

City of Biddeford
School Committee
October 13, 2021 7:00 PM Little Theater at BHS

Public Viewing

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City of Biddeford Website

Please click the link below to join the webinar:
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Public Participation - Further Instructions

[Further Instructions 10_13_2021.pdf](#)

A. Call to Order:

B. Roll Call:

C. Pledge of Allegiance:

D. Adjustments to Agenda:

E. Consideration of Minutes:

E.1. Minutes 9/22/2021

F. Consent Agenda

F.1. Appointments:

Mindy Smith ~ Ed Tech Pre-K JFK ~ Replacing Leah Austin
Susan Scully ~ Ed Tech II FLS ~ Replacing Jack Niles
Candice Hankel ~ Ed Tech I ~ 1 Year Position
Rachel Stewart ~ Food Service Worker BMS ~ Replacing Billie Jo Kennie
Jeffery Veltsos ~ Maintenance ~ Replacing Robert Bouley
Roland Desrosiers ~ Custodian BHS ~ Replacing Kelly Robinson

Resignations:

Lori Junkins ~ Food Service Worker BHS
Pietrina Owen ~ Special Education Teacher BHS ~ Retiring 1/31/2022
Shenade Martel ~ Full Time Van Driver
Sandra Curlew ~ Full Time Bus Aide
Emily Furr ~ Accounts Payable Associate
Brian Maiorino ~ COT Business Teacher
Kylie Ireland ~ EL Ed Tech BPS

Catherine Lamb ~ Regular Ed/Ed Tech II BIS

Billie Jo Kennie ~ Food Service Worker BMS

Transfers:

Nicole Walker ~ Ed Tech II BMS ~ Ed Tech III BMS ~ 1 Year Position

Didi Holt ~ ELA Teacher APC ~ Special Education Teacher APC

G. Superintendent's Report:

H. Committee Reports: Finance/Building, Grounds; Curriculum; Policy; Waterhouse Advisory Committee

I. Old Business:

I.1. Approval of Math Program at BRCOT

J. New Business: Public participation opportunity after each item listed below (3 minutes per item)

J.1. New Business:

Federally mandated update on “back to school” health guidance

Student Enrollment Update

Pooled Testing Update

Motion to Strike:

JIC ~ Student Code of Conduct

JLCB-R ~ Immunization Requirements

IHD ~ Biddeford Adult/Community Education

First Reading motion to approve policies:

CC ~ Administrative Organization

IHD ~ Biddeford Adult/Community Education

IKACA ~ Parent Conferences

IMGA ~ Service Animals in Schools

JFAA ~ Admission of Resident Students

JFAB ~ Admission of Non-Resident Students

JIC ~ Student Code of Conduct

JICIA ~ Weapons, Violence and School Safety

First and Second Reading Motion to Approve Policies:

ACAF ~ Workplace Bullying

JLCB ~ Immunizations of Students

[ESSER Update Federal.pdf](#)

[Enrollment Memo October 8, 2021.pdf](#)

[Pooled Testing Update.pdf](#)

[JIC Student Conduct - Strike.pdf](#)

[JLCB-R Strike.pdf](#)

[IHD Biddeford Adult-Community Education.pdf](#)

[CC_ Administrative Organization Biddeford.docx.pdf](#)

IHD Adult Ed_ Community Policy.pdf
IKACA Parent Conferences.pdf
IMGA Service Animals In Schools.pdf
JFAA Admission of Resident Students.pdf
JFAB Admission of Non-Resident Students.pdf
JIC.pdf
JICIA Weapons Violence and School Safety.pdf
ACAF - Workplace Bullying Biddeford.pdf
Policy JLCB.pdf

- K. Public Participation: (3 minutes; any item)**
- L. Communications:**
- M. Executive Session:**
- N. Adjournment:**

Instructions for Public Participation

The Biddeford School Committee will hold a meeting on Wednesday, October 13, 2021, at 5:00 PM.

This meeting will be held in person by the School Committee only in the Little Theater. The meeting for the public will be conducted using [Zoom](#) Webinar, a web-based video conferencing tool, under [1 M.R.S.A. § 403-A](#), which authorizes the school department to hold remote meetings during the state of emergency declared by the Governor due to the outbreak of COVID-19.

Topic: Biddeford School Committee Meeting

Please click the link below to join the webinar:

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You will not be shown on the camera as a meeting viewer, and your microphone will be muted by default.

What controls should I use to participate in the meeting?

If you would like to participate during the meeting, click the “raise your hand” button at the bottom of the screen at the appropriate time for comment. The host of the meeting will see that you would like to participate and will be able to turn your mic on for you when it is your turn to speak.

If you have joined the meeting by phone only, you will need to use the following codes:

***6-Toggle mute/unmute**

***9-Raise hand**

Do I have to use Zoom to watch the meeting?

No, you will still be able to watch a live stream of the meetings as you usually would on Public Access Channel 1301 or on the city website.

Watch Video: [City of Biddeford Website](#)

Due to the COVID-19 PANDEMIC, the Biddeford School Committee will meet in person but will conduct the public hearing and meeting telephonically. The public will not be allowed to attend the meeting in person. However, the meeting may be viewed live on the City’s Public Access Channel or on the City’s website: www.biddefordmaine.org, selecting the Government tab and then clicking on “Video/Agendas/Minutes”. Copies of the agenda and minutes are available on the City’s website and School website www.biddefordschools.me. Questions or comments may be emailed prior to the meeting to [School Committee Members](#), Superintendent, [Jeremy Ray](#), Assistant Superintendent, [Christopher Indorf](#), or Director of Instruction & Innovation, [Mandy Cyr](#).

