

***City of Biddeford***  
**School Committee**  
**July 28, 2020 7:00 PM Little Theater at BHS - School Committee Only**  
**Zoom - Public**

**Instructions for the Meeting**

Public Viewing:

The meeting can be viewed in the following locations:

Local Cable Access Station

City of Biddeford Website

Please click the link below to join the webinar:

<https://zoom.us/j/92126259425?pwd=aS9OL215MFVJTEVHUWZZUE9kNDJrQT09>

Passcode: 784262

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 646 558 8656

For Further Instructions see Attachment

[Instructions for Public Participation Biddeford 7\\_28\\_2020.pdf](#)

**A. Call to Order:**

**B. Roll Call:**

**C. Pledge of Allegiance:**

**D. Adjustments to Agenda:**

**D.1. ADDENDUM:**

**I. New Business:**

Approval of updated school calendar 2020-2021

**L. Executive Session:**

Collective Bargaining Agreement Between the Biddeford School Committee and the Biddeford Educational Technicians III's and Library Aides Association MEA/NEA in pursuant to 1.M.R.S.A § 405(6)(D)

[ADDENDUM 7\\_28\\_2020.pdf](#)

**E. Consideration of Minutes:**

**E.1. Minutes 7/14/2020**

[Biddeford Meeting Minutes 7\\_14\\_2020.pdf](#)

**F. Consent Agenda**

**F.1. Appointments:**

Jacquelyn Leonard ~ Lead Custodian BMS, Facilities ~ New Position

Dawn Delano ~ Head Custodian BHS, Facilities ~ Title Change  
Mark Myers ~ Head Custodian JFK, Facilities ~ New Position  
Paulette Lajoie ~ Head Custodian BIS, Facilities ~ New Position

**Resignations:**

Lindsey Miller ~ Ed Tech II JFK ~ Resignation  
Andrew Burnell ~ Ed Tech II APC ~ Moved to a New Position in the District  
Tracey Ross ~ Custodian BMS ~ Resignation  
Chelsea Crane ~ Classroom Teacher BPS ~ Resignation

**Nominations:**

Alison Young ~ FLS Teacher ~ New Position  
Andrew Burnell ~ Math Teacher APC ~ New Position

**G. Superintendent's Report:**

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

**I. Old Business:**

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

**J.1. Student Handbook**

Review of State Guidelines for Reopening - <https://www.maine.gov/doe/framework/part-I>  
Hybrid Survey Results

Hybrid Options Presentation

**Adopted Policies:**

First Reading: IHAA ~ Multicultural Education

First Reading: ACE ~ Equity Diversity & Inclusion

First & Second Reading: ACAA-R ~ Student Discrimination & Harassment Complaint Procedure

First & Second Reading: ACAB-R ~ Employee Discrimination & Harassment Complaint Procedure

**Policies to Strike:**

First & Second Reading: ACAA-R ~ Student Discrimination & Harassment Complaint Procedure

First & Second Reading: ACAB-R ~ Employee Discrimination & Harassment Complaint Procedure

**Policies to Revise:**

First & Second Reading: AC ~ NonDiscrimination/Equal Opportunity & Affirmative Action

First & Second Reading: ACAA ~ Harassment & Sexual Harassment of Students

First & Second Reading: ACAB ~ Harassment & Sexual Harassment of Employees

[IHAA-Multicultural Education.pdf](#)

[ACE-Equity Diversity and Inclusion.pdf](#)

[ACAA-R - New Adopted.pdf](#)

[ACAB-R.pdf](#)

[ACAA-R - Old Strike.pdf](#)

[ACAB-R - Old Strike.pdf](#)

[AC Biddeford for Policy meeting 7\\_21\\_20.pdf](#)  
[ACAA Harassment and Sexual Harassment of Students.pdf](#)  
[ACAB - Revised.pdf](#)  
[Return to School Student Guidelines - Biddeford.pdf](#)  
[School Committee Presentation 7.28.2020.pdf](#)

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

## Instructions for Public Participation

The Biddeford School Committee will hold a meeting on Tuesday, July 28, 2020, at 7:00 PM.

This meeting 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

Time: Tuesday, July 28, 2020, 7:00 PM Eastern Time

Please click the link below to join the webinar:

<https://zoom.us/j/92126259425?pwd=aS9OL215MFVJTEVHUVZZUE9kNDJrQT09>

Passcode: 784262

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 646 558 8656

As a meeting viewer, you will not be shown on the camera, 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 outbreak, the Biddeford School Committee will not 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](http://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](http://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](#).

Biddeford School Department  
Tuesday, July 28, 2020  
7:00 pm  
Zoom “Virtual Meeting”  
**ADDENDUM**

**I. New Business:**

- a. Approval of updated school [calendar 2020-2021](#)

**L. Executive Session:**

- a. Collective Bargaining Agreement Between the Biddeford School Committee and the Biddeford Educational Technicians III's and Library Aides Association MEA/NEA in pursuant to 1.M.R.S.A § 405(6)(D)

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**School Committee Members:**

|                         |                      |
|-------------------------|----------------------|
| Alan Casavant-Chair     | Randy Forcier        |
| Lisa Vадnais-Vice Chair | Dominic Deschambault |
| Karen Ruel              | Nate Bean            |
| Amy Grohman             | Rebecca Henry        |

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

Biddeford School Department  
Tuesday, July 14, 2020  
4:30 pm  
Virtual Zoom Meeting  
**Minutes**

**Public Viewing:**

The meeting can be viewed in the following locations:

**Local Cable Access Station**

[City of Biddeford Website](#)

Please click the link below to join the webinar:

<https://zoom.us/j/92126259425?pwd=aS9OL215MFVJTEVHUWZZUE9kNDJrQT09>

Password: 784262

Dial(for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 646 558 8656

**Public Participation - [Further Instructions](#)**

- A. Call to Order:** Meeting was called to order at 4:32 pm
- B. Roll Call:** Alan Casavant, Jeremy Ray, Mandy Cyr, Christopher Indorf, Randy Forcier, Amy Grohman, Nate Bean, and Lisa Vadnais were all present.
- C. Pledge of Allegiance:**
- D. Adjustments to the Agenda:** None
- E. Approval of Last Meeting's Minutes:** Minutes from [6/9/2020](#) ~ Randy Forcier moved to approve the minutes from 6/9/2020, Amy Grohman seconded, and all were in favor.
- F. Consent Agenda:** ~ Nate Bean moved to approve the consent agenda, Amy Grohman seconded, and all were in favor.

**Appointments:**

- Erin O'Connor ~ Ed Tech III BMS ~ Replacing Meg Carpenter
- Marleah Wentworth ~ Student Services Resiliency Coordinator BMS ~ New Position
- Esther (Lisa) Miller ~ EII Ed Tech III BHS ~ Replacing Caitlin Tremberth who moved to a new position in the District

**Resignations:**

- Sherry Perreault ~ Recess Aide JFK ~ Resignation
- Rene Arsenault ~ Custodian BHS ~ Resignation
- Tammy Graffam ~ Administrative Assistant BHS School Year ~ Resignation

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**School Committee Members:**

|                         |                      |
|-------------------------|----------------------|
| Alan Casavant-Chair     | Randy Forcier        |
| Lisa Vadnais-Vice Chair | Dominic Deschambault |
| Karen Ruel              | Nate Bean            |
| Amy Grohman             | Rebecca Henry        |

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

- Erin O'Connor ~ FLS Special Education Teacher BMS ~ Moved to a new position in the District
  - Esther Miller ~ Ed Tech III BPS ~ Moved to a new position in the District
  - Patrick Bolin ~ Band Director BHS ~ Resignation
- G. Committee Reports:** The next Policy Committee meeting will be held on 7/21/2020 at 8:00 am via Zoom
- H. Old Business:**
- I. New Business:**
- Emergency Remote Instruction Parent Survey Results ~ Chris Indorf and Mandy Cyr ~ Chris Indorf and Mandy Cyr shared the remote instruction parent survey results.
  - Faculty and Staff Return to School Survey Results ~ Chris Indorf ~ Chris Indorf shared the faculty and staff return to school survey results.
  - Motion to Approve [School Committee Meeting Dates 2020-2021](#) ~ Lisa Vadnais moved to approve, Nate Bean seconded, and all were in favor.
  - [Biddeford School Department COVID Guidelines for Return to Work](#) ~ The guidelines were shared and the public had an opportunity to ask questions. Several people were in attendance and concerns were addressed by the school committee.
  - [Reopening Schools Presentation](#) ~ The presentation was shared and the public had an opportunity to ask questions. Several people were in attendance and concerns were addressed by the school committee.
- J. Superintendent's Report:**
- K. Communications:**
- L. Public Participation (3 minutes; any item)**
- M. Executive Session:**
- N. Adjournment:** Lisa Vadnais moved to adjourn the meeting at 7:15 pm, Amy Grohman seconded and all were in favor.

Due to the COVID-19 outbreak, the Biddeford School Committee will not meet in person but will conduct the public hearing and meeting through a zoom webinar. 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](http://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](http://www.biddefordschools.me).

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**School Committee Members:**

|                         |                      |
|-------------------------|----------------------|
| Alan Casavant-Chair     | Randy Forcier        |
| Lisa Vadnais-Vice Chair | Dominic Deschambault |
| Karen Ruel              | Nate Bean            |
| Amy Grohman             | Rebecca Henry        |

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



## MULTICULTURAL EDUCATION

The Biddeford School Department envisions a society that will ensure respect for all cultures, dignity for all communities, and justice for all peoples. The School Department recognizes that by embracing the cultural diversity of its community, it stands to enrich the educational experience of all its students and staff.

Biddeford School Department is therefore committed to a policy of multicultural/diversity education which manifests itself through the promotion of equity of opportunity for students of all genders and of every race, ethnicity, national or language origin, sexual orientation, religion, socioeconomic status, and physical and mental ability.

This means that academic excellence is the educational goal for every student, and the educational process shall be so structured as to accommodate the needs of every culture and diversity. Each school shall undertake to ensure that its curriculum and instructional materials, in alignment with Maine's Learning Results, are designed to recognize the contributions, achievements, and experiences of persons of all groups as a natural, honest, and routine matter, that is to say, the study of people of color ought shan't be reserved for Black History Month. The teaching methodologies and assessment systems used in conjunction with these resources are free of references or practices that would negatively impact a student because of culture or diversity. Materials such as posters, bulletins, and books (within classroom libraries or for curriculum usage) shall visually represent the diversity of our community.

Opportunities shall exist both in and out of the classroom for students to learn about and gain an appreciation for the uniqueness of their own heritage, as well as that of others, and to celebrate this uniqueness with activities in which all students are encouraged to participate. Opportunities shall also exist for students to develop the interpersonal and intergroup skills to function harmoniously in a highly diverse society and to learn to recognize and make appropriate responses to discrimination and prejudice. Additionally, schools are expected to provide opportunities for students to have contact with positive adult role models of their own culture or diversity whenever possible.

Schools shall value participation from parents and students of all cultures and diversities and shall make provisions to ensure that such participation is active and meaningful in nature.

In matters of discipline, schools shall ensure that all policies are enforced without prejudice or partiality. Schools shall exercise care to avoid or eliminate any practice that would condition students for career roles associated with stereotypes related to gender, race, ethnicity, national or language origin, sexual orientation, religion, socioeconomic status, and physical and mental ability.

The implementation of the Department's multicultural/diversity policy is a responsibility to be shared by all Biddeford School Department staff. To this end, staff development opportunities shall be provided to every employee to increase his/her effectiveness in relating to and interacting with students and parents of all cultures and ethnicities.

Cross Reference:     Diversity and Inclusion  
                         IJJ - Instructional and Library Materials Selection  
                         KHC-Distribution of Materials to Students  
                         IMB - Teaching About Controversial/Sensitive Issues  
                         AC-Nondiscrimination/Equal Opportunity and Affirmative Action  
                         ACA-Non-Sexist Language  
                         AD-Educational Philosophy/Mission  
                         ADA-School District Goals and Objectives

Adopted: \_\_\_\_\_

## EQUITY DIVERSITY AND INCLUSION

The Biddeford School Department is committed to the success of every student in each of our schools and to achieving our mission of ensuring that all students develop into effective communicators, creative and critical thinkers, and informed problem-solvers. We believe that the responsibility for student success is broadly shared by District staff, administrators, instructors, and families. We codify and formalize, in the form of a written policy subject to the valuable feedback of our community, our commitment to closing the opportunity, and creating learning communities that provide support and academic enrichment programs for all students. Additionally, we believe that it is the right of every student to have an equitable educational experience within the Biddeford School Department.

The concept of educational equity goes beyond formal equality--where all students are treated the same--to fostering a barrier-free environment where all students, regardless of their race, class or other personal characteristics such as creed, color, religion, ancestry, national origin, age, economic status, gender, sexual orientation including gender expression or identity, pregnancy status, marital status, physical appearance, the presence of any sensory, mental or physical disability, or the use of a trained dog guide or service animal by a person with a disability, have the opportunity to benefit equally.

With these commitments in mind, the Biddeford School Department will:

- Endeavor to raise the achievement of all students while narrowing the gaps between the lowest and highest performing students;
- Systematically interrogate student data, and where and if present, work to eliminate the racial predictability and disproportionality in all aspects of education and its administration (e.g., the disproportionate over application of discipline to students of color, their over-representation in Special Education, and their under-representation in various Advanced Learning programs);
- Ensure all students regardless of race or class have the opportunity to graduate from Biddeford's public schools ready to succeed in a racially and culturally diverse local, national, and global community.

In order to achieve educational equity for our students, the district shall:

- A. Equitable Access-** The district shall provide every student with equitable access to a high-quality curriculum, support, and other educational resources, even when this means differentiating resource allocation;
- B. Racial Equity Analysis-** The district shall engage in a comprehensive cycle of reviewing existing policies, programs, professional development and procedures to ensure the promotion of racial equity, and all applicable new policies, programs and procedures will be developed using a racial equity analysis tool;

- C. Workforce Equity-** The district shall actively work to have the teacher and administrator workforce be balanced and reflect the diversity of the student body. The district shall recruit, employ, support and retain a workforce that includes racial, gender, socioeconomic, ethnic and linguistic diversity, as well as culturally competent administrative, instructional and support personnel;
- D. Professional Development-** The district shall provide professional development to strengthen employees' knowledge and skills for eliminating opportunity gaps and other disparities in achievement;
- E. Welcoming School Environments-** The district shall ensure that each school creates a welcoming culture and inclusive environment that reflects and supports the diversity of the School District's student population, their families, and communities;
- F. Partnerships-** The district will include other partners who have demonstrated culturally specific expertise - including families, government agencies, institutes of higher learning, early childhood education organizations, community-based organizations, businesses, and the community in general - in meeting our high goals for educational outcomes;
- G. Multiple Pathways to Success-** The district shall provide multiple pathways to success in order to meet the needs of the diverse student body, and shall actively encourage, support and expect high academic achievement for all students;
- H. Recognizing Diversity-** Consistent with Maine's Learning Results and District policy and within budgetary considerations, the district shall provide materials and assessments that reflect the diversity of students and staff, and which are geared towards the understanding and appreciation of culture, class, language, ethnicity and other differences that contribute to the uniqueness of each student and staff member.

The Superintendent is authorized to develop procedures to implement this policy, including an action plan with clear accountability and metrics.

Cross Reference:    Commitment to Multicultural Education and Diversity  
                          IJJ - Instructional and Library Materials Selection  
                          KHC-Distribution of Materials to Students  
                          IMB - Teaching About Controversial/Sensitive Issues  
                          AC-Nondiscrimination/Equal Opportunity and Affirmative Action  
                          ACA-Non-Sexist Language  
                          AD-Educational Philosophy/Mission  
                          ADA-School District Goals and Objectives

Adopted:\_\_\_\_\_

## **STUDENT DISCRIMINATION/HARASSMENT AND TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES**

The Biddeford School Department has adopted these student procedures in order to provide prompt and equitable resolution of reports and complaints of unlawful discrimination and harassment of students, including sexual harassment, as described in policies AC – Nondiscrimination/Equal Opportunity and Affirmative Action and ACAA – Harassment and Sexual Harassment of Students.

Complaints alleging unlawful harassment or discrimination against employees based on a protected category should be addressed through the Biddeford School Committee’s Employee Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedures (ACAB-R).

Any individual who is unsure about whether unlawful discrimination or harassment has occurred and/or which complaint procedure applies is encouraged to contact the Affirmative Action Officer/Title, Coordinator.

Tiffany Jackson, Human Resources Manager  
18 Maplewood Ave, Biddeford, ME 04005  
207-282-8281  
[twjackson@biddefordschools.me](mailto:twjackson@biddefordschools.me)

### **I. DEFINITIONS**

For purposes of these complaint procedures, the following definitions will be used. The Affirmative Action Officer/Title IX Coordinator shall assess all reports and complaints to ensure that they are addressed under the appropriate policy and complaint procedure.

#### **A. Discrimination/Harassment Complaint Procedure Definitions**

1. “Discrimination or harassment”: Discrimination or harassment on the basis of an individual’s membership in a protected category, which, for students, includes race, color, sex, sexual orientation, gender identity, religion, ancestry, national origin or disability.
2. “Discrimination”: Treating individuals differently, or interfering with or preventing them from enjoying the advantages or privileges afforded to others because of their membership in a protected category.

3. “Harassment”: Oral, written, graphic, electronic or physical conduct relating to an individual’s actual or perceived membership in a protected category that is sufficiently severe, pervasive or persistent so as to interfere with or limit that individual’s ability to participate in the school unit’s programs or activities by creating a hostile, intimidating or offensive environment.
4. “Sexual harassment”: Under Maine law, this means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature in the following situations:
  - a. Submission to such conduct is made either explicitly or implicitly a term or condition of a student’s educational benefits;
  - b. Submission to or rejection of such conduct by a student is used as the basis for decisions on educational benefits; or
  - c. Such conduct has the purpose and effect of substantially interfering with a student’s academic performance or creates an intimidating, , or offensive environment.
5. “Sexual orientation”: Under Maine law, this means a person’s “actual or perceived heterosexuality, bisexuality, homosexuality or gender identity or expression.”
6. “Gender identity”: Under Maine law, this means “the gender-related identity, appearance, mannerisms or other gender-related characteristics of an individual, regardless of the individual’s assigned sex at birth.”
7. “Complaint” is defined as an allegation that a student has been discriminated against or harassed on the basis of race, color, sex, sexual orientation, gender identity, religion, ancestry, national origin or disability (and not otherwise addressed in the Title IX regulations and Section 3 of ACAA-R).
8. Complaints of bullying not involving the protected categories or definitions described above may be addressed under the Biddeford School Committee Policy JICK – Bullying and Cyberbullying of Students.

