

City of Biddeford
School Committee
December 13, 2023 7:00 PM Little Theater at BHS

A. Agenda

A.1. Public Viewing:

Local Public Access Station

City of Biddeford Website

Call to Order:

Roll Call:

Pledge of Allegiance:

Performance:

Biddeford Intermediate School Chorus Club

Adjustments to Agenda:

Approval of Last Meeting's Minutes: 11/8/2023

Consent Agenda:

Nominations:

April Szafranski ~ Director of Welcome Center (Grant Funding)

Sean O'Leary ~ BHS School Counselor ~ Replacing Jennifer Rowland

Appointments:

Ashland Hanson ~ BCBA District Wide

Deanna Vigliotta ~ BHS Ed Tech III

Anthony Dube ~ BHS JV Hockey Coach Stipend

John Petacchi ~ BMS Basketball 7th & 8th Grade Extra Teams

Alana Trottier ~ District Head Nurse Stipend

Resignations:

Robert Caya ~ Full-time bus driver

Dolores Charest ~ BHS School Counselor ~ Retirement

Kelsey Therriault ~ Admin Assistant Transportation

Jeani Reagan ~ BRCOT Admin Assistant ~ Retirement

Robert Devou ~ Transportation

Transfers:

Mercy Hayward ~ BHS Ed Tech II ~ Part-time to Full-Time

John Petacchi ~ From BPS to BHS Ed Tech II ~ Replacing Daniel DuDevoir

Superintendent's Report:

Committee Reports:

Old Business:

New Business:

a. Climate Education Professional Development Grant

b. Communication/Data/Hiring and Community Relation-

Reorganization

Approval - Karen Garnett ~ Director of Communications

c. BDA - Organizational Meeting and Election of Vice Chair

d. BDE - Committee Assignments
Finance/Building & Grounds
Negotiations/Personnel Committee
Curriculum Committee
Policy Committee
First Reading of Policy to Strike:
JLCCA ~ Students with HIV/Aids
First Reading Policies to Strike & Revise:
JHB ~ Truancy
KLGA-R ~ School Resource Officer/Law Enforcement Administrative Procedure
First Reading Policies to Adopt:
JLIB ~ Student Dismissal Precautions
JLIE ~ Student Automobile Use and Parking
JO ~ Employment of Students
KLG-R ~ Relations with Law Enforcement Authorities Administrative Procedure
KLGA ~ Relations with School Resource Officers and Law Enforcement Authorities
First Reading Policies to Revise:
EBCC ~ Bomb Threats
EEAEF ~ Video Camera Use on School Vehicles
EEAEF-R ~ Video Camera Use on School Vehicles Administrative Procedure
JHB ~ Truancy
JKAA ~ Use of Physical Restraint and Seclusion
JKAA-R ~ Procedures on Physical Restraint and Seclusion
JLA ~ Student Insurance
JLC ~ Student Health Services
KDB ~ Public's Right to Know/Freedom of Access
KLG ~ Relations with Law Enforcement Authorities
KLGA-R ~ School Resource Officer/Law Enforcement Administrative Procedure
Public Participation: (3 minutes; any item)
Communications:
Executive Session:
Adjournment:

[Biddeford Minutes 11_8_2023.pdf](#)
[SB Memo Climate Grant 12.6.23.pdf](#)
[BDA School Committee Organizational Meeting.pdf](#)
[BDE School Committee Standing Committees.pdf](#)
[EBCC.pdf](#)
[EEAEF Revise.pdf](#)
[EEAEF-R Video Camera Use on School Vehicles Administrative Revised.pdf](#)
[JHB Revised.pdf](#)
[JHB Truancy Strike & Replace.pdf](#)
[JKAA -R Procedures on Physical Restraint and Seclusion Revised.pdf](#)
[JKAA Use of Physical Restraint and Seclusion revised.pdf](#)
[JLA Student Insurance Revised.pdf](#)

JLC Student Health Services Revised.pdf
JLCCA Students with HIV-Aids Strike.pdf
JLIB Student Dismissal Precautions Reviewed.pdf
JLIE Student Automobile Use and Parking Reviewed.pdf
JO Employment of Students.pdf
KDB Public's Right to Know-Freedom of Access Revised.pdf
KLG-R.pdf
KLG.pdf
KLGA Relations with School Resource Officers and Law Enforcement Authorities.pdf
KLGA-R School Resource Officer-Law Enforcement Administrative Procedure .pdf
KLGA-R.pdf
Overnight Field Trip Paris.pdf

Biddeford Schools

School Committee Meeting Agenda
Little Theater Biddeford High School
5:00 pm ~ November 8, 2023
Minutes

est. 1848

Public Viewing:

Local Public Access Station
City of Biddeford [Website](#)

- A. **Call to Order:** The meeting was called to order at 5:00 pm
- B. **Roll Call:** Mayor Alan Casavant, Lisa Vadnais, Michele Landry, Amy Grohman, Randy Forcier, Meagan Desjardins, Lauren Schuyler-Giddings, and Jeremy Ray were all present
- C. **Pledge of Allegiance:** The pledge was led by Mayor Alan Casavant
- D. **Adjustments to Agenda:** None
- E. **Approval of Last Meeting's Minutes:** [10/25/2023](#) ~ Randy Forcier moved to approve the meeting minutes, Amy Grohman seconded the motion, and all were in favor
- F. **Consent Agenda:** Lisa Vadnais moved to approve the consent agenda, Amy Grohman seconded, and all were in favor

Nominations:

Appointments:

- a. Cambamba Paciencia ~ BHS Ed Tech I ~ Replacing Hauraa AISilawi
- b. Lori White ~ JFK Ed Tech III
- c. Kristina Wilson ~ JFK Ed Tech II
- d. Elisa Pharo ~ BMS Ed Tech III
- e. Nicole Nisbet ~ JFK Ed Tech II ~ Replacing Holly Ross
- f. Robert Devou ~ Full-Time Bus Driver replacing Robert Caya
- g. [BMS Stipends](#)

Resignations:

- a. Vito Mininni ~ BRCOT Carpentry Instructor

Transfers:

- a. Holly Ross ~ JFK Behavior Ed Tech II to JFK Ed Tech III

- G. **Superintendent's Report:** ~ Election Day went well, and was easier not having students on campus. Winter sports start the week of the 20th for most teams. Looks like we may have up to seven Odyssey of the Minds teams. The marching band had their state competition on Saturday night, earning a silver medal. Pillars of Pride Event raised \$19,400. Homeless money from the Department of Education is on hold for 30K. We still need more clarification. Working with the Police, Fire Department, Public Works, Codes, and Rec Department to find solutions. Teachers are working on budgets, and school/department budgets are due to me on December 20th. Winter weather is on our doorstep. Just a reminder to update your

School Committee Members:

Alan Casavant-Chair	Randy Forcier
Lisa Vadnais-Vice Chair	Meagan Desjardins
Michele Landry	Rebecca Henry
Amy Grohman	Lauren Schuyler Giddings

cc: Jeremy Ray- Superintendent
cc: Chris Indorf-Asst. Superintendent
cc: Mandy Cyr- Dir. Instr. & Innov.

student accounts with your schools

H. Committee Reports:

I. Old Business:

J. New Business:

- a. [METY Update](#)
- b. [October 1st Enrollment Count](#)
- c. [Vote to amend and restate Biddeford School Department 403\(b\) Plan](#) ~ I, Randy Forcier, move that the vote entitled, "Votes Concerning 403(b) Plan Restatement" be approved in form presented to this meeting and that the Secretary file an attested copy of said vote with the minutes of this meeting. **WHEREAS**, the Biddeford School Department (the "School Department ") adopted a 403(b) Plan (the "403(b) Plan"), effective January 1, 2009, as amended from time to time, to allow eligible employees of the School Department to contribute salary pre-tax to save for retirement; **WHEREAS**, the School Department desires to amend and restate the 403(b) Plan to reflect certain mandatory provisions of the SECURE Act, and the School Department's legal counsel has prepared the attached Amended and Restated 403(b) (the "Restated 403(b) Plan") that incorporates these provisions; **NOW THEREFORE**, the School Committee of the School Department hereby votes to authorize the adoption of the Restated 403(b) Plan as follows. **VOTED**: The School Committee of the School Department hereby votes to authorize and adopt the attached Restated 403(b) Plan; **VOTED**: That the Superintendent, and any other official designated by the Superintendent, is authorized and directed to execute and deliver the Restated 403(b) Plan, and any such other documents as may be necessary or advisable in connection with such amendment, provided such documents are in a form acceptable to the Superintendent and to the School Department's legal counsel. **VOTED**: That an attested copy of this Vote be filed with the minutes of this meeting. The school committee voted, and it was anonymous
- d. [School Calendar Adjustment Request](#)
- e. [Approval of Assistant Transportation Director Job Description](#) ~ Randy Forcier moved to approve, Lisa Vadnais seconded, and all were in favor
- f. School Bond Vote Results

K. Public Participation: (3 minutes; any item)

L. Communications:

M. Executive Session:

N. Adjournment: The meeting was adjourned at 6:15 pm. Lisa Vadnais moved to adjourn the meeting, Randy Forcier seconded, and all were in favor

Signed: 
Jeremy Ray ~ Superintendent of Schools

Date: 11/21/2023

School Committee Members:

Alan Casavant-Chair	Randy Forcier
Lisa Vadnais-Vice Chair	Meagan Desjardins
Michele Landry	Rebecca Henry
Amy Grohman	Lauren Schuyler Giddings

cc: Jeremy Ray- Superintendent
cc: Chris Indorf-Asst. Superintendent
cc: Mandy Cyr- Dir. Instr. & Innov.

MEMO

TO: Superintendent Ray
FROM: Mandy Cyr, Assistant Superintendent, Biddeford School Department
Meg Parkhurst, Assistant Superintendent, Saco Schools
DATE: December 6, 2023
RE: Climate Education Professional Development Grant

On December 5, 2023, our tri-district team was notified of their conditional award of funds following a grant application for Science professional development related to climate education. This grant was made available through the Maine Department of Education to receive a climate education professional development grant available through LD 1902. This state-funded grant will allow us to significantly expand climate literacy offerings with a focus on place-based outdoor learning.

The grant prioritizes partnerships between schools across Biddeford, Dayton, and Saco, and community partners including The Ecology School. Through this work, we aim to provide immersive outdoor learning experiences focused on climate change. Our application included two professional development opportunities for up to a total of 60 teachers across three districts. The final award components and amount will be forthcoming.