TO: Biddeford School Committee
FROM: Jeremy Ray, Superintendent of Schools
DATE: October 8, 2021
RE: **ESSER III Federal Health Update - Public Notice**

A condition of accepting federal funds under the ESSER III program is to provide the public with an update on what our district is doing to keep students safe. A few bullet points:

- We are following all CDC masking, distancing, and quarantining guidelines.
- Our Board-endorsed "Back to Five" reopening plan has proved successful, and we've had few cases and--thanks to pooled testing--very few quarantines.
- We've had zero school closures.
- We completed our first week of pooled testing involving over 2,700 active participating students and employees throughout Biddeford, Dayton, and Saco School Departments.
- Parents can still sign their child up for pooled testing, knowing it may be up to a week before our nurses are provided the child's consent code from Concentric and designated to a specific pool. The link and school-specific codes are included in the Superintendent's Newsletter that went out to the community on October 8th.
- The Saco, Dayton, and Biddeford School Departments have met with York County Emergency Management Agency to begin preplanning vaccine clinics for students ages 5-11. Stakeholders including the hospitals, municipalities, and York County Superintendents are actively engaged in the process.

TO: Biddeford School Committee
FROM: Jeremy Ray, Superintendent of Schools
DATE: October 8, 2021
RE: Enrollment Update

Biddeford	
School	ENROLLMENT
Biddeford High School	735
Biddeford Intermediate School	317
Biddeford Middle School	657
Biddeford Primary School	356
John F Kennedy Memorial School	282
	2347
COT	407

Biddeford Average Daily Attendance %				
School	19-20	20-21	21-22	Increase from 19-20
JFK	96.72	96.06	99.08	2.36
BPS	95.92	94.69	98.85	2.93
BIS	96.18	93.58	99.31	3.13
BMS	94.21	92.08	98.96	4.75
BHS	92.52	87.91	98.17	5.65

TO: Biddeford School Committee
FROM: Jeremy Ray, Superintendent of Schools
DATE: October 8, 2021
RE: Pooled Testing Update

The Biddeford School Department participated in pooled testing during the week of October 4 - October 8. I would like to thank the school nurses and pooled testing nurses for their hard work and support of the program.

Biddeford/Dayton Pre-K to 12

Dayton: 75 students / 15 staff 9 pools
JFK: 126 students / 21 staff. 11 pools
BPS: 145 students / 51 staff 23 pools
BIS: 145 students / 54 staff. 19 pools
BMS: 250 students / 46 staff. 44 pools
BHS/COT/APC/CO: 265 students / 66 staff. 33 pools
Total: 1,261 students / 253 staff / 139 pools

~~STUDENT CONDUCT~~

~~Citizenship in a democracy requires respect for the rights of others. Students in the Biddeford school system shall be expected to conduct themselves in such a way that the rights and privileges of others are not violated. Students shall respect constituted authority, conform to school rules and regulations, and to those provisions of law that apply to the conduct of juveniles or minors.~~

~~Teachers and other members of the school staff shall emphasize and model for students high standards of courtesy, morality, honesty, constructive relationships with others, and pride in one's work and achievements.~~

~~Cross Reference: JK — Student Discipline~~

~~Adopted: March 14, 1995~~

~~Revised: April 27, 1999~~

BIDDEFORD SCHOOL DEPARTMENT

~~IMMUNIZATION REQUIREMENTS~~

~~Per MDOE & Maine CDC The required immunizations in school aged children are as follows:~~

~~Pre-Kindergarten Requirements:~~

Doses:	Immunization:
4	DPT (diphtheria, pertussis, tetanus)
3	OPV, IPV (polio)
1	MMR (measles, mumps, rubella)
1	Varicella (chicken pox)

~~Kindergarten Requirements:~~

Doses:	Immunization:
5	DPT (4 if the 4th dose is given after 4th birthday)
4	OPV/IPV (3 if 3rd dose is given after 4th birthday)
2	MMR
2	Varicella vaccine

~~7th Grade Requirement:~~

~~Tetanus/Diphtheria/Pertussis (Tdap): Effective for the start of school year 2017, 1 dose of Tdap vaccine is required for children entering 7th grade.~~

~~Quadrivalent meningococcal conjugate vaccine (MCV4): Effective for the start of school year 2018, 1 dose of MCV4 is required for children entering 7th grade. The 1st dose shall be received on or after the 11th birthday.~~

~~12th Grade Requirement:~~

~~Quadrivalent meningococcal conjugate vaccine (MCV4): Effective for the start of school year 2018, 2 doses of MCV4 is required for children entering 12th grade. The 1st dose shall be received on or after the 11th birthday, and the second dose shall have been received on or after the 16th birthday, at least 8 weeks after the 1st dose. If the 1st dose is administered when the child is 16 years of age or older, only 1 dose is required.~~

