City of Biddeford
School Committee
April 27, 2021 7:00 PM Little Theater at BHS
Public Virtual

Public Viewing

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Public Participation - Further Instructions

Further Instructions 4_27_2021.pdf

A. Call to Order:

B. Roll Call:

C. Pledge of Allegiance:

D. Adjustments to Agenda:

E. Consideration of Minutes:

E.1. Minutes 4/13/2021
Minutes Biddeford 4_13_2021.pdf

F. Consent Agenda

F.1. Nominations:
Landyn Bowers ~ BMS Grade 6 Teacher ~ Replacing Pamela Weiss
Dakota Joy ~ BMS Grade 7 Teacher ~ Replacing Lindsey Ely
Kelsie Hayes ~ BHS School Psychologist ~ Replacing Shannon Hayes
Katrijn Greco ~ BHS Anticipated Math Teacher ~ New position
Appointments:
Ronald Gardner Jr. ~ District-Wide Custodian ~ New Position
Transfers:
Elizabeth Ames ~ From BMS Art Teacher to BHS Art Teacher ~ Replacing Donna Powers who is retiring
Sandra Levecque ~ BMS 5th grade Teacher moving to BIS 4th grade Teacher ~ New position
Katherine Kalagias ~ BMS 5th grade Teacher moving to BIS 4th grade Teacher ~ New position
Kayla Keimach ~ BMS 5th grade Teacher moving to BIS 4th grade Teacher ~ 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. Budget Update

Second Reading of Policies to Adopt:
EGAD ~ Copyright Compliance
EGAD-R ~ Copyright Compliance Administrative Procedure
JFABD-R ~ Homeless Student Appeal Process
JFABD-R1 ~ Maine Homeless Education State Level Dispute Resolution Process
Second Reading of Policies to Review:
EEBB ~ Use of Private Vehicles on School Business
EFCA ~ Menu Development Options
GBGAA ~ Bloodborne Pathogens
Second Reading of Policies to Revise:
DBG ~ Budget Process
ECB-R ~ Custodial/Maintenance Services Administrative Regulation
EEAF-R ~ Charter Trip Regulations
FE ~ Approval of School Property Construction

EGAD-Adopt.pdf
EGAD-R - Adopt.pdf
JFABD-R - Adopt.pdf
JFABD-R1 - Adopt.pdf
EEBB Use of Private Vehicles on School Business.pdf
EFCA Menu Development-Options - Review.pdf
GBGAA Bloodborne Pathogens - Revised.pdf
DBG Budget Process - Revised.pdf
ECB-R Custodial-Maintenance - Revised.pdf
EEAF-R Charter Trip Regulations - Revise.pdf
FE - Revised.pdf

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

L. Communications:

M. Executive Session:

N. Adjournment:

Instructions for Public Participation

The Biddeford School Committee will hold a meeting on Tuesday, April 27, 2021, at 7:00 PM.

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

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

Biddeford School Department
Tuesday, April 13, 2021
4:30 pm **Minutes**
School Committee - Little Theater BHS in Person
Public Viewing - Zoom & Public Access

Public Viewing:
Local Public Access Station
City of Biddeford Website

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Public Participation - Further Instructions

A. **Call to Order:** ~ The meeting was called to order at 4:35 pm
B. **Roll Call:** Mayor Alan Casavant, Lisa Vadnais, Amy Grohman, Randy Forcier, Nate Bean, Rebecca Henry, Chris Indorf, Mandy Cyr, and Jeremy Ray were all present
C. **Pledge of Allegiance:** The pledge was led by Mayor Alan Casavant
D. **Adjustments to the Agenda:** None
E. **Approval of Last Meeting's Minutes:** Minutes from 3/23/2021 ~ Randy Forcier moved to approve the minutes, Rebecca Henry seconded and all were in favor.
F. **Consent Agenda:** ~ Randy Forcier moved to approve the Consent Agenda, Rebecca Henry seconded, and all were in favor

Nominations:

a. Rory Putnam ~ BRCOT Emergency Medical Services Instructor ~ Replacing Sonja Nielsen
b. Melissa Peraner ~ APC Special Education Teacher ~ Replacing Stephanie Jackson who moved to a new position in the district
c. Emma Wescott ~ JFK & BPS Special Education Teacher/IEP Coordinator ~ New Position