The original application included a request for \$73,000 to be spent across two primary initiatives. Teachers will receive hands-on training in climate science content, place-based pedagogy, and strategies to integrate real-world investigations into curriculum. Not only will this grant empower our students with crucial climate literacy, it positions our district as an early adopter of innovative practices in STEM education. We look forward to sharing additional details regarding the grant award and progress of specific professional development opportunities.

BIDDEFORD SCHOOL COMMITTEE ORGANIZATIONAL MEETING

The Biddeford School Committee shall reorganize every two years and elect a Vice-Chair at the beginning of the regular December meeting. Under the Biddeford City Charter, the Mayor serves as the ex officio Chair of the Biddeford School Committee.

The meeting shall be called to order by the Chair, who shall call for nominations for a Vice Chair from the floor. If more than one candidate is nominated, voting shall ordinarily be by show of hands. Voting shall be done by roll call at the direction of the Chair or at the request of any Biddeford School Committee member. A nominee must receive a majority vote of the full Biddeford School Committee to become Vice Chair. If no nominee receives enough votes, the election shall be declared null and void and nominations re-opened. This process shall continue until a nominee receives enough votes.

The Vice Chair shall serve until the next organizational meeting at the pleasure of the Biddeford School Committee. Removal prior to the organizational meeting requires a majority vote of the full Biddeford School Committee membership.

Should the office of Vice Chair become vacant between the Biddeford School Committee's organizational meetings, the Biddeford School Committee shall meet within 30 days to elect a new Biddeford School Committee member to fill the vacancy until the December organizational meeting.

At the organizational meeting, the Chair shall appoint members of the Biddeford School Committee to standing and temporary committees, subject to Biddeford School Committee approval.

All committees shall be composed of less than a majority of the Biddeford School Committee.

Legal Reference: Biddeford City Charter, Art. V, § 1-3

Adopted: February 26, 1992

Revised: April 27, 1999, April 8, 2008

Reviewed: February 24, 2015

SCHOOL COMMITTEE STANDING COMMITTEES

The Biddeford School Committee believes that standing committees are necessary to the decision-making process and in the transaction of Biddeford School Committee business. The Biddeford School Committee may establish such standing committees as it deems necessary to facilitate school unit governance and address ongoing school unit needs. A standing committee has only such authority as specified by the Biddeford School Committee.

All standing committee meetings are open to the public except as provided by the Freedom of Access Law and the Municipal Public Employees Labor Relations Law.

Establishment and Functions of Standing Committees

The following provisions apply to the establishment and functions of standing committees:

- A. All standing committees shall be established by vote of the Biddeford School Committee. A motion to establish a standing committee shall state the purpose and responsibilities of the committee (the “charge”) and set the number of members comprising the committee.
- B. The Biddeford School Committee Chair will appoint members to a standing committee from among the membership of the Biddeford School Committee. For existing standing committees, appointments will be made at or as soon as practicable after the School Biddeford School Committee’s annual organizational meeting.
- C. The Biddeford School Committee Chair may also make appointments to standing committee vacancies on standing committees that occur prior to the Biddeford School Committee’s next organizational meeting.
- D. The term of appointment to a standing committee shall be until the next organizational meeting.
- E. Each standing committee will elect its own chair.
- F. The Biddeford School Committee Chair and Superintendent shall be ex officio (non-voting) members of all standing committees.
- G. Any Biddeford School Committee member may attend standing committee meetings, but only appointed members of the committee may vote.

- H. Except as authorized by law or Biddeford School Committee action, a standing committee may research issues and make recommendations for Biddeford School Committee action, but may not act for the Biddeford School Committee.
- I. A standing committee may be abolished at any time by a vote of the Biddeford School Committee.
- J. The number of members on a standing committee and/or the responsibilities of a standing committee may be modified at any time by a vote of the Biddeford School Committee.

Authorization/Appointment of Standing Committees

The Biddeford School Committee shall have the following standing committees:

- 1. Finance/Building & Grounds
- 2. Negotiations/Personnel

The Biddeford School Committee may establish other standing committees it deems necessary in accordance with this policy.

Legal Reference: 1 M.R.S.A. § 401 et seq.

Cross Reference: BDE-E Standing Committees

Adopted: February 26, 1992

Revised: April 27, 1999, January 25, 2011, January 14, 2014

BOMB THREATS

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

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

A. Conduct Prohibited

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

B. Definitions

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

C. Development of Bomb Threat Procedures

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

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

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

D. Reporting of Bomb Threats

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

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

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

The Superintendent shall be responsible for reporting any bomb threat to the Department of Education within two (2) business days of the incident. Reports will include the name of the school, the date and time of the threat, the medium used to communicate the threat, and whether or not the perpetrators have been apprehended.

E. Student Disciplinary Consequences

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

be subject to disciplinary action by the school.

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

In addition, a student who is found after a hearing by the School Committee to have brought a bomb to school shall be expelled from school for at least one year in accordance 20-A M.R.S.A. § 1001(9A) and policy JICIA.

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

F. Aiding Other Students in Making Bomb Threats

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

G. Failure to Report a Bomb Threat

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

H. Staff Disciplinary Consequences

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

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

I. Criminail Liability

The Maine Legislature has codified into law enhanced penalties for a person(s) who make(s) a false report, including bomb threats. Bomb threats and threats of a similar nature are now classified as a felony.

J. Civil Liability

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

K. Lost Instructional Time

Instructional time lost as a result of a bomb threat may be rescheduled at the earliest appropriate opportunity, as determined by the School Committee.

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

Legal References: 18 U.S.C. §§ 921; 8921
 17-A M.R.S.A. § 210
 20-A M.R.S.A. §§ 263; 1001(9); 1001(9-A); 1001(17); 1001(18)
 17-A M.R.S.A. §1501
 17-A M.R.S.A. §509

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

Adopted: February 11, 2003

Revised: September 26, 2017, _____

VIDEO CAMERA USE ON SCHOOL VEHICLES

The Biddeford School Committee recognizes the Biddeford School Department's responsibility to maintain order on school buses and other vehicles used to transport students to ensure the safety of staff and students. After carefully balancing the need for discipline and safety with students' **privacy interests** ~~interests in privacy~~, the Biddeford School Committee supports the use of video cameras on school vehicles. In an effort to reduce student behavior violations, the cameras will record student behavior during transport to and from school and co-curricular activities.

When the resulting video recordings are used as a basis for student discipline, parent/guardian(s) will be notified in writing and given the opportunity to view the video recording of their child, **provided the video can isolate their child. Video of other children on a school bus is generally protected by state and federal privacy law.** Students in violation of school discipline and conduct codes shall be dealt with in accordance with established Biddeford School Committee policy, administrative guidelines and school practices.

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

Any recording used in a disciplinary proceeding will be retained as part of a student's disciplinary record, being disposed of as other such documentation except when special circumstances warrant longer retention. In regard to such video recordings, the school system will comply with all applicable provisions of state and federal law concerning student records.

While the intent of this policy is primarily to inform the riding public of the Biddeford School Committee's use of video cameras, the Biddeford School Department expressly reserves the right to preserve and use video files in investigations of staff conduct. Absent a warrant or court order, video may be surrendered to law enforcement officials during a criminal or accident investigation at the discretion of the Superintendent **or designee**.

Video recordings may be viewed by students and/or parents under the supervision of a Biddeford School Department administrator **at their discretion and in consultation with the superintendent/designee**. Only segments of the video recordings relevant to the student conduct will be reviewed.

The Superintendent will be responsible for the development of administrative procedures regarding review of video recordings made on school transportation vehicles. Such regulations will provide a process for review when significant violations of the student discipline/conduct code occur. Procedures will also address the retention of video ~~tapes~~ **media**, the security of video cameras and recordings, specifying the school official(s) to be responsible for purchase, installation, maintenance, and replacement of equipment,

scheduling and placement of cameras on transportation vehicles, requests for viewing and any necessary follow-up.

Cross Reference: EEAEF-R - Video Camera Use on School Vehicles Administrative
 JK – Student Discipline
 JRA – Student Records

Adopted: January 8, 2013

Revised: April 10, 2018, _____

VIDEO CAMERA USE ON SCHOOL VEHICLES ADMINISTRATIVE PROCEDURE

The Biddeford School Department shall comply with all applicable state and federal laws related to video recordings when, as determined by the School Department and in accordance with law, such recordings are considered for retention as a part of the student's behavioral record. Such records will also be subject to established School Department policies and procedures regarding confidential student records including access, review and release of such records.

NOTICE

- A. The Biddeford School Department will ~~annually provide a copy of~~ **publish** policy EEAEF ~~to students, parents and staff~~ **on its website.**
- B. The following notice will be placed on all school vehicles which transport students: "This bus is equipped with a video/audio monitoring system."

VIEWING REQUESTS

- A. Requests in writing for viewing video records will be limited to the actual vehicle driver, **bus aide**, school administrator, parent/guardian or student 18 or older, or others with a direct interest in the proceeding as determined by the Superintendent / designee.
- B. Requests for viewing shall be made in writing to the Superintendent / designee within 14 days of incident.
- C. Only the portion of the video recording concerning a specific incident(s) will be made available for viewing.
- D. Approval/denial of a viewing request will be made in writing to the requesting individual(s) within five (5) school days of receipt of request.
- E. Video recordings will be made available for viewing within three (3) school days of the request approval.
- F. **When video recordings reveal identifiable information about minor students who are collateral witnesses, state and federal privacy laws may be implicated.**

VIEWING

- A. Actual viewing will be permitted at school-related sites only, including schools, Central Office, or as otherwise required by law.
- B. All viewing will be done in the presence of the Superintendent / designee.
- C. A written log will be maintained including the date and individuals viewing the video recording, reason, the date the recording was made, the vehicle on which the video recording was recorded, the driver and signature of the viewer(s).
- D. Video recordings remain the property of the School Department and may be reproduced only in accordance with the law and School Department policies and procedures.

Cross Reference: EEAEF - Video Camera Use on School Vehicles
 JK – Student Discipline
 JRA – Student Records

Adopted: January 8, 2013

Revised: _____

TRUANCY

1. Definition

A student is truant if the student:

- A. Is subject to the compulsory attendance law and
- B.
 - 1. Has completed grade six and has the equivalent of 10 full days of unexcused absences or seven consecutive school days of unexcused absences during a school year;
 - 2. Is at least six years of age and has not completed grade six and has the equivalent of seven full days of unexcused absences or five consecutive school days of unexcused absences during a school year. Truancy under this paragraph is considered "child abuse and neglect" under Maine law and is reportable to the Department of Health and Human Services (DHHS) when the truancy is the result of neglect by a person responsible for the child; or
 - 3. Is at least 5 years of age and has been voluntarily enrolled in school; has not completed grade 6; and has the equivalent of 7 full days of unexcused absences or 5 consecutive school days of unexcused absences during a school year. Truancy under this paragraph is considered "child abuse and neglect" under Maine law and is reportable to the Department of Health and Human Services (DHHS) when the truancy is the result of neglect by a person responsible for the child.