~~Legal Reference: 20-A M.R.S.A §§ 6352 – 6359~~

~~Cross Reference: JLCB-Immunization Requirements
Chapter 126, 261~~

~~Adopted: April 10, 2018~~

~~BIDDEFORD ADULT/COMMUNITY EDUCATION~~

~~An educational program for adults shall be established and maintained in the school system. At a minimum, this program shall provide, at convenient times and at reasonable costs, opportunities for adults to participate in instructional activities appropriated to the needs of the community and surrounding area. The Adult Education Director and local adult education advisory board will keep the Superintendent abreast of program developments and will report annually to the School Committee. A Biddeford High School diploma will be issued to eligible adults upon successful completion of the required courses and units. Other certificates of completion or recognition will be issued, when appropriate, upon successful completion of programs or courses.~~

~~Through its various programs and courses for adults, Biddeford Adult Education, on behalf of the Superintendent and School Committee, shall seek to meet the needs of adults of all ages who, for whatever reason, have been unable to secure a high school diploma in a regular school program, who need additional training to become more efficient in their chosen occupations, or who would like to pursue interests relating to academic, vocational or leisure time activities.~~

~~Legal Reference: — 20-A MRSA § 8601 et seq.~~

~~Cross Reference: — HIAI — Philosophy of Biddeford Regional Vocational Center~~

~~Adopted: — September 1991~~

~~Revised: — April 27, 1999~~

~~BIDDEFORD SCHOOL DEPARTMENT~~

ADMINISTRATIVE ORGANIZATION

The legal authority of the School Committee shall be transmitted through the Superintendent along specific lines from position to position as shown in the School Committee-approved organizational chart of the school system.

The lines of authority on the chart shall represent direction of authority and responsibility.

The Superintendent shall have the freedom and responsibility to reorganize lines of authority and to revise the organizational chart subject to School Committee approval of major changes and/or the elimination and creation of positions. The School Committee expects the Superintendent to keep the administrative structure up to date with the needs for supervision and accountability throughout the school system.

Cross Reference: CCA – Organizational Chart

Legal Reference: M.S.R.A. 20-A Chapter 508, §13701-13706

Adopted: October 28, 1992

Revised: April 27, 1999, January 10, 2017, _____

Adult/Community Education

The Adult Education Director and local Adult Education Advisory Board will keep the Superintendent abreast of program developments and will report annually to the School Committee. A Biddeford High School diploma will be issued to eligible adults upon successful completion of the required courses and units. Other certificates of completion or recognition will be issued, when appropriate, upon successful completion of programs or courses.

Adult/community education programs are provided to encourage adults of the community to pursue educational opportunities. **These programs operate with the following goals:**

- A. To provide a system of basic education for adults who have less than ninth grade ability levels. This aspect of adult education will concentrate on the basic skills of reading, writing, and arithmetic;**
- B. Instructional programs will also be provided for adults needing instruction in English for speakers of other languages;**
- C. To provide opportunities for adults to complete high school either by taking courses to complete the required number of credits for graduation or by preparing for and taking the High School Equivalency test to receive the Adult High School Diploma;**
- D. To provide introductory and advanced workforce development training courses to help adults prepare for a career and employment;**
- E. To work cooperatively with both Biddeford High School and Biddeford Regional Center of Technology regarding student referrals and curriculum development in the areas of high school completion and workforce training;**
- F. To provide transition training to college or career;**
- G. To provide educational and enrichment programs which are related to the general learning needs and interests of the adult community; and,**
- H. To work in a cooperative and collaborative manner with our community agencies and organizations concerned with adult education.**

Legal Reference: 20-A MRSA § 8601 et seq.

Cross Reference: IHAI – Philosophy of Biddeford Regional Vocational Center

Adopted: September 1991

Revised: April 27, 1999, _____

PARENT CONFERENCES

Close communication between home and school is an important factor in establishing a highly effective school program. Planned conferences between parents and teachers are an important way to bring about understanding and close cooperation between the home and school. Close communication should be maintained through conferences with all parents, not just those whose children's academic or other problems suggest the need for closer communication.

Conferences between parents and teachers regarding a child should be treated by the teacher as an opportunity to help the child and every effort should be made to make the conference constructive, objective, and pleasant. Conferences should provide an opportunity for a mutual exchange of information and ideas for the welfare of the child.

Occasionally parents may request meetings or telephone conferences when teachers have responsibilities for class instruction. Although the purpose of such requests may be worthy, School Committee policy discourages this practice as it disrupts the educational program. Parents and teachers should arrange for conferences outside of teachers' instructional time. Teachers should be prepared to provide time for conferences before or after school.

One planned parent-teacher conference for each student is scheduled each year. In addition to this annual conference, teachers are expected to request additional conferences with parents on an as-needed basis.

A teacher may, at his/her discretion, request that a building administrator be present at any parent-teacher conference.

During a public health condition or local/state emergency, the Superintendent may decide to move conferences to a telephonic or online format, at their discretion.

Cross Reference: KI – Visitors to the Schools

Adopted: April 5, 1990

Revised: April 27, 1999, _____

SERVICE ANIMALS IN SCHOOLS

The following rules shall govern the use of service animals by persons in the schools.

A. General Conditions

1. Only qualified individuals with disabilities are eligible to use service animals in school.
2. Use of a service animal by a person with a disability will be allowed in school when the animal is required to perform work or tasks directly related to the individual's disability.
3. "Service animal" is defined in Maine law as follows:

~~An animal~~ **dog** that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of such work or tasks include, but are not limited to, assisting an individual who is totally or partially blind with navigation or other tasks, alerting an individual who is deaf or hard of hearing to the presence of people or sounds, providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting an individual to the presence of allergens, retrieving items such as medicine or a telephone, providing physical support and assistance with balance and stability to an individual with a mobility disability, and helping a person with a psychiatric or neurological disability by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort or companionship do not constitute work or tasks for the purposes of this definition.

