintendent. Membership shall be for a two year term, with terms staggered.
2. The complaint will be investigated by two designated Members of the Harassment Committee, unless the Superintendent chooses to investigate the complaint or designates another person to investigate it instead of the Harassment Committee Members. Any complaint about an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. Any complaint about the Superintendent should be submitted to the Chair of the School Committee, who should consult with legal counsel concerning the handling and investigation of the complaint.
 - a. The person who is the subject of the complaint will be provided with an opportunity to be heard as part of the investigation.
 - b. If the complaint is against an employee of the school unit, any applicable individual or collective

bargaining contract provisions shall be followed.

- c. Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.
- d. The Affirmative Action Officer shall keep a written record of the investigation process.
- e. The Superintendent may take interim remedial measures to reduce the risk of further discrimination or harassment while the investigation is pending.
- f. The designated Members shall consult with the Harassment Committee Members and the Superintendent concerning the investigation, conclusions, and any remedial and/or disciplinary actions.
- g. The investigation shall be completed within 21 calendar days of receiving the complaint, if practicable.

3. If the investigator(s) determine that discrimination or harassment occurred, they shall, in consultation with the Harassment Committee and the Superintendent:

- a. Determine what remedial action is required, if any;
- b. Determine what disciplinary action should be taken against the person(s) who engaged in discrimination or harassment, if any; and
- c. Inform the complainant in writing of the results of the investigation and its resolution (in accordance with applicable state and federal privacy laws).

4. 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.

5. If the student's parents/legal guardians are dissatisfied with the decision of the Superintendent, an appeal may be submitted in writing within 14 calendar days after receiving notice of the decision. The Board will consider the appeal in executive session, to the extent permitted by law, at its next regular meeting or a special meeting. The Superintendent shall submit the investigation report and any other witnesses or documents that he/she believes will be helpful to the Board. The student, his/her parents/legal guardians and his/her representative shall be allowed to be heard. The person(s) against whom the complaint was made shall be invited and allowed to be heard. The Board's decision shall be final.

Maintenance of Records

Written records of all complaints, investigations and resolutions shall be maintained in the Office of the Superintendent.

➤ TOBACCO USE AND POSSESSION ADMINISTRATIVE PROCEDURE

The purpose of the following administrative procedure is to effectuate the mandates imposed by the various federal and state laws in addition to this Board's "Tobacco Use and Possession" policy (ADC).

I. PROHIBITED CONDUCT

A. Students

The use, possession, sale, dispensing or distribution of tobacco products, or look-alike tobacco products or any product that is represented to be tobacco, by any student is prohibited in school buildings and facilities, during school-sponsored events, on school grounds and on school buses.

B. Employees and All Other Persons

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

II. ENFORCEMENT

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

A. Student Violations

1st Violation

1. The tobacco product, look-alike product, or product purported to be tobacco shall be confiscated. Parents/legal guardians shall be notified by telephone and sent written notice regarding the tobacco violation which shall be signed by the parent/legal guardian and returned to the school within 2 school days.
2. A minimum of one day of detention and up to three days of detention OR in-school suspension OR suspension shall be given to the student.
3. The student will not be allowed to participate in any school sponsored extracurricular activity during the detention or suspension period.

2nd Violation

1. The tobacco product, look-alike product, or product purported to be tobacco shall be confiscated. Parents/legal guardians shall be notified by telephone and sent written notice regarding the tobacco violation which shall be signed by the parent/legal guardian and returned to the school within 2 school days. The building principal shall request a meeting with the parent/legal guardian to occur prior to the student's return to school.
2. A minimum of one day in-school suspension and up to five days of in-school or suspension shall be given to the student.
3. The student will not be allowed to participate in or attend any school sponsored extracurricular activity or be on the school grounds during the suspension period.
4. The student shall be referred to the Guidance Department for education on available support and resources regarding tobacco products and their use.

3rd Violation

1. The tobacco product, look-alike product, or product purported to be tobacco shall be confiscated. Parents/legal guardians shall be notified by telephone and sent written notice regarding the tobacco violation which shall be signed by the parent/legal guardian and returned to the school within 2 school days.
2. Minimum of five-day suspension shall be given to the student.
3. The building principal shall initiate the expulsion process.
4. The student will not be allowed to participate in or attend any extracurricular activity or be on school grounds during the suspension period. Additionally, the student will not be allowed to participate in or attend any extracurricular activity during the pendency of any expulsion process or hearing.