Appointment:

a. Maureen Larochelle ~ JFK Pre-K Teacher ~ Replacing Melissa Wu

Resignations:

a. Pamela Weiss ~ BMS 6th Grade Humanities Teacher ~ End of the school year
b. Andrew Rosado ~ BMS Robotics Teacher ~ End of the school year
c. Charles Lyons ~ BHS Science Teacher ~ Retiring ~ End of the school year

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School Committee Members:

Alan Casavant-Chair	Randy Forcier	
Lisa Vadnais-Vice Chair	Dominic Deschambault	
Karen Ruel	Nate Bean	cc: Jeremy Ray- Superintendent
Amy Grohman	Rebecca Henry	cc: Chris Indorf-Asst. Superintendent
		cc: Mandy Cyr- Dir. Instr. & Innov

d. Michael Hickson ~ Transportation Bus Driver
e. Joan Luciano ~ BMS School Nurse ~ Retiring ~ End of the school year
f. Jeff Mears ~ BPS Assistant Principal ~ End of the school year
g. Michael Ruel ~ BMS Ed Tech II ~ Retirement ~ End of the school year
h. Elaine Hamel ~ JFK Food Service Worker
i. Elizabeth Ames ~ BMS Art Teacher ~ Moving to a new position in the district ~ End of the school year
j. Shannon Reynolds ~ BIS 4th Grade Teacher ~ End of the school year
k. Andrew Young ~ BPS Resiliency Coordinator ~ End of the school year
l. Sean Costigan ~ BHS Custodian
m. Shannon Hayes ~ BHS School Psychologist ~ End of the school year

G. Superintendent's Report: ~ Special thanks to Kurt Holmgren and the congregants of Eastpoint Church. As I shared with the community several weeks ago, Chris and Karen connected with a network of homeless liaisons in southern Maine and met with EastPoint to discuss needy families in our community. The church's special Easter Offering was designated for 4 area districts, including ours. We were hopeful for a $15,000 share of the offering and were stunned and overjoyed to learn today that the Biddeford Education Fdn will receive a whopping $23,500 to support homeless and at-risk youth in our community. Chris will be sharing some of the impacts of their donation firsthand on an upcoming Sunday, but we can not thank them enough. I want to thank all the nursing staff and Karen Chasse for getting together and helping out to get a COVID screening clinic together here at the Biddeford Intermediate School. It will be held on April 26th and 27th and there will be 500 rapid tests available for the Community. As people know vacation week starts tomorrow afternoon and that we also have remote learning on April 26th and 27th following school break. We are hoping this will help with keeping COVID cases down. If you have driven by Doran Field you will see that students have been working on the new snack shack and press box down there. It's quite the structure they are putting together. We have the building trade and plumbing crew students from the BRCOT working there. Soon we will have the electrical crew as well. So it is going to have a nice facility when it is all said and done with working bathrooms. The recreation department will be able to use the space as well. We have a new website for the Biddeford School Department. You will notice some changes when you go on there. Thank you to Karen Chasse, the building principals, and the office staff for helping to get this up and running. We also have a new alert system and application that will help with communication. It can be translated into many different languages as well.

H. Committee Reports:

I. Old Business:

J. New Business:

a. Fall Return Planning ~ Public Comment Welcome ~ The school committee felt comfortable with the fall return planning as long as things continue to go the way they have been. If changes need to be made they will discuss them

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School Committee Members:

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

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

at a later date.

b. Draft School Calendar 2021-2022 ~ Randy Forcier moved to approve the calendar, Rebecca Henry seconded and all were in favor

c. Spring Athletic Stipends 2021 ~ Nate Bean moved to approve, Lisa Vadnais seconded, and all were in favor

d. **First Reading of Policies to Adopt:** ~ The Policies were taken as a whole group. Randy Forcier moved to approve the first reading of all the policies, Rebecca Henry seconded, and all were in favor.
EGAD ~ Copyright Compliance
EGAD-R ~ Copyright Compliance Administrative Procedure
JFABD-R ~ Homeless Student Appeal Process
JFABD-R1 ~ Maine Homeless Education State Level Dispute Resolution Process

e. **First Reading of Policies to Review:**
EEBB ~ Use of Private Vehicles on School Business
EFCA ~ Menu Development Options
GBGAA ~ Bloodborne Pathogens

f. **First Reading of Policies to Revise:**
DBG ~ Budget Process
ECB-R ~ Custodial/Maintenance Services Administrative Regulation
EEAF-R ~ Charter Trip Regulations
FE ~ Approval of School Property Construction