4. The District will not be responsible for the training, feeding, grooming or care of any service animal permitted to attend school under this policy (except in the limited circumstances described in Section B.2.a.2). It shall be the responsibility of the individual with a disability or designated handler to ensure the proper care and supervision of the service animal.
5. All service animals must be kept on a harness, leash or tether unless this prevents the animal from performing his/her specific work or tasks with the individual. The animal

must be under the control of the individual with a disability or designated handler at all times.

6. The individual with a disability (or in the case of a student, the student's parent(s)) is liable for any damage to school or personal property and any injuries to individuals caused by the service animal.
7. Individuals with service animals may access the same areas that individuals without disabilities are authorized to access.

B. Administrative Review of Service Animals

1. Whenever a service animal is in school or on school property (and it is not obvious that the dog qualifies as a service animal, e.g., guide dog for a blind person), a building administrator or other authorized school official may ask:
 1. Whether the service animal is required because of a disability;
 2. What work or task(s) the animal has been trained to perform.
2. When it is anticipated that a service animal is going to be in the school on a regular basis with an employee, student, volunteer or other frequent visitor to the school, the individual using the service animal (or in the case of a student, the student's parent(s)) are expected to notify the building administrator in advance.
 - a. The school shall not provide staff support to care for or control a service animal, but may provide support to a student using a service animal as needed in a particular instance (i.e., accompanying a young student who takes a service animal outside to relieve him/herself).
 - b. Any handler (parent or other person) accompanying the service animal must have approval to work in the school from the Maine Department of Education and undergo the State criminal background check.

Service animals must be properly licensed and vaccinated.

C. Removal or Exclusion of Service Animals from School

1. A building administrator or other authorized school official may require that a service animal be removed from the school or other school property under any of the following circumstances:

- a. The service animal poses a direct threat to the safety of individuals at school, causes a significant disruption of school activities or otherwise jeopardizes the safe operation of the school;
- b. The service animal demonstrates that it is unable to perform reliably the work or tasks which it was represented as being able to perform;
- c. The service animal is not under the full control of the person with a disability, or the authorized handler.
- d. The service animal is sick (i.e., vomiting, etc.), infested with parasites, has an infection of the skin, mouth or eyes, or otherwise presents a threat to the public health;
- e. The service animal demonstrates that it is not sufficiently trained to relieve itself outside the school building; and/or
- f. The service animal's presence significantly impairs the learning of students and/or fundamentally alters the nature of any school program.

D. Miniature Horses

Miniature horses are not defined as service animals under state or federal law. However, miniature horses which have been individually trained to perform specific work or tasks may be permitted in the schools in certain circumstances as a reasonable accommodation for a qualified individual with a disability. Any such requests should be directed to the building administrator for consideration. If a miniature horse is approved, all the conditions in this policy shall apply.

Legal References: 2 U.S.C. § 12101 et seq.

28 C.F.R. §§ 35.104; 35.130(h); 35.136

5 M.R.S.A. §§ 4553; 4592

Maine Human Rights Commission Rule Chapter 7

ADA 2010 Regulations on Service Animals

https://www.ada.gov/service_animals_2010.htm

Adopted: January 26, 2016

Revised: _____

ADMISSION OF RESIDENT STUDENTS

The Biddeford School Department shall admit as students those of legal school age whose parents or guardians legally reside within the unit. Adequate proof of residence shall be required. The School Committee reserves the right to verify residency through appropriate means for any enrolled student or any family applying for enrollment.

“Residence” means bona fide residence—one’s actual residence maintained in good faith—and does not include a temporary or superficial residence established for the purpose of free school attendance in this system. It shall be considered the place where important family activity takes place—the place where the family eats, sleeps, relaxes and plays. It is a place which can be called a “home.” While it is possible for an individual to maintain property and pay taxes in more than one location or community, for purposes of student eligibility for school attendance, “residence” shall mean where the parent maintains ~~a home~~ **and occupies a home for more than 50% of the year.**

Guardianship shall be substantiated by a copy of a court order or probated will appointing the resident as guardian of the student. No student shall be accepted for enrollment or allowed to continue in enrollment on the basis of guardianship established by a power of attorney.

Resident students entering school for the first time shall be admitted upon presentation of an original birth certificate (or official copy) to the Principal, along with a record of required immunizations and pertinent health records. Photocopies shall be made and retained in the student’s file.

New resident students who are transferring into the school system shall be admitted on the basis of age, health and academic records received from the previous school. However, original documentation may be required if deemed necessary to appropriately determine a student’s eligibility for enrollment and assignment.