B. Student Referral to Law Enforcement Agency

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

C. Notification by Building Principal

In the event a student is given detention or is suspended pursuant to this Administrative Procedure, the Building Principal shall notify the appropriate extra curricular activity supervisor(s) to ensure the student's compliance with the consequences of the violation.

D. Other Persons in Violation

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

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

E. Confiscated Items

All confiscated items shall be released to law enforcement officers or shall be disposed of following the conclusion of any disciplinary action.

III. NOTICES

This Board's policy and corresponding disciplinary actions for infractions of this policy shall be printed in employee and student handbooks. Parents/guardians shall also be sent notification in writing of this Board's tobacco policy and administrative procedures.

➤ **DRUG AND ALCOHOL USE ADMINISTRATIVE PROCEDURE**

The purpose of the following administrative procedure is to effectuate the mandates imposed by the various federal and state laws in addition to this Board's "Drug and Alcohol Use by Students" policy (JICH).

I. 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 substances (hereinafter referred to as 'alcohol'). 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, 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 (hereinafter referred to as 'drugs').

These prohibitions apply to any student who is on school property, who is in attendance at school or at any school-sponsored activity.

II. ENFORCEMENT

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

A. 1st Violation

1. The alcohol or drug, look-alike substance, or substance purported to be alcohol or drugs shall be confiscated. Parents/legal guardians shall be notified by telephone and sent written notice regarding the violation which shall be signed by the parent/legal guardian and returned to the school within 2 school days. The building principal shall request a meeting with the parent/legal guardian to occur prior to the student's return to school.
2. A minimum of one day in-school suspension and up to five days of in-school or suspension shall be given to the student.
3. The student will not be allowed to participate in or attend any school sponsored extracurricular activity or be on the school grounds during the suspension period.
4. The student shall be referred to the Guidance Department for education on available support and resources regarding alcohol and/or drugs and their use.

2nd Violation

1. The alcohol or drug, look-alike substance, or substance purported to be alcohol or drugs shall be confiscated. Parents/legal guardians shall be notified by telephone and sent written notice regarding the violation which shall be signed by the parent/legal guardian and returned to the school within 2 school days.
2. Minimum of five-day suspension shall be given to the student.
3. The building principal shall initiate the expulsion process.

4. The student will not be allowed to participate in or attend any extracurricular activity or be on school grounds during the suspension period. Additionally, the student will not be allowed to participate in or attend any extracurricular activity during the pendency of any expulsion process or hearing.

B. Student Referral to Law Enforcement Agency

The Superintendent or his/her designee reserves the right to refer students to a law enforcement agency, on a case-by-case basis, as he/she may deem necessary. However, the Superintendent/designee shall refer to a law enforcement agency any student reasonably suspected of selling, dispensing or distributing alcohol, drugs, look alike substances or substances purported to be alcohol or drugs.

C. Notification by Building Principal

In the event a student is given detention or is suspended pursuant to this Administrative Procedure, the Building Principal shall notify the appropriate extra curricular activity supervisor(s) to ensure the student's compliance with the consequences of the violation.

D. Other Persons in Violation

All other persons violating this policy, e.g., employees, visitors, shall be immediately directed to cease violative behavior. In addition, all persons suspected of selling, distributing, or in any way dispensing alcohol, drugs, look alike substances or substances purported to be alcohol or drugs to students shall be referred to a law enforcement agency.

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

E. Confiscated Items

All confiscated items shall be released to law enforcement officers or shall be disposed of following the conclusion of any disciplinary action.

III. NOTICES

This Board's policy and corresponding disciplinary actions for infractions of this policy shall be printed in employee and student handbooks. Parents/guardians shall also be sent notification in writing of this Board's tobacco policy and administrative procedures.

➤ **QUESTIONING AND SEARCHES OF STUDENTS ADMINISTRATIVE PROCEDURE**

The purpose of this administrative procedure is to provide guidelines for the conduct of student questioning and searches by school administrators. These are guidelines only and may be adjusted within reasonable and lawful limits on a case-by-case basis.