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

L. Communications:

M. Executive Session:

L. Adjournment: Mayor Alan Casavant asked for a motion to adjourn. Nate Bean moved, Lisa Vadnais seconded and all were in favor at 5:45 pm

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Signed: Date: 4/16/2021

Jeremy Ray ~ Superintendent of Schools

School Committee Members:

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

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

COPYRIGHT COMPLIANCE

The School Committee expects all employees and students in the Biddeford School Department to comply with the federal copyright law and guidelines. Employees and students who willfully disregard the law/guidelines and the Board's copyright policy and procedure do so at their own risk. Biddeford School Department will not extend legal and/or insurance protection to employees or students for willful violations of this policy. Such violations may also result in disciplinary action.

The Superintendent is responsible for implementing this policy and the accompanying administrative procedure. The Superintendent may delegate specific responsibilities to building principals and others as he/she deems appropriate.

Biddeford School Department will take the following steps to discourage violations of the copyright law in the school system:

A. All instructional staff and school administrators shall receive a copy of this policy and the accompanying administrative procedure.

B. Copyright notices shall be posted within view of copying equipment.

C. Teachers and library media specialists shall be responsible for informing students about the legal and ethical issues raised by copyright infringement and illegal use of copyrighted materials.

Legal Reference: 17 U.S.C. § 101 et seq. (The Copyright Act of 1976)
P.L. 107-273 (The TEACH Act of 2002)

Cross Reference: EGAD-R – Copyright Compliance Administrative Procedure
GSCA – Employee Computer and Internet Use
IJNDB – Student Computer and Internet Use
IJNDC –School System Web Site/Web Pages

Adopted:_____

COPYRIGHT COMPLIANCE ADMINISTRATIVE PROCEDURE

This administrative procedure summarizes the major provisions found in the federal copyright law and guidelines concerning the reproduction of copyrighted works by educators. This summary is not intended to replace the law/guidelines, which should be referred to when questions regarding implementation arise.

Instructional staff teaching distance learning or online courses must comply with Section III in addition to all other parts of this procedure.

I. GENERAL RULE AND COPYRIGHT OWNERSHIP

A. **Presumption of copyright.** Works, in any medium (written, recorded, digitally-stored, etc.) should generally be presumed to be protected by copyright law, regardless of whether the work displays a copyright notice, the symbol, "©," or other express reservation of rights.

B. **Rule against copyright violations.** Except as otherwise permitted by this policy and applicable law, school employees shall not reproduce, perform or display copyrighted works without permission of the owner.

C. **U.S. Government works.** United States government works are not subject to copyright protection, and may freely be copied.

D. **Public domain.** Works that are in the public domain due to expiration of copyrights, as provided by law, may be freely reproduced, performed, or displayed.

E. **Student works.** Students are the owners of exclusive rights in works that they create.

F. **Works made for hire.** Works created by school employees in the course and scope of their employment are "works made for hire," and the school unit retains exclusive rights in such works, unless otherwise agreed in writing by the School Board.

G. **Distance learning.** All rights in works created by school employees in the course of teaching distance learning courses are owned by the school unit that employs the individual(s) who created the work, unless otherwise agreed in writing by the employing school unit.

II. DEFINITIONS

A. "FAIR USE"

A copyright provides the owner with the exclusive rights of reproduction, adaptation, publication, performance and display of the covered work. The copyright law contains certain "fair use" provisions that permit ***limited*** reproduction of materials based on four criteria:

1. The purpose and character of the use, including whether such is of a commercial nature or is for nonprofit educational purposes;

2. The nature of the copyrighted work;

3. The amount and substantiality of the portion used in relation to the copyrighted work as a whole; and

4. The effect of the use upon the potential market for or value of the copyrighted work.

B. "FACE-TO-FACE INSTRUCTION"

Performance or display of any copyrighted work by teachers or students without permission from the copyright holder is permissible under the following circumstances:

1. The work must be performed or displayed in a face-to-face setting by a teacher or by students; and

2. The performance or display must be in the course of teaching activities, in a classroom or a similar educational setting.

Examples of performances or displays falling under this exception include reading a play in the classroom, singing a song in a classroom or showing a filmstrip or video (provided that it has been purchased or lawfully copied).