Legal Reference: 18-A MRSA § 5-201, et seq.
20-A MRSA §§ 5202 et seq.; 6002
Maine Commissioner of Ed. Administrative Letter No. 13, 10/9/97

Cross Reference: JFAB – Admission of Non-Resident Students

Adopted: January 24, 1995

Revised: April 27, 1999, _____

ADMISSION OF NON-RESIDENT STUDENTS

Individual non-resident students may be accepted under any of the following conditions if approved by the Superintendent:

- A. Any agreement with another local school administrative unit, upon payment of the tuition fee allowed by state law;
- B. Following receipt of a written parental request and formal approval by the School Committee on a space/program-available basis and upon payment of the tuition fee allowed by state law. Reapplication shall be made annually. Behavior, cooperation and suitability of programming shall be considered;
- C. To provide continuity of program for a student whose family provides evidence of intent to move to the community shortly after a school year begins, or moves from the community near the end of a school year;
- D. In accordance with Maine law related to the assignment of students for school purposes, including state wards; students for whom the Superintendent determines it is in the student's best interest to attend, students placed by state agencies; homeless children of school age; students living at light, fog warning or life stations; temporary residents; and a transfer student when the two Superintendents approve, in the student's best interest;
- E. Upon recommendation of the high school principal, ~~a foreign~~ **an** exchange student assigned to a household in the City of Biddeford and under the auspices of a recognized ~~foreign~~ exchange program may be enrolled on a tuition-free basis; and
- F. Non-resident school employees may enroll their children in the Biddeford school system, ~~on a tuition-free, basis~~ **on a space-available basis.**

Retroactive tuition will be assessed for students found to be non-residents and ineligible for enrollment under law or School Committee policy.

All age, health examinations, immunizations and any other requirements which apply to resident students shall also apply to non-resident students accepted for enrollment in the Biddeford school system.

Legal Reference: 20-A MRSA §§ 5203-5205; 5801
8 USC § 1101

Cross Reference: JFAA - Admission of Resident Students

Adopted: June 28, 1994

Revised: April 27, 1999, _____

STUDENT CODE OF CONDUCT

~~Citizenship in a democracy requires respect for the rights of others. Students in the Biddeford school system shall be expected to conduct themselves in such a way that the rights and privileges of others are not violated. Students shall respect constituted authority, conform to school rules and regulations, and to those provisions of law that apply to the conduct of juveniles or minors.~~

~~Teachers and other members of the school staff shall emphasize and model for students high standards of courtesy, morality, honesty, constructive relationships with others, and pride in one's work and achievements.~~

Promoting ethical and responsible student behavior is an essential component of the Biddeford School Committee's educational mission. Refer to policy [ADAA](#)

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

To achieve this goal, the Committee has developed this Student Code of Conduct with input from school administrators, staff, students, parents, and the community. Based on values identified as essential to ethical and responsible behavior, the Code articulates the Biddeford School Committee's expectations for student conduct.

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

The Student Code of Conduct applies to students who are on school property, who are in attendance at school or at any school-sponsored activity, or whose conduct at any time or place directly interferes with the operations, discipline, or general welfare of the school.

The Student Code of Conduct shall be distributed to students, parents, and staff through handbooks and/or other methods deemed appropriate by the Superintendent and building administrators.

Standards for Ethical and Responsible Behavior

The Code of Conduct is intended to support and encourage students to meet the following standards for ethical and responsible behavior:

- Respect
- Honesty
- Compassion
- Fairness
- Responsibility
- Courage

Code of Conduct

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

- On school property,
- While in attendance at school or at any school-sponsored activity, or
- At any time or place that such conduct directly interferes with the operations, discipline, or general welfare of the school.

General Behavior Expectations and Discipline Policies

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

1. Be courteous to fellow students, staff, and visitors.
2. Respect the rights and privileges of other students and school staff.
3. Obey all Committee policies and school rules governing student conduct.
4. Follow directions from school staff.
5. Cooperate with staff in maintaining school safety, order and discipline.
6. Attend school regularly.
7. Meet school standards for grooming and dress.
8. Respect the property of others, including school property and facilities.

9. Refrain from cheating or plagiarizing the work of others.
10. Refrain from vulgarity, profanity, obscenity, lewdness, and indecency.

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

Expectations

The following is a summary of the school unit's expectations for student behavior. In many cases, the Committee has adopted policies that address these expectations in greater detail. Students, parents, and others should refer to the policies and student handbooks for more information about the expectations and consequences. In case of an inconsistency between the Code of Conduct, Committee policies, and/or school handbooks, the Committee's policies will prevail.

A. Violence and Threats

Students shall not engage in violent or threatening behavior. Prohibited behavior includes fighting, assault and/or battery, taking hostages, threats to commit violence against persons or property, or threats, intimidation, or harassment. Violations may result in disciplinary action up to and including expulsion.

B. Weapons

Students shall not possess or use weapons of any kind (examples include but are not limited to firearms, explosives, and knives). Students also shall not use any object, although not necessarily designed to be a weapon, to inflict bodily harm and/or to threaten, intimidate, coerce or harass another person (examples include but are not limited to bats, lighters, tools, and toy weapons). Firearms violations will result in expulsion in accordance with state and federal statutes; other weapons violations may result in disciplinary action up to and including expulsion.

C. Bullying

Bullying is not acceptable conduct in Biddeford schools and is prohibited. Any student who engages in conduct that constitutes bullying shall be subject to disciplinary consequences including suspension and expulsion. A student's bullying behavior may also be addressed through other behavioral interventions.

D. Hazing

Hazing is prohibited. Maine law defines injurious hazing as "any action or situation, including harassing behavior that recklessly or intentionally endangers the mental or physical health of any school personnel or a student enrolled in public school." No student shall plan, encourage, or engage in such activities in connection with any school program or activity, including extracurricular, co-curricular, and athletic activities. Students who engage in hazing activities are subject to suspension, expulsion, and/or other appropriate disciplinary measures.