A. Questioning by School Administrators

1. School administrators are under no obligation to notify a student's parents/guardians prior to questioning a student regarding alleged violations of Board policies, school rules and/or federal/state laws. If law enforcement officers are involved, refer to policy KLG – Relations with Law Enforcement Authorities.
2. School administrators shall inform the student of the reasons for the questioning and provide an opportunity for the student to respond to any allegations. School administrators shall make a reasonable effort to question the student in a location out of the sight and hearing of other students.
3. If a student threatens any person during questioning, he/she may be subject to additional disciplinary action.

B. Searches of Students and/or Personal Property in Students' Immediate Possession

1. School administrators are authorized to search students and/or personal property in the students' immediate possession when, in their judgment, there are reasonable grounds to suspect that a student has violated or is violating the Board policies, school rules and/or federal/state laws.

2. All searches of students and/or personal property shall be authorized and conducted by a school administrator in the presence of a witness, except where the circumstances render the presence of a witness impractical.
3. Searches should be reasonably related to the suspected violation and no more intrusive than necessary to discover the evidence for which the search was instigated. Searches may include the student's outer clothing (e.g., pockets, jacket, shoes, hat) and personal belongings (e.g., purse, backpack, gym bag, lunch bag). If the search discloses evidence, a broader search may be justified.
4. Searches which disclose evidence that a student has violated Board policies or school rules will be addressed through school disciplinary procedures. Evidence of violation of federal/state laws may result in school disciplinary action and/or be forwarded to law enforcement authorities for possible investigation/prosecution.
5. School administrators are required to document all searches and items seized/impounded on the Student Search Form or by another reasonable method.

C. Searches of Lockers, Desks and Other School Facilities

1. School staff, students and parents shall be informed of this policy/procedure on an annual basis.
2. School administrators shall consult with the Superintendent
3. prior to conducting random searches.
4. Searches of individual student lockers, desks or other storage facilities and their contents based upon reasonable suspicion will be conducted in the presence of the student and a witness, if practical under the circumstances of the search.
5. Searches which disclose evidence that a student has violated Board policies or school rules will be addressed through school disciplinary procedures. Evidence of violation of federal/state laws may result in school disciplinary action and/or be forwarded to law enforcement authorities for possible investigation/prosecution.
6. School administrators are required to document all searches and items seized/impounded on the Student Search Form or by another reasonable method.

D. Involvement of Law Enforcement Authorities

1. School authorities have the discretion to request the assistance of law enforcement authorities in accordance with Board policy.

➤ **EXPULSION OF STUDENTS GUIDELINES**

The following steps constitute general guidelines for the conduct of an expulsion hearing. The guidelines may be adjusted to meet the flexible requirements of due process on a case-by-case basis.

Procedure for Conduct of Board Hearing to Expel

- A. Any discussion, consideration or hearing by the School Board of suspension or expulsion of a student shall be in executive session.
- B. The Board shall be in a public meeting and vote to enter executive session. Executive session requires a 3/5 affirmative vote of the members present and voting, and the vote must be recorded.
- C. The parents/guardians, the student and legal counsel (if any) must be present for the hearing, except that the hearing may go forward if the parents/guardians and student (if 18 years of age or older) have been provided prior written notice and failed to appear for the hearing.

Executive Session

I. GENERAL RULES OF CONDUCT

- A. The hearing officer (Board Chair/designee or Board attorney) will conduct the hearing.
- B. Witnesses shall be sequestered in response to a request by either party.
- C. The hearing officer will state "no irrelevant or repetitious evidence will be allowed and no debate between the parties will be allowed."
- D. The hearing officer will state that "all parties are expected to maintain the confidentiality of the proceeding."

E. The School Board and student (at his/her own expense) may be represented by legal counsel through each stage of the process.

II. PROCEDURES

A. The hearing officer will state for the record:

- Date of this hearing;
- Place of hearing;
- Time of hearing;
- Name of student;
- Those in attendance for the administration;
- Those in attendance for the student; and
- Those in attendance for the School Board.

B. The hearing officer will request from the Superintendent a copy of the hearing notice, read the hearing notice to the School Board and include the notice in the record. If no person appears at the hearing on behalf of the parents/guardians or student, the hearing officer will request that the Superintendent confirm that the parents/ guardians and student (if age 18 or older) were provided notice of the hearing.

C. The Superintendent or designee, hereafter called “the administration,” will make an opening statement that includes an overview of the evidence, his/her recommendation, the reason(s) for the recommendation, and the legal basis for the recommended expulsion.