2. Attendance Coordinators

The Board shall appoint one or more attendance coordinators in accordance with state law.

3. Truancy Procedure

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

- A. The principal, upon determining that a student is truant under Section 1, shall notify the Superintendent within five school days of the last unexcused absence.
- B. A student who is determined to be truant shall be referred by the Superintendent to the school's student assistance team within five school days.
- C. The team shall meet and determine the cause of the truancy and assess the impact of the student's past and possible future absences on the student. If it is determined that the absences have a

negative effect, the team shall develop an intervention plan to address the student's absences and any negative effects.

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

1. Frequent communication between the teacher(s) and the family;
2. Changes in the learning environment;
3. Mentoring;
4. Student counseling;
5. Tutoring, including peer tutoring;
6. Placement into different classes;
7. Consideration of multiple pathways of learning as allowed by law;
8. Attendance contracts;
9. Referral to family services agencies; and
10. Other interventions, including but not limited to referral to the school attendance coordinator, student assistance team or dropout prevention committee.

The plan should also address how future absences of the student will be dealt with; the timeline for particular activities; and periodic reports to the Superintendent on the student's progress in complying with the plan.

D. The student and their parents/legal guardians shall be invited to attend any meetings scheduled to discuss their truancy and the intervention plan. Failure of the student and/or their parents/legal guardians to attend any scheduled meetings shall not preclude the school from implementing an intervention plan.

E. If the intervention plan does not correct the student's truancy, the Superintendent shall send written notice to the parent that the student's attendance is required by law. The Superintendent may make 2 documented attempts to serve (or cause to be served) the notice by certified mail. The notice shall:

1. State that the student is required to attend school pursuant to 20-A MRS § 5001-A (the compulsory attendance law);
2. Explain the parent's right to inspect the student's attendance records, attendance coordinator's reports, and principal's reports;
3. Explain that the failure to send the student to school and maintain the student in regular attendance is a civil violation in accordance with 20-A MRS § 5053-A and will jeopardize the student's status in their current grade;

4. State that the Superintendent may notify local law enforcement authorities of a violation of 20-A MRS § 5053-A, and, if the violation falls under Section 1.B.2 or B.3, must notify the Department of Health and Human Services; and
5. Outline the intervention plan developed to address the student's truancy and the steps that have been taken to implement that plan.

F. Prior to notifying local law enforcement authorities, the Superintendent shall schedule at least one meeting of the student assistance team as required in Section 3.C above and may invite a local prosecutor.

G. If, after three school days after the 2nd attempted service of the notice after the service of the notice described in Section 3.E of this policy, the student remains truant and the parent and student refuse to attend meetings referred to in Section 3.D, the Superintendent shall report the facts of the unlawful absence to local law enforcement authorities. Local law enforcement may proceed with enforcement action unless the student is at once placed in an appropriate school or otherwise meets the requirements of the compulsory attendance law.

H. When a student is determined to be truant and in violation of the compulsory attendance law, and the student assistance team for other has made a good faith attempt to meet the requirements of Section 3.C, the Superintendent shall notify the Board of the truancy.

4. Annual Report to Commissioner

The Superintendent shall submit an annual report regarding truancy to the Commissioner of Education by October 1. The report must identify the number of truants in the school administration unit in the preceding school year; describe the school unit's efforts to deal with truancy; account for actions brought under the truancy law, including the number of truants referred to the student assistance team and include any other information on truancy requested by the Commissioner.

Legal Reference: 20-A MRSA §§ 3272; 5001-A; 5051-A to 5054
22 MRSA §§ 4002(1);(6)(B-2)

Cross Reference: JEA - Compulsory School Attendance
JFC - Dropout Prevention Committee
JLF - Reporting Child Abuse and Neglect

Adopted: April 26, 1994

Revised: April 27, 1999, July 11, 2006, June 10, 2008, _____

TRUANCY

- I. ~~A student is habitually truant if he/she is required to attend school or alternative instruction under Maine compulsory attendance law (20-A M.R.S.A. § 5001-A) and he/she:~~
 - A. ~~Has completed grade 6 and has the equivalent of 10 full days of unexcused absences or 7 consecutive school days of unexcused absences during a school year; or~~
 - B. ~~Is at least 7 years of age has not completed grade 6 and has the equivalent of 7 full days of unexcused absences or 5 consecutive school days of unexcused absences during a school year.~~
- H. ~~Under law, the School Committee is required to enforce the truancy laws of the state and to elect one or more persons to act as Attendance Coordinators. The duties of the attendance coordinator include, but are not limited to:~~
 - A. ~~The Attendance Coordinator, when notified by a principal that a student's attendance is irregular, interviewing the student and the parent(s) to determine the cause of the irregular attendance and file a written report with the principal;~~
~~(NOTE: For the purpose of this policy, "parent(s)" means the student's parent(s) or legal guardian(s).)~~
 - B. ~~Filing an annual report with the Superintendent summarizing school year activities, findings and recommendations regarding truants;~~
 - C. ~~Serving as a member of the Dropout Prevention Committee; and~~
 - D. ~~Serving as the liaison between the school and the local law enforcement agency in matters pertaining to student absenteeism under Maine's compulsory attendance and truancy laws (20-A M.R.S.A. § 5001-A, 5051-A)~~
- HH. ~~As required by law, the following procedure shall be followed when a student is habitually truant:~~
 - A. ~~If the principal and the attendance coordinator determine that a student is habitually truant, the principal shall inform the Superintendent. The Superintendent/designee shall first try to correct the problem informally. Informal attempts to correct the problem must include meeting with the student and the student's parent(s) to identify possible causes of the habitual truancy and to develop a plan to implement solutions to the problem. If the initial meeting and plan to does not resolve the problem, the Superintendent/designee shall implement interventions that best address the problem including but not limited to:~~
 - 1. ~~Frequent communication between the teacher and the family;~~
 - 2. ~~Changes in the learning environment;~~
 - 3. ~~Mentoring;~~

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

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

- B. Additionally, the Attendance Coordinator shall arrange and require the student and the student's parents to attend one or more meetings with teachers and other school personnel. The purposes of the meeting(s) are to reinforce the plan already developed or to develop an alternative plan. (Such meetings may involve others including but not limited to case managers, therapeutic treatment providers, and representatives of the Department of Health and Human Services, Child Behavioral Health Services and Department of Corrections. The Superintendent/designee shall schedule the meeting(s) at mutually convenient times).
- C. If the Principal and the Attendance Coordinator are unable to correct the problem, the superintendent or superintendent's designee shall serve or cause to be served upon the parent in hand or by registered mail a written notice that attendance of the child at school is required by law. The notice must:
1. State that the student is required to attend school pursuant to 20-A M.R.S.A. § 5001-A;
 2. Explain the parent's right to inspect the student's attendance records, attendance coordinator's reports and principal's reports;
 3. Explain that the failure to send the student to school and maintain the student in regular attendance is a civil violation in accordance with 20-A M.R.S.A. § 5053-A and explain the possible penalties;
NOTE: The penalties are described in 20-A M.R.S.A. § 5053-A and include a minimum \$250.00 fine; the court may also order a parent to take specific action to ensure the student's attendance including compliance with the plan developed in accordance with paragraph A of this policy, participation in a parent-training class, attending school with the child, community service hours at the school, or participation in counseling or other services as appropriate. All or part of the fine may be suspended upon the parent's compliance with a court order.
 4. State that the superintendent or the superintendent's designee may notify the local law enforcement authorities of a violation of the habitual truancy statute and the Department of Health and Human Services (DHHS) as provided by 20-A M.R.S.A. § 5051-A(C) (the notice provision); and
 5. Outline the plan developed to address the student's habitual truancy and the steps that have been taken to implement that plan.

- D. ~~Prior to notifying local law enforcement authorities, the Superintendent/designee shall schedule at least one meeting as required by law and paragraph B of this policy and may invite a local prosecutor.~~
- E. ~~If, after three (3) school days after service of the notice referred to in the above paragraph, the student remains truant and the parent and student refuse to attend the meeting(s) scheduled, the superintendent or the superintendent's designee shall report the facts of the unlawful absence to the local law enforcement department.~~
- F. ~~When a student is determined to be habitually truant and in violation of the compulsory attendance law and the Superintendent/designee has made a good faith attempt to meet the requirements of paragraph B of this policy, the Superintendent/designee shall notify the Biddeford School Committee and local law enforcement authorities of the truancy. After this notification, a local law enforcement officer who sees the truant student may transport the student to the appropriate school if the truant student is off school grounds during school hours and not under the supervision of school personnel.~~

~~The Superintendent shall submit an annual report regarding habitual truancy to the Commissioner by October 1. The report must identify the number of habitual truants in the school administrative unit in the preceding school year; describe the school unit's efforts to deal with habitual truancy; account for actions brought to enforce the habitual truancy law; and include any other information on truancy requested by the Commissioner.~~

~~The Coordinator shall file a written report to the Principal on each student referred to him/her and file an annual report with the Superintendent summarizing school year activities, findings and recommendations regarding truants. The Attendance Coordinator will also serve as a member of the Dropout Prevention Committee.~~

~~Legal Reference: 20-A M.R.S.A. § 5051-A and § 5054-A~~

~~Cross Reference: JEA – Compulsory Attendance Ages~~

~~_____ JFC – Dropout Prevention Student Withdrawal from School~~

~~_____ JLF – Reporting Child Abuse and Neglect~~

~~Adopted: _____ April 26, 1994~~

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PROCEDURES ON PHYSICAL RESTRAINT AND SECLUSION

These procedures are established for the purpose of meeting the obligations of the Biddeford School Department under state law/regulations and Biddeford School Committee Policy JKAA governing the use of physical restraint and seclusion. These procedures shall be interpreted in a manner consistent with state law and regulations.