E. Discrimination and Harassment/Sexual Harassment

Students should not discriminate against other students on the basis of race, color, sex, religion, ancestry, national origin, sexual orientation, or disability. Nor should students harass one another on the basis of race, color, sex, religion, ancestry, or national origin, sexual orientation, or disability. Sexual harassment is also prohibited. Harassment is grounds for disciplinary action up to and including expulsion.

F. Drug and Alcohol Use

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

G. Tobacco Use

Students shall not smoke, use, possess, sell or distribute any tobacco products. This prohibition also applies to e-cigarettes and products and

paraphilia associated with “vaping.” Violations of this policy may result in disciplinary action up to and including expulsion from school.

H. Conduct on School Buses

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

I. Computer/Internet Use

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

J. Athletic/Extracurricular Activities

Students must follow all Biddeford School Committee policies and school rules while participating in athletics and extracurricular activities. Students who violate policies and rules may be subject to suspension or removal from the team/activity as well as additional disciplinary action under applicable Committee policies and/or school rules.

Removal of Disruptive/Violent/Threatening Students

1. Students who are disruptive, violent, or threatening death or bodily harm to others may be removed from classrooms, school buses, or other school property when necessary to maintain order and safety. The staff member who orders the student removed should arrange to have the student escorted to the office or other designated location.

2. If a student does not comply with a staff member's order to leave, the staff member will contact an administrator, or, if not available, another suitable person, who shall respond promptly.
3. Staff members should not use force or restraint, except only to the minimum extent necessary to protect any person from imminent physical harm. Staff members are not required to take action that puts them at risk of serious injury.
4. The responding administrator will take appropriate action. If the student fails to obey verbal directions, force or restraint may be used only to the minimum extent necessary to protect any person from imminent physical harm or to quell a disturbance. Whenever practicable, law enforcement should be called to restrain or physically remove the non-compliant student. The administrator may invoke the school unit's emergency management plan if appropriate.

Special Services

1. **Referral.** The school unit has adopted policies and procedures for determining when a student shall be referred for special services.
2. **Review of Individual Educational Plan.** The school shall schedule a meeting to review the IEP of a student who has been removed from class when: a) school officials and/or the parent believes the student may present a substantial likelihood of injury to himself/herself or others; b) the class removals are sufficient to constitute a change in the student's special education program, or c) school officials or the parent believes that the student's behavior may warrant a change in educational programming.

Referrals to Law Enforcement Authorities

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

Dissemination of the Student Code of Conduct

The Student Code of Conduct and summary of consequences for violation of the Code of Conduct shall be distributed to staff, students, and parents through handbooks and/or other means selected by the Superintendent and building administrators.

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

Legal Reference: 20-A MRSA §§ 254 (11); 1001 (15)
Standards for Ethical and Responsible Behavior in Maine Schools and Communities (Report of the Commission for Ethical and Responsible Behavior, 2/01)

Cross Reference: AC - Nondiscrimination/Equal Opportunity and Affirmative Action
ACAA/ACAA-R - Harassment and Sexual Harassment of Students
ACAD - Hazing
ADAA - School System Commitment to Standards for Ethical and Responsible Behavior
ADC - Tobacco Use and Possession
EBCC - Bomb Threats
IHBAA – Referral and Use of General Education Interventions
IHBAC - Child Find
IJNDB – Student Use of School - Issued Computers, Devices and Internet and Cyber Safety
JICIA - Weapons, Violence, and School Safety
JICH - Drug and Alcohol Use by Students
JICK - Bullying
JK - Student Discipline
JKD - Suspension of Students
JKE - Expulsion of Students
JKF - Disciplinary Removals of Students with Disabilities

Adopted: March 14, 1995

Revised: April 27, 1999, _____

WEAPONS, VIOLENCE, AND SCHOOL SAFETY

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

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

I. PROHIBITED CONDUCT

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

- A. Possession and/or use of articles commonly used as weapons or designed to inflict bodily harm and/or to threaten, intimidate, coerce or harass another person. Examples of such articles include but are not limited to firearms, BB guns, pellet guns, any other kind of gun, ammunition, explosives, cross-bows, brass knuckles, switchblades, knives, chains, clubs, Kung Fu stars, and nunchucks;
- B. Use of any object, although not necessarily designed to be a weapon, to inflict bodily harm and/or threaten, intimidate, coerce or harass another person. Examples of such articles include but are not limited to bats, belts, picks, pencils, compasses, objects capable of ignition (e.g., matches, lighters), files, tools of any sort, and replicas of weapons (including toys), **or those made or replicated by 3-D printing or other additive technology.**
- C. Violent or threatening behavior, including but not limited to fighting, assault and/or battery, taking hostages, threats to commit violence against persons or property (e.g., verbal or written death threats, threats of bodily harm, bomb threats);
- D. Verbal or written statements (including those made on or through a computer or other electronic communications devices or technologies) which threaten, intimidate, or harass others, which tend to incite violence and/or disrupt the school program;
- E. Willful and malicious damage to school or personal property;
- F. Stealing or attempting to steal school or personal property;

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

II. EXCEPTIONS TO PROHIBITIONS ON POSSESSION AND DISCHARGE OF FIREARMS ON SCHOOL PROPERTY

The prohibition on the possession and discharge of firearms on school property does not apply to law enforcement officials acting in the performance of their duties.