D. The hearing officer will inform the student and parents/guardians of their rights:

1. To hear the evidence;
2. To cross examine witnesses; and
3. To present witnesses and offer other relevant evidence.

E. The hearing officer will ask if any member of the Board finds him/herself in a possible conflict of interest situation because he/she knows the student or parents/guardians to such an extent, or has knowledge of the facts to such an extent, that he/she could not impartially hear the facts and decide the issue on its merits.

F. All witnesses shall be sworn in by the hearing officer. Each witness raises his/her right hand and is asked, “Do you solemnly affirm to tell the truth, the whole truth and nothing but the truth?”

G. The administration calls its witnesses.

H. After each witness has answered all questions put by the administration, then the student/designee (hereinafter, the student) may cross examine. This should be limited to questions and not arguments with the witness.

I. The administration may ask rebuttal questions after the student finishes questioning.

J. Members of the Board may ask questions at the conclusion of the rebuttal.

K. The student may then call his/her own witnesses to testify, and the student may testify. All witnesses will be sworn. The administration may cross examine. The student may ask rebuttal questions. After the rebuttal questions, the Board may ask questions.

L. When all the student’s witnesses have completed testimony (including the student), the administration may call additional rebuttal witnesses who may be cross examined.

M. At the end of the testimony, the administration shall make a statement which should include its recommendations. The same may then be done by/for the student.

N. The Board should then deliberate in executive session. The Superintendent, Board attorney, administration, the student charged, his/her parents/guardians, and the student’s legal counsel may remain for deliberations. If the student and representatives elect not to be present during deliberations, the administration will also be excluded from deliberations, except that the Superintendent may remain to provide guidance to the Board if he/she was not directly involved in the investigation or presentation of evidence.

O. The Board shall discuss whether the charges are more likely than not supported by the evidence presented. The Board may discuss and/or draft proposed finding of fact(s) concerning the charges prior to leaving the executive session.

P. The Board shall then leave executive session.

III. PUBLIC SESSIONS

A. In public session, a member of the Board may make a motion to “expel a student and direct the Superintendent to provide the student and his/her parents/guardians with the Board’s finding of fact(s).” Following a second, the Board Chair should state the motion and the Board should vote. If no motion is made to

expel, the student will return to school at the conclusion of the previously-imposed administrative suspension.

B. The Superintendent is responsible for notifying the parents/ guardians (and the student if age 18 or older) of the Board's decision. If the student has been expelled, the Superintendent will also provide notice of the conditions, if any were given at that time, for Board consideration of readmission.

➤ **REFERRAL/PRE-REFERRAL ADMINISTRATIVE PROCEDURE**

School employees who are making a referral shall do so by contacting the Director of Special Services and by filling out the appropriate referral forms. Parents may at any time refer their child to the Pupil Evaluation Team (PET) if they believe the child may be in need of special services. Parents should contact the office of the Director of Special Services to make a referral, but also may contact the child's teacher to make that referral. School professionals who are informed by parents or others of a desire to refer a student should immediately direct that person to the office of the Director of Special Services for initiation and discussion of the referral process. The school professional should also document in writing the contact with the parent or other person and should immediately forward that documentation to the office of the Director of Special Services.

Once a referral has been made, the PET members have 15 school days to review any existing evaluation data and to determine what evaluations may be needed as part of the referral process. That review may occur either at a PET meeting or through other discussions that fully include the parent. If PET members are unable to reach agreement on necessary evaluations outside of a PET meeting, a PET meeting shall be held to discuss the issue.

Within 15 school days of receiving the referral, the local school unit should send to the parent a consent for initial evaluation form. When the school receives that consent form back from the family with the appropriate signatures, the local school unit has 45 school days to complete the evaluation and to hold a PET meeting to determine whether the student qualifies for special education services. If the student is identified as a child with a disability in need of special education, the PET should develop an Individualized Education Program for that child within 30 days of the determination that the student is eligible.

Transfer students who have already been identified as in need of special services shall on transfer and with prior written notice to the parent be provided with special education consistent with the IEP developed at the prior school, and shall be referred to the PET to review the program. If the transfer student's current IEP from his/her prior school unit is not available or is believed to be inappropriate by either the parent or the school, the school should develop a new IEP through appropriate procedures within a short time after the student enrolls at the school.