I. DEFINITIONS.

~~For purposes of these procedures, the terms “physical restraint” and “seclusion” shall have the meanings defined in Policy JKAA. Definitions for other important terms in this procedure include:~~

- ~~A. **Emergency:** A sudden, urgent occurrence, usually unexpected, but sometimes anticipated, that requires immediate action.~~
- ~~B. **Imminent risk of injury or harm:** A situation in which a student has the means to cause physical harm or injury to him/herself or others and such injury or harm is likely to occur, such that a reasonable and prudent person would take steps instantly to protect the student and others against the risk of such injury or harm.~~
- ~~C. **Dangerous behavior:** Behavior that presents a risk of injury or harm to a student or others.~~
- ~~D. **Serious bodily injury:** Any bodily injury that involves: (1) A substantial risk of death; (2) Extreme physical pain; (3) Protracted and obvious disfigurement; or (4) Protracted loss or impairment of the function of a bodily member, organ or mental faculty.~~

I. PHYSICAL RESTRAINT.

To the extent possible, physical restraint will be implemented by staff certified in a training program approved by the Maine Department of Education. If untrained staff have intervened and initiated a physical restraint in an emergency, trained staff must be summoned to the scene to assume control of the situation if the emergency continues.

This procedure does not preclude law enforcement personnel from implementing physical restraints in carrying out their professional responsibilities.

A. Permitted Uses of Physical Restraint

1. Physical restraint may be used only **when the behavior of a student presents an imminent risk of serious physical injury to the student or others, and only after other less intrusive interventions have failed or been deemed inappropriate. The physical restraint must end immediately upon the cessation of the imminent risk of serious physical injury to the student or another person, and should involve the least amount of force necessary to protect the student or other person.** ~~as an emergency intervention when the behavior of a student presents a risk of injury or harm to the student or others; and only after other less intrusive interventions have failed or been deemed inappropriate.~~
2. **Serious physical injury is any impairment of the physical condition of a person, whether self-inflicted or inflicted on someone else, that is beyond the care of routine first aid, and if the injury were to occur, would require a medical practitioner to evaluate and/or treat the victim.** ~~Physical restraint may be used to move a student only if the need for movement outweighs the risk involved in such movement.~~
3. Prescribed medications, harnesses, **seat belts** and other assistive or protective devices may be used as permitted by law and described in Policy JKAA. ~~Rule Chapter 33.~~
4. Parents/**legal guardians** may be requested to provide assistance **with their child** at any time.

B. Prohibited Forms and Uses of Physical Restraint

1. Physical restraint used for punitive purposes; as a therapeutic or educational intervention; for staff convenience; or to control challenging behavior.
2. Physical restraint used solely to prevent property destruction or disruption of the environment in the absence of a risk of **serious physical** injury.
3. **Physical restraint that is life-threatening, restricts breathing or restricts blood flow to the brain, including prone restraint.** ~~Physical restraint that restricts the free movement of a student's diaphragm or chest, or that restricts the airway so as to interrupt normal breathing or speech (restraint-related asphyxia).~~
4. Physical restraint that relies on pain for control, including but not limited to joint hyperextension, excessive force, unsupported take-downs (e.g., tackles),

the use of any physical structure (e.g., wall, railing or post), punching and hitting.

5. **Physical restraint that is contraindicated based on the child's disability, health care needs, or medical or psychiatric condition if appropriately documented in:**

- **A health care directive or medical management plan;**
- **A school-approved behavior plan;**
- **An IEP or an Individual Family Service Plan (IFSP); or**
- **A school-approved 504 or ADA plan.**

6. Aversive procedures and mechanical and chemical restraints.

- a. Aversive procedures are defined as the use of a substance or stimulus, intended to modify behavior, which the person administering it knows or should know is likely to cause physical and/or emotional trauma to a student, even when the substance or stimulus appears to be pleasant or neutral to others. Such substances and stimuli include but are not limited to infliction of bodily pain (e.g., hitting, pinching, slapping); water spray; noxious fumes; extreme physical exercise; costumes or signs.
- b. Mechanical restraints are defined as **any restraint that uses a device to restrict a student's freedom of movement. Such restraints do not include adaptive devices or mechanical supports to achieve proper body position, balance or alignment to allow greater freedom of movement, or the use of vehicle safety restraints when used as intended during the transport of a student in a moving vehicle.**~~item worn by or placed on the student to limit behavior or movement and which cannot be removed by the student. Prescribed assistive devices are not considered mechanical restraints when used as prescribed and their use is supervised by qualified and trained individuals in accordance with professional standards.~~
- c. Chemical restraints are defined as the use of **drug or** medication, **that is not prescribed as the standard treatment of a student's medical or psychiatric condition by a licensed physician or other qualified health professional acting under the scope of the professional's authority under state law that is used on a student to control behavior or restrict freedom of movement.**~~including those administered PRN (as needed), given involuntarily to control student behavior. Prescribed medications are not considered chemical restraints when administered by a health care provider in accordance with a student's health care plan.~~

C. Monitoring Students in Physical Restraint

1. At least two adults must be present at all times when physical restraint is used except when, for safety reasons, waiting for a second adult to arrive is precluded by the particular circumstances.
2. The student must be continuously monitored until he/she no longer presents a risk of injury or harm to him/herself or others.
3. If an injury occurs, applicable school policies and procedures should be followed.

D. Termination of Physical Restraint

1. The staff involved in the use of physical restraint must continually assess for signs that the student **in physical restraint** is no longer presenting **an imminent risk of serious physical injury to themselves or others, and the physical restraint must be discontinued immediately after it is determined that the imminent risk of serious physical harm has ended.** ~~or harm to him/herself or others, and the emergency intervention must be discontinued as soon as possible.~~
 - a. The time a student is in physical restraint must be monitored and recorded.
 - b. If physical restraint continues for more than ten (10) minutes, an administrator/designee shall determine whether continued physical restraint is warranted, and shall continue to monitor the status of the physical restraint every ten (10) minutes until the restraint is terminated.
 - c. If attempts to release ~~a~~ **the** student from physical restraint have been unsuccessful and the student continues to present behaviors that create a risk of **serious physical** injury to the student or to others, ~~or harm to him/herself or others,~~ then staff may request additional assistance from other school staff, parents, medical providers, or other appropriate persons or organizations.

II. SECLUSION

To the extent possible, seclusion will be implemented by staff certified in a training program approved by the Maine Department of Education. If untrained staff have intervened and initiated seclusion in an emergency, trained staff must be summoned to the scene as soon as possible.

A “timeout” where a student requests, or complies with an adult request for, a break is not considered seclusion under this procedure. Seclusion also does not include any situation

where others are present in the room or defined area with the student (including but not limited to classrooms, offices and other school locations).

A. Permitted Uses and Location of Seclusion

1. Seclusion may be used only as an emergency intervention when the behavior of a student presents a risk of **serious bodily** injury or harm to the student or others, and only after other less intrusive interventions have failed or been deemed inappropriate. **The seclusion must end immediately upon the cessation of the imminent risk of serious physical injury to the student or another person.**
2. **Serious physical injury is any impairment of the physical condition of a person, whether self-inflicted or inflicted on someone else, that is beyond the care of routine first aid, and if the injury were to occur, would require a medical practitioner to evaluate and/or treat the victim.**
3. Seclusion may occur ~~be achieved~~ in any part of a school building with adequate light, heat, ventilation and of normal room height.
 - a. Seclusion may not take place in a locked room.
 - b. If a specific room is designated as a seclusion room, it must be a minimum of sixty (60) square feet; have adequate light, heat and ventilation; be of normal room height; contain an unbreakable observation window in a wall or door; and must be free of hazardous materials and objects which the student could use to self-inflict bodily injury.
4. Parents/**legal guardians** may be requested to provide assistance at any time.

B. Prohibited Uses of Seclusion

1. Seclusion used for punitive purposes; as a therapeutic or educational intervention; for staff convenience; or to control challenging behavior.
2. Seclusion used to prevent property destruction or disruption of the environment in the absence **of risk of an imminent risk of serious physical** injury.
3. Seclusion that is life-threatening.
4. **Seclusion that is contraindicated based on the child's disability, health care needs, or medical or psychiatric condition if appropriately documented in:**
 - **A health care directive or medical management plan;**
 - **A school-approved behavior plan;**
 - **An IEP or IFSP, or**

- A school-approved 504 or ADA plan.

C. Monitoring Students in Seclusion

1. At least one adult must be physically present at all times to continuously monitor a student in seclusion. The adult, while not present in the room or defined area, must be situated so that the student is visible at all times.
2. The student must be continuously monitored until ~~he/she~~ **they** no longer present a **an imminent** risk of **serious physical** injury ~~or harm to him/herself~~ **to the student** or others.
3. If any injury occurs, applicable school policies and procedures should be followed.

D. Termination of Seclusion

1. The staff involved in the seclusion must continually assess for signs that the student is no longer presenting a risk of **serious physical** injury or harm to ~~him/herself~~ **the students** or others, and ~~the emergency intervention~~ seclusion must be discontinued as soon as ~~possible~~ the imminent risk ceases.
 - a. The time a student is in seclusion must be monitored and recorded.
 - b. If seclusion continues for more than ten (10) minutes, an administrator/designee shall determine whether continued seclusion is warranted, and shall continue to monitor the status of the seclusion every ten (10) minutes until the restraint is terminated.
 - c. If attempts to release a student from seclusion have been unsuccessful and the student continues to present behaviors that create a **an imminent** risk of **serious physical** injury ~~or harm~~ to ~~him/herself~~ **the student** or others, then staff may request additional assistance from other school staff, parents, medical providers, or other appropriate persons or organizations.

III. NOTIFICATION AND REPORTS OF PHYSICAL RESTRAINT AND SECLUSION INCIDENTS.

For the purposes of this procedure, an “incident” consists of all actions between the time a student begins to create a **an imminent** risk of **serious physical injury** ~~harm~~ and the time the student ceases to pose a that imminent risk of ~~harm~~ and returns to ~~his/her~~ **their** regular programming.

A. Notice Requirements

After each incident of physical restraint or seclusion:

1. A staff member involved in the incident shall make an oral notification to the administrator/designee as soon as possible, but no later than the end of the school day.
2. An administrator/designee shall notify the parent/legal guardian about the physical restraint or seclusion (and any related first aid provided) as soon as practical, but within the school day in which the incident occurred. The administrator/designee must utilize all available phone numbers or other available contact information to reach the parent/legal guardian. If the parent/legal guardian is unavailable, the administrator/designee must leave a message (if the parent/legal guardian has a phone and message capability) to contact the school as soon as possible. The parent/legal guardian must be informed that written documentation will be provided within seven (7) calendar days.
3. If the physical restraint or seclusion incident occurred outside the school day, the notifications must be made as soon as possible and in accordance with the Biddeford School Department's usual emergency notification procedures.
4. If serious bodily injury or death of a student occurs during the implementation of physical restraint or seclusion, the Biddeford School Department's emergency notification procedures shall be followed and an administrator/designee shall notify the Maine Department of Education within twenty-four (24) hours or the next business day.