III. USE OF OTHER WEAPONS IN INSTRUCTIONAL ACTIVITIES

Nothing in this policy shall prevent the school system from offering instructional activities using objects other than firearms that are generally considered weapons (e.g., bows and arrows) or from allowing an object generally considered a weapon to be brought to school for supervised instructional activities (e.g., archery, boat building) approved by the Biddeford School Committee so long as the Biddeford School Committee has adopted appropriate safeguards to ensure student and staff safety.

Any proposal to introduce an instructional activity involving such objects must be submitted in writing to the Superintendent, who will make a recommendation to the Biddeford School Committee. Such a proposal must state the objectives of the activity and describe the safeguards that will be put in place to ensure student and staff safety.

No weapons or objects that are generally considered weapons may be used in instructional activities or brought to school for instructional activities unless the Superintendent/designee has given specific permission in advance.

IV. DISCIPLINARY ACTION

Principals may suspend and/or recommend expulsion of students who violate this policy based upon the facts of each case and in accordance with applicable state and federal laws. Conduct which violates this policy is deliberately disobedient and deliberately disorderly within the meaning of 20-A MRSA § 1001(9) and will be grounds for expulsion if found necessary for the peace and usefulness of the school. Such conduct may also be grounds for expulsion under other provisions of 20-A MRSA § 1001(9 and 9-A) that specifically prohibit the use and possession of weapons, infractions of violence, and possession, furnishing and trafficking of scheduled drugs.

A student who is determined to have brought a firearm to school or to have possessed a firearm at school shall be expelled for a period of not less than one year, **except that this requirement may be modified by the Superintendent on a case-by-case basis.** ~~unless this requirement is modified by the Superintendent on a case-by-case basis.~~

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

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

V. NOTIFICATION TEAM/CONFIDENTIALITY

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

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

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

Legal References: 20 USCA § 8921 (Gun-Free Schools Act of 1994)
5 MRSA § 4681 et seq.
15 M.R.S.A. §§ 3301-A; 3308(7)(E); 3009
17-A MRSA §§ 2(9); 2(12-A)
20 USCA § 7151 (Gun-Free Schools Act of 1990)
20 USC § 7961 (Gun-Free Schools Act)
20-A MRSA §§ 1001(9) (and 9-A); 1002(9-A); 1055(11); 6552

Cross References: ACAA – Harassment and Sexual Harassment of Students
 ADC – Tobacco Use and Possession
 EBCA – Crisis Response Plan
 JIC - Student Code of Conduct
 JICH – Drug and Alcohol Use by Students
 JK – Student Discipline
 JKD – Suspension of Students
 JKE – Expulsion of Students
 JKF – Suspension/Expulsion of Students with Disabilities
 JIH – Questioning and Searches of Students
 KLG – Relations with Law Enforcement Authorities

Adopted: April 14, 1993

Revised: April 27, 1999, _____

WORKPLACE BULLYING

The Biddeford School Committee is committed to providing a respectful, safe and inclusive workplace for employees, free from bullying conduct. All employees and students in the school unit, as well as parents, community members, and others involved with the schools, are prohibited from engaging in workplace bullying as defined in this policy.

A. Definition

For the purposes of this policy, “workplace bullying” means intentional behavior that a reasonable person would expect to interfere with an employee’s work performance or ability to work. Generally, workplace bullying will involve repeated conduct; however, a single incident of egregious conduct could constitute workplace bullying. Examples of workplace conduct include, but may not be limited to:

- Humiliating, mocking, name-calling, insulting, maligning or spreading rumors about an employee;
- Shunning or isolating an employee and/or encouraging others to do so;
- Screaming or swearing at an employee, slamming doors or tables, aggressively invading an employee’s personal space, placing an employee in reasonable fear of physical harm, or other similar types of aggressive conduct;
- Targeted practical jokes;
- Damaging an employee’s property;
- Sabotaging an employee’s work or purposefully misleading an employee about work duties (e.g., giving incorrect deadlines or intentionally destroying an employee’s work);
- Harassing and/or retaliating against an employee for reporting workplace bullying; and
- Cyberbullying, which is defined in Maine law as bullying occurring through the use of technology or any electronic communication, including but not limited to, a transfer of signs, signals, writing, images, sounds data, or intelligence of any nature transmitted by the use of any electronic device, including but not limited to, a computer, telephone, cellular telephone, text messaging device, and personal digital assistant.

B. Exclusions

Workplace bullying does not include the following:

- When supervisors set reasonable performance goals or provide verbal or written counseling, direction, feedback, or discipline to employees in the workplace when the intent is to address unsatisfactory work performance, or violations of law or school policy.

- When supervisors make personnel decisions designed to meet the operational or financial needs of the school unit or the needs of students. Examples include but are not limited to, changing shifts, reassigning work responsibilities, taking steps to reduce overtime costs, transferring or reassigning employees to another building or position, etc.
- Discrimination or harassment based on protected characteristics (race, color, sex, sexual orientation, gender identity, religion, ancestry or national origin, age, familial status, disability, or genetic information). Such conduct is prohibited under separate policies and complaints shall be addressed under ACAB-R – Employee Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedure.
- Disrespectful conduct by students directed at school employees that can be addressed through enforcement of classroom rules, school rules, and applicable Board policies.