## B. Title IX Sexual Harassment Complaint Procedure Definitions

1. “Sexual Harassment”: Under the federal Title IX regulations, sexual harassment includes the following conduct on the basis of sex which takes place within the context of the school unit’s education programs and activities:
  - a. “Quid pro quo” sexual harassment by a school employee: Conditioning a school aid, benefit or service (such as a better grade or a college recommendation) on an individual’s participation in unwelcome sexual conduct;
  - b. “Hostile environment” sexual harassment: Unwelcome conduct based on sex that a reasonable person would determine is so severe, pervasive and objectively offensive that it effectively denies an individual’s equal access to the school unit’s education programs and activities; or
  - c. Sexual assault, dating violence, domestic, and stalking as these terms are defined in federal laws.
2. “Report”: Under the Title IX regulations, any individual may make a report of sexual harassment involving a student, whether the individual is the alleged victim or not. School employees are required to report possible incidents of sexual harassment involving a student. A report must be made to the Affirmative Action Officer/Title IX Coordinator. A report triggers certain actions by the AAO/Title IX Coordinator for the alleged victim of sexual harassment, but an investigation is not conducted unless a “Formal Complaint” is filed.
3. “Formal Complaint”: Under the Title IX regulations, the alleged victim of sexual harassment can file a written complaint that triggers the complaint procedure in Section 3 of ACAA-R. Only a student and/or their parent/legal guardian (and in certain circumstances, the AAO/Title IX Coordinator) may file a formal complaint.  
 “Student”: For the purposes of this procedure, a student is an individual who is enrolled or participating in the school unit’s education programs and activities, or is attempting to enroll or participate.

## II. DISCRIMINATION/HARASSMENT COMPLAINT PROCEDURE



This procedure should be used for any complaint of unlawful harassment or discrimination complaint based on a protected category which does not involve Title IX sexual harassment (which is addressed in Section 3).

A. How to Make A Complaint

1. School employees are required to promptly make a report to the AAO/Title IX Coordinator if they have reason to believe that a student has been discriminated against or harassed.
2. Students (and others) who believe that they or another student has been harassed or discriminated against should report their concern promptly to the AAO/Title IX Coordinator.
3. The individual making the report must provide basic information in writing concerning the allegation of harassment or discrimination (i.e., date, time, location, individual(s) who allegedly engaged in harassment or discrimination, description of the allegation) to the AAO/Title IX Coordinator.
4. If an individual is unsure as to whether unlawful discrimination or harassment has occurred, or who need assistance in preparing a written complaint, they are encouraged to discuss the matter with the AAO/Title IX Coordinator.
5. Individuals will not be retaliated against for reporting suspected discrimination or harassment, or for participating in an investigation. Retaliation is illegal under federal and state nondiscrimination laws, and any retaliation will result in disciplinary action, up to and including discharge for employees, and expulsion for students.
6. Individuals are encouraged to utilize the school unit's complaint procedure. However, individuals are hereby notified that they also have the right to report incidents of discrimination or harassment to the Maine Human Rights Commission, 51 State House Station, Augusta, Maine 04333 (telephone: 207-624-6290) and/or to the federal Office for Civil Rights, U.S. Department of Education, 5 Post Office Square, 8<sup>th</sup> Floor, Boston, MA 02109-3921 (telephone: 617-289-0111).

B. Complaint Handling and Investigation

1. The AAO/Title IX Coordinator will promptly inform the Superintendent or designee and the person who is the subject of the complaint (respondent) that a complaint has been received.
2. The AAO/Title IX Coordinator may pursue an informal resolution of the complaint with the agreement of the parties involved. Any party to the complaint may decide to end the informal resolution process and pursue the formal process at any point. Any informal resolution is subject to the approval of the parties and the Superintendent or designee, who shall consider whether the resolution is in the best interest of the school unit and the parties in light of the particular circumstances and applicable policies and laws.
3. The AAO/Title IX Coordinator may implement supportive measures to a student to reduce the risk of further discrimination or harassment to a student while an investigation is pending. Examples of supportive measures include, but are not limited to, ordering no contact between the individuals involved or changing classes.
4. The complaint will be investigated by a trained internal or external individual designated by the Superintendent or designee and the AAO/Title IX Coordinator. Any complaint about an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. Any complaint about the Superintendent or designee should be submitted to the Chair of the Biddeford School Committee, who should consult with legal counsel concerning the handling and investigation of the complaint.
5. The investigator shall consult with the AAO/Title IX Coordinator as agreed during the investigation process.
6. The respondent will be provided with an opportunity to be heard as part of the investigation. The complainant shall not be required to attend meetings with the respondent, but may choose to do so as part of an informal resolution process.
7. The complainant and the respondent may suggest witnesses to be interviewed and/or submit materials they believe are relevant to the complaint.

8. If the complaint is against an employee of the school unit, any rights conferred under an applicable collective bargaining agreement shall be applied.
9. Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.
10. The investigation shall be completed within 40 calendar or business days of receiving the complaint, if practicable. Reasonable extensions of time for good reason shall be allowed.
11. The investigator shall provide a written report and findings to the AAO/Title IX Coordinator.

C. Findings and Subsequent Actions

1. The AAO/Title IX Coordinator shall consult with the Superintendent or designee concerning the investigation and findings.
2. If there is a finding that discrimination or harassment occurred, the AAO/Title IX Coordinator, in consultation with the Superintendent or designee shall:
  - a. Determine what remedial action, if any, is required to end the discrimination or harassment, remedy its effect and prevent recurrence; and
  - b. Determine what disciplinary action should be taken against the individual(s) who engaged in discrimination or harassment if any.
3. Inform the complainant and the respondent in writing of the results of the investigation and its resolution (in accordance with applicable state and federal privacy laws).

D. Appeals

1. After the conclusion of the investigation, the complainant or respondent may seek an appeal of the findings solely on the basis of either: (a) prejudicial procedural error or (b) the discovery of previously unavailable relevant evidence that could significantly impact the outcome.

2. Appeals must be submitted in writing to the Superintendent or designee within five calendar or business days after receiving notice of the resolution.
3. Upon receipt of a valid appeal, the Superintendent or designee shall provide notice to the other party, along with an opportunity to provide a written statement within five calendar business days.
4. The Superintendent or designee shall review the available documentation and may conduct further investigation if deemed appropriate.
5. The Superintendent or designees decision on the appeal shall be provided to the parties within 10 calendar or business days, if practicable. The Superintendent or designee's decision shall be final.

E. Records

The AAO/Title IX Coordinator shall keep a written record of the complaint process.

III. TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURE

This section should be used only for complaints of Title IX sexual harassment as defined in Section 1.B.1.

A. How to Make A Report

1. School employees who have reason to believe that a student has been subjected to sexual harassment are required to promptly make a report to the AAO/Title IX Coordinator.
2. Students, parents/legal , or other individuals who believe a student has been sexually harassed are encouraged to make a report to the AAO/Title IX Coordinator.
3. If the individual making the report is the alleged victim, or if the alleged victim is identified by the individual making the report, the AAO/Title IX Coordinator will meet with the alleged victim to

discuss supportive measures that may be appropriate in the particular circumstances and explain the process for filing a formal complaint.

- a. Supportive measures are individualized measures designed to ensure the student can continue to access educational programs and activities (such as requiring no contact between individuals or changing classes).
  - b. Supportive measures may be continued even if the alleged victim chooses not to file a formal complaint, if appropriate under the particular circumstances.
4. The school unit cannot provide an informal resolution process for resolving a report unless a formal complaint is filed.
  5. Individuals will not be retaliated against for reporting sexual harassment, or for participating in an investigation. Retaliation is illegal under federal and state nondiscrimination laws, and any retaliation will result in disciplinary actions, up to and including discharge for employees, or expulsion for students.
  6. Any student (or their parent/legal guardian) who believes they have been the victim of sexual harassment is encouraged to utilize the school unit's complaint procedure. However, students (and their parents/legal guardians) are hereby notified that they also have the right to report sexual harassment to the Maine Human Rights Commission, 51 State House Station, Augusta, Maine 04333 (telephone: 207-624-6290) and/or to the federal Office for Civil Rights, U.S. Department of Education, 5 Post Office Square, 8<sup>th</sup> Floor, Boston, MA 02109-3921 (telephone: 617-289-0111).
  7. The Superintendent or designee shall be informed of all reports and formal complaints of sexual harassment.

#### B. How to Make A Formal Complaint

1. An alleged student victim and/or their parent/legal guardian may file a formal written complaint requesting investigation of alleged Title IX sexual harassment. The written complaint must include basic information concerning the allegation of sexual harassment (i.e., date, time, location, individual(s) who allegedly engaged in sexual harassment, description of the allegation).

Students who need assistance in preparing a formal written complaint, are encouraged to consult with the AAO/Title IX Coordinator.

2. In certain circumstances, the AAO/Title IX Coordinator may file a formal complaint even when the alleged victim chooses not to. Examples include if the respondent (person alleged to have engaged in sexual harassment) has been found responsible for previous sexual harassment or there is a safety threat within the school unit). In such cases, the alleged victim is not a party to the case but will receive notices as required by the Title IX regulations at specific points in the complaint process.
3. In accordance with the Title IX regulations, the AAO/Title IX Coordinator must dismiss a formal complaint under this Title IX procedure if: a) the conduct alleged in the formal complaint does not constitute sexual harassment under the Title IX regulations and this policy; or b) if the conduct alleged did not occur within the scope of the school unit's education programs and activities, or c) did not occur in the United States.
4. In accordance with the Title IX regulations, the AAO/Title IX Coordinator may dismiss a formal complaint under this Title IX procedure if: a) a complainant withdraws the formal complaint, or withdraws particular allegations within the complaint; b) the respondent is no longer employed by or enrolled in the school unit, or c) there are specific circumstances that prevent the school unit from gathering evidence sufficient to reach a determination regarding the formal complaint. However, if the conduct potentially violates other policies or laws, it may be addressed through the applicable Biddeford School Committee policy/procedure.
5. If a formal complaint is dismissed under this Title IX procedure, the AAO/Title IX Coordinator will promptly and simultaneously send written notices to the parties explaining the reasons. Parties have the opportunity to appeal dismissals in accordance with subsection I below.
6. If the conduct alleged in a formal complaint potentially violates other laws, Biddeford School Committee policies and/or professional expectations, the school unit may address the conduct under Section 2 or another applicable Biddeford School Committee policy/procedure.

### C. Emergency Removal or Administrative Leave

The Superintendent or designee may remove a student from education programs and activities on an emergency basis, or place an employee on administrative leave during the complaint procedure:

1. If there is a determination (following an individualized safety and risk analysis) that there is an immediate threat to the physical health or safety of an individual arising from the allegations of sexual harassment. Examples of such circumstances might include, but are not limited to, a continued threat of violence against a complainant by a respondent, or a respondent's threat of self-harm due to the allegations.
2. The respondent (and in the case of a student, their parent/legal guardian will be provided notice of the emergency removal or administrative leave, and will be provided an opportunity to challenge the decision following the removal (this is an opportunity to be heard, not a hearing). The respondent has the burden to demonstrate why emergency removal or administrative leave was unreasonable.
3. Any such decision shall be made in compliance with any applicable disability laws, including the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act and the Americans with Disabilities Act.

### D. Notice to Parties of Formal Complaint

1. The Title IX Coordinator will provide to the parties written notice of the formal complaint and allegations of sexual harassment potentially constituting prohibited conduct under the Title IX regulations and this procedure. The notice shall include:
  - Notice regarding the complaint procedure and the availability of an informal resolution process;
  - Sufficient details known at the time (including identities of parties, if known; the conduct alleged; and the date and location of the alleged incident, if known), with sufficient time to prepare before any initial interview (not less than five calendar or business days);

- As required by the Title IX regulations, a statement that the respondent is presumed not responsible for the alleged conduct and that a determination of responsibility will be made at the conclusion of the complaint); and that the parties may inspect and review evidence;
  - Notice that the parties may each have an advisor of their choice (who may be an attorney), and that the parties may inspect and review evidence;
  - Notice that knowingly making false statements or submitting false information during the complaint process is prohibited and may result in disciplinary action;
  - Notice of the name of the investigator, with sufficient time (no less than three calendar or business days) to raise concerns of conflict of interest or bias.
2. If additional allegations become known at a later time, notice of the additional allegations will be provided to the parties.
  3. The AAO/Title IX Coordinator will discuss supportive measures with each party and implement such measures as appropriate.

#### E. Informal Resolution Process

After a formal complaint has been filed, and if the AAO/Title IX Coordinator believes the circumstances are appropriate, the AAO/Title IX Coordinator may offer the parties the opportunity to participate in an informal resolution process to resolve the complaint without completing the investigation and determination process. Informal resolutions cannot be used to resolve a formal complaint where a student is the complainant and the respondent is an employee.

Informal resolutions can take many forms, depending on the particular case. Examples include, but are not limited to, facilitated discussions between the parties; restorative justice; acknowledgment of responsibility by a respondent; apologies; disciplinary actions against a respondent or a requirement to engage in specific services; or supportive measures. Both parties must voluntarily agree in writing to participate in an informal resolution process, and either party can withdraw from the process at any time. The Superintendent or designee must agree to the terms of any informal resolution reached between the parties. If an informal resolution agreement is reached, it must be signed by both parties and the school unit. Any such signed agreement is final and binding according to its terms.



If an informal resolution process does not resolve the formal complaint, nothing from the informal resolution process may be considered as evidence in the subsequent investigation or determination.

F. Investigation

1. The complaint will be investigated by a trained internal or external individual designated by the Superintendent or designee and AAO/Title IX Coordinator. Any complaint about an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. Any complaint about the Superintendent or designee should be submitted to the Chair of the Biddeford School Committee, who should consult with legal counsel concerning the handling and investigation of the complaint.
2. The investigator shall consult with the AAO/Title IX Coordinator as agreed during the investigation process.
3. If the complaint is against an employee of the school unit, rights conferred under an applicable collective bargaining agreement shall be applied, to the , they do not conflict with the Title IX regulatory requirements.
4. Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.
5. The investigator will:
  - a. Meet with each party after they have received appropriate notice of any meeting and its purpose, with sufficient time to prepare.
  - b. Allow parties to have their advisor at all meetings related to the complaint, although advisors may not speak on behalf of a party or interfere with the process.
  - c. Allow parties a reasonable opportunity to identify witnesses and submit favorable and unfavorable evidence.
  - d. Interview witnesses and conduct such other activities that will assist in ascertaining facts (site visits, review of documents, etc.).

- e. Consider evidence that is relevant and directly related to the allegations in the formal complaint.
  - f. During the course of the investigation, provide both parties with an equal opportunity to inspect and review any evidence that is obtained in the investigation that is directly related to the allegations in the formal complaint (including evidence which the school unit does not intend to rely upon in reaching a determination of responsibility), and favorable and unfavorable evidence.
  - g. Prior to completion of the investigation report, provide each party and advisor (if any) the evidence subject to inspection and review, and provide the parties with ten calendar or business days to submit a written response.
  - h. Consider the parties' written responses to the evidence prior to completing the investigation report.
  - i. Create an investigative report that fairly summarizes relevant evidence and send the report to the parties and advisors (if any), for their review and written responses within ten calendar or business days of receipt.
  - j. After receipt of the parties' written responses (if any), forward the investigation report and party responses to the assigned decision maker.
6. The investigation shall be concluded within 40 calendar or business days if practicable. Reasonable extension of time for good reason shall be allowed.

G. Determination of Responsibility

- 1. The decision maker shall provide the parties with the opportunity to submit written, relevant questions that the party wants asked of another party or witness within five calendar or business days of when the decision maker received the investigation report and party responses.
  - a. The decision maker shall explain to a party proposing questions if the decision maker excludes a question as not relevant.

2. Each party shall be provided the opportunity to review the responses of another party and/or witness, and to ask limited written follow-up questions within five calendar or business days of receiving the answers.
3. Each party will receive a copy of the responses to any follow-up questions.
4. The decision maker shall review the investigation report, the parties' responses and other relevant materials, applying the preponderance of the evidence standard ("more likely than not").
5. The decision maker shall issue a written determination, which shall include the following:
  - a. Identification of all the allegations potentially constituting sexual harassment as defined in the Title IX regulations and this policy;
  - b. A description of the procedural steps taken from receipt of the formal complaint through the determination, including notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and meetings held;
  - c. A determination regarding responsibility as to each allegation and findings of fact supporting the determinations;
  - d. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the school unit imposes on the respondent, and whether remedies designed to restore or preserve equal access to the school unit's programs and activities will be provided to the complainant;
  - e. The school unit's appeal procedure and permissible bases for the parties to appeal the determination.
6. The written determination shall be provided to the parties simultaneously. The determination concerning responsibility becomes final either on the date that the school unit provides the parties with the written determination of the results of the appeal, if

an appeal is filed, or if an appeal is not filed, the date on which the appeal would no longer be considered timely.

## H. Remedies, Discipline and Other Actions

### 1. Remedies

Remedies are measures used to ensure that the complainant has equal access to the school unit's education programs and activities following the decision maker's determination. Such remedies may include supportive measures, and may include other appropriate measures, depending upon the determination and the needs of the complainant. The Title IX Coordinator is responsible for implementing remedies and providing any needed assistance to the Complainant.

### 2. Discipline and Other Actions - Students

The following are of the types of discipline and other actions that may be imposed on a student when there is a determination that they are responsible for one or more violations involving sexual harassment:

- In or out of school suspension.
- Expulsion.
- Restorative justice.
- Requirement to engage in education or counseling program.

### 3. Discipline and Other Actions – Employees

The following are examples of the types of disciplinary actions that may be imposed on an employee when there is a determination that they are responsible for one or more violations involving sexual harassment:

- Written warning.
- Probation.
- Demotion.
- Suspension without pay.
- Discharge.

The following are examples of other types of actions that may be imposed on an employee when there is a determination of responsibility:

- Performance improvement plan.
- Counseling.
- Training.
- Loss of leadership/stipend position.

## I. Appeals

The parties have the opportunity to appeal a determination regarding responsibility, and from dismissals of formal complaints. Under the Title IX regulations, appeals are allowed on the following grounds:

1. A procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal of the formal complaint was made, that could affect the outcome of the matter; or
3. The Title IX Coordinator, investigator, or decision maker had a conflict of interest or bias for or against complainants or respondents generally, or the individual complainant or respondent that affected the outcome of the matter.