B. Incident Reports

Each use of physical restraint or seclusion must be documented in an incident report. The incident report must be completed and provided to an administrator/designee as soon as practical, and in all cases within two (2) school days of the incident. The parent/legal guardian must be provided a copy of the incident report within seven (7) calendar days of the incident.

The incident report must include the following elements:

- ~~1. Student name;~~
- ~~2. Age, gender, grade;~~
- ~~3. Location of the incident;~~
- ~~4. Date of the incident;~~
- ~~5. Date of report;~~
- ~~6. Person completing the report;~~
- ~~7. Beginning and ending time of each physical restraint and/or seclusion;~~

- ~~8. Total time of incident;~~
- ~~9. Description of prior events and circumstances;~~
- ~~10. Less restrictive interventions tried prior to the use of physical restraint and/or seclusion and, if none were used, the reasons why;~~
- ~~11. The student behavior justifying the use of physical restraint or seclusion;~~
- ~~12. A detailed description of the physical restraint or seclusion used;~~
- ~~13. The staff person(s) involved, their role in the physical restraint or seclusion, and whether each person is certified in an approved training program;~~
- ~~14. Description of the incident, including the resolution and process of returning the student to his/her program, if appropriate;~~
- ~~15. Whether the student has an IEP, 504 Plan, behavior plan, IHP (individual health plan) or any other plan;~~
- ~~16. If a student and/or staff sustained bodily injury, the date and time of nurse or other response personnel notification and any treatment administered;~~
- ~~17. The date, time and method of parent/legal guardian notification;~~
- ~~18. The date and time of administrator/designee notification; and~~
- ~~19. Date and time of staff debriefing.~~

- 1) **Student name;**
- 2) **Age, gender, grade;**
- 3) **Does the student have an Individualized Education or 504 Plan**
- 4) **Location of the incident;**
- 5) **Date of incident;**
- 6) **Date of report;**
- 7) **Person completing the report;**
- 8) **Beginning and ending time of each physical restraint and seclusion;**
- 9) **Incident start and end time;**
- 10) **Total time of incident;**
- 11) **Total number of uses of seclusion within the incident period;**
 - i. Beginning and ending time of each use of seclusion within the incident period;**
 - ii. A detailed description of each use of seclusion within the incident period;**
- 12) **Total number of uses of physical restraint within the incident period;**
 - i. Beginning and ending time of each use of physical restraint within the incident period;**
 - ii. A detailed description of each use of physical restraint within the incident period;**
- 13) **Description of prior events and circumstances;**
- 14) **Less restrictive interventions tried prior to the use of physical restraint or seclusion. If none used, explain why;**
- 15) **The student behavior that justified the use of physical restraint or seclusion;**
- 16) **A detailed description of the physical restraint or seclusion used;**
- 17) **The staff person(s) involved, their role in the use of physical restraint and/or seclusion, and their certification, if any, in an approved training program;**

18) Description of the incident, including the resolution and process of return to program, if appropriate:

19) If a student or staff sustained bodily injury, the date and time of nurse or response personnel notification and the treatment administered, if any;

20) If a staff member sustained bodily injury, the date and tie of nurse or response personnel notification and the treatment administered, if any;

21) Date, time, and method of parent notification; and

22) Date, time of staff debriefing.

Copies of the incident reports shall be maintained in the student's file and in the school office.

IV. SCHOOL UNIT RESPONSE FOLLOWING THE USE OF PHYSICAL RESTRAINT OR SECLUSION.

- A.** Following each incident of physical restraint or seclusion, an administrator/designee shall take these steps within two (2) school days (unless serious bodily injury requiring emergency medical treatment occurred, in which case these steps must take place as soon as possible, but no later than the next school day):
1. Review the incident with all staff persons involved to discuss: (a) whether the use of physical restraint or seclusion complied with state and school committee requirements and (b) how to prevent or reduce the need for physical restraint and/or seclusion in the future.
 2. Meet with the student who was physically restrained or secluded to discuss: (a) what triggered the student's escalation and (b) what the student and staff can do to reduce the need for physical restraint and/or seclusion in the future.
- B.** Following the meetings, staff must develop and implement a written plan for response and de-escalation for the student. If a plan already exists, staff must review it and make revisions, if appropriate. For the purposes of this procedure, "de-escalation" is the use of behavior management techniques intended to cause a situation involving problem behavior of a student to become more controlled, calm and less dangerous, thus reducing the risk of injury or harm.

V. PROCEDURE FOR STUDENTS WITH THREE INCIDENTS IN A SCHOOL YEAR.

The school unit will make reasonable, documented efforts to encourage parent/legal guardian participation in the meetings required in this section, and to schedule meetings at times convenient for parents/legal guardians to attend.

A. Special Education/504 Students

1. After the third incident of physical restraint and/or seclusion in one school year, the student's IEP or 504 Team shall meet within ten (10) school days of the third incident to discuss the incident and consider the need to conduct an FBA (functional behavioral assessment) and/or develop a BIP (behavior intervention plan), or amend an existing one.

B. All Other Students

1. A team consisting of the parent/legal guardian, administrator/designee, a teacher for the student, a staff member involved in the incident (if not the administrator/designee or teacher already invited), and other appropriate staff shall meet within ten (10) school days to discuss the incidents.
2. **Schools are not required to hold more than one meeting within any 30-school day period to address restraints or seclusion, notwithstanding the "after every third incident" standard noted above.**
3. The team shall consider the appropriateness of a referral to special education and, regardless of whether a referral to special education is made, the need to conduct an FBA (functional behavior assessment) and/or develop a BIP (behavior intervention plan).

VII. CUMULATIVE REPORTING REQUIREMENTS

A. Reports within the School Unit

- ~~1. Each building administrator must report the following data on a quarterly and annual basis:~~
 - ~~a. Aggregate number of uses of physical restraint;~~
 - ~~b. Aggregate number of students placed in physical restraint;~~
 - ~~c. Aggregate number of uses of seclusion;~~
 - ~~d. Aggregate number of students placed in seclusion;~~
 - ~~e. Aggregate number of serious bodily injuries to students related to the use of physical restraints and seclusions; and~~
 - ~~f. Aggregate number of serious bodily injuries to staff related to physical restraint and seclusion.~~

~~2. The Superintendent shall review the cumulative reports and identify any areas that could be addressed to reduce the future use of physical restraint and seclusion.~~

1. Each building administrator must report the following data on a quarterly and annual basis:

a. Seclusion:

1. total number of incidents that include the use of seclusion;
2. the aggregate number of uses of seclusion;
3. the aggregate number of students placed in seclusion;
4. the aggregate number of students with disabilities and an individualized education program under state and federal special education laws or a plan pursuant to Section 504 federal Rehabilitation Act of 1973, placed in seclusion;
5. the aggregate number of serious physical injuries to students related to seclusion;
6. the aggregate number of serious physical injuries to staff related to seclusion;

b. Physical Restraint

1. total number of incidents that include the use of physical restraints;
2. the aggregate number of uses of physical restraint;
3. the aggregate number of students placed in physical restraint;
4. the aggregate number of students with disabilities and an individualized education program under state and federal special education laws or a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973, placed in physical restraints;
5. the aggregate number of serious physical injuries to students related to physical restraint;
6. the aggregate number of serious physical injuries to staff related to physical restraint;
7. aggregate number of uses of physical restraint;
8. aggregate number of students placed in physical restraint;
9. aggregate number of uses of seclusion;
10. aggregate number of students placed in seclusion;
11. aggregate number of serious bodily injuries to students related to the use of restraint and seclusions; and
12. aggregate number of serious bodily injuries to staff related to physical restraint and seclusion.

B. Superintendent Review of Reports.

1. The superintendent or chief administrator shall review cumulative reports received as set forth in this section and identify those areas that can be addressed to reduce the future use of physical restraint and

seclusion. These cumulative reports may be requested by the Department of Education at any time.

C. Reports to Maine Department of Education

- ~~1. The Superintendent shall submit an annual report to the Maine Department of Education on an annual basis that includes the information in Section 7.A.1 above.~~

Each covered entity shall submit to the department an annual report on incidents of physical restraint and seclusion of students of that covered entity that includes:

1. Seclusion:

- 1) total number of incidents that include the use of seclusion;**
- 2) the aggregate number of uses of seclusion;**
- 3) the aggregate number of students placed in seclusion;**
- 4) the aggregate number of students with disabilities and an individualized education program under state and federal special education laws or a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973, placed in seclusion;**
- 5) the aggregate number of serious physical injuries to students related to seclusion;**
- 6) the aggregate number of serious physical injuries to staff related to seclusion;**

2. Physical Restraint:

- 1) total number of incidents that include the use of physical restraints;**
- 2) the aggregate number of uses of physical restraint;**
- 3) the aggregate number of students placed in physical restraint;**
- 4) the aggregate number of students with disabilities and an individualized education program under state and federal special education laws or a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973, placed in physical restraints;**
- 5) the aggregate number of serious physical injuries to students related to physical restraint;**
- 6) the aggregate number of serious physical injuries to staff related to physical restraint;**

Legal Reference: Me. DOE Rule, Ch. 33 (April 2013)
20-A MRSA §§ 4014, 4502(5)(M);4009

Cross Reference: JKAA – Use of Physical Restraint and Seclusion
JK-Student Discipline
EBCA – Comprehensive Emergency Management Plan
KLK/KLG-R - Relations with Law Enforcement OR
KLGA – Relations with School Resource Officers and Law
Enforcement Authorities
KLGA-R – School Resource Officer-Law Enforcement
Administrative Procedure

Adopted: September 25, 2012

Revised: October 22, 2013, _____

USE OF PHYSICAL RESTRAINT AND SECLUSION

The ~~School Committee~~ Biddeford School Department has adopted this policy and the accompanying procedures to implement the standards for use of physical restraint and seclusion with students, as required by state law and regulations, and to support a safe school environment. Physical restraint and seclusion, as defined by this policy, may only be used as an emergency intervention when the behavior of a student presents an imminent risk of injury or harm to the student or others, **and less intrusive interventions have failed or been deemed inappropriate.**

The Superintendent has overall responsibility for implementing this policy and the accompanying procedure, but may delegate specific responsibilities as he/she deems appropriate.

I. DEFINITIONS.

The following definitions apply to this policy and procedure:

A.