The following sections summarize the permissible or "fair use" of different types of copyrighted works. Because the law and technological applications continue to evolve, school unit employees are responsible for ensuring that the intended use of materials does not conflict with copyright law/guidelines and for informing students of such issues as appropriate.

III. DISTANCE EDUCATION: TRANSMISSION OF PERFORMANCES AND DISPLAYS TO REMOTE SITES

The following may be transmitted by any device or process, including the DOE Distance Learning Network, interactive television, or Internet courses:

- Performance of nondramatic literary works (e.g., novels, short stories, poems); or
- Reasonable and limited portions of any other work; or
- Display of a work in an amount comparable to that which is typically displayed in the course of a live classroom only if:

A. The performance or display is made by, at the direction of, or under the actual supervision of an instructor as an integral part of a class session offered as a regular part of instructional activities;

B. The performance or display is directly related and of material assistance to the teaching content of the transmission;

C. The transmission is made solely for, and, to the extent technologically feasible, the reception of such transmission is limited to students officially enrolled in the particular course and employees of the school unit as part of their duties;

D. Technological measures are implemented that reasonably prevent retention of the work in accessible form by recipients of the transmission for longer than the class session and prevent unauthorized further dissemination of the work in accessible form by such recipients to others;

E. There is no interference with technological measures used by copyright owners to prevent such retention or unauthorized further dissemination of materials; and

F. Students in such courses must be given notice that materials used in connection with the course may be subject to copyright protection.

IV. PRINT MATERIALS

A. Permissible Uses

1. A single copy of the following made for use in teaching or in preparation to teach a class:

   a. A chapter from a book;

   b. An article from a periodical or newspaper;

   c. A short story, short essay or short poem, whether or not from a collective work; and

   d. A chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper.

2. Multiple copies made for classroom use (not to exceed one copy per student in a course) from the following:

   a. A complete poem, if it has fewer than 250 words and does not exceed two printed pages in length, or an excerpt of not more than 250 words from a longer poem;

   b. A complete article, story or essay of less than 2,500 words;

   c. Prose excerpts not exceeding 10 percent of the whole or 1,000 words, whichever is less;

   d. One chart, graph, diagram, cartoon or picture per book or per issue of a periodical; and

   e. An excerpt from a children's book containing up to 10 percent of the words found in the text and not more than two printed pages of the published work.

3. One transparency for classroom instruction may be made from consumable materials such as workbooks, exercises, activity sheets, etc.

4. All permitted copying must include appropriate credits, including the author, title, date, copyright notice and any other pertinent information.

B. Prohibited Uses

1. More than one work or two excerpts from a single author copied during one class term;

2. More than three works from a collective work or periodical volume copied during one class term;

3. More than nine sets of multiple copies made for distribution to students in one class term;

4. Copies made to create, replace or substitute for purchasing anthologies or collective works;

5. Copies made of "consumable" works, such as workbooks, exercises, standardized tests and answer sheets (except as noted in A.3 above);

6. The same work copied from term to term;

7. The same material copied for more than one particular course, or copied every time a particular course is offered, unless permission is obtained from the copyright owner;

8. Copies made when there is sufficient time prior to the intended use to obtain permission from the copyright owner; and

9. No charges may be made to students beyond the actual cost of photocopying.

V. COMPUTER SOFTWARE

All software purchased for use in the school unit must be approved by the school principal. Only the Superintendent and/or other authorized personnel may obtain and sign software licensing agreements and duplication rights agreements. All terms of such licensing/duplication agreements must be observed by all school unit employees and students.

Software purchased by the school unit for classroom, lab, media center, and office use remains the property of the school unit and may be used only in school-sponsored programs and activities.

A. Permissible Uses

1. One archival (back-up) copy of copyrighted software may be made by authorized employees (unless a licensing agreement prohibits copying for any purpose);

2. Software may be used on a networked computer system if written permission is obtained or a version intended for network is used;

3. Software may be loaded on multiple equipment if it is specifically advertised as multi-load or written permission has been obtained; and