An appeal must be filed in writing within five calendar or business days of receiving the determination, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

1. Appeals must be filed with the Superintendent or designee, who will consider the appeal.
2. The Superintendent or designee shall notify the other party in writing of the appeal and will allow both parties to submit a written statement in support of, or challenging, the determination of the decision-maker.
3. The Superintendent or designee shall conduct an impartial review of the appeal, including consideration of the written record of the matter, and may consult with legal counsel or other school unit officials in making their decision.

4. The Superintendent or designee shall issue a written decision describing the result of the appeal and rationale for the result, and provide the written decision simultaneously to the parties. The decision will either deny the appeal; grant the appeal and remand to the decision maker for further consideration; or grant the appeal by revising the disciplinary or other action(s).

#### J. Records

Records in connection with sexual harassment reports and the complaint process shall be maintained for a minimum of seven years.

Legal Reference: Americans with Disabilities Act (42 U.S.C. §12101 et seq., as amended; 28 C.F.R. § 35.107)  
 Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. § 794 et seq., as amended; 34 C.F.R. § 104.7)  
 Title IX of the Education Amendments of 1972 (20 USC § 1681, et seq.); 34 C.F.R. Part 106  
 Clery Act (20 U.S.C. §1092(f)(6)(A)(v) - definition of sexual assault)  
 Violence Against Women Act (34 U.S.C. § 1092(f)(6)(A)(v) – definition of sexual assault; 34 U.S.C. § 12291(a)(10) – dating violence; 34 U.S.C. §12291(a)(3) – definition of stalking; 34 U.S.C. §12291(a)(8) – definition of domestic violence)  
 Title VI of the Civil Rights Act of 1964 (42 USC § 2000d)  
 Maine Human Rights Act, 5 MRSA § 4551 et seq.  
 20-A MRSA § 6553  
 MHRC/MDOE Joint Rule Chapter 94-348 and 05-071, ch. 4

Cross Reference: ACAA-R – Student Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedures  
 AC – Nondiscrimination/Equal Opportunity and Affirmative Action  
 ACAD – Hazing  
 GBEB – Staff Conduct with Students  
 JFCK – Student Use of Cellular Telephones and Other Electronic Devices  
 JICIA – Weapons, Violence and School Safety  
 JICK – Bullying

Adopted: \_\_\_\_\_

## **EMPLOYEE DISCRIMINATION/HARASSMENT AND TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES**

The School Committee has adopted these employee procedures in order to provide prompt and equitable resolution of employee complaints of discrimination and harassment, including sexual harassment, as described in policies AC – Nondiscrimination/Equal Opportunity and Affirmative Action and ACAB – Harassment and Sexual Harassment of School Employees.

The complaint procedure in Section 2 may also be used, to the extent applicable, by visitors, including parents, volunteers and others having lawful access to the schools who wish to make a complaint of discrimination or harassment.

Complaints alleging harassment or discrimination against students based on a protected category should be addressed through the School Committee’s Student Discrimination/ Harassment and Title IX Sexual Harassment Complaint Procedures (ACAA-R).

Any individual who is unsure about whether discrimination or harassment has occurred and/or or which complaint procedure applies is encouraged to contact the Affirmative Action Officer/Title IX Coordinator.

Tiffany Jackson, Human Resources Manager  
18 Maplewood Ave, Biddeford, ME  
207-282-8281  
twjackson@biddefordschools.me

### **I. DEFINITIONS**

For purposes of these complaint procedures, the following definitions will be used. The Affirmative Action Officer/Title IX Coordinator shall assess all reports and complaints to ensure that they are addressed under the appropriate policy and complaint procedure.

#### **A. Discrimination/Harassment Complaint Procedure Definitions**

1. “Discrimination or harassment”: Discrimination or harassment on the basis of an individual’s membership in a protected category, which, for employees, includes race, color, sex, sexual orientation, gender identity, age, religion, ancestry, national origin, genetic information or disability.
2. “Discrimination”: Treating individuals differently, or interfering with or preventing them from enjoying the advantages or privileges

afforded to others because of their membership in a protected category.

3. “Harassment”: Oral, written, graphic, electronic or physical conduct relating to an individual’s actual or perceived membership in a protected category that is sufficiently severe, pervasive or persistent so as to interfere with or limit that individual’s ability to participate in the school unit’s programs or activities by creating a hostile, intimidating or offensive environment.
4. Under Title VII and under Maine law/regulations, sexual harassment is defined differently than under Title IX. Maine Human Rights Commission regulations define sexual harassment as conduct on the basis of sex which satisfies one or more of the following:
  - a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment;
  - b. Submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting the employee; or
  - c. Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.
5. “Sexual orientation”: Under Maine law, this means a person’s “actual or perceived heterosexuality, bisexuality, homosexuality or gender identity or expression.”
6. “Gender identity”: Under Maine law, this means “the gender-related identity, appearance, mannerisms or other gender-related characteristics of an individual, regardless of the individual’s assigned sex at birth.”
7. “Complaint” is defined as an allegation that an employee or other third party has been discriminated against or harassed on the basis of race, color, sex, sexual orientation, gender identity, age, religion, ancestry, national origin, genetic information or disability (and in regard to sex, conduct not otherwise addressed in the Title IX regulations and Section 3 of ACAB-R).



8. “Employee”: Whenever the term “employee” is used in Section 2, it includes visitors or others who have a lawful basis to make a complaint of discrimination or harassment.

B. Title IX Sexual Harassment Complaint Procedure Definitions

1. “Title IX sexual harassment”: Under the federal Title IX regulations, sexual harassment includes the following conduct on the basis of sex which takes place within the context of the school unit’s education programs and activities:
  - a. “Quid pro quo” sexual harassment by a school employee: Conditioning a school aid, benefit or service (such as a promotion or favorable evaluation) on an individual’s participation in unwelcome sexual conduct;
  - b. “Hostile environment” sexual harassment: Unwelcome conduct based on sex that a reasonable person would determine is so severe, pervasive and objectively offensive that it effectively denies an individual’s equal access to the school unit’s education programs and activities; or
  - c. Sexual assault, dating violence, domestic violence and stalking as these terms are defined in federal laws.
2. “Report”: Under the Title IX regulations, any individual may make a report of sexual harassment involving an employee, whether the individual is the alleged victim or not. A report must be made to the Affirmative Action Officer/Title IX Coordinator. A report triggers certain actions by the AAO/Title IX Coordinator for the alleged victim of sexual harassment, but an investigation is not conducted unless a “Formal Complaint” is filed.
3. “Formal Complaint”: Under Title IX, the alleged victim of sexual harassment can file a written complaint that triggers the complaint procedure in Section 3 of ACAB-R. Only a school employee (and in certain circumstances, the AAO/Title IX Coordinator) may file a formal complaint.
4. “Employee”: For the purpose of this procedure, “employee” means an applicant for employment or a current employee of the school unit.

This procedure should be used for any complaint of unlawful harassment or discrimination based on a protected category which does not involve Title IX sexual harassment.

#### A. How to Make A Complaint

1. An employee who believes they have been unlawfully harassed or discriminated against (as such terms are defined in Section 1.A.1-3) is encouraged to try to resolve the problem by informing the individual(s) that the behavior is unwelcome or offensive, and requesting that the behavior stop. This shall not prevent the employee from making an immediate complaint to the AAO/Title IX Coordinator.
2. Any employee who believes they have been harassed or discriminated against should report their concern promptly to the AAO/Title IX Coordinator. A written complaint must include basic information concerning the allegation of harassment or discrimination (i.e., date, time, location, individual(s) who alleged engaged in harassment or discrimination, description of allegation).
3. Employees who are unsure as to whether unlawful discrimination or harassment has occurred, or who need assistance in preparing a written complaint, are encouraged to discuss the matter with the AAO/Title IX Coordinator.
4. Employees will not be retaliated against for reporting suspected discrimination or harassment, or for participating in an investigation. Retaliation is illegal under federal and state nondiscrimination laws, and any retaliation will result in disciplinary measures, up to and including discharge.
5. Any employee who believes they have been discriminated against or harassed is encouraged to utilize the school unit's complaint procedure. However, employees are hereby notified that they also have the right to report incidents of discrimination or harassment to the Maine Human Rights Commission, 51 State House Station, Augusta, Maine 04333 (telephone: 207-624-6290) and/or to the federal Office for Civil Rights, U.S. Department of Education, 5 Post Office Square, 8<sup>th</sup> Floor, Boston, MA 02109-3921 (telephone: 617-289-0111).

#### B. Complaint Handling and Investigation

BIDDEFORD SCHOOL DEPARTMENT

1. The AAO/Title IX Coordinator will promptly inform the Superintendent or Designee and the person who is the subject of the complaint (respondent) that a complaint has been received.
2. The AAO/Title IX Coordinator may pursue an informal resolution of the complaint with the agreement of the parties involved. Any party to the complaint may decide to end the informal resolution process and pursue the formal process at any point. Any informal resolution is subject to the approval of the parties and the Superintendent or Designee, who shall consider whether the resolution is in the best interest of the school unit and the parties in light of the particular circumstances and applicable policies and laws.
3. The AAO/Title IX Coordinator may implement supportive measures (consistent with any applicable collective bargaining agreement provisions) to reduce the risk of further discrimination or harassment while an investigation is pending. Examples of supportive measures include, but are not limited to, ordering no contact between the individuals involved; changing a work location or changing a work schedule.
4. The complaint will be investigated by a trained internal or external individual designated by the Superintendent or Designee and the AAO/Title IX Coordinator. Any complaint about an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. Any complaint about the Superintendent or Designee should be submitted to the Chair of the School Committee, who should consult with legal counsel concerning the handling and investigation of the complaint.
5. The investigator shall consult with the AAO/Title IX Coordinator as agreed during the investigation process.
6. The respondent will be provided with an opportunity to be heard as part of the investigation. The complainant shall not be required to attend meetings with the respondent, but may choose to do so as part of an informal resolution process.
7. The complainant and the respondent may suggest witnesses and/or submit materials they believe are relevant to the complaint.

8. If the complaint is against an employee of the school unit, any rights conferred under an applicable collective bargaining agreement shall be applied.
9. Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.
10. The investigation shall be completed within 40 calendar or business days of receiving the complaint, if practicable. Reasonable extensions of time for good reason shall be allowed.
11. The investigator shall provide a written report and findings to the AAO/Title IX Coordinator.

C. Findings and Subsequent Actions

1. The AAO/Title IX Coordinator shall consult with the Superintendent or Designee concerning the investigation and findings.
2. If there is a finding that discrimination or harassment occurred, the AAO/Title IX Coordinator, in consultation with the Superintendent or Designee:
  - a. Shall determine what remedial action, if any, is required to end the discrimination or harassment, remedy its effect and prevent recurrence; and
  - b. Determine what disciplinary action should be taken against the individual(s) who engaged in discrimination or harassment, if any.
3. Inform the complainant and the respondent in writing of the results of the investigation and its resolution (in accordance with applicable state and federal privacy laws).

D. Appeals

1. After the conclusion of the investigation, the complainant or respondent may seek an appeal of the findings solely on the basis of either: (a) prejudicial procedural error or (b) the discovery of previously unavailable relevant evidence that could significantly impact the outcome.

2. Appeals must be submitted in writing to the Superintendent or Designee within five calendar or business days after receiving notice of the resolution.
3. Upon receipt of a valid appeal, the Superintendent or Designee shall provide notice to the other party, along with an opportunity to provide a written statement within five calendar or business days.
4. The Superintendent or Designee shall review the available documentation and may conduct further investigation if deemed appropriate.
5. The Superintendent or Designee's decision on the appeal shall be provided to the parties within 10 calendar or business days, if practicable. The Superintendent or Designee's decision shall be final.

E. Records

The AAO/Title IX Coordinator shall keep a written record of the complaint process.

### III. TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURE

This section should be used only for complaints of Title IX sexual harassment as defined in Section 1.B.1.

A. How to Make A Report

1. Any individual who believes an employee has been sexually harassed (as this term is defined in Section 1.B.1) may make a report to the AAO/Title IX Coordinator.
2. If the individual making the report is the alleged victim, or if the alleged victim is identified by the individual making the report, the AAO/Title IX Coordinator will meet with the alleged victim to discuss supportive measures that may be appropriate in the particular circumstances and explain the process for filing a formal complaint.
  - a. Supportive measures are individualized measures designed to ensure the employee can continue to access and perform their work (such as requiring no contact between individuals, temporarily moving work locations or changing schedules, etc.).

- b. Supportive measures may be continued even if the alleged victim chooses not to file a formal complaint, if appropriate under the particular circumstances.
3. The school unit cannot provide an informal resolution process for resolving a report until a formal complaint is filed.
4. Employees will not be retaliated against for reporting sexual harassment, or for participating in an investigation. Retaliation is illegal under federal and state nondiscrimination laws, and any retaliation will result in disciplinary actions, up to and including discharge.
5. Any employee who believes they have been the victim of sexual harassment is encouraged to utilize the school unit's complaint procedures. However, employees are hereby notified that they also have the right to report sexual harassment to the Maine Human Rights Commission, 51 State House Station, Augusta, Maine 04333 (telephone: 207-624-6290) and/or to the federal Office for Civil Rights, U.S. Department of Education, 5 Post Office Square, 8<sup>th</sup> Floor, Boston, MA 02109-3921 (telephone: 617-289-0111).
6. The Superintendent or Designee shall be informed of all reports and formal complaints of sexual harassment.

#### B. How to Make A Formal Complaint

1. An alleged victim may file a formal written complaint requesting investigation of alleged Title IX sexual harassment. The written complaint must include basic information concerning the allegation of sexual harassment (i.e., date, time, location, individual(s) who alleged engaged in sexual harassment, description of allegation).

Employees who need assistance in preparing a formal written complaint, are encouraged to consult with the AAO/Title IX Coordinator.

2. In certain circumstances, the AAO/Title IX Coordinator may file a formal complaint even when the alleged victim chooses not to. Examples include if the respondent (person alleged to have engaged in sexual harassment) has been found responsible for previous sexual harassment or there is a safety threat within the school unit). In such cases, the alleged victim is not a party to the case, but will receive

notices as required by the Title IX regulations at specific points in the complaint process.

3. In accordance with the Title IX regulations, the AAO/Title IX Coordinator must dismiss a formal complaint under this Title IX procedure if: a) the conduct alleged in the formal complaint does not constitute sexual harassment under the Title IX regulations and this policy; b) if the conduct alleged did not occur within the scope of the school unit's education programs and activities, or c) did not occur in the United States.
4. In accordance with the Title IX regulations, the AAO/Title IX Coordinator may dismiss a formal complaint under this Title IX procedure if: a) a complainant withdraws the formal complaint, or withdraws particular allegations within the complaint; b) the respondent is no longer employed by the school unit; or c) there are specific circumstances that prevent the school unit from gathering evidence sufficient to reach a determination regarding the formal complaint.
5. If a formal complaint is dismissed under this Title IX procedure, the AAO/Title IX Coordinator will promptly and simultaneously send written notices to the parties explaining the reasons. Parties have the opportunity to appeal dismissals in accordance with subsection I below.
6. If the conduct alleged potentially violates other laws, School Committee policies and/or professional expectations, the school unit may address the conduct under Section 2 or another applicable policy/procedure.

#### C. Administrative Leave

The Superintendent or Designee may place a respondent on administrative leave during the complaint procedure:

1. If there is a determination (following an individualized safety and risk analysis) that there is an immediate threat to the physical health or safety of an individual arising from the allegations of sexual harassment. Examples of such circumstances might include, but are not limited to, a continued threat of violence against a complainant by a respondent, or a respondent's threat of self-harm due to the allegations.

2. The respondent will be provided notice of the administrative leave, and will be provided an opportunity to challenge the decision following the removal (this is an opportunity to be heard, not a hearing). The respondent has the burden to demonstrate why the emergency leave was unreasonable.
3. Any such decision to place an employee on administrative leave shall be made in compliance with any applicable disability laws, including Section 504 of the Rehabilitation Act and the Americans with Disabilities Act.

D. Notice to Parties of Formal Complaint

1. The Title IX Coordinator will provide to the parties written notice of the formal complaint and allegations of sexual harassment potentially constituting prohibited conduct under the Title IX regulations and this procedure. The notice will include:
  - Notice regarding the complaint procedure and the availability of an informal resolution process;
  - Sufficient details known at the time (including identities of parties, if known; the conduct alleged; and the date and location of the alleged incident, if known), with sufficient time to prepare before any initial interview (not less than five calendar or business days);
  - As required by the Title IX regulations, a statement that the respondent is presumed not responsible for the alleged conduct and that a determination of responsibility will be made at the conclusion of the complaint; and that the parties may inspect and review evidence;
  - Notice that the parties may each have an advisor of their choice (who may be an attorney), and that the parties may inspect and review evidence;
  - Notice that knowingly making false statements or submitting false information during the complaint procedure is prohibited and may result in disciplinary action; and
  - Notice of the name of the investigator, with sufficient time (no less than three calendar or business days) to raise concerns of conflict of interest or bias.
2. If additional allegations become known at a later time, notice of the additional allegations will be provided to the parties.



3. The AAO/Title IX Coordinator will discuss supportive measures with each party and implement such measures as appropriate.

E. Informal Resolution Process

After a formal complaint has been filed, and if the AAO/Title IX Coordinator believes the circumstances are appropriate, the AAO/Title IX Coordinator may offer the parties the opportunity to participate in an informal resolution process to resolve the complaint without completing the investigation and determination process. Informal resolutions cannot be used to resolve a formal complaint where a student is the complainant and the respondent is an employee.

Informal resolutions can take many forms, depending on the particular case. Examples include, but are not limited to, facilitated discussions between the parties; restorative justice; acknowledgment of responsibility by a respondent; apologies; disciplinary actions against a respondent or a requirement to engage in specific services; or supportive measures. Both parties must voluntarily agree in writing to participate in an informal resolution process, and either party can withdraw from the process at any time. The Superintendent or Designee must agree to the terms of any informal resolution reached between the parties. If an informal resolution agreement is reached, it must be signed by both parties and the school unit. Any such signed agreement is final and binding according to its terms.

If an informal resolution process does not resolve the formal complaint, nothing from the informal resolution process may be considered as evidence in the subsequent investigation or determination.

F. Investigation

1. The complaint will be investigated by a trained internal or external individual designated by the Superintendent or Designee and AAO/Title IX Coordinator. Any complaint about an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. Any complaint about the Superintendent or Designee should be submitted to the Chair of the School Committee, who should consult with legal counsel concerning the handling and investigation of the complaint.
2. The investigator shall consult with the AAO/Title IX Coordinator as agreed during the investigation process.