1. **Physical restraint:** An intervention that restricts a student's freedom of movement or normal access to his or her body, and includes physically moving a student who has not moved voluntarily. **A personal restriction that immobilizes or reduces the ability of a student to move their arms, legs, or head freely**
2. **Physical restraint does not include any of the following:**
 - a. Physical escort: A temporary, **voluntary touching or holding of the hand, wrist, arm, shoulder or back to induce a student to walk to a safe location.** ~~inducing a student to walk to another location, including assisting the student to the student's feet in order to be escorted.~~
 - b. Physical prompt: A teaching technique that involves **voluntary** physical contact with the student and that enables the student to learn or model the physical movement necessary for the development of the desired competency.
 - c. **Protective Physical Interventions: Brief physical contact with a student in response to potentially harmful student action that serves to deflect, block, or redirect the student's actions or disengage from a student's inappropriate grip, but from which the student could freely move away.**
~~Physical contact: When the purpose of the intervention is to comfort a student and the student voluntarily accepts the contact.~~

- d. The use of adaptive devices or mechanical supports to achieve proper body position, balance or alignment to allow greater freedom of movement than would be possible without the use of such devices or supports. ~~A brief period of physical contact necessary to break up a fight.~~
- e. The use of vehicle safety restraints when used as intended during the transport of a student in a moving vehicle. ~~Momentarily deflecting the movement of a student when the student's movements would be destructive, harmful or dangerous to the student or others.~~
- f. ~~The use of seat belts, safety belts or similar passenger restraints, when used as intended during the transportation of a child in a motor vehicle.~~
- g. ~~The use of a medically prescribed harness, when used as intended; the use of protective equipment or devices that are part of a treatment plan prescribed by a licensed health care provider; or prescribed assistive devices when used as prescribed and supervised by qualified and trained individuals.~~
- h. ~~Restraints used by law enforcement officers or school resource officers employed by the Biddeford Police Department in the course of their professional duties are not subject to this policy/procedure or MDOE Rule Chapter 33.~~
- i. ~~DOE Rule Chapter 33 does not restrict or limit the protections available to school officials under 20-A M.R.S.A. § 4009, but those protections do not relieve school officials from complying with this policy/procedure.~~

B.

1. **Seclusion:** The involuntary isolation or confinement of a student alone in a room or clearly defined area from which the student does not feel free to go or is physically denied exit. ~~is physically prevented from leaving, with no other person in the room or area with the student.~~
2. **Seclusion doesn not include:** A timeout, which is an intervention where a student requests, or complies with an adult request for a break. ~~Timeout: An intervention where a student requests, or complies with an adult request for, a break.~~

C.

1. **Serious physical injury:** Any impairment of the physical condition of a person, whether self-inflicted or inflicted on someone else, that is beyond the care of routine first aid, and if the injury had occurred, would require a medical practitioner to evaluate and/or treat the victim.

2. **Voluntary: Voluntary means that a student cooperates with a request, independent of staff using physical force for the purpose overcoming a student's resistance.**

II. PROCEDURES FOR IMPLEMENTING PHYSICAL RESTRAINT AND SECLUSION.

The requirements for implementing physical restraint and seclusion, as well as incident notices, documentation and reporting are included in the accompanying procedure, JKAA-R.

III. ANNUAL NOTICE OF POLICY/PROCEDURE.

The Biddeford School Department shall provide annual notice to parents/legal guardians of this policy/procedure by means determined by the Superintendent/designee.

IV. TRAINING REQUIREMENTS.

- A. All school staff and contracted providers shall receive an annual overview of this policy/procedure.
- B. The Biddeford School Department will ensure that there are a sufficient number of administrators/designees, special education and other staff who maintain certification in a restraint and seclusion training program approved by the Maine Department of Education. A list of certified staff shall be updated annually and maintained in the Superintendent's Office, in each school office and in the school unit's Emergency Management Plan.

V. PARENT/LEGAL GUARDIAN COMPLAINT PROCEDURE.

A parent/legal guardian who has a complaint concerning the implementation of this policy/procedure must submit it in writing to the ~~Superintendent or the~~ Special Education Director as soon as possible. The Superintendent/designee shall investigate the complaint and provide written findings to the parent/legal guardian within twenty (20) business days, if practicable.

A parent/legal guardian who is dissatisfied with the result of the local complaint process may file a complaint with the Maine Department of Education. The Department of Education will review the results of the local complaint process and may initiate its own investigation at its sole discretion. The Department shall issue a written report with

specific findings to the parent/legal guardian and the school unit within 60 calendar days of receiving the complaint.

Legal Reference: 20-A M.R.S.A. §§ 4502(5) (M); 4009
Me. DOE Rule, ch. 33 (July 2012)

Cross Reference: EBCA – Comprehensive Emergency Management Plan
JKAA-R – Procedures of Physical Restraint and Seclusion
JK – Student Discipline
KLGA – Relations with School Resource Officers and Law
Enforcement Authorities
KLGA-R – School Resource Officer-Law Enforcement
Administrative Procedure
KLK/KLG-R - Relations with Law Enforcement OR

Adopted: September 25, 2012

Revised: October 22, 2013, _____

STUDENT INSURANCE

All students in school-sponsored sports programs will be required to show evidence that they are covered by health insurance before participation is allowed. Students who do not have health insurance may purchase accident insurance through the school program.

Families who do not have or cannot afford insurance should contact the Athletic Director for assistance.

Adopted: April 27, 1999

Revised; _____

BIDDEFORD SCHOOL DEPARTMENT

STUDENT HEALTH SERVICES

The School Committee recognizes its responsibilities under Maine law to help protect the health of students and staff. The School Committee shall comply with all applicable laws concerning school health services.

School Physician

The School Committee shall appoint a school physician on an annual basis to advise the school unit on school health issues, policies and procedures, and to perform other health-related functions assigned by law and the School Committee, including:

- A. Investigating the sanitary conditions in the schools and the health of students, as appropriate;
- B. Investigating cases of communicable disease among students or staff;
- C. Advising the closing of classes or school buildings for health-related reasons and advising school staff on disease prevention and control measures; and
- D. Advising nursing staff on best practices and assisting the schools secure so-called “standing orders” for certain medications.**
- E. Preparing regulations governing the prevention and control of communicable diseases f for the School Committee’s approval.

School Nurse

The ~~School Committee shall~~ **Superintendent may** appoint at least one **lead** school nurse on an annual basis who shall supervise and coordinate the school unit’s health services and activities in consultation with the school physician. The school nurse shall also perform such other health-related activities assigned by the School Committee.

Health Screening

Students shall be screened for sight and hearing defects, scoliosis and related spinal abnormalities as required by law. Parents/guardians shall be notified if a problem is detected as a result of such screenings.

A parent/guardian may request that their child be exempted from screening as allowed by law.

Legal Reference: 20-A MRSA §§ 6402A-6453

Adopted: June 17, 1991

Revised: April 27, 1999, _____

~~STUDENTS WITH HIV/AIDS~~

~~The purpose of this policy is to establish what actions shall be taken in the event that this school unit is made aware that a student being enrolled or attending school is infected with Human Immunodeficiency Virus (HIV).~~

~~This policy has been adopted to assure that the rights and safety of all involved parties are preserved.~~

Policy Elements

- ~~—— A. In general, the School Committee shall provide educational opportunities for students infected with HIV just as it does for other students.~~
- ~~—— B. In the event that a public health threat is perceived by the student's private physician, the Bureau of Health must be notified and will then conduct an evaluation. If the school is notified of a student infected with HIV by the parents/guardians and becomes concerned about the safety of that student, other students or staff, a similar evaluation may be requested. At any time that there is a concern that a particular student poses a public health threat to others, advice may be requested by the Superintendent from the Bureau of Health. The Superintendent may also consult on a strictly confidential basis with the school unit's attorney.~~
- ~~—— C. If the Bureau of Health determines that conditions exist which suggest that a student with a Human Immunodeficiency Virus infection is a health threat to the school community, the Bureau of Health and/or the Superintendent shall remove the student from the usual classroom setting until other arrangements can be made or until the Bureau of Health determines that the risks have abated. The health status of a student temporarily removed from the usual school setting in order to protect the health of the student or others will be re-evaluated at least quarterly by the Bureau of Health.~~
- ~~—— D. Current Maine law protects the confidentiality of HIV test results with certain statutory exceptions. Test results may not be disclosed to anyone other than the Bureau of Health without written consent of parents/guardians. Records containing information about HIV test results and consent forms relating to test results shall be kept separate from other school records. Only those persons given written consent by the student's parents/guardians shall have access.~~
- ~~—— E. With written consent of the parents/guardians, the school shall designate an individual or team to:~~

~~1. Serve as the liaison between the school and the student's parents, the student's physician and, if necessary, the Bureau of Health; and/or~~

~~2. Serve as the supervisor of the medical component of the student's educational experience.~~

~~Any team member or individual entrusted with the knowledge of a student infected with HIV must, by law, keep his/her knowledge of that child's status confidential and access to information shall be limited only to those persons authorized in writing by the student's parents/guardians.~~

~~F. At the parents'/guardians' written request, a designated team member, usually the school nurse, will to the extent practicable notify the student's parents/guardians and/or the student's physician in the event that the designated team member becomes aware that infections occur in the school population that may place an immunodeficient student at increased risk as defined by the student's physician or Bureau of Health. The decision whether or not to remove the student from school will be made by the parents/guardians and the student's physician.~~

~~G. Because of the inability to identify individuals who may be infected with HIV or other agents transmissible through blood and other body fluids, standard procedures shall be followed for cleaning and disinfecting all body fluid spills. The procedures for cleaning bodily fluid spills shall be reviewed annually by all school staff members.~~

~~H. The unit will seek to provide educational programs to inform parents/guardians, students and staff regarding AIDS and all other communicable diseases even though there may not be students with infection currently enrolled.~~

~~I. In any instance where this policy requires the consent of the parents/guardians of an HIV-infected student, consent must be obtained directly from the student if the student is 18 years of age or older.~~

~~Legal Reference: 5 MRSA § 19201 et seq.~~

~~Cross Reference: GBGAA – Bloodborne Pathogens
JLCC – Communicable Diseases~~

~~Adopted: April 27, 1999~~

STUDENT DISMISSAL PRECAUTIONS

The School Committee seeks to safeguard students by requiring procedures for excusing students from attendance at school. The building principals are directed to develop and implement administrative procedures for dismissing students, subject to the approval of the Superintendent. It is understood that procedures may vary from school to school due to the differing ages of the students.

Students will be released only to parents, legal guardians, and other persons specifically authorized in writing by parents/legal guardians to pick up the student. If the building principal/designee has reason to question the authenticity of any written or verbal communication regarding the release of a student, the parents/guardians shall be contacted for confirmation. The building principal/designee has the authority to deny the release of students to unauthorized or unknown persons.