4. Preview software may be evaluated for a reasonable evaluation period before being purchased or returned.

B. Prohibited Uses

1. Illegal copies of copyrighted software programs made or used on school equipment;

2. Copies made of preview software;

3. Use of software on a networked computer system not intended for network use without written permission;

4. Multiple loading of software not specifically licensed for multi-loading without written permission;

5. Multiple copies made of copyrighted software (beyond an authorized archival copy);

6. Multiple copies made of printed documentation accompanying copyrighted software;

7. Copies made of software for sale, loan, transmission, or gift to other users; and

8. Copies made of locally produced adaptations or modifications of copyrighted software for any purpose.

VI. INTERNET

The rights of the owner of copyrighted material on the Internet are the same as the rights of the owner of traditional materials. Unless there is a clear statement that art, photos, text, and sounds are "public domain" and available for free use, it should be assumed that the material is copyrighted. All the criteria for "fair use" apply to works on the Internet just as they apply to other materials. The ease of copying materials from the Internet should not be used as an excuse for violating copyrights.

VII. OFF-AIR TELEVISION RECORDING

A. Permissible Uses

1. Off-air recordings may be made only at the request of and used by individual teachers;

2. Off-air recording of broadcast programs available to the general public without charge may be made and retained for a period not to exceed 45 calendar days after the date of recording. The following additional requirements must also be met:

   a. The recording may be used *once* by individual teachers in the course of relevant teaching activities and repeated *once* during the first 10 consecutive school days in the 45-day retention period.

   b. Following the first 10 consecutive school days, the recording may only be used for teacher evaluation purposes (i.e., to determine whether the broadcast program should be included in the curriculum).

   c. Following the 45-day retention period, the recording must be erased or destroyed immediately unless written permission is obtained from the copyright owner to keep and use the program in teaching/learning activities.

3. A limited number of copies may be produced from each off-air recording to meet the legitimate educational needs of teachers. Such copies are subject to the same guidelines as the original copy.

4. An off-air recording need not be used in its entirety, but the recording may not be altered, edited, combined, or merged. All copies must include the copyright notice of the broadcast program.

B. Prohibited Uses

1. Recording broadcast programs in anticipation of requests;

2. Recording broadcast programs when there is sufficient time prior to the scheduled program to obtain permission from the copyright owner;

3. Recording programs from pay/satellite television channels (HBO, Cinemax, Disney, etc.);

4. Using or retaining recordings beyond the 45-day retention period without written permission;

5. Recording the same program more than once for the same teacher (regardless of how many times the program may be broadcast); and

6. Altering the program from the original content in any way (although the entire program need not be viewed).

VIII. USE OF PRE-RECORDED VIDEOS

Pre-recorded videos include commercially available videos marked “For Home Use Only” (such as feature films), including VHS tapes, DVD disks, filmstrips, etc.

A. Permissible Uses

Pre-recorded videos may be used in “face-to-face instruction” provided that the viewing utilizes a lawfully-made copy rented or purchased by the school unit.

B. Prohibited Uses

1. Videos may not be used for entertainment, filler, assemblies, fundraising, public viewing, or any other purpose without written permission of the copyright owner and permission of the building principal.

2. Videos may not be used when a written contract specifically prohibits use in classroom or direct instruction situations.

3. Videos may not be borrowed from individuals or other schools.

4. Videos may not be copied.

IX. MUSIC AND THEATER PERFORMANCES

Prior written permission must be obtained whenever copyrighted plays and musical numbers are to be performed or whenever copyrighted music is used as part of a performance.

X. EDUCATIONAL USES OF MUSIC

A. Permissible Uses

1. Emergency copies to replace purchased copies that for any reason are not available for an imminent performance provided that purchased replacement copies shall be substituted in due course.

2. For academic purposes other than performance, multiple copies of excerpts of works may be made provided that:

   a. The excerpts do not constitute a performable unit (section, movement, or aria) or more than 10 percent of the entire work;

   b. No more than one copy per student in the class is made; and

   c. The copyright notice appears on the copies.

3. For academic purposes other than performance, a single copy of an entire performable unit (section, movement, or aria) may be made by the teacher for scholarly research or in preparation to teach a class provided that:

   a. The work is confirmed by the copyright owner to be out of print;

   b. The work is unavailable except in a larger work; and

   c. The copyright notice appears on the copy.

4. Printed copies that have been purchased may be edited or simplified provided that the fundamental character of the work is not distorted. Lyrics may not be altered or added, if none exist.

5. A single copy of recordings of performances by students may be made for evaluation or rehearsal purposes and may be retained by the school unit or an individual teacher.