3. If the complaint is against an employee of the school unit, rights conferred under an applicable collective bargaining agreement shall be applied, to the extent they do not conflict with the Title IX regulatory requirements.
4. Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.
5. The investigator will:
  - a. Meet with each party after they have received appropriate notice of any meeting and its purpose, with sufficient time to prepare.
  - b. Allow parties to have their advisor at all meetings related to the complaint, although advisors may not speak on behalf of a party or interfere with the process.
  - c. Allow parties a reasonable opportunity to identify witnesses and submit favorable and unfavorable evidence.
  - d. Interview witnesses and conduct such other activities that will assist in ascertaining facts (site visits, review of documents, etc.).
  - e. Consider evidence that is relevant and directly related to the allegations in the formal complaint.
  - f. During the course of the investigation, provide both parties with an equal opportunity to inspect and review any evidence that is obtained in the investigation that is directly related to the allegations in the formal complaint (including evidence which the school unit does not intend to rely upon in reaching a determination of responsibility), and favorable and unfavorable evidence.
  - g. Prior to completion of the investigation report, provide each party and advisor (if any) the evidence subject to inspection and review, and provide the parties with ten calendar or business days to submit a written response.
  - h. Consider the parties' written responses to the evidence prior to completing the investigation report.

- i. Create an investigative report that fairly summarizes relevant evidence and send the report to the parties and advisors (if any), for their review and written responses within ten calendar or business days of receipt.
  - j. After receipt of the parties' written responses (if any), forward the investigation report and party responses to the assigned decision maker.
6. The investigation shall be concluded within 40 calendar or business days if practicable. Reasonable extension of time for good reason shall be allowed.

#### G. Determination of Responsibility

- 1. The decision maker shall provide the parties with the opportunity to submit written, relevant questions that the party wants asked of another party or witness within five calendar or business days of when the decision maker received the investigation report and party responses.
  - a. The decision maker shall explain to a party proposing questions if the decision maker excludes a question as not relevant.
- 2. Each party shall be provided the opportunity to review the responses of another party and/or witness, and to ask limited written follow-up questions within five calendar or business days of receiving the answers.
- 3. Each party will receive a copy of the responses to any follow-up questions.
- 4. The decision maker shall review the investigation report, the parties' responses and other relevant materials, applying the preponderance of the evidence standard ("more likely than not").
- 5. The decision maker shall issue a written determination, which shall include the following:
  - a. Identification of all the allegations potentially constituting sexual harassment as defined in the Title IX regulations and this policy;

- b. A description of the procedural steps taken from receipt of the formal complaint through the determination, including notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and meetings held;
  - c. A determination regarding responsibility as to each allegation and findings of fact supporting the determinations;
  - d. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the school unit imposes on the respondent, and whether remedies designed to restore or preserve equal access to the school unit's programs and activities will be provided to the complainant;
  - e. The school unit's appeal procedure and permissible bases for the parties to appeal the determination.
6. The written determination shall be provided to the parties simultaneously. The determination concerning responsibility becomes final either on the date that the school unit provides the parties with the written determination of the results of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which the appeal would no longer be considered timely.

## H. Remedies, Discipline and Other Actions

### 1. Remedies

Remedies are measures used to ensure that the complainant has equal access to the school unit's education programs and activities following the decision maker's determination. Such remedies may include supportive measures, and may include other appropriate measures, depending upon the determination and the needs of the complainant. The Title IX Coordinator is responsible for implementing remedies and providing any needed assistance to the Complainant.

### 2. Discipline and Other Actions

The following are examples of the types of disciplinary actions that may be imposed on an employee when there is a determination that

they are responsible for one or more violations involving sexual harassment:

- Written warning.
- Probation.
- Demotion.
- Suspension without pay.
- Discharge.

The following are examples of other types of actions that may be imposed on an employee when there is a determination of responsibility:

- Performance improvement plan.
- Counseling.
- Training.
- Loss of leadership/stipend position.

## I. Appeals

The parties have the opportunity to appeal a determination regarding responsibility, and from dismissals of formal complaints. Under the Title IX regulations, appeals are allowed on the following grounds:

1. A procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal of the formal complaint was made, that could affect the outcome of the matter; or
3. The Title IX Coordinator, investigator, or decision maker had a conflict of interest or bias for or against complainants or respondents generally, or the individual complainant or respondent that affected the outcome of the matter.

An appeal must be filed in writing within five calendar or business days of receiving the determination, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

1. Appeals must be filed with the Superintendent or Designee, who will consider the appeal.

2. The Superintendent or Designee shall conduct an impartial review of the appeal, including consideration of the written record of the matter, and may consult with legal counsel or other school unit officials in making their decision.
3. The Superintendent or Designee shall issue a written decision describing the result of the appeal and rationale for the result, and provide the written decision simultaneously to the parties. The decision will either deny the appeal; grant the appeal and remand to the decision maker for further consideration; or grant the appeal by revising the disciplinary action(s).

#### J. Records

Records in connection with sexual harassment reports and the complaint process shall be maintained for a minimum of seven years.

Legal References: Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.); 34 C.F.R. Part 106  
 Clery Act (20 U.S.C. §1092(f)(6)(A)(v) - definition of sexual assault)  
 Violence Against Women Act (34 U.S.C. § 1092(f)(6)(A)(v) – definition of sexual assault; 34 U.S.C. § 12291(a)(10) – dating violence; 34 U.S.C. §12291(a)(3) – definition of stalking; 34 U.S.C. §12291(a)(8) – definition of domestic violence)  
 Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d)  
 Americans with Disabilities Act (42 U.S.C § 12101 et seq.), as amended  
 Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. § 794 et seq.), as amended  
 Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e, et. seq.; 29 C.F.R. § 1604.11)  
 Age Discrimination in Employment Act (29 U.S.C. § 623 et seq.)  
 Genetic Information Nondiscrimination Act of 2008 (42 U.S.C. § 2000ff et seq.)

Cross Reference: AC – Nondiscrimination/Equal Opportunity and Affirmative Action  
 ACAB – Harassment and Sexual Harassment of School Employees

Adopted:\_\_\_\_\_

## **STUDENT DISCRIMINATION AND HARASSMENT COMPLAINT PROCEDURE**

This procedure has been adopted by the Biddeford School Committee in order to provide a method of prompt and equitable resolution of student complaints of discrimination or discriminatory harassment as described in policies AC—Nondiscrimination/Equal Opportunity and Affirmative Action and ACAA—Harassment and Sexual Harassment of Students.

### **Definitions**

For purposes of this procedure:

- A. A “Complaint” is defined as an allegation that a student has been discriminated against or harassed on the basis of race, color, sex, sexual orientation, religion, ancestry, national origin, or disability; and
- B. “Discrimination or harassment” means discrimination or harassment on the basis of race, color, sex, sexual orientation, religion, ancestry, national origin, or disability.

### **How to Make a Complaint**

- A. Any student who believes he/she has been discriminated against or harassed should report their concern promptly to Building Leader/Support Staff. Students who are unsure whether discrimination or harassment has occurred are encouraged to discuss the situation with Building Leader/Support Staff.
- B. School staff is expected to report possible incidents of discrimination or harassment of students. Parents and other adults are also encouraged to report any concerns about possible discrimination or harassment of students.
- C. Students and others will not be retaliated against for making a Complaint. Any retaliation by students or school staff will result in disciplinary measures, up to and including expulsion or dismissal.
- D. Students are encouraged to utilize the school unit’s Complaint Procedure. However, students are hereby notified that they also have the right to report Complaints to the Maine Human Rights Commission, State House Station 51, Augusta, ME 04333 (telephone: 207-624-6050) and/or to U.S. Department of Education, Office for Civil Rights/ED, 5 Post Office Square, Suite 900, Boston, MA 02109-3921 (telephone: 617-223-9662; TDD: 877-521-2172; fax: 617-289-0150).

### **Complaint Handling and Investigation**

- A. Building Leader/Support Staff shall promptly inform the Superintendent and the person(s) who is the subject of the Complaint that a Complaint has been received.

~~B. Building Leader/Support Staff may pursue an informal resolution of the Complaint with the agreement of the parties involved. The informal resolution is subject to the approval of the Superintendent, who shall consider whether the informal resolution is in the best interest of the school unit in light of the particular circumstances and applicable policies and laws.~~

~~C. The Complaint will be investigated by Building Leader/Support Staff unless the Superintendent chooses to investigate the complaint or designates another person to investigate it on his/her behalf. Any Complaint about an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. Any Complaint about the Superintendent should be submitted to the Chair of the Biddeford School Committee, who should consult with legal counsel concerning the handling and investigation of the complaint.~~

~~1. The person who is the subject of the Complaint will be provided with an opportunity to be heard as part of the investigation.~~

~~2. If the Complaint is against an employee of the school unit, any applicable individual or collective bargaining contract provisions shall be followed.~~

~~3. Privacy rights of all parties to the Complaint shall be maintained in accordance with applicable state and federal laws.~~

~~4. Building Leader/Support Staff shall keep a written record of the investigation process.~~

~~5. Building Leader/Support Staff may take interim remedial measures to reduce the risk of further discrimination or harassment while the investigation is pending.~~

~~6. Building Leader/Support Staff shall consult with the Superintendent concerning the investigation, conclusions, and any remedial and/or disciplinary actions.~~

~~7. The investigation shall be completed within 21 business days of receiving the Complaint, if practicable.~~

~~D. If Building Leader/Support Staff determines that discrimination or harassment occurred, he/she shall, in consultation with the Superintendent:~~

~~1. Determine what remedial action is required, if any;~~

~~2. Determine what disciplinary action should be taken against the person(s) who engaged in discrimination or harassment if any; and~~

~~3. Inform the student who made the Complaint in writing of the results of the investigation and its resolution (in accordance with applicable state and federal privacy laws).~~



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

Legal Reference:      ~~Americans with Disabilities Act (28 CFR § 35.07)~~  
                             ~~Section 504 of the Vocational Rehabilitation Act (34 CFR § 104.7)~~  
                             ~~Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.)~~  
                             ~~Title VI of the Civil Rights Act of 1964 (P.L. 88-352)~~  
                             ~~20 USC § 1232g; 34 CFR Part 99~~  
                             ~~5 MRSA §§ 4571; 4602; 4681 et seq.~~  
                             ~~20-A MRSA §§ 6001 et seq.~~

Cross Reference:      ~~AC - Nondiscrimination/Equal Opportunity and Affirmative Action~~  
                             ~~ACAA - Harassment and Sexual Harassment of Students~~

Adopted:              June 8, 2004

Revised:              July 8, 2008, October 22, 2013

## EMPLOYEE DISCRIMINATION AND HARASSMENT COMPLAINT PROCEDURE

The Biddeford School Committee has adopted this procedure in order to provide a method of prompt and equitable resolution of employee complaints of discrimination and harassment as described in policies AC—Nondiscrimination/Equal Opportunity and Affirmative Action and ACAB—Harassment and Sexual Harassment of School Employees.

### Definitions

For the purposes of this procedure:

A. ~~A “Complaint” is defined as an allegation that an employee has been discriminated against or harassed on the basis of race, color, sex, sexual orientation, religion, ancestry, national origin, or disability.~~

B. ~~“Discrimination or harassment” means discrimination or harassment on the basis of race, color, sex, sexual orientation, religion, ancestry, national origin, or disability. “Sexual orientation,” under Maine law, means a person’s “actual or perceived heterosexuality, bisexuality, homosexuality or gender identity or expression.”~~

~~“Discrimination” may include treating individuals differently, or interfering with or preventing them from enjoying the advantages or privileges afforded to others because of their membership in a protected class.~~

~~“Harassment” may include oral, written, graphic, electronic, or physical conduct relating to an individual’s actual or perceived membership in a protected class that is sufficiently severe, pervasive, or persistent so as to interfere with or limit that individual’s ability to participate in the school unit’s programs or activities by creating a hostile, intimidating, or offensive environment.~~

C. ~~As used in this procedure, the term “employee” includes third parties who are making a complaint of discrimination or harassment.~~

### **How to Make a Complaint**

A. ~~Any employee who believes he/she has been harassed or discriminated against is encouraged to try to resolve the problem by informing the individual(s) that the behavior is unwelcome or offensive and by requesting that the behavior stop. This shall not prevent the employee, however, from making an immediate formal complaint.~~

B. ~~Any employee who believes he/she has been discriminated against or harassed should report their concern promptly to the Building Leader. If the employee is uncomfortable reporting concerns to the Building Leader, he/she may report the concern to the Affirmative Action Officers. The report should be made in writing to the Affirmative Action Officers. (The names of the Affirmative Action Officers will be posted in each building.)~~

~~Employees who are unsure as to whether unlawful discrimination or harassment has occurred are encouraged to discuss their concerns with an Affirmative Action Officer. Employees will not be retaliated against for reporting suspected discrimination or harassment or for participating in an investigation. Retaliation is illegal under federal and Maine discrimination laws, and any retaliation will result in employee discipline, up to and including termination.~~

~~C. Any employee who believes he/she has been discriminated against or harassed is encouraged to utilize the school unit's complaint procedure. However, employees are hereby notified that they also have the right to report incidents of discrimination or harassment to the Maine Human Rights Commission, State House Station 51, Augusta, ME 04333 (telephone: 207-624-6290) and/or to the Regional Director, Office for Civil Rights U.S. Department of Education, 5 Post Office Square, 8<sup>th</sup> Floor, Boston, MA 02110-1491 (telephone: 617-289-0111).~~

### **Complaint Handling and Investigation**

- ~~A. Building Leader or Affirmative Action Officers will promptly inform the Superintendent and the person who is the subject of the complaint that a complaint has been received.~~
- ~~B. Building Leader or Affirmative Action Officers may pursue an informal resolution of the complaint with the agreement of the parties involved. The informal resolution is subject to the approval of the Superintendent, who shall consider whether the resolution is in the best interest of the school unit in light of particular circumstances and applicable policies and law.~~
- ~~C. The Affirmative Action Officers will investigate the complaint, unless the Superintendent chooses to investigate the complaint or designates another person to investigate it on his/her behalf. Any complaint about an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. Any complaint about the Superintendent should be submitted to the Chair of the Biddeford School Committee, who should consult with legal counsel concerning the handling and investigation of the complaint.~~
- ~~1. The person who is the subject of the complaint will be provided with an opportunity to be heard as part of the investigation. The complainant shall not be required to attend meetings with the person who is the subject of the complaint, but may choose to do so as part of the resolution process.~~
  - ~~2. Both the complainant and the person who is the subject of the complaint may suggest witnesses and/or submit materials they believe are relevant to the complaint.~~
  - ~~3. If the complaint is against an employee of the school unit, any rights conferred under an applicable collective bargaining agreement shall be applied.~~
  - ~~4. Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.~~
  - ~~5. Affirmative Action Officers shall keep a written record of the investigation process.~~
  - ~~6. Affirmative Action Officers may take interim remedial measures (consistent with any applicable collective bargaining agreement provisions) to reduce the risk of further discrimination or harassment while the investigation is pending.~~
  - ~~7. Affirmative Action Officers shall consult with the Superintendent concerning the investigation, conclusions, and any remedial and/or disciplinary actions.~~
  - ~~8. The investigation shall be completed within 21 business days of receiving the complaint, if practicable.~~
- ~~D. If the Affirmative Action Officers determine that discrimination or harassment occurred, he/she shall,~~

in consultation with the Superintendent:

- ~~1. Determine what remedial action is required, if any, is required to end the discrimination or harassment, remedy its effect, and prevent recurrence;~~
  - ~~2. Determine what disciplinary action should be taken against the person(s) who engaged in harassment,~~
  - ~~3. Inform the employee who made the complaint in writing of the results of the investigation and its resolution (in accordance with applicable state and federal privacy laws).~~
- E. After the conclusion of the investigation, the employee who made the complaint or the person who is the subject of the complaint may seek an appeal of the findings, but solely on the basis of either a) prejudicial procedural error, or b) the discovery of previously unavailable relevant evidence that could significantly impact the outcome. Appeals must be submitted, in writing, to the Superintendent within 14 business days after receiving notice of the resolution. Upon receipt of a valid appeal, the Superintendent shall review the investigation report and may conduct further investigation if deemed appropriate. The Superintendent's decision on the appeal shall be provided within 21 business days, if practicable.

Legal Reference: ~~Americans with Disabilities Act (28 CFR § 35.07)~~  
~~Section 504 of the Vocational Rehabilitation Act (34 CFR § 104.7) Title IX~~  
~~of the Educational Amendments of 1972 (34 CFR § 106.8(b) Age~~  
~~Discrimination in Employment Act (34 CFR § 110.25)~~  
~~Genetic Information Nondiscrimination Act (42 USC § 2000ff et seq.)~~  
~~Maine Human Rights Act (5 M.R.S.A. § 4571 et seq., 4681 et seq.)~~

Cross Reference: ~~AC – Nondiscrimination/Equal Opportunity and Affirmative Action~~  
~~ACAB – Harassment and Sexual Harassment of School Employees~~

Adopted: ~~11/13/01~~

Revised: ~~7/8/08, 10/22/13, 1/8/19~~

## NONDISCRIMINATION/EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION

The Biddeford School Committee ~~is committed to maintaining a workplace and learning environment that is free from illegal discrimination and harassment.~~ **does not discriminate on the basis of sex or other protected categories in its education programs and activities, as required by federal and state laws/regulations.**

In accordance with applicable Federal and/or State laws and regulations, the Biddeford School Department prohibits discrimination against and harassment of employees, candidates for employment, students and others with rights to admission or access to school programs, activities or premises on the bases of race, color, sex, sexual orientation, **gender identity**, religion, ancestry or national origin, **age**, ~~or~~ disability or **genetic information are prohibited**. For the purpose of this policy, “sexual orientation” means a person’s actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression.

~~Further, in compliance with Federal law, the Biddeford School Department prohibits discrimination against school unit employees and candidates for employment on the basis of age or genetic information.~~

The Biddeford School Committee delegates to the Superintendent the responsibility ~~for implementing this policy.~~ **to implement a continuing program designed to prevent discrimination against all applicants, employees, students, and other individuals having access rights to school premises and activities.**

The Biddeford School Department Affirmative Action Plan will include the designation of an Affirmative Action Officer who will be responsible for ensuring compliance with all Federal and State requirements related to nondiscrimination, **including sexual harassment**. The Affirmative Action Officer will be appointed by the Superintendent and will be a person with direct access to the Superintendent.