A custodial parent/guardian who wishes the school to comply with provisions of a court order to restrict access to a child is responsible for providing a certified copy of such order to the school.

In addition, administrative procedures concerning student dismissal shall incorporate the following components:

- A. A procedure for dismissing students in the event of an emergency during the school day;
- B. A procedure for dismissing students for illness and other reasons prior to the end of the school day; and
- C. A procedure for confirming the identity of parents/guardians and others authorized to pick up students prior to releasing students.

Cross Reference: EBCA - Crisis Response Plan
 JEA - Compulsory Attendance Ages
 KI - Visitors to the Schools

Adopted: August 10, 1999
 Reviewed: _____

STUDENT AUTOMOBILE USE AND PARKING

High school students may be allowed to use automobiles and other motorized vehicles for transportation to and from school. Students are required to register their vehicles with school authorities.

All vehicles must be properly parked in the designated student parking areas.

Students who do not observe the school rules regarding use of vehicles or who do not operate them on school property in a safe and prudent manner, may lose the privilege to bring their vehicles to school.

Adopted: April 27, 1999

Reviewed: _____

EMPLOYMENT OF STUDENTS

The School Committee recognizes that Maine statutes restrict the work hours for students enrolled in school who are under age 16, and, to a lesser extent, for students who are 16 and 17. The law authorizes the Superintendent/designee to issue work permits to minors under 16 under certain conditions, including that he/she be enrolled in school, not habitually truant, not under suspension and currently passing a majority of courses. Permits may be revoked by the Superintendent if these conditions are not maintained.

The School Committee believes there is a need for balance between work and school to enhance the development of young people. The School Committee directs school staff to work closely with parents, businesses and employers of students toward that end.

Legal Reference: 26 MRSA §§ 664, 702, 704, 771, 773-775

Adopted: April 27, 1999

Reviewed: _____

PUBLIC'S RIGHT TO KNOW/FREEDOM OF ACCESS

The Biddeford School Committee recognizes the importance of a well-informed public to the operations of the Biddeford School Department. The Biddeford School Committee will comply with all applicable sections of Maine's Freedom of Access Act.

The Biddeford School Committee designates the Superintendent, and to act in the absence of the Superintendent, the Assistant Superintendent as the Public Access Officer for the Biddeford School Department. The Public Access Officer is responsible for ensuring compliance in regard to Freedom of Access requests (see 1MRSA 413(1)).

The Superintendent, Assistant Superintendent, and any other person(s) designated as a public access officer shall complete the mandated training on the requirements of Maine's Freedom of Access Act.

Except as otherwise provided by statute, all Biddeford School Committee proceedings shall be open to the public, any person shall be permitted to attend, and any records or minutes of such proceedings that are required by law shall be made promptly and shall be open to public inspection.

Biddeford School Committee agendas and minutes proposed and approved Biddeford School Committee policies, annual budget reports, student handbooks and Biddeford School Committee Freedom of Access training documentation/certificates shall be available for immediate inspection and/or copying in the Superintendent's Office. Requests for all other public records shall be made, preferably in writing, to the Superintendent, specifying the records desired for inspection/copying. The Superintendent/designee may request clarification concerning which public record or records are being requested.

The Superintendent/designee shall acknowledge receipt of a request for inspection and/or copying of public records, ~~within a reasonable period of time.~~ **provide a time estimate for filling the request, and estimate a total cost according to the fee schedule.**

If the request is denied, the Superintendent/designee shall inform the requestor in writing within five (5) working days of the request and shall state the reason for denial. Otherwise, inspection and/or copying may be scheduled to occur within a reasonable period of time following the request at a time that will not delay or inconvenience the regular activities of the Biddeford School Department.

The Biddeford School Department is not required to create a record that does not exist.

Electronically Stored Public Records

In compliance with the Freedom of Access Act, the Biddeford School Department will provide access to an electronically stored public record as a printed document or the record or in the medium in which the record is stored, at the requestor's option, except that the Biddeford School Department is not required to provide access to an electronically stored public record as a computer file if the Biddeford School Department does not have the ability to separate or prevent the disclosure of confidential information contained in or associated with that file.

The

Biddeford School Department is not required to provide access to a computer terminal.

Fees

Except as otherwise provided by law or court order, the Biddeford School Department may charge fees as follows:

- A. A fee of \$0.10 cents per page to cover the cost of copying.
- B. A fee of ~~\$25.00~~ **\$50.00** per hour after the first hour of staff time per request to cover the actual cost of searching for, retrieving, and compiling the requested public record. Compiling the public record includes reviewing and redacting confidential information.
- C. If conversion of a public record into a form susceptible of visual or aural comprehension or into a usable format, a fee to cover the actual cost of translation.
- D. A charge for the actual mailing costs to mail a copy of the record.
- E. **If delivered on an electronic device such as a USB drive, the actual cost of the device will be charged.**
- F. No fee shall be charged for inspection of public records, unless the record cannot be inspected without being compiled or converted, in which case paragraph B or C applies.

As required by law, the Biddeford School Department will provide the person making the request an estimate of the time necessary to complete the request and of the total cost and, if the estimated total cost exceeds \$100.00, will inform the requestor before proceeding. If the estimated total cost is greater than \$100.00 or if the requestor has previously failed to pay a fee assessed for access to the Biddeford School Department's records, the requestor may be required to pay all or a portion of the estimated cost prior to the search, retrieval, compiling, conversion and copying of the public record.

The Superintendent is directed to develop and implement such administrative procedures as may be necessary to carry out this policy.

Legal Reference: 1 M.R.S.A § 401 et seq.

Cross Reference: BEC, Executive Sessions
 BIC, School Committee Member Freedom of Access Training
 BIC-E, Certification of Completion of Freedom of Access Training
 GBJ, Personnel Records and Files
 JRA, Student Educational Records, and Information

Adopted: January 8, 2013, Revised: February 9, 2022

Revised: _____

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 endangering student or staff safety;
 - 2. At the request of school administrators;
 - 3. When there is a warrant to arrest a student which cannot be executed outside of school hours. School administrators are not obligated to make students or school facilities available to law enforcement for non-school-related investigations/arrests;
 - 4. In exigent circumstances as authorized by law; and
 - 5. As part of a school/police liaison program as authorized by the School Committee.
- 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.

Cross Reference: JRA – Student

Records Adopted: April 27, 1999

Reviewed: _____

RELATIONS WITH LAW ENFORCEMENT AUTHORITIES

The School Committee 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 School Committee policies and school rules. However, the School Committee authorizes the Superintendent/administration to seek the assistance of law enforcement authorities when they believe there is a substantial threat to the welfare and safety of the schools, students and/or staff. The Superintendent/ administration shall also inform law enforcement authorities when they have reason to suspect that a student or staff member may have violated a local, state or federal law.

The School Committee 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 Superintendent/administration retain the authority to deny law enforcement access to students for non-school-related investigations.

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

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

Cross Reference: KLG-R – Relations with Law Enforcement Authorities Administrative
 EBCA – Crisis Response Plan
 JICIA – Weapons, Violence and School Safety
 JIH – Questioning and Searches of Students
 JRA – Student Records

Adopted April 27, 1999

Revised: _____

RELATIONS WITH SCHOOL RESOURCE OFFICERS AND LAW ENFORCEMENT AUTHORITIES

The Biddeford School Committee recognizes that a cooperative relationship with law enforcement authorities is desirable for the protection of students and staff and in maintaining a safe school environment. To that end, the Biddeford School Department and the Biddeford Police Department have established a School Resource Officer (SRO) program. The School Committee hereby officially designates the police officers assigned by the Biddeford Police Department to serve as SROs as the law enforcement unit of the Biddeford School Department. The purpose of the SROs is to enforce local, state and federal laws and to assist in maintaining the physical security and safety of the School Department. In keeping with the Biddeford School Department's mission, the primary roles of the SROs are to:

- Provide support and assistance to the school administration and staff to maintain a safe and constructive learning environment;
- Enforce local, state and federal laws;
- Serve as a resource to administrators and teachers in planning and providing age-appropriate educational programs that foster respect for the law, an understanding of law enforcement, and safe and healthy behaviors;
- Serve as a resource to administrators and staff concerning law enforcement and child welfare issues;
- Assist individual students and their families in addressing issues related to law enforcement and helping students to have a meaningful school experience; and
- Serve as a liaison between the schools and the Biddeford Police Department in addressing issues of concern to both departments.

School administrators and staff have the primary responsibility for maintaining proper order in the schools and for disciplining students for violations of the Biddeford School Committee policies and school rules. However, the Superintendent and administrators may seek the assistance of an SRO and/or the Biddeford Police Department when they believe there is a threat to the welfare and safety of the schools, students and/or staff. The Superintendent and administrators shall also inform an SRO and/or the Biddeford Police Department when they have reason to suspect that a student or staff member may have violated a state or federal criminal law.

In general, the Biddeford School Committee discourages SROs and other law enforcement authorities from using the schools as a venue to arrest and/or question students for activities not related to or affecting the schools. The Superintendent and administrators retain the authority to deny access to students for non-school-related investigations.

Under this policy, SROs are considered to be school officials with legitimate educational interests in reviewing educational records in order to perform their professional responsibilities.

The Biddeford School Committee authorizes the Superintendent to develop administrative procedures, in consultation with the Biddeford Police Department, to guide interactions between the schools, the SROs and the Biddeford Police Department. Such procedures should safeguard the rights of students and parents and be consistent with Biddeford School Committee policies. Administrators may also develop appropriate building-level procedures regarding the role and activities of SROs in their schools. All administrative procedures must be consistent with School Committee policies, as well as the SRO program agreement between the Biddeford School Department and the Biddeford Police Department, and are subject to approval by the Biddeford School Committee.