Upon enrollment in public school, a student who was being served by the Child Development Services (CDS) system shall be treated by the local school unit in the same manner as are transfer students under the state special education regulations, except that the student's Individual Family Service Plan from CDS will be considered as his/her current IEP until such time as a PET meets to alter or amend that program. Placement, however, will be in the public school system rather than at the site provided by CDS.

PRE-REFERRAL STRATEGIES

Professional school staff members who observe that a student is encountering academic, social or emotional difficulties in school that interfere with the student's education shall document those specific difficulties on a Pre-Referral Checklist.

The school staff member shall then develop an intervention strategy, using the intervention checklist that accompanies the pre-referral checklist. The staff member may consult with other school employees and/or the student's parents in developing the intervention strategy. The intervention strategy shall have an established time period for implementation, and at the end of that time, its success shall be assessed and documented at the bottom of the intervention checklist. If the intervention strategy fails to resolve satisfactorily the difficulties that were interfering with the student's education and the staff member suspects that the student may be in need of special education, the staff member shall refer the student to a PET in accordance with the referral process noted above.

PARENTAL NOTICE

In addition to other requirements for parental notification, the school unit shall notify parents in writing consistent with state special education regulations whenever their child has been referred to the PET and shall notify parents whenever their child has demonstrated educational difficulties that have led to completion by a staff member of the pre-referral checklist and intervention strategy checklist.

That notification of pre-referral interventions should include copies of the completed checklists and shall request that the parents contact the staff member who has completed the documents. That notification shall also inform parents that they have a right to refer their child directly to the PET if they suspect that their child may need special education services. The local school unit may advise the parents as to why it may be appropriate to have the child participate in the intervention strategies prior to a referral to the PET, but the local school unit shall not reject or delay the referral until the intervention strategies have been tried if the parent requests that the school proceed immediately with the referral. The school shall document the parent's decision.

That notification shall also inform the parents that they have a right to request a due process hearing from the Maine Department of Education in response to any refusal by the school to proceed with their request to refer their child to the PET.

➤ **DISCIPLINARY REMOVAL OF STUDENTS WITH DISABILITIES ADMINISTRATIVE PROCEDURE**

These procedures shall govern disciplinary removals of students with disabilities from their regular school program. These procedures shall be interpreted in a manner consistent with state and federal special education laws and regulations.

A. School administrators may suspend students with disabilities for up to 10 cumulative school days in the school year under the same terms and conditions as students without disabilities are suspended, subject to the limitations set forth below:

1. In the event that a disabled student's Individualized Education Plan (IEP) specifically lists a school response other than a suspension that must be followed for a particular type of misconduct, the school administrator shall follow the requirements of the IEP in responding to that misbehavior.
2. When calculating the 10 cumulative school day total, school administrators shall include school days spent in an in-school suspension or removal, unless during that removal the student continued to have access to the general curriculum, to the special education services in his/her IEP, and also continued to participate with non-disabled students to the extent he/she would have in the student's regular program.
3. Portions of a school day that a student has been suspended would be included in determining whether the student has been removed for more than 10 cumulative school days.

B. In the event that a school administrator must remove a disabled student from his/her school program for more than 10 cumulative school days in the school year, the administrator shall ensure that the following steps are followed:

1. After consulting with the student's special education teacher, the school administrator shall arrange for the student to receive an appropriate level of educational services during the removal in question so as to ensure that the student is able to continue to progress in the general curriculum and appropriately advance toward the goals and objectives listed in the student's IEP during that removal.
2. The administrator shall contact the District's special education office to arrange for a meeting of the student's Pupil Evaluation Team (PET), which should meet within 10 business days of commencing the removal in excess of 10 cumulative school days in the school year.
3. At the PET meeting referenced above, the PET shall undertake all the responsibilities established by state and federal special education laws, including reviewing or ordering as appropriate a functional behavior assessment and a behavior intervention plan. The Team may also undertake a manifestation determination of the behaviors of concern, and must undertake that manifestation determination if the student has been removed with sufficient frequency to constitute a "change of placement" as that term is defined by state and

federal law.

4. Nothing in these procedures shall prevent the PET from undertaking functional behavior assessments, manifestation determinations, or the development of behavior plans at earlier points in time, as determined appropriate by the PET.

C. Should school officials believe that the student should remain out of his/her regular program for a sufficient length of time so as to be a “change of placement” under state and federal law, school officials shall schedule a PET meeting to consider that removal. At that meeting, the following things must occur:

1. The Team shall review or order, as appropriate, a functional behavior assessment and shall review or order, as appropriate, a behavior intervention plan for the student. The Team shall also undertake a manifestation determination of the behaviors prompting the need for the extended removal time.