The Superintendent/Affirmative Action Officer shall be responsible for ensuring that notice of compliance with Federal and State civil rights laws is provided to all applicants for employment, employees, students, parents, and others, as appropriate.

**The Biddeford School Department has implemented complaint procedures for resolving complaints of discrimination/harassment and sexual harassment under this policy. The school unit provides required notices of these complaint procedures and how they can be accessed, as well as the school unit’s compliance with federal and state civil rights laws and regulations to all applicants for employment, employees, students, parents, and other interested parties.**

Legal Reference:      Equal Employment Opportunities Act of 1972 (P.L. 92-261) amending Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000(e) et seq.)  
                                  Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.)  
                                  Title VI of the Civil Rights Act of 1964 (P.L. 88-352)  
                                  Age Discrimination in Employment Act of 1967 (29 U.S.C. § 621 et seq.)  
                                  Equal Pay Act of 1963 (29 U.S.C. § 206)  
                                  Vocational Rehabilitation Act of 1973 (29 U.S.C. § 794 et seq.)

Americans with Disabilities Act (42 U.S.C. § 12101 et seq.)  
Genetic Information Nondiscrimination Act of 2008 (GINA)  
(42 U.S.C. § 2000ff et seq.)  
5 MRSA § 4551 (Maine Human Rights Act); 19301-19302

Cross Reference: Biddeford School Department Affirmative Action Plan  
ACAA – Harassment and Sexual Harassment of  
Students  
ACAB – Harassment and Sexual Harassment of School

Employees Adopted: April 27, 1999

Revised: July 8, 2008, April 23, 2013, \_\_\_\_\_

Reviewed: January 8, 2019

## HARASSMENT AND SEXUAL HARASSMENT OF STUDENTS

Harassment of students because of race, color, sex, sexual orientation, religion, ancestry or national origin, or disability is prohibited. Such conduct is a violation of the School Committee policy and may constitute illegal discrimination under state and federal laws.

**School employees, fellow students, volunteers, visitors to the schools, and other persons with whom students may interact in order to pursue or engage in education programs and activities, are required to refrain from such conduct.**

**Harassment and sexual harassment of students by school employees is considered grounds for disciplinary action, up to and including discharge. Harassment and sexual harassment of students by other students is considered grounds for disciplinary action, up to and including expulsion. The Superintendent will determine appropriate sanctions for harassment of students by persons other than school employees and students.**

### A. Harassment

Harassment includes but is not limited to verbal abuse **and other offensive conduct** based on race, color, sex, sexual orientation, **gender identity** religion, ancestry or national origin, or disability. Harassment that rises to the level of physical assault, battery and/or abuse and/or bullying behavior are also addressed in the Biddeford School Committee policy JICIA – Weapons, Violence, and School Safety **and JICK - Bullying**

### B. Sexual Harassment

~~Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors or pressure to engage in sexual activity, physical contact of a sexual nature, gestures, comments, or other physical, written or verbal conduct that is gender-based that interferes with a student's education. School employees, fellow students, volunteers and visitors to the school, and other persons with whom students may interact in order to pursue school activities are required to refrain from such conduct.~~

Sexual harassment is addressed under federal and state laws/regulations. The scope and definitions of sexual harassment under these laws differ, as described below.

~~Harassment/sexual harassment of students by school employees is considered grounds for disciplinary action, up to and including discharge. Harassment/sexual harassment of students by other students is considered grounds for disciplinary action, up to and including expulsion. The Superintendent will determine appropriate sanctions for harassment of students by persons other than school employees and students.~~

~~The Superintendent or the employee designated as the Title IX Coordinator **[may be the Affirmative Action Officer/Sexual Harassment Officer(s) as determined by the local school unit]** will investigate complaints of harassment in accordance with the Student Harassment Complaint Procedure. School~~

~~employees, students, and parents shall be informed of this policy/procedure through handbooks and/or other means selected by the school administration.~~

## 1. TITLE IX SEXUAL HARASSMENT

Under the federal Title IX regulations, sexual harassment includes the following conduct on the basis of sex which takes place within the context of the school unit's education programs and activities:

- a. "Quid pro quo" sexual harassment by a school employee: Conditioning a school aid, benefit or service (such as a better grade or a college recommendation) on an individual's participation in unwelcome sexual conduct;
- b. "Hostile environment" sexual harassment: Unwelcome conduct based on sex that a reasonable person would determine is so severe, pervasive and objectively offensive that it effectively denies an individual's equal access to the school unit's education programs and activities; or
- c. Sexual assault, dating violence, domestic, and stalking as these terms are defined in federal laws.

## 2. Sexual Harassment Under Maine Law

Under Maine law, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature in the following situations:

- a. Submission to such conduct is made either explicitly or implicitly term or condition of a student's educational benefits;
- b. Submission to or rejection of such conduct by a student is used as the basis for decisions on educational benefits; or
- c. Such conduct has the purpose and effect of substantially interfering with a student's academic performance or creates an intimidating, or offensive environment.

## C. Reports and Complaints of Harassment or Sexual Harassment

All school employees are required to report possible incidents of harassment or sexual harassment involving students to the Affirmative Action Officer/Title IX Coordinator. Failure to report such incidents may result in disciplinary action.



Students, parents/legal, and other individuals are strongly encouraged to report possible incidents of harassment or sexual harassment involving students to the Affirmative Action Officer/Title IX Coordinator. The Affirmative Action Officer/Title IX Coordinator is also available to answer questions and provide assistance to any individual who is unsure whether harassment or sexual harassment has occurred.

All reports and complaints of harassment or sexual harassment against students shall be addressed through the Student Discrimination/Harassment and Title IX Sexual Harassment Procedures (ACAA-R).

- Legal Reference:** ~~Title IX of the Education Amendments of 1972 (20 USC § 1681, et seq.)~~  
~~Title VI of the Civil Rights Act of 1964 (42 USC § 2000(d))~~  
~~5 MRSA §§ 4602; 4681 et seq.~~  
~~20-A MRSA § 6553~~
- Cross Reference:** ~~ACAA-R—Student Harassment Complaint Procedure~~  
~~AC—Nondiscrimination/Equal Opportunity and Affirmative Action~~  
~~ACAD—Hazing~~  
~~HICIA—Weapons, Violence and School Safety~~  
~~HCK—Bullying~~
- Legal Reference:** Americans with Disabilities Act (42 U.S.C. §12101 et seq., as amended; 28 C.F.R. § 35.107)  
Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. § 794 et seq., as amended; 34 C.F.R. § 104.7)  
Title IX of the Education Amendments of 1972 (20 USC § 1681, et seq.); 34 C.F.R. Part 106  
Clery Act (20 U.S.C. §1092(f)(6)(A)(v) - definition of sexual assault)  
Violence Against Women Act (34 U.S.C. § 1092(f)(6)(A)(v) – definition of sexual assault; 34 U.S.C. § 12291(a)(10) – dating violence; 34 U.S.C. §12291(a)(3) – definition of stalking; 34 U.S.C. §12291(a)(8) – definition of domestic violence)  
Title VI of the Civil Rights Act of 1964 (42 USC § 2000d)  
Maine Human Rights Act, 5 MRSA § 4551 et seq.  
20-A MRSA § 6553  
MHRC/MDOE Joint Rule Chapter 94-348 and 05-071, ch. 4
- Cross Reference:** ACAA-R – Student Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedures  
AC – Nondiscrimination/Equal Opportunity and Affirmative Action  
ACAD – Hazing  
GBEB – Staff Conduct with Students

JFCK – Student Use of Cellular Telephones and Other Electronic  
Devices  
JICIA – Weapons, Violence and School Safety  
JICK - Bullying

Adopted: May 31, 1989

Revised: April 27, 1999, January 11, 2005, July 11, 2006, July 8, 2008, \_\_\_\_\_

Reviewed (no changes): October 8, 2013

BIDDEFORD SCHOOL DEPARTMENT

## **HARASSMENT AND SEXUAL HARASSMENT OF SCHOOL EMPLOYEES**

Harassment of school employees because of race, color, sex, sexual orientation, **gender identity**, religion, ancestry or national origin, age, or **genetic information or** disability is prohibited. Such conduct is a violation of the Biddeford School Committee policy and may constitute illegal discrimination under state and federal laws.

**Any employee who engages in harassment or sexual harassment shall be subject to disciplinary action, up to and including discharge.**

### **A. Harassment**

Harassment includes but is not limited to verbal abuse, threats, physical assault and/or battery based on race, color, sex, sexual orientation, **gender identity**, religion, ancestry or national origin, age, **genetic information** or disability. Under the Maine Civil Rights Act, violence or threats of violence against a person or their property based on their sexual orientation are also illegal.

### **B. Sexual Harassment**

~~Unwelcome sexual advances, suggestive or lewd remarks, requests for sexual favors, and other verbal and physical conduct of a sexual nature constitute sexual harassment when;~~

**Sexual harassment is addressed under federal and state laws and regulations. The scope and definitions of sexual harassment under these laws differ, as described below.**

- ~~A. Submission to such conduct is made either explicitly or implicitly a term or condition of an employee's work environment or employee benefits;~~
- ~~B. Submission to or rejection of such conduct by an employee is used as the basis for decisions on employment benefits; and/or~~
- ~~C. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.~~

~~Any employee who engages in harassment or sexual harassment will be subject to disciplinary action, up to and including discharge.~~

All complaints of harassment will be investigated in accordance with the School Employee Discrimination and Harassment Complaint Procedure.

### **Notice and Training**

New Employees will be furnished a paper copy of this policy; existing employees whose tenure exceeds 12 months are required to review the School Employee Discrimination and Harassment Complaint Procedure annually.

## **1. Title IX Sexual Harassment**

**Under the federal Title IX regulations, sexual harassment includes the following conduct on the basis of sex which takes place within the context of the school unit's education programs and activities:**

- a. **"Quid pro quo" sexual harassment by a school employee: Conditioning a school aid, benefit or service (such as a promotion or favorable evaluation) on an individual's participation in unwelcome sexual conduct;**
- b. **"Hostile environment" sexual harassment: Unwelcome conduct based on sex that a reasonable person would determine is so severe, pervasive and objectively offensive that it effectively denies an individual's equal access to the school unit's education programs and activities; or**
- c. **Sexual assault, dating violence, domestic violence and stalking as these terms are defined in federal laws.**

## **2. Sexual Harassment Under Title VII and Maine Law**

**Under another federal law, Title VII, and under Maine law/regulations, sexual harassment is defined differently. Maine Human Rights Commission regulations define sexual harassment as conduct on the basis of sex which satisfies one or more of the following:**

- a. **Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;**
- b. **Submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting the employee; or**
- c. **Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.**

**C. Reports and Complaints of Harassment or Sexual Harassment**

**Any employee who believes they have been harassed or sexually harassed is encouraged to make a report to the Affirmative Action Officer/Title IX Coordinator. The Affirmative Action Officer/Title IX Coordinator is also available to answer questions and provide assistance to any individual who is unsure whether harassment or sexual harassment has occurred.**

**All reports and complaints regarding harassment or sexual harassment of employees shall be addressed through the Employee & Third-Party Unlawful Discrimination/ Harassment and Title IX Sexual Harassment Complaint Procedures (ACAB-R).**

Legal Reference: ~~Title IX of the Education Amendments of 1972 (20 USC § 1681 et seq.) Title VI of the Civil Rights Act of 1964 (42 USC § 2000d) Americans with Disabilities Act (42 USC § 12101 et seq.) Section 504 of the Vocational Rehabilitation Act of 1973 (29 USC § 794 et seq.) Title VII (42 USC § 2000e-2; 29 CFR § 1604.11) Age Discrimination in Employment Act (29 USC § 623) 5 MRSA §§ 4602; 4681 et seq. 20-A MRSA § 6553 26 MRSA §§ 806-807 Genetic Information Nondiscrimination Act (42 USC 20000ff et seq.) Maine Human Rights Act (5 MRSA §4681 et seq.)~~

Cross Reference: ~~ACAB-R – School Employee Discrimination and Harassment Complaint Procedure  
AC – Nondiscrimination/Equal Opportunity and Affirmative Action ACAD – Hazing~~

Legal References Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.); 34 C.F.R. Part 106  
Clery Act (20 U.S.C. §1092(f)(6)(A)(v) - definition of sexual assault)

Violence Against Women Act (34 U.S.C. § 1092(f)(6)(A)(v) – definition of sexual assault; 34 U.S.C. § 12291(a)(10) – dating violence; 34 U.S.C. § 12291(a)(3) – definition of stalking; 34 U.S.C. § 12291(a)(8) – definition of domestic violence)

Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d)

Americans with Disabilities Act (42 U.S.C § 12101 et seq.), as amended

Section 504 of the Rehabilitation Act of 1973 (Section 504) (29 U.S.C. § 794 et seq.), as amended

Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e, et. seq.; 29 C.F.R. § 1604.11)

Age Discrimination in Employment Act (29 U.S.C. § 623 et seq.)

Genetic Information Nondiscrimination Act of 2008 (42 U.S.C. § 2000ff et seq.)

5 MRSA § 4551 et seq.

MHRC Rule Chapter 94-348, ch. 3

26 MRSA §§ 806-807

Cross Reference    ACAB-R- Employee Discrimination/Harassment and Title IX  
Sexual Harassment Complaint Procedure  
AC - Nondiscrimination/Equal Opportunity and Affirmative Action  
ACAD - Hazing

Adopted:        November 13, 2001  
Revised:        July 8, 2008, \_\_\_\_\_  
Reviewed:       October 8, 2013

**\*\*DRAFT PENDING SCHOOL COMMITTEE APPROVAL\*\***

**COVID-19 RETURN TO SCHOOL GUIDELINES  
FOR STUDENTS & FAMILIES**



*Addendum to the Student Handbook*

*UPDATED: 7/27/2020 based on current Maine CDC Guidelines*

*The Biddeford School Committee approved this document in public session on July 28, 2020. The School Committee recognizes the unprecedented times in which schools operate and the fluidity of our public health scenario, deputizing the Superintendent to make changes to this document, without Board approval, based on emerging legal or health guidance.*

## MESSAGE FROM SUPERINTENDENT JEREMY RAY

In response to COVID-19, the Biddeford School Department (BSD) will comply with the guidelines set forth by the Maine Centers for Disease Control (CDC), as well as the State of Maine, which are incorporated herein. These BSD Guidelines will be in effect from August 1, 2020 to December 31, 2020 and will be updated with the latest CDC and State of Maine guidelines. Our goal is to continue to minimize the risk of possible transmission of COVID-19 and safely bring back as many students as possible to an in-person school setting to maximize learning. Therefore, these BSD COVID GUIDELINES are mandatory for all students and their families.

The year we are about to embark upon will be a difficult one for students, parents/guardians, and staff. We consider the safety of your children as our collective responsibility and staff will be flexible as we undergo processes that were not present in previous school experiences. With a continued focus on positive relationships, meeting our students' social/emotional needs and the overall wellbeing of the "whole child", we strive to successfully meet this challenge and become stronger for it. Please join us as we remain *Tiger Strong*.

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"We have a chance to do something extraordinary.

As we head out of this pandemic we can change the world.

Create a world of love. A world where we are kind to each other.

A world where we are kind no matter what class, race,  
sexual orientation, what religion or lack of or what job we have.

A world we don't judge those at the food bank because  
that may be us if things were just slightly different.

Let love and kindness be our roadmap."

- Johnny Corn

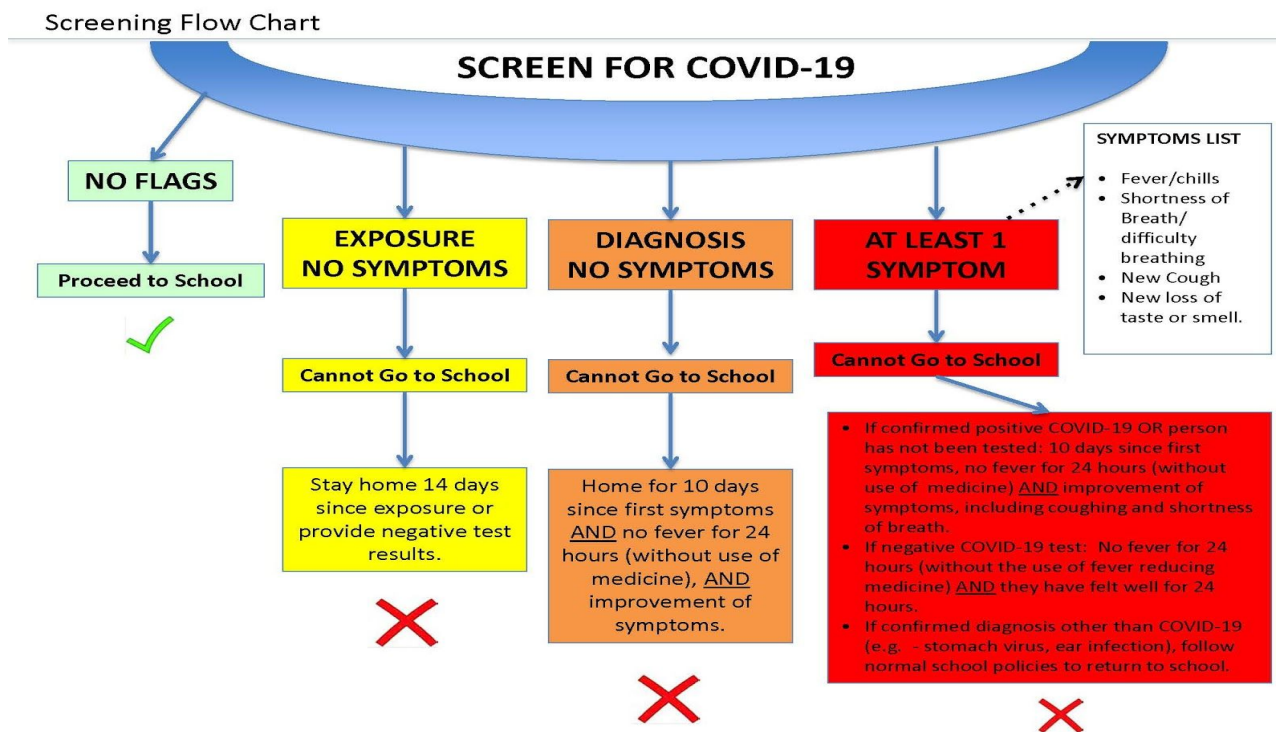
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## HEALTH & SAFETY

### DAILY SELF-ASSESSMENT:

- Prior to boarding the bus or drop-off, Parents/Guardians will need to complete a self-screening assessment daily for their child to check for [symptoms of COVID-19](#). Certain responses will require that a child remain home. In this event, Parents/Guardians should contact their child's School Nurse. The self-screening will be available in paper form or an online app.
- *Daily self-assessment questions:*
  - Have I been out of the state in the last 14 days?
  - Do I or have I been living with anyone who is sick or quarantined?
  - Do I or have I been around anyone exhibiting these symptoms within the last 14 days:
    - Do I or have I had a loss of taste or smell?
    - Do I or have I had shortness of breath?
    - Do I have a fever or feel feverish?
    - Do I have a cough or sore throat?
    - Do I feel unwell today?
- Parents/guardians should follow the flow chart if ANY COVID-19 symptoms are identified:



### FACE COVERINGS/MASKS:

- All students are required to wear a face covering/mask that covers their nose and mouth when in the presence of others or maintain six (6) feet of distance--about two arm's length-- at all times

throughout the day. [See CDC guidance on social distancing](#). Maintaining three (3) feet of distance is acceptable between and among students when combined with the other measures outlined in this list of safety requirements.