C. Reports and Investigations

Employees who believe they have been bullied in the workplace, or anyone who believes they have witnessed an incident of an employee being bullied in the workplace, are expected to report the issue to the building administrator. If the report is about the building administrator, the report should be made to the Human Resources Director. The building administrator or Human Resources Director shall promptly notify the Superintendent of all workplace bullying reports. Any workplace bullying report about the Superintendent should be made to the Biddeford School Committee.

All reports of workplace bullying shall be investigated promptly and documented in writing. The person who was the subject of the alleged workplace bullying and the person alleged to have engaged in workplace bullying will be notified of the outcome of the investigation, consistent with confidentiality and privacy laws.

D. Disciplinary Action

Any employee who is found to have engaged in workplace bullying will be subject to disciplinary action, up to and including termination of employment.

Students who are found to have engaged in bullying of an employee will be subject to disciplinary action in accordance with applicable student discipline policies/procedures.

Parents and others who are found to have engaged in bullying of an employee will be addressed in a manner appropriate to the particular circumstances.

E. Appeals

If the subject of the alleged workplace bullying or the person alleged to have engaged in workplace bullying is dissatisfied with the resolution of the matter, they may file a written appeal within five (5) business days with the Superintendent stating the reason for the appeal. The Superintendent will review the matter and issue a written decision within ten (10) business days. The Superintendent's decision is final.

If the case involves employees covered by a collective bargaining agreement, any disagreement with the results of the investigation may be resolved through the agreement's dispute resolution process.

F. Retaliation Prohibited

Retaliation for reporting workplace bullying behavior is prohibited. Employees and students found to have engaged in retaliation shall be subject to disciplinary action.

G. Responsibility of the Superintendent

The Superintendent is responsible for implementing this policy and for the development of any necessary procedures to enforce the policy.

Legal References:

20 M.R.S.A. Sections 1001(21); 6544(2)(C)

Cross References:

AC – Nondiscrimination/Equal Opportunity & Affirmative Action

ACAB – Harassment/Sexual Harassment of School Employees

ACAB-R – Discrimination/Harassment and Title IX Sexual Harassment of School Employees

Adopted: _____

IMMUNIZATION REQUIREMENTS

All students who enroll ~~enrolled~~ in the Biddeford schools are required by law to have a certificate of immunization or ~~other acceptable~~ evidence of immunization or immunity against ~~polio~~, **poliomyelitis**, diphtheria, pertussis (whooping cough), tetanus (~~lock-jaw~~), measles, varicella (chickenpox), rubella (~~German measles~~), and mumps. ~~except as follows:~~

One dose of Tetanus/Diphtheria/Pertussis (Tdap) is required for students entering 7th grade.

Immunization against meningococcal disease is required as follows:

A. One dose of meningococcal vaccine MCV4 is required for students entering 7th grade.

B. Students entering 12th grade are required to have received two doses of MCV4. The first dose shall have been received on or after the 11th birthday, and the second dose shall have been received on or after the 16th birthday, at least eight weeks after the first dose. Only one dose is required If the first dose is administered when the student is 16 years of age or older.

Non-immunized students shall not be permitted to attend school unless one of the following conditions is met:

~~A. The parents/guardians provide written assurance that the child shall be immunized within 90 days;~~

~~B. The parents/guardians provide a physician's written statement that immunization against one or more diseases is medically inadvisable; or~~

~~C. The parents/guardians state in writing that immunization is contrary to their religious, moral, philosophical beliefs, or other personal reasons.~~

A. The student's parent/guardian provides to the school written assurance that the child will be immunized within 90 days of enrolling in school or his/her first attendance in classes, whichever date is earlier. This option is available only once to each student during their school career; or

B. The parent/guardian provides a written statement each year from a licensed physician, nurse practitioner or physician assistant that, in his/her

professional judgment, immunization against one or more of the diseases may be medically inadvisable (as defined by law/regulation); or

- C. Exception: a student covered by an IEP who elected a religious or philosophical exemption prior to September 1, 2021 may continue to attend school under the existing exemption so long as the parent/guardian or the student, if 18 years of age or older, provides a statement from a licensed physician, nurse practitioner or physician assistant that he/she has consulted with the parent/guardian or student and has made the parent/guardian or student aware of the risks and benefits associated with the choice to immunize.]**

~~In accordance with Maine Centers for Disease Control rules, effective for the 2017-2018 school year, all students in Maine entering, advancing, or transferring into seventh grade will need to receive one dose of Tdap (tetanus, diphtheria, and pertussis) vaccine before attendance is allowed. This requirement is for seventh-grade students only; grades 8-12 are not included in this rule change.~~

The Superintendent shall exclude from school any unimmunized student when there is a ~~direct public health threat as provided in 20-A MRSA § 6356.~~ **clear danger to the health of others as provided by law.**

The Superintendent/designee is directed to develop such administrative procedures as are necessary to carry out this policy and comply with statutory requirements.

Legal Reference: 20-A MRSA §§ 6352-6359
Me. Dept. of Educ. Rule Ch. 126 (May 10, 2018)

Cross Reference: JLCC – Communicable/Infectious Diseases
JRA – Student Educational Records

Adopted: April 5, 1990

Revised: April 27, 1999

Adopted: September 26, 2017

Revised: October 24, 2017, _____