6. A single copy of a sound recording (album, tape, cassette, or CD) or copyrighted music may be made from sound recordings owned by the school unit or an individual teacher for the purpose of constructing aural exercises or examinations. The copy may be retained by the school unit or an individual teacher.

   a. This pertains only to the copyright of the music itself and not to any copyright which may exist in the sound recording.

B. Prohibited Uses

1. Copy to create, replace, or substitute for purchasing anthologies, collective works, and compilations;

2. Copy "consumable" works, such as workbooks, exercises, standardized tests, and answer sheets;

3. Copy for the purpose of performance (except as noted in A.(1)); and

4. Copy to substitute for the purchase of music (except as noted in A. (1-2)).

Legal Reference: 17 U.S.C. § 101 et seq.
P.L. 107-273 (The TEACH Act of 2002)

Cross Reference: EGAD - Copyright Compliance

Adopted:_____

HOMELESS STUDENT APPEAL PROCESS
McKinney-Vento Dispute Resolution Process

Introduction:

Under the McKinney-Vento Homeless Assistance Act and Maine Education Rules Chapter 14, Biddeford School Department is responsible for evaluating a student's eligibility for homeless education services. For students deemed eligible, Biddeford School Department must then determine whether it is in the student's best interest to continue attending the school of origin or transition to a school available based on the student's current residence. It is Biddeford School Department's responsibility to make the best interest determination when it is the School Administrative Unit of Origin, but the Department may also make this determination as to the Administrative Unit of Current Residence upon a family's request or if the SAU of Origin does not do so promptly. Biddeford School Department will always aim to involve parents, guardians, and unaccompanied youth in its eligibility and best interest decision-making, but ultimately the responsibility for making these determinations rests with School Department. The following dispute resolution process is meant to be used when the school's decision contradicts the wishes of the family.

In those cases, Biddeford School Department will provide the parent, guardian, or unaccompanied youth with a clear written explanation, using language that is accessible to the recipient, of the reasons for its determination and will inform the parent/guardian/unaccompanied youth of their right to request dispute resolution. Should dispute resolution be requested, the student is assumed to be eligible for services under the McKinney-Vento Act and may attend the family's preferred school for the full time that the determination remains in dispute. Biddeford School Department will carry out this process expeditiously, fairly, respectfully, and confidentially to minimize uncertainty and disruption to the education of the student.

Dispute Resolution Process:

Step I: Notice to the Homeless Liaison

The parent/guardian/unaccompanied youth is referred to the local homeless liaison for an explanation of and assistance with the dispute resolution process.
Parent/guardian/unaccompanied youth notifies the liaison in writing that they intend to dispute the determination. Should the disputant notify a staff member other than the liaison, that staff person will immediately convey the notice to the homeless liaison. The liaison ensures that the student is immediately enrolled in the disputant's preferred school and is receiving all services to which a homeless student is entitled.

Step 2: Review by Building Administrator

The homeless liaison conveys the request to the Building Administrator, who has 7 working days to review the disputed determination. The Building Administrator may meet with the disputant to gain a better understanding of their perspective and/or may gather additional information from the family, homeless liaison, and other staff as needed. Within 7 business

days, the Building Administrator informs the disputant of his or her decision and reasoning in writing and provides a copy to the homeless liaison.

Step 3: Appeal to the Superintendent

The homeless liaison confers with the disputant regarding the Building Administrator's determination and informs the disputant that the decision can be appealed to the Superintendent if they remain dissatisfied. If the disputant chooses to appeal, the liaison obtains a written response from the disputant and conveys the cumulative dispute file to the Superintendent. The Superintendent may meet with the disputant and/or gather additional information needed to fairly review the disputed determination. The Superintendent will provide a written response to the appeal request within 10 working days of the disputant's notice of appeal. A copy is provided to the homeless liaison.

Step 4: Appeal to the Maine Department of Education

The homeless liaison confers with the disputant to determine whether they are satisfied with the outcome of the local appeal. If the disputant remains dissatisfied, the liaison assists the disputant in submitting a state-level appeal via the process outlined in Maine Education Rules Chapter 14, Section 7. The local homeless liaison gathers all documentation from the local appeal process, assists in the completion of the state-level dispute resolution request form, and submits the completed file to the State Homeless Education Consultant electronically or via post.