- Face coverings must be worn when entering or exiting buildings, while traveling in hallways, and generally when moving about the school. Exceptions may include, but are not limited to:
  - While eating
  - While sitting at their desk in the classroom when more than 6 feet apart
  - While on the playground, if social distancing allows
  - While participating in music practice, if permitted
  - When the student's face cannot safely be covered due to a medical condition in which case a doctor's note must be provided and the student would wear a face shield.
- Face coverings must be worn by all students utilizing transportation by bus or van.
- All students will be provided with two [face coverings](#) (age appropriate design and size). If disposable, these should be replaced daily. If cloth, these should be [washed daily](#). Face coverings are subject to meeting current dress code standards in regards to the appropriateness of language/images, etc.
- Face shields may be an alternative for those students with a medical, behavioral, or other challenges who are unable to wear masks/face coverings. Face shields worn in place of a face covering must extend below the chin and back to the ears.

### **PREVENTION MEASURES:**

- All students must practice [proper handwashing guidelines](#) and use hand sanitizer upon entering the school, their classroom, before and after donning or removing a face covering, and throughout the day. Hands should be washed with soap and water for at least 20 seconds when visibly soiled, before and after eating, and after coughing/sneezing and using the restroom.
- All students must practice proper [CDC infection control measures](#):
  - If coughing or sneezing, students must cover their mouth and nose with a tissue, or the inside of their elbow, and immediately discard the tissue.
  - Avoid touching their eyes, nose, or mouth.
  - Avoid touching any surfaces unnecessarily.
  - Refrain from physical contact, including hugs and hand-shakes.
- Restroom procedures will be established at each school to limit the number of students in the hallway and restrooms at one time.
- Students should only bring to school what is absolutely essential for each day. Any items brought to school should fit into a single backpack.
- Classrooms will be reconfigured to allow physical distance with students facing one direction.
- The use of lockers will be suspended. Students will be allowed to carry a backpack with them.
- Sharing of items (electronic devices, toys, books, and other games or learning aids) will be discouraged and restricted.

- Each child's belongings will be separated from others' and in individually labeled containers, cubbies, or areas.
- Curriculum nights, open houses and back-to-school events will be facilitated virtually.
- Field trips, assemblies, and other large gatherings will not be allowed.
- See CDC's informational video on how to [Stop the spread of germs](#)

### **FOOD DISTRIBUTION/MEALS:**

- Students will remain in classrooms for all snacks and meals.
- Students will maintain six (6) feet of physical distance while eating breakfast and lunch as students will be unable to wear face coverings during these times.
- Students are encouraged to bring a full water bottle each day as water fountains will be closed. Bottles may be refilled using our filling stations (for those schools that have them available). Water filling stations will be sanitized along with all other "common touch" surfaces.
- Shared food is prohibited. Parents are asked only to send food for their child and not class consumption (i.e. birthdays; holiday celebrations).
- Students will be required to practice [proper handwashing](#)/sanitizing prior to eating.
- All food served to students will be covered and individually wrapped, including utensils.

### **PLAYGROUND USE (ELEMENTARY):**

- Use of designated playground equipment and supplies will be allowed under close monitoring.
- Use of face coverings/shields will NOT be required during this time as long as physical distancing is maintained.
- Limits will be placed on the number of students on equipment at one time.
- No more than 50 students may congregate in one section of a play area at a time.
- If needed, at least three (3) areas of each playground will be established and student groups will be assigned to remain in each area each day. These areas will rotate so that students are able to use the entire playground over the course of several days.
- Students will wash their hands/use sanitizer before and after using playground equipment.
- Playground equipment (e.g. swings, slides, etc.) will be sanitized daily. Playground supplies (e.g. balls, jump ropes, hula hoops, etc.) will be stored in special bins that are labeled specifically for each group's use. These supplies will be sanitized after each use.

## SPECIAL EDUCATION

- Biddeford School Department will plan for special education students, including students with disabilities and English Learners, to ensure they receive necessary services and accommodations.
- Determination of additional PPE requirements will be made by the Special Education Director based upon the unique needs of each student/situation. Additional PPE may be provided for staff working with young children, students with IEPs or student's with specialized health plans such as, but not limited to:
  - Clear face coverings and/or
  - Face shields
  - Kevlar sleeves/arm protectors
  - Gloves
  - Gowns
  - Plexiglass barriers for student desks

## TRANSPORTATION

- Parents/Guardians are encouraged to transport their child to and from school, if able.
- Students are required to wear a face covering at all times while on the bus/van, including upon entry/exit.
- Students must use hand sanitizer when they enter the bus/van.
- Families should be vigilant to limit contact between other parents/students at bus stops and direct contact with the bus driver as much as possible by maintaining a six (6) foot distance.
- Students will be seated one student per row and distanced according to guidelines with the seat directly behind the driver remaining open. Prohibited seats will be marked with tape. Families will be allowed to sit together.
- Students will be assigned seats and must sit in the seats assigned to them.
- Seats in the back of the bus must be loaded first and then move forward. The bus should be emptied from the front and then the back.
- Students will need to practice social distancing when exiting the bus. The bus radio will be used to dismiss by rows.
- Several windows should be slightly opened to improve air ventilation.
- Booster seats will be staggered on kindergarten busses.
- Up to two (2) children are allowed in each van, depending on the size of the van. If a second adult monitor is required, only one (1) child will be allowed. The total capacity of a van should not exceed three (3) people at any given time.

- Bus drivers will clean and disinfect frequently-touched surfaces between uses as much as possible. High-touch areas in buses such as seat backs, handrails, stability poles, bars, windows and window ledges and the possibility of spraying busses between runs.

## PARENTS/GUARDIANS/VOLUNTEERS

- Parents/Guardians will minimize face-to-face meetings by utilizing alternative methods to receive updates (i.e. email, conference call, phone call, web-based meetings).
- Any Parent/Guardian needing to enter the building for an IEP meeting or other important business will need to be screened and should utilize reception windows as main office spaces are restricted to administrative and office staff.
- Parents/Guardians will be asked the same screening questions as students prior to entry to any school building. If any response is “yes”, the parent/guardian will not be allowed into the building. If allowed into the building, parents/guardians:
  - Must wear a face covering while in the buildings.
  - Must use the sanitizing station upon entry, maintain a social distance of six (6) feet.
  - Must attend to their specific business and leave immediately following.
- Upon entering the building, volunteers must follow the same guidelines as visitors listed above.

## TECHNOLOGY

- In a hybrid or remote instruction model, 1:1 devices will be provided to each K-12 student. These devices will be transported by the student between school and home.
- Parents/Guardians agree to return the borrowed devices at the end of the school year, unless otherwise determined, to be cleaned and disinfected.
- Sharing of devices between students will be discouraged. If it is required devices will be sanitized after each shared use.

## CLASSROOM SETTING *(If In-Person Instruction Occurring)*

- Classroom seating will be configured with maximum allowable space between students and all desks facing the same direction.
- Elementary and middle school schedules will be developed in a way that will limit student movement and/or interactions between student groups throughout the day.
- Employees will modify instructional plans to reduce student contact, sharing of materials or equipment and maintain appropriate physical distancing to the greatest extent possible.
- Common touch surfaces will be sanitized throughout the day.

## REMOTE INSTRUCTION *(If In-Person Instruction Occurring)*

- Any Biddeford School Department student across grades Pre-K-12 will have the option of participating in remote instruction. Remote instruction is available for any student with health and safety concerns, elevated health risks or a family member with elevated health risks.
- Biddeford Instructional Staff (Teacher or Ed. Tech. III) will lead these classes.
- These remote learning programs will be fully graded and credit bearing.
- Students who elect to participate in this remote instruction program to begin the 2020-21 School year must remain in the program at least through the end of the first quarter or trimester.
- Assigned instructional staff will also coordinate to ensure programs such as Special Education, 504, RTI, or ELL programs are provided to students remotely as needed.

## WHEN SOMEONE IS SICK

- Parents/Guardians will avoid exposing others by ensuring their child remains home if they experience any [signs or symptoms of Respiratory Illness](#) or a fever of 100.4°F or higher. *Please refer to the reporting student illness flow chart above.*
- Students will not be penalized for missing school when required to stay home under these guidelines. School nurses will ask about symptoms when absences are reported.
- If a student develops a fever during school hours, a medical isolation room is designated in all schools for students to wait for their parents to pick up their child immediately.
- Students should not return to school unless they are fever free for 24 hours (1 day) without fever-reducing medication and symptom-free for 24 hours.
- Any area used by a sick person will be closed until proper disinfection has been completed.

### **EXPECTATIONS IF TESTED POSITIVE FOR COVID-19:**

- Parents/Guardians will notify the School Nurse if their child, or anyone in their household, has been confirmed to have COVID-19. As a response to protect the health and safety of our students and staff, areas will be sanitized and CDC guidelines followed to notify all families and employees that have come in contact with and/or have been exposed to the student in the most confidential manner possible.
- Under the current Maine CDC guidance, a student who has tested positive for COVID-19 will NOT be able to return to school until:
  - the student has gone 24 hours (1 day) without exhibiting symptoms of COVID-19, and at least ten days have passed since the student's symptoms first appeared;  
**OR**
  - the student has received two negative COVID-19 test results from specimens taken more than 24 hours apart.  
**AND**
  - Documentation of medical clearance will be required to return to school and must be submitted to the School Nurse.
- Students who have had close contact with someone who tests positive for, or is diagnosed with, COVID-19 must isolate at home and monitor symptoms for 14 days. Close contact is defined as "any individual who has been closer than six (6) feet for more than 15 minutes."
- Depending upon circumstances, this could include entire classrooms, clubs, bus routes, playground groupings, or cafeteria groupings.
- Students returning from illness related to COVID-19 will be required to check in with the school nurse and school administrator.
- The school will work closely with Maine CDC on all contact tracing and other related protocols.
- During the time students are out of school, arrangements will be made to ensure they do not fall behind in their learning (i.e. remote instruction or make-up work following a healthy return).

### **EXPECTATIONS IF REQUIRED TO QUARANTINE:**

#### ***(Still being determined based on Remote Instruction Enrollment)***

- If an individual student is required to quarantine, they will be provided the option to transition into remote instruction and, if they participate, those days will not be counted as absences.
- If a classroom or multiple classrooms are required to quarantine due to a positive test, impacted students will transition to remote instruction during the quarantine period. If a student participates, those days will not be counted as absences.
- Students who have traveled out of state to those states not listed in the most up-to-date Governor's orders must isolate at home and monitor for symptoms for 14 days before being able to return to school. If students participate in remote learning during the quarantine, those days will not be counted as absences.

## TRAINING VIDEOS FROM THE CDC

- [How to Wear a Cloth Face Covering](#)
- [Cloth Face Coverings Do's and Dont's](#)
- [Handwashing](#)
- [Social Distancing](#)
- [Stop the Spread of Germs](#)
- [Know the Symptoms of COVID-19](#)
- [Tested Positive for Covid: When it is ok to Return to School](#)
- [Taking Care of Your Daily Health During COVID-19](#)





# REOPENING BIDDEFORD SCHOOLS PART II

- *State Health Advisory & Guidelines*
- *Biddeford Student Guidelines*
- *Hybrid Option Considerations*
- *Enrollment/Density Data*
- *Hybrid Option Survey Results*

# STATE HEALTH ADVISORY SYSTEM: Red, Yellow, Green

- Maine Department of Health and Human Services (DHHS) and Center for Disease Control and Prevention (Maine CDC) developed a system to categorize counties. This categorization is based on a holistic assessment of quantitative and qualitative information. It includes, but is not limited to, recent data on case rates, positivity rates, and syndromic data.

- Categorization as “red” suggests that the county has a high risk of COVID-19 spread and that in-person instruction should not be conducted.

- Categorization as “yellow” suggests that the county has an elevated risk of COVID-19 spread and that hybrid instruction models should be adopted.

- Categorization as “green” suggests that the county has a relatively low COVID-19 risk and that in-person instruction can be adopted – although a SAU may opt for hybrid instruction if its buildings or readiness make adhering to the required Health and Safety Measures for All Schools a challenge.

- The initial three-tiered health advisory system will be initially posted on July 31, and updated every two weeks. These recommendations are advisory.

<https://www.maine.gov/doe/framework/part-I>

# INITIAL STATE GUIDELINES

*AS OF*

*7/17/2020*

- Students and staff members must **conduct self-checks for symptoms** prior to boarding buses or entering school buildings each day.
- Any person showing symptoms must report their symptoms and must not be present at school.
- Adults and students age two and above are **required to wear a mask/face covering** that covers their nose and mouth, including on the bus. Face shields may be an alternative for those with medical or other health reasons.
- **Adults must maintain 6 feet of distance** from others to the extent possible. Maintaining **3 feet distance is acceptable among students** when combined with other safety requirements. Six feet of distance is required while students are eating or masks removed.
- All students and staff must **wash their hands or use sanitizing gel** upon entering the school, before and after eating, before and after donning and removing a face mask, after using the restroom, before and after use of playgrounds and shared equipment, and upon entering/exiting a school bus.
- Sick staff members and students must use **home isolation until criteria met** for returning to school.

<https://www.maine.gov/doe/framework/part-1>

# BIDDEFORD STUDENT GUIDELINES

## SELF ASSESSMENT:

- Prior to boarding the bus or drop-off, Parents/Guardians will need to complete a self-screening assessment daily for their child

## SPECIAL EDUCATION:

- Biddeford School Department will plan for special education students, including students with disabilities and English Learners, to ensure they receive necessary services and accommodations.

## FACE COVERING/MASK:

- All students are required to wear a face covering/mask that covers their nose and mouth, including on the bus or van, when entering or exiting buildings, while traveling in hallways, and generally when moving about the school. Exceptions may include, but are not limited to:
  - While eating
  - While sitting at their desk in the classroom when more than 6 feet apart
  - While on the playground, if social distancing allows
  - While participating in music practice, if permitted
  - When the student's face cannot safely be covered due to a documented medical condition, the student may wear a face shield.
- Biddeford will provide students/staff 2 masks if needed.

# BIDDEFORD STUDENT GUIDELINES

## PARENTS/GUARDIANS/VISITORS:

- Face-to-face meetings will be minimized by utilizing alternative methods (i.e. email, calls, Zoom).
- Will be asked the same screening questions as students and subject to temperature screening:
  - A face covering is required
  - Must use the sanitizing station upon entry, maintain a social distance of six (6) feet
  - Must attend to their specific business with no lingering.

## PREVENTION MEASURES:

- Procedures to limit students in hallways and restrooms
- Students should only bring what is essential for each day
- Classrooms will be re-configured to allow 6-foot distance
- The use of lockers will be suspended
- Sharing of items (electronic devices, books, or learning aids) will be discouraged and restricted
- Each child's belongings will be separated from others' in individually labeled containers, cubbies, or areas
- Curriculum nights, open houses and back-to-school events will be facilitated virtually
- Field trips, assemblies, and other large gatherings will not be allowed

# BIDDEFORD STUDENT GUIDELINES

## FOOD DISTRIBUTION/MEALS:

- Students remain in classrooms.
- Six-foot distance while eating as unable to wear mask.
- Encouraged to bring a full water bottle - water fountains closed.
- Shared food is prohibited.
- Students will practice proper handwashing/sanitizing
- All food served will be covered and individually wrapped, including utensils.

## TRANSPORTATION:

- Parents encouraged to transport their child(ren)
- Students required to wear a face covering at all times
- Students should use hand sanitizer when enter/exit
- Families should limit contact at bus stops and maintain 6-foot distance
- Students will be assigned seats with one student/family per row and distanced.
- Seats in the back of the bus must be loaded first and then move forward. The bus should be emptied from the front and then the back.
- Several windows should be slightly opened to improve air ventilation.

# BIDDEFORD STUDENT GUIDELINES

## WHEN SOMEONE IS SICK:

- Avoid exposing others by student staying at home if any COVID symptoms or fever over 100.4°F
- Students will not be penalized for missing school and required to stay home when not feeling well
- If student develops a fever during school hours, a medical isolation room is designated and they should be picked up immediately
- Students should not return to school unless fever free for 24 hours (1 day) without medication

## EXPECTATIONS IF TEST POSITIVE FOR COVID:

- **Notify School Nurse if student, or anyone in household, has tested positive. Areas will be sanitized and CDC guidelines followed for contact tracing.**
- **Under current Maine CDC guidance, a student who has tested positive, will NOT be able to return to school until:**
  - **24 hours (1 day) without exhibiting symptoms of COVID, and at least ten days have passed since the student's symptoms first appeared; OR**
  - **received two negative COVID test results from specimens taken more than 24 hours apart.**
- **Documentation of medical clearance will be required.**
- **Students in close contact with someone who tested positive must isolate and monitor symptoms for 14 days.**

# SOME WAYS WE ARE RESPONDING WITHIN OUR BUILDINGS

- **Class Size:** Creating classroom with 12-14 students maximum per room. This will allow for proper social distancing.
- **Modification of Office Space:** JFK, BPS, and BIS are currently being remodeled for safety of front line staff and control access of visitors.
- **Signage:** Signage has been ordered to assist with identifying 6-feet distance, one way hallways, entrances/exits, and reminders to wear masks and wash hands after using the restroom.
- **Hand Sanitizer:** Each classroom and bus will have a hand sanitizer pump installed. We are following the guidance from the DOE. We are receiving guidance from SMHC on all hygiene and sanitization solutions. Hallways and all entrances will have hand sanitizer stations available.
- **Disinfection Wipes:** Guidance from Department of Public Safety and will be available in each classroom.