Legal Reference: 20 USC 1232g; 34 CFR Part 99

Cross Reference: KLGA-R - School Resource Officer/Law Enforcement Administrative Procedure

Adopted: January 8, 2013

Review: _____

~~School Resource Officer/Law Enforcement Administrative Procedure~~

~~The purpose of this administrative procedure is to provide guidelines for the conduct of SROs and other law enforcement authorities in the schools. These are guidelines only and may be adjusted within reasonable and lawful limits on a case-by-case basis.~~

~~A. General Expectations Concerning the Roles of School Personnel and SROs~~

- ~~1. SROs shall comply with all applicable federal and state laws, School Biddeford School Committee policies and procedures, school rules, and Biddeford Police Department rules in carrying out their duties and responsibilities.~~
- ~~2. In general, school administrators and staff are responsible for enforcing Biddeford School Committee policies and school rules and for maintaining order in the schools. SROs who observe violations of policies and/or rules may intervene with students to stop the behavior and shall report violations to appropriate administrators.~~
- ~~3. School administrators and staff may consult with and request assistance from SROs in addressing student violations of policies and rules as they deem appropriate.~~
- ~~4. School administrators and staff will notify the SRO if they have reason to believe that a student has committed a crime or if they obtain evidence of illegal activity (such as weapons, drugs or alcohol).~~
- ~~5. School administrators may request the assistance of SROs in enforcing Biddeford School Committee policies, school rules and federal/state laws with visitors and intruders on school property.~~
- ~~6. Unless there is a health or safety emergency, SROs shall consult with an appropriate school administrator prior to requesting additional law enforcement assistance on school grounds.~~
- ~~7. SROs are expected to maintain the same standards of professional conduct in their dealings with staff, students, parents and community members as other school staff.~~

~~B. Investigations, Questioning and Searches of Students for School-Related Purposes~~

~~Some types of student conduct that are forbidden by school rules, such as assaults, bomb threats, weapons possession, and drug offenses, are also punishable by criminal law. When a particular act is both a violation of school rules and a crime, the school disciplinary investigation by school administrators and the criminal investigation by the police and district attorney will often operate simultaneously. When practical, school administrators and the police should coordinate their investigations.~~

~~Whenever practicable, investigations, questioning and searches of students for school-related conduct that may violate both school rules and the law will be conducted jointly by a school administrator and the SRO.~~

- ~~1. Evidence of violation of state/federal laws will be turned over to the SRO, unless such disclosures are otherwise prohibited by FERPA or any other applicable law.~~
- ~~2. Since police investigative reports and police-obtained witness statements may not always be available to school administrators, the school administrator shall prepare and maintain his/her own records and reports concerning school-related investigations.~~

~~C. Investigations, Questioning and Searches of Students for Non-School-Related Purposes~~

- ~~1. In general, SROs and other law enforcement authorities are discouraged from using the schools as a venue for questioning and searching students for alleged violations of state or federal laws that are not related to the schools.~~
- ~~2. Exceptions will be made in the event of an emergency endangering student or staff safety or in exigent circumstances as authorized by law. Other exceptions may be made on a case-by-case basis after consultation between the Superintendent/designee and law enforcement authorities.~~
- ~~3. The SRO (or other law enforcement official if applicable) is responsible for ensuring that the student is informed of his/her rights prior to questioning or a search.~~

~~D. Arrests of Students at School~~

- ~~1. In general, SROs and other law enforcement authorities are discouraged from arresting students at school for non-school-related activities.~~
- ~~2. Exceptions to the above will be made in the event of an emergency endangering student and/or staff safety or in exigent circumstances as authorized by law. Other exceptions may be made on a case-by-case basis after consultation between the Superintendent/designee and law enforcement authorities. Whenever practicable, the police should contact the school administrator before making an arrest in school.~~
- ~~3. If the SRO anticipates possible criminal charges, he/she should follow applicable laws and police department policies concerning questioning and searches of juvenile suspects (if the student is under 18) or adult suspects (if the student is 18 or older).~~
- ~~4. A student may be removed from school by an SRO or other law enforcement official when there is a court order, an arrest warrant or when a warrantless arrest is authorized by law. The school administrator shall attempt to notify the student's parent/guardian as soon as possible of the student's removal from school.~~

~~E. Confidentiality of Student Information and Records~~

- ~~1. School administrators may release personally identifiable student information contained in education records to SROs and other law enforcement authorities in accordance with the requirements of the federal Family Educational Rights and Privacy Act and other applicable laws.~~

- ~~2. SROs are considered to be school officials with legitimate educational interests in reviewing educational records in order to perform their professional responsibilities.~~
- ~~3. SROs are expected to maintain confidentiality of personally identifiable student information in accordance with applicable laws, Biddeford School Committee policies and school rules.~~

Cross Reference: ~~KLGA – Relations with School Resource Officers and Law~~
~~Enforcement Authorities~~

Adopted: ~~January 8, 2013~~

SCHOOL RESOURCE OFFICER/LAW ENFORCEMENT ADMINISTRATIVE PROCEDURE

This administrative procedure provides general guidelines for the conduct of school resource officers (SROs) and other law enforcement authorities in the schools. These guidelines may be modified within legal and lawful limits on a case-by-case basis.

I. SCHOOL PERSONNEL AND SROS: ROLES AND RELATIONSHIPS

- A. SROs shall comply with all applicable federal and state laws, Board policies and procedures, school rules, and the Biddeford Police Department in carrying out their duties and responsibilities.
- B. In general, school administrators and staff are responsible for enforcing Board policies and school rules and for maintaining order in the schools. SROs who observe violations of policies and/or rules may intervene with students to stop the behavior and shall report violations to appropriate school administrators.
- C. School administrators and staff may consult with, and request assistance from, SROs in addressing student violations of policies and rules as they deem appropriate.
- D. School administrators and staff will notify the SRO if they have reason to believe that a student has committed a crime or if they obtain evidence of illegal activities, e.g., those involving possession of weapons, assault, drugs, or alcohol.
- E. School administrators may request the assistance of SROs in enforcing Board policies, school rules, and federal/state laws with visitors and intruders on school property.
- F. Unless taking action in a health or safety, SROs shall consult with an appropriate school administrator prior to requesting additional law enforcement assistance on school property.
- G. SROs are expected to maintain the same standards of professional conduct as other school personnel in their interactions with staff, students, parents, and community members.

II. INVESTIGATIONS, QUESTIONING, AND SEARCHES OF STUDENTS FOR SCHOOL RELATED PURPOSES

There are some types of conduct that are prohibited by Board policy and school rules that are also punishable under criminal law, e.g., bomb threats, drug offenses, assaults, and possession of weapons. When a particular act is a both a violation of Board policy/school rules and a crime, the disciplinary investigation by school administrators and the criminal investigation by law enforcement authorities will often occur simultaneously. When practicable, school administrators and law enforcement authorities should coordinate their investigations.

Whenever practicable, investigations, questioning, and searches of students for school-related conduct that may violate both Board policies/school rules and the law will be conducted jointly by a school administrator and the SRO.

- A. Evidence of violation of state and/or federal laws will be turned over to the SRO, unless such disclosures are otherwise prohibited by FERPA or other applicable law.
- B. Since police investigative reports and witness statements obtained by police may not always be available to school administrators, the school administrator shall prepare and maintain his/her own records and reports concerning school-related investigations.
- C. SROs and other law enforcement officials are responsible for complying with applicable laws and police/law enforcement agency procedures concerning questioning, searches, and arrests for juvenile suspects (if the student is under 18) or adult suspects (if the student is over 18).

III. INVESTIGATIONS, QUESTIONING, AND SEARCHES OF STUDENTS FOR NON-SCHOOL RELATED PURPOSES

- A. In general, SRS's and law enforcement authorities are discouraged from using the schools as a venue for questioning and searching students for alleged violations of state or federal laws that are not related to the schools.
- B. Exceptions will be made by the administration in the event of an emergency that endangers student or staff safety or in other exigent circumstances as authorized by law. Other exceptions may be made on a case-by-cases basis after consultation between the Superintendent/designee and law enforcement authorities.

IV. ARRESTS OF STUDENTS AT SCHOOL

- A. In general, SROs and other law enforcement authorities are discouraged from arresting students at school for non-school-related activities.

Exceptions to the above will be made by the administration in the event of an emergency that endangers student or staff safety or in other exigent circumstances as authorized by law. Other exceptions may be made on a case-by-case basis after consultation between the Superintendent/designee and law enforcement authorities. Whenever practicable, law enforcement authorities should contact the school administrator before making an arrest at school.

- B. A student may be removed from school by an SRO or other law enforcement official when there is a court order or an arrest warrant, or when a warrantless arrest is authorized by law. As soon as possible, the school administrator shall attempt to notify the student's parent/guardian of the student's removal from school.

V. CONFIDENTIALITY OF STUDENT INFORMATION AND RECORDS

- A. School administrators may release personally identifiable student information contained in education records to SROs and other law enforcement authorities in accordance with the requirements of the federal Family Educational Rights and Privacy Act (FERPA) and other applicable laws.
- B. SROs are considered to be school officials with legitimate educational interests in reviewing educational records in order to perform their professional responsibilities.
- C. SROs are expected to maintain confidentiality of personally identifiable student information in accordance with applicable laws, Board policies and procedures, and school rules.

Cross Reference: KLGA – Relations with School Resource Officers and Law Enforcement Authorities

Adopted: January 8, 2013

Revised: _____

Overnight Field Trip Form

On the date of departure, a passenger manifest, listing of all passengers per vehicle, must be submitted to the building administrator (Manifest must be kept on file in the main office of appropriate school building).

The respondent's email (**areddy@biddefordschools.me**) was recorded on submission of this form.

Name of Event: *

Trip to France April 2024

Please give a brief description of your field trip: *

We are traveling to Paris and the South of France.

Date of Event: *

April 10-April 19, 2024

Teacher in Charge: *

Andrew Reddy

Class/Group Attending: *

French and Social Studies Students

Address & phone number where group can be reached: *

207-756-3385

Number of students attending trip: *

16 (24 travelers total plus 4 Chaperones)

School *



BHS



BRCOT



BIS



BPS



JFK



DAYTON



APC



ADULT ED



Other:

Number of staff/teachers required: (1 staff/teacher per every 25 students) *

3

Number of chaperones required: (1 chaperone per every 8 students): *

4

Co-ed Overnight field trip, you must ensure that both genders are proportionally represented. (example-for every 8 female students, there will be 1 female chaperone, etc.) Number of Female Chaperones required:

2 Female Chaperones

Co-ed Overnight field trip, you must ensure that both genders are proportionally represented. (example-for every 8 male students, there will be 1 male chaperone, etc.) Number of Male Chaperones required:

2 Male Chaperones

Names of Chaperones:

Andrew Reddy, Lynda Reddy, Marissa Cassily, Tom McGovern

Completed volunteer forms required for chaperones *

☐ Yes

☒ No

☐ Doesn't apply. No Chaperones needed

Signature of Building Administrator (please type in name):

Martha Jacques

Date received by Superintendent:

MM DD YYYY

/ / 11/21/2023

First Reading: Initial presentation to school committee. Must be no less than 90 days prior to event:

12/13/2023

Second Reading: Final presentation, include official chaperone list, alternates and additional information. Must be no less than 30 days prior to event:

Approved by the Board:

☐ Yes

☐ No

This form was created inside of Biddeford School Department.

Google Forms