2. If the PET chooses to remove the student from his/her regular program for a period of time that would be a change of placement, the Team shall decide upon the appropriate services for the student to receive during that removal. Those services must be calculated to ensure that the student is able to continue to progress in the general curriculum and appropriately advance toward the goals and objectives listed in the student’s IEP during that removal.

3. When such a removal is ordered by the PET, the family shall receive the special education statement of procedural rights as part of that decision. If possible, the chair of the PET meeting should also attempt to inform the student’s parent/guardian at the meeting that if he/she does not believe the service package ordered by the PET is appropriate, then the parent/guardian may request a due process hearing challenging the appropriateness of those services.

D. For the purpose of these procedures, a “change of placement” shall be any removal from the student’s regular school program that is for more than 10 consecutive school days in a school year, or any series of removals that constitute a pattern because they cumulate to more than 10 school days in a school year and are considered a change of placement because of factors such as the length of each removal, the total amount of time the student is removed and the proximity of the removals to one another.

E. The PET shall undertake a manifestation determination and shall determine whether the conduct in question was caused by, or had a direct and substantial relationship to, the child’s disability **or** whether the conduct in question was the direct result of the local school unit’s failure to implement the IEP.

In any situation where the PET determines that misconduct is **not** a manifestation of the student’s disability, then the relevant disciplinary procedures applicable to students without disabilities may be applied to the student in the same manner as they would be applied to students without disabilities, up to and including possible expulsion of the student in question. During any permissible disciplinary removal in excess of 10 cumulative school days in the school year, including expulsions, the school shall provide that student with services sufficient to ensure that the student is able to continue to progress in the general curriculum and appropriately advance toward the goals and objectives listed in the student’s IEP during that removal. The PET shall determine the services that meet that standard for removals sufficiently long as to constitute a change of placement.

F. Following any disciplinary removal in excess of 10 cumulative school days in the school year, the PET should meet within 10 business days to review the student’s most recent functional behavior assessment, or if one has not been done, to order that such an assessment occur, as appropriate. Following the completion and/or review of the functional behavior assessment, the Team shall develop and/or review, as necessary, the behavior intervention plan and order changes in such a plan, if appropriate, to address the behaviors of concern.

G. In those circumstances where a student brings a weapon to school, to a school function, or on school transportation, or where a student possesses, uses, sells or attempts to sell illegal drugs at school, a school function, or on school transportation, or where a student has inflicted serious bodily injury upon another person while at school, a school function, or on school transportation, school officials may place that student out of school for up to 45 days, shall provide educational services for the student, and shall schedule a PET meeting to occur within 10 business days of the removal. At that PET meeting, the Team shall undertake all necessary actions discussed in these procedures for responding to removals that constitute a change of placement for the

student. Determinations regarding what should happen with the student after the 45-day removal shall also be made by the PET, consistent with these procedures and state and federal law.

➤ **RELATIONS WITH LAW ENFORCEMENT AUTHORITIES ADMINISTRATIVE PROCEDURE**

The following procedures are intended to guide the involvement of law enforcement authorities in the schools:

- A. Law enforcement officials may enter school premises:
 - 1. In the event of an emergency;
 - 2. At the request of school administrators;
 - 3. When there is a warrant to arrest a student. School administrators are not obligated to make students or school facilities available to law enforcement for non-school-related investigations;
 - 4. In exigent circumstances as authorized by law.

- B. School administrators shall attempt to contact the student's parents/guardians prior to allowing law enforcement authorities to interrogate, search or arrest a student at school, except when there are reasonable grounds to believe that a health or safety emergency requires the interrogation, search or arrest to take place without prior notice.

- C. Law enforcement authorities are responsible for ensuring that a student is informed of his/her rights prior to an interrogation, search or arrest conducted by law enforcement authorities.

- D. A student may be removed from school by law enforcement authorities when there is a court order, an arrest warrant or when a warrantless arrest is authorized by law. School administrators shall attempt to notify the student's parents/guardians as soon as possible of the student's removal from school.

- E. School administrators shall release student information to law enforcement authorities only as allowed by the Family Educational Rights and Privacy Act.

Revised: August 23, 2006

Appendix Revised: October 3, 2007