# SOME WAYS WE ARE RESPONDING WITHIN OUR BUILDINGS

- **Ventilation:** Cold Plasma ION Air Systems that can be retrofitted to rooftop units and mini-splits. The idea is these units would improve existing ventilation systems.

## Air Protection System (APS) | Products

- Install air rover stand-alone APS2000 units in various schools open areas that do not currently have quality fresh air ventilation systems (cover approx. 10,000 sq. ft.)
- **Windows - JFK:** JFK Windows will be fixed prior to the start of the school year.
- **Health Screenings and temperature checks:**
  - Prior to coming to school, staff and students will be required to complete a daily health screener as described in pandemic handbooks: Staff / Student.
  - Upon arrival to school, students and staff will have their temperature taken remotely. Temperatures exceeding 100 degrees will be cause for further evaluation.



# REOPENING PLANNING



## PLAN A

**SCHOOLS  
REOPEN WHILE  
ADHERING TO  
CDC/DOE  
GUIDELINES  
FOR SAFETY**



## PLAN B

**SCHOOLS REOPEN WITH  
HYBRID SCHEDULE AND  
REMOTE INSTRUCTION  
(Options)**



## PLAN C

**SCHOOLS  
RESTRICTED TO  
FULL REMOTE  
INSTRUCTION  
MODE**

# HYBRID OPTION CONSIDERATIONS



## PLAN B

**SCHOOLS REOPEN WITH  
HYBRID SCHEDULE AND  
REMOTE INSTRUCTION**

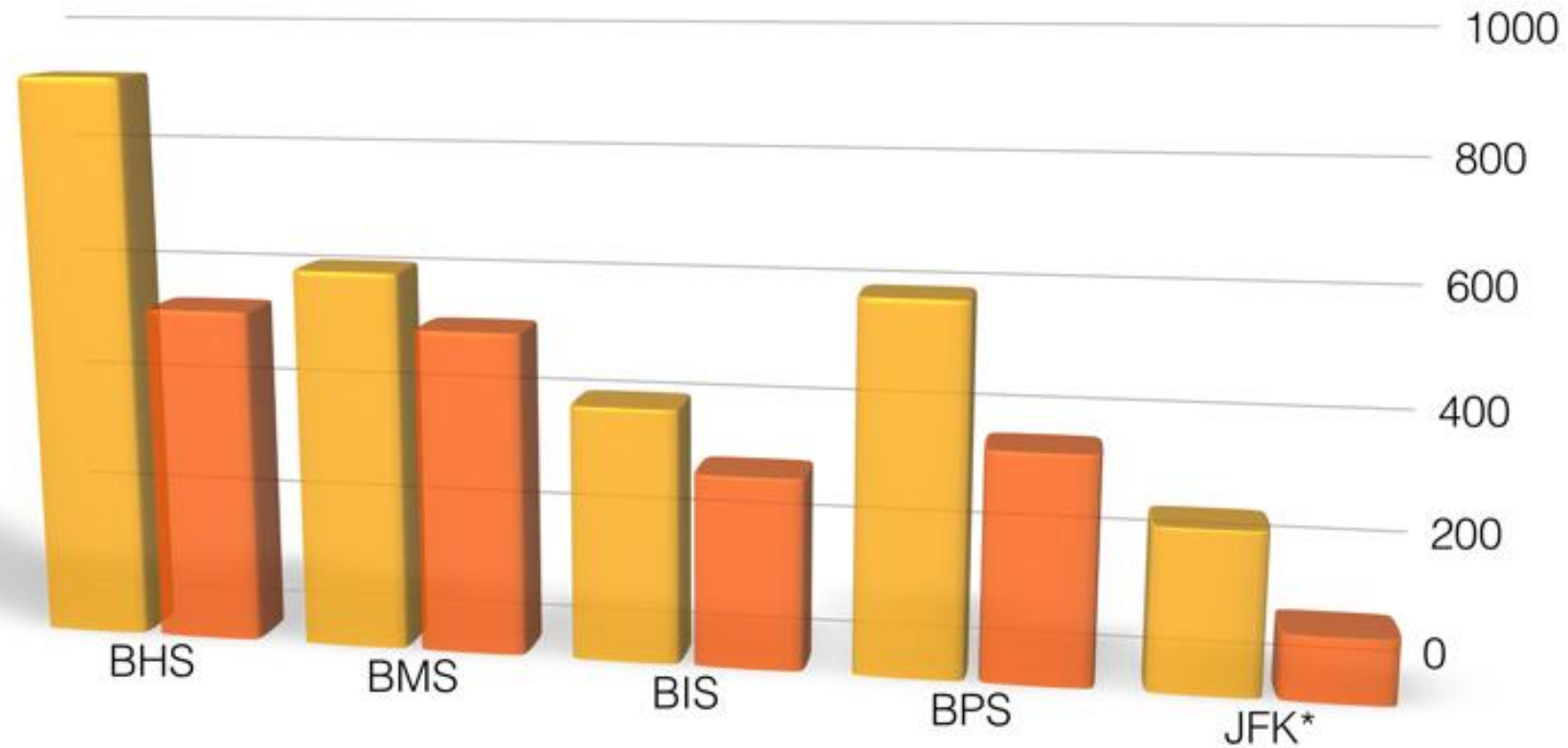
**(Options)**

- Reduced class size to accommodate six (6) foot distance of approximately 12-14 students.
- A/B schedule so cohorts remain together (Option 1 and BHS).
- Students may shift schools or lease space needed to accommodate social distance requirement.
- Importance of elementary students gaining literacy skills to mitigate learning gap later.\*
- Additional instructional staff and use of student teachers may be needed throughout our district
- Instruction will be focused on essential standards.
- Provide Remote Instruction to students unable to return to school.

\* Data show students who do not read proficiently by the end of third grade are four times more likely to drop out of high school than their peers who are proficient readers. If they are not proficient readers when they begin fourth grade, as much as half of the curriculum they will be taught will be incomprehensible.

# Fall 2020 Proposed Student Enrollments (Density) vs. Historical

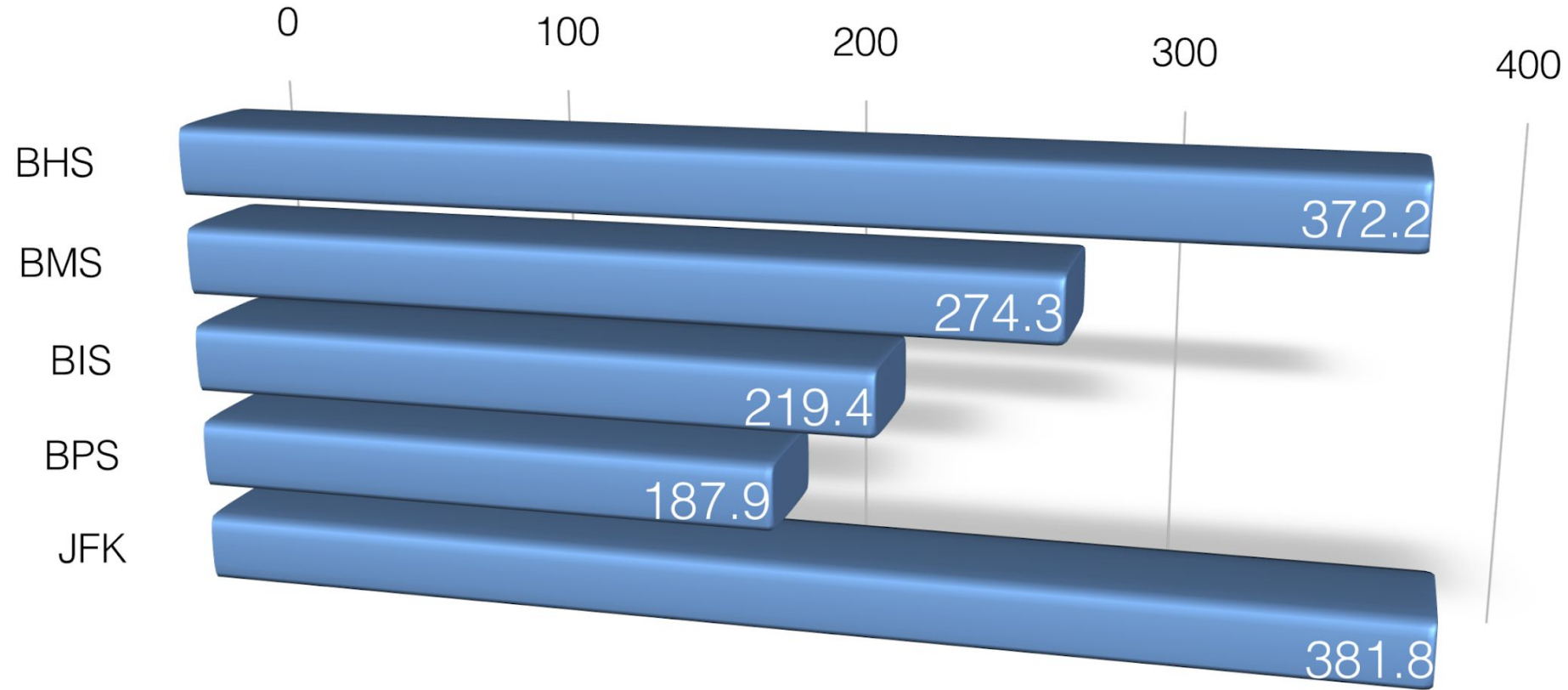
■ Peak Enrollment†      ■ Social Distance Enrollment



†Data range: 2008-2019

\*All Kindergarten Students to NLC; remaining enrollment of Pre-K + H.S.

# Proposed Socially Distant Student Density (Square Feet Per Student)



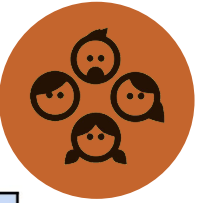
## Maine School Standards

140SFPS Elementary School  
160 SFPS Middle School  
185 SFPS High School

|                                             | Attending Student Count - SY Ending |             |             |             |             |             |             |             |             |             |             |             |
|---------------------------------------------|-------------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
|                                             | 2009                                | 2010        | 2011        | 2012        | 2013        | 2014        | 2015        | 2016        | 2017        | 2018        | 2019        | 2020        |
| <b>Biddeford High School</b>                |                                     |             |             |             |             |             |             |             |             |             |             |             |
| 9                                           | 228                                 | 203         | 201         | 217         | 208         | 202         | 204         | 167         | 199         | 172         | 211         | 188         |
| 10                                          | 226                                 | 233         | 205         | 201         | 201         | 206         | 199         | 206         | 175         | 205         | 170         | 207         |
| 11                                          | 240                                 | 220         | 226         | 214         | 195         | 200         | 205         | 202         | 206         | 169         | 193         | 164         |
| 12                                          | 223                                 | 237         | 220         | 229         | 209         | 190         | 193         | 202         | 206         | 228         | 195         | 208         |
| <b>Biddeford High School Total</b>          | 917                                 | 893         | 852         | 861         | 813         | 798         | 801         | 777         | 786         | 774         | 769         | 767         |
| <b>Biddeford Middle School</b>              |                                     |             |             |             |             |             |             |             |             |             |             |             |
| 6                                           | 221                                 | 207         | 198         | 201         | 172         | 202         | 166         | 202         | 187         | 189         | 173         | 164         |
| 7                                           | 199                                 | 199         | 203         | 203         | 207         | 170         | 197         | 163         | 201         | 190         | 187         | 173         |
| 8                                           | 196                                 | 201         | 194         | 195         | 194         | 207         | 171         | 202         | 160         | 209         | 191         | 185         |
| <b>Biddeford Middle School Total</b>        | 616                                 | 607         | 595         | 599         | 573         | 579         | 534         | 567         | 548         | 588         | 551         | 522         |
| <b>Biddeford Intermediate School</b>        |                                     |             |             |             |             |             |             |             |             |             |             |             |
| 4                                           | 204                                 | 209         | 169         | 215         | 167         | 206         | 169         | 173         | 174         | 171         | 152         | 207         |
| 5                                           | 210                                 | 202         | 198         | 163         | 213         | 158         | 205         | 183         | 182         | 168         | 169         | 154         |
| <b>Biddeford Intermediate School Total</b>  | 414                                 | 411         | 367         | 378         | 380         | 364         | 374         | 356         | 356         | 339         | 321         | 361         |
| <b>Biddeford Primary School</b>             |                                     |             |             |             |             |             |             |             |             |             |             |             |
| 1                                           | 204                                 | 163         | 204         | 197         | 183         | 179         | 195         | 164         | 196         | 170         | 160         | 180         |
| 2                                           | 163                                 | 202         | 165         | 211         | 178         | 182         | 181         | 193         | 164         | 194         | 162         | 153         |
| 3                                           | 233                                 | 164         | 214         | 164         | 204         | 171         | 180         | 168         | 177         | 145         | 214         | 170         |
| <b>Biddeford Primary School Total</b>       | 600                                 | 529         | 583         | 572         | 565         | 532         | 556         | 525         | 537         | 509         | 536         | 503         |
| <b>John F Kennedy Memorial School</b>       |                                     |             |             |             |             |             |             |             |             |             |             |             |
| PK                                          | 34                                  | 13          | 11          |             |             |             |             |             |             | 73          | 94          | 104         |
| KG                                          | 150                                 | 216         | 197         | 217         | 198         | 204         | 184         | 205         | 183         | 163         | 169         | 207         |
| <b>John F Kennedy Memorial School Total</b> | 184                                 | 229         | 208         | 217         | 198         | 204         | 184         | 205         | 183         | 236         | 263         | 311         |
| <b>Total</b>                                | <b>2731</b>                         | <b>2669</b> | <b>2605</b> | <b>2627</b> | <b>2529</b> | <b>2477</b> | <b>2449</b> | <b>2430</b> | <b>2410</b> | <b>2446</b> | <b>2440</b> | <b>2464</b> |



# HYBRID OPTIONS



## OPTION 1

**PreK-12: Hybrid - 2 Days In Person,  
2 Days Remote Instruction; 1 Day Flex**

- **Grades:** PreK-12; All students
- **Class Size:** Approximately 12 students; split 50/50 to form A/B group schedule
- **Where:** Students within current schools

## OPTION 2

**PreK-8: 5 Days In Person  
Grades 9-12: Hybrid 2 Days In person;  
2 Days Remote Instruction; 1 Day Flex**

- **Grades:** PreK-8 In Person; 9-12 Hybrid
- **Class Size:** Approximately 12-14 students; Grades 9-12 follow A/B schedule
- **Where:** Students split between school buildings. Lease space required to allow for 6 foot distance.

## OPTION 3

**PreK-6: 5 Days In Person  
Grades 7-12: Hybrid 2 Days In person;  
2 Days Remote Instruction; 1 Day Flex**

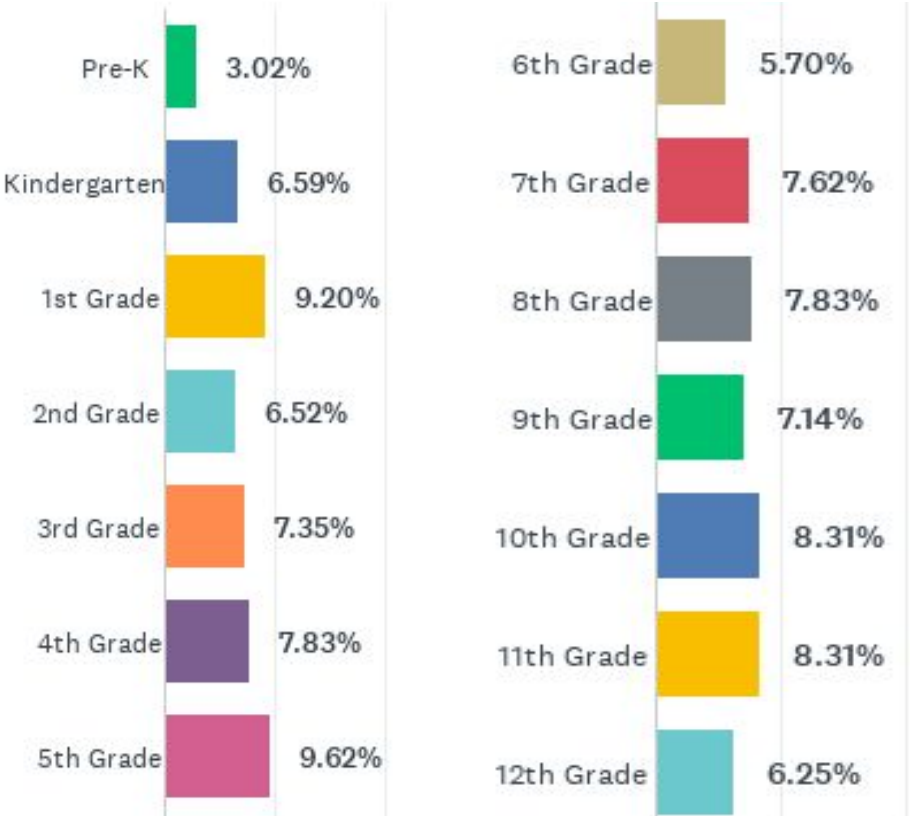
- **Grades:** PreK-6 In Person; 7-12 Hybrid
- **Class Size:** Approx. 12-14 students; Grades 7-12 follow A/B schedule
- **Where:** Students split between school buildings. No leasing of space.

## OPTION 4

**PreK-8: 5 Days In Person  
Grades 9-12: Hybrid 2 Days In person;  
2 Days Remote Instruction; 1 Day Flex**

- **Grades:** PreK-8 In Person; 9-12 Hybrid
- **Class Size:** Approx. 18-22 students; Grades 9-12 follow A/B schedule
- **Where:** Students within current schools. No lease space for max capacity at 3 foot distance.

# HYBRID SURVEY RESULTS - OVERALL PARENT PARTICIPATION - 54.18%



| Grade Span | Student Count* | Survey Count | Participation Rate |
|------------|----------------|--------------|--------------------|
| Prek-5     | 1175           | 717          | 61%                |
| 6-8        | 522            | 306          | 58.6%              |
| 9-12       | 767            | 312          | 40.7%              |

*1,456 Respondents*

*PARENT PARTICIPATION BY SUBGROUP*

*\*projected October 1, 2020 enrollment*



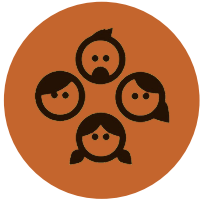
# HYBRID SURVEY RESULTS - PARENTS



Q7 Please rank the Hybrid Options according to your preference (This is not a commitment - simply an overview of what parents would prefer to assist in further planning):



# PARENTS' MOST PREFERRED OPTION FOR SCHOOL OPENING



## Option 1:

PreK-12 Hybrid Only

## Option 2:

PreK-8 In Person; 9-12 Hybrid;  
Lease Space to maintain 6 feet  
distance

## Option 3:

Pre-K-6 in Person; 7-12 Hybrid

## Option 4:

PreK-8 In Person; 9-12 Hybrid;  
No Lease Space for Max  
Capacity of 3 feet distance

| Response Sub-group | Hybrid Option 1<br>(1st or 2nd Choice) | Hybrid Option 2<br>(1st or 2nd Choice) | Hybrid Option 3<br>(1st or 2nd Choice) | Hybrid Option 4<br>(1st or 2nd Choice) |
|--------------------|----------------------------------------|----------------------------------------|----------------------------------------|----------------------------------------|
| Pre-k through 5    | 46.89%                                 | 73.37%                                 | 49.36%                                 | 25.99%                                 |
| Grades 6-12        | 58.07%                                 | 62.37%                                 | 49.71%                                 | 32.89%                                 |
| Average            | 52.53%                                 | 67.78%                                 | 54.63%                                 | 29.41%                                 |

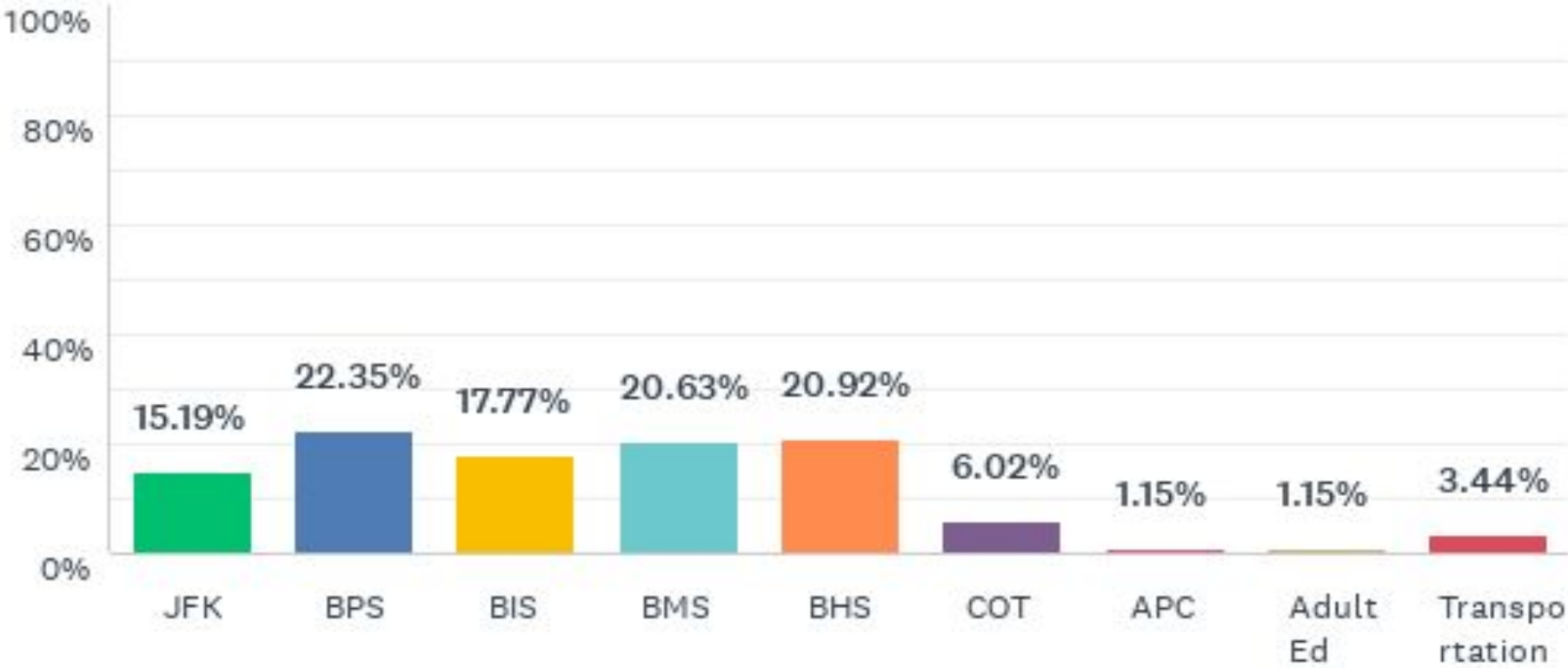
| Response    | Hybrid Option 1-First Choice Only | Return for Younger Students Each Day<br>(Some Format) - 1st Choice |
|-------------|-----------------------------------|--------------------------------------------------------------------|
| All Parents | 43.77%                            | 56.23%                                                             |

| Response        | Hybrid Option 1-First Choice Only | Return for Younger Students Each Day<br>(Some Format) - 1st Choice |
|-----------------|-----------------------------------|--------------------------------------------------------------------|
| Pre-k through 5 | 40.3%                             | 59.7%                                                              |
| Grades 6-8      | 47.08%                            | 52.92%                                                             |
| Grades 9-12     | 51.33%                            | 48.67%                                                             |

# HYBRID SURVEY RESULTS - STAFF



Q4 In which school building do you work most often?



349 staff  
completed survey

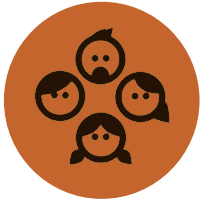
# HYBRID SURVEY RESULTS - STAFF



Q5 Please rank the Hybrid Options according to your preference:



# FACULTY AND STAFF MOST PREFERRED OPTION FOR SCHOOL OPENING



## Option 1:

PreK-12 Hybrid Only

## Option 2:

PreK-8 In Person; 9-12 Hybrid;  
Lease Space to maintain 6 feet  
distance

## Option 3:

Pre-K-6 in Person; 7-12 Hybrid

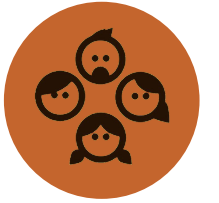
## Option 4:

PreK-8 In Person; 9-12 Hybrid;  
No Lease Space for Max  
Capacity of 3 feet distance

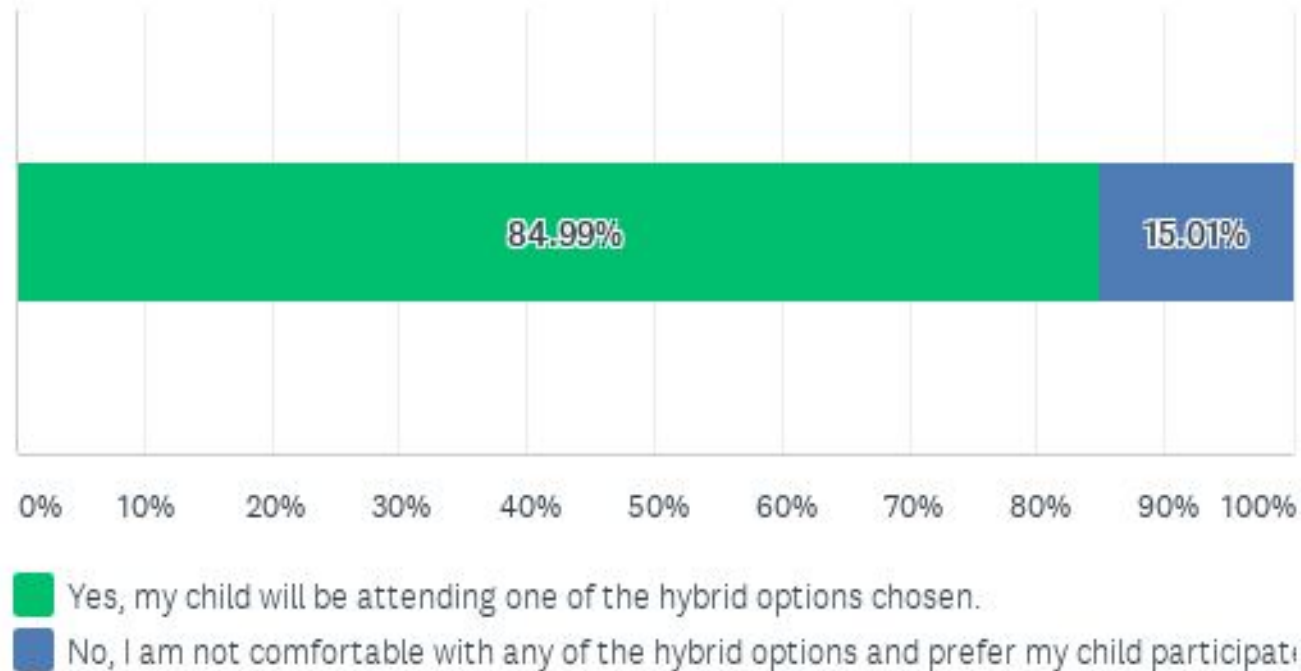
| Response Sub-group | Hybrid Option 1<br>(1st or 2nd Choice) | Hybrid Option 2<br>(1st or 2nd Choice) | Hybrid Option 3<br>(1st or 2nd Choice) | Hybrid Option 4<br>(1st or 2nd Choice) |
|--------------------|----------------------------------------|----------------------------------------|----------------------------------------|----------------------------------------|
| Staff              | 57%                                    | 66.22%                                 | 52.08%                                 | 27.58                                  |

| Response | Hybrid Option 1 | Return for Younger Students Each<br>Day (Some Format) |
|----------|-----------------|-------------------------------------------------------|
| Staff    | 46%             | 54%                                                   |

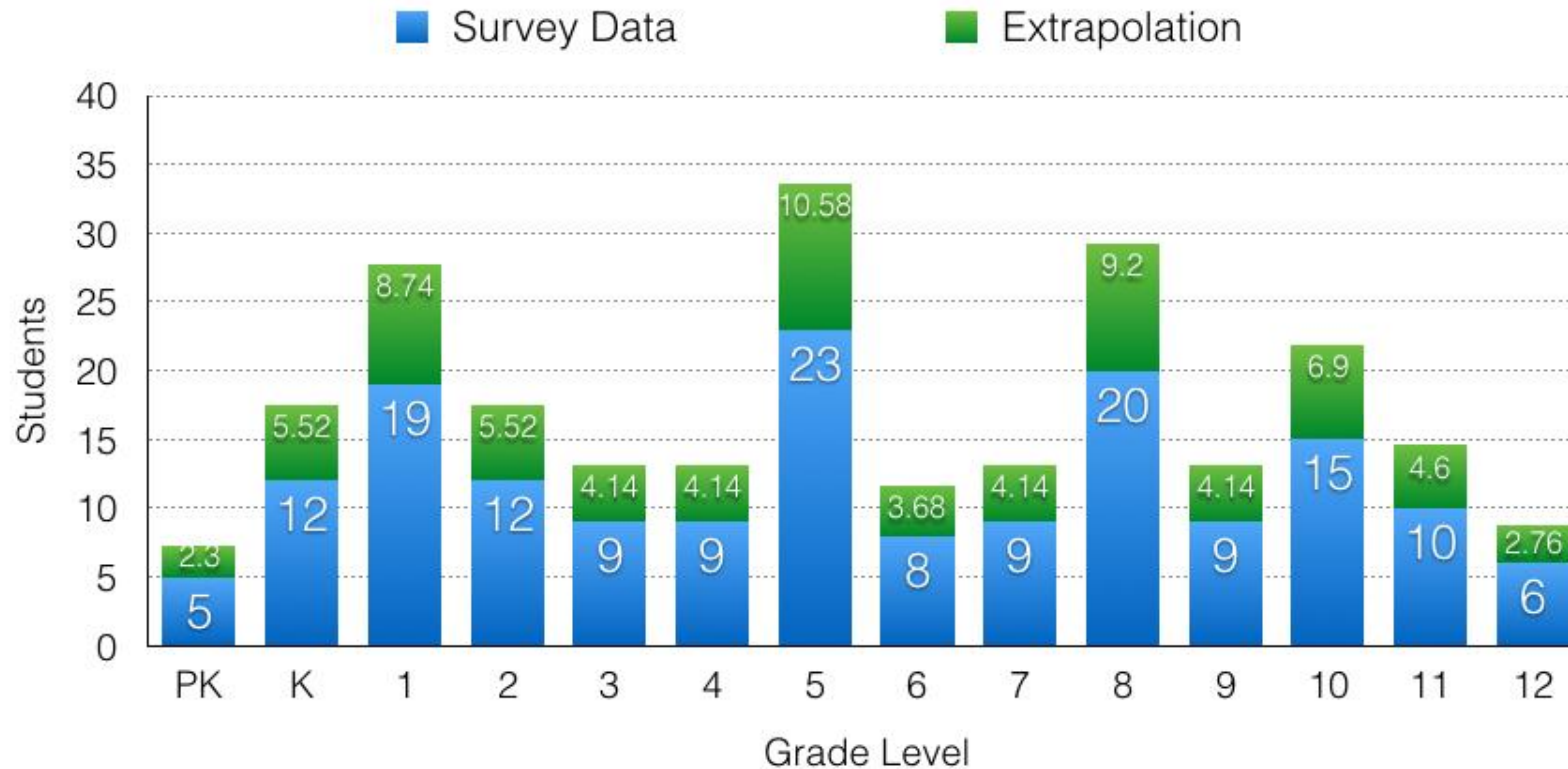
# HYBRID SURVEY RESULTS - PARENTS



Q8 With the updated safety guidance, do you plan to have your child return to school in person this fall?



“No, I am not comfortable with any of the hybrid options and prefer my child participate in 100% Remote Instruction.”



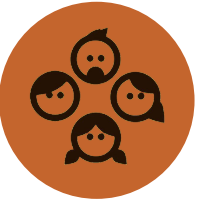
Total Students (survey) **150**

Total Students (survey+extrapolation) **226**

Survey Respondents Represent 54% of projected enrollment

AvgStDev 0.33

# PARENTS WHO SAY STUDENTS WILL NOT RETURN IN THE FALL/PREFER 100% ONLINE



**PREK-5:** 16.57%

**6-8:** 15.1%

**9-12:** 13.35%

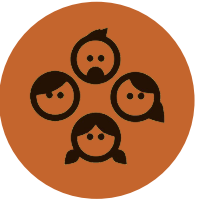
**OVERALL:** 15.23%

## **IMPORTANT NOTES:**

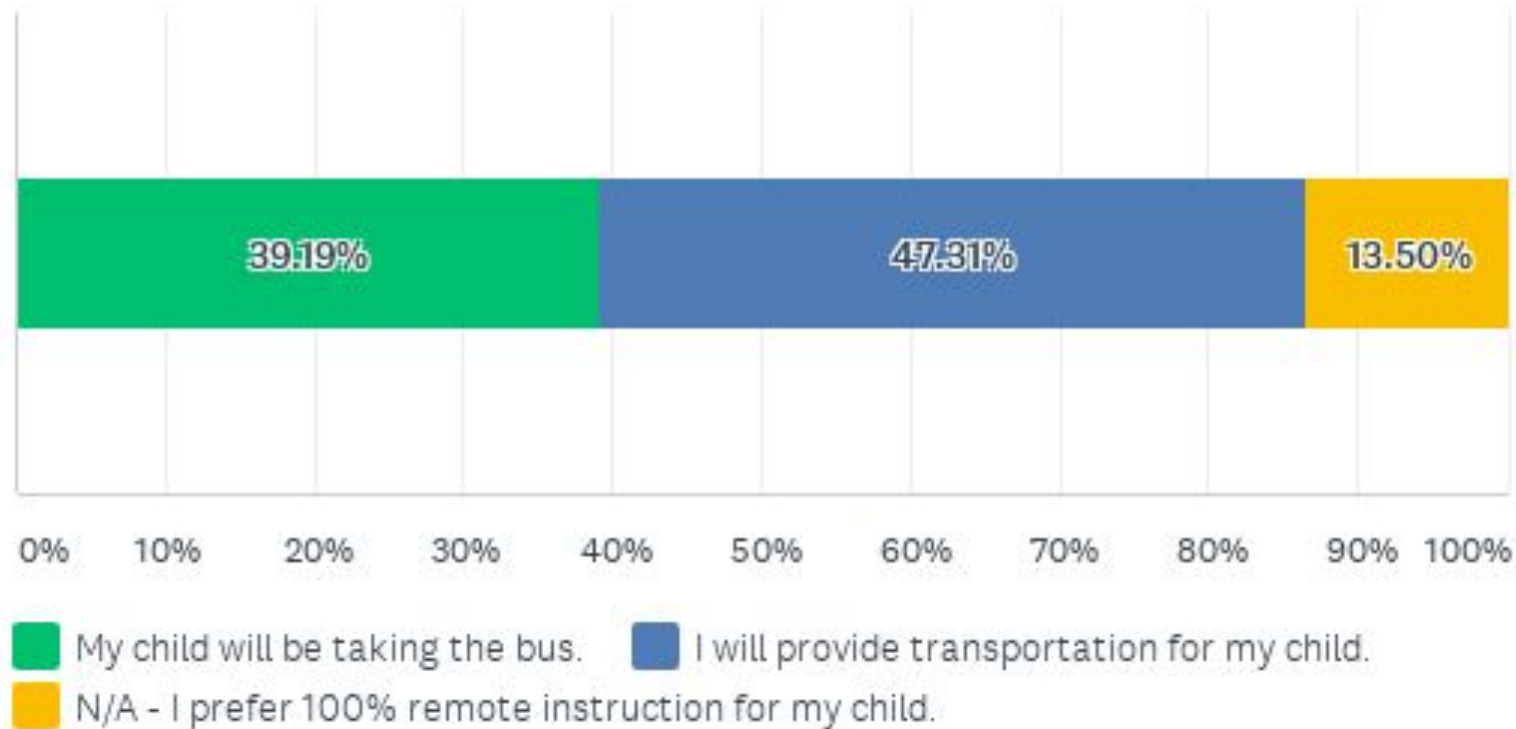
1. **27%** of respondents skipped this question.
2. Extrapolated, this data suggests 380 students may sit out.
3. This number represents a shift; earlier this summer, only 6% of parents reported that it was 'unlikely' or 'not at all likely' that their child would return.
4. All students have a choice to participate via remote instruction.



# HYBRID SURVEY RESULTS - PARENTS



Q9 What are your plans for transportation to/from school?





QUESTIONS?