JFABD-R Dispute Resolution Form

Cross Reference:	JFABD - Admission of Homeless Students JFABD-R1 - Maine Homeless Education State Level Dispute Resolution Process
Legal References:	42 U.S.C. § 11431-11435 20-A M.R.S.A. §§ 261, 5161-5164, 5205(7), 5205 Ch. 14 (Me. Dept. of Ed. Rules) Maine State Plan for the Education of Homeless Children and Youth

Adopted: _____

MAINE HOMELESS EDUCATION STATE LEVEL DISPUTE RESOLUTION PROCESS

The McKinney-Vento Homeless Assistance Act (42 USC Chapter 119, Subchapter VI, Part B: Education for Homeless Children and Youths) requires school districts and states to have procedures in place to promptly resolve disagreements over student eligibility for homeless education services and the educational placement of homeless students.

If you have completed all steps in your local school district's dispute resolution process and are still dissatisfied with the school's final decision, you may appeal that decision to the Maine Department of Education. Your local McKinney-Vento Liaison will help you to make the appeal.

During a state-level appeal, students have the right to continue attending the school that the family or unaccompanied youth has requested.

Here is a brief summary of what to expect if you decide to appeal an eligibility or placement decision to the Maine Department of Education:

1. You will complete the attached Dispute Resolution Appeal Request form, with your local liaison's assistance if needed.
2. Your liaison will work with you to create a packet that includes the appeal request form and all documents from the local process you have completed, including the school's initial letter of determination.
3. Your liaison will send the appeal packet to the State Homeless Education Coordinator by mail or email. The Coordinator will review all the materials provided and may contact you and/or the school for additional information. Within 10 working days of receiving the appeal packet, the Coordinator will complete the review of your situation and send you and all relevant school districts a written decision. If everyone is satisfied with that resolution, the process is complete.
4. If you or either of the involved school districts is not satisfied with the Coordinator's decision, a final appeal can be made to the Commissioner of Education. The dissatisfied party has 7 working days to inform the Coordinator in writing that they wish to make this final appeal.
5. The State Coordinator will accept any additional written information you and/or the schools wish the Commissioner to consider for at least 10 more working days. Then the Coordinator will forward all materials to the Commissioner's Office. The Commissioner has 20 working days to issue a final decision and may, during that time, contact you for additional information or to schedule a hearing. You will receive written notification of the Commissioner's final decision.

Your local liaison and the State Coordinator can answer your questions and assist you at any point in the process. You can reach the State Homeless Education Coordinator, Amelia Lyons, at (207)-624-6637 or by email amelia.lyons@maine.gov. You may also contact the National Center for Homeless Helpline at 800-308-2145 or homeless@serve.org

1. **Right to State Level Appeal:** If a parent or guardian of a homeless student or an unaccompanied homeless student disagrees with either the school administrative unit of origin's or the school administrative unit of current residence's determination of eligibility or best interest and remains in disagreement after completing all steps of the local dispute resolution process, the local decision may be appealed to the State Department of Education.

2. **Forms and Instructions:** The Department will make forms and instructions for the state-level appeal process available on its public website. The local liaison must assist the parent, guardian, or unaccompanied homeless student in assembling the appeal packet and assure that it is sent to and received by the State Homeless Education Coordinator. The appeal packet must include the school administrative unit's original letter of determination, all documentation related to the local dispute resolution process, and the State dispute resolution appeal form.

3. **Initial State Review:** Upon receipt of the packet, the State Homeless Education Coordinator will review the materials provided, request any additional information deemed necessary to make his or her determination, and document all additional information received in response to the request(s). Within ten (10) working days of receipt of the appeal packet, the Coordinator will provide written findings and a determination to the disputant and the school administrative unit(s). If all parties are satisfied with the resolution provided by the Coordinator, this finding will constitute the final resolution.

4. **Final Review by the Commissioner:** If any party remains dissatisfied with the determination of the Coordinator, a final appeal may be made to the Commissioner of Education. That party has seven (7) working days to inform the Coordinator in writing of their appeal to the Commissioner. The Coordinator will provide the parties no less than ten (10) working days to respond in writing to the proposed determination and will convey the original appeal packet, the proposed determination, and any timely written responses to the Commissioner. At the Commissioner's request, a hearing may be held to clarify issues related to the dispute. In any case, the Commissioner will issue a decision within twenty (20) working days of receiving the appeal. The Commissioner's decision is final.

5. **Disagreements between School Administrative Units**: In situations where the school unit of origin and the school unit of residence are in disagreement over a determination of eligibility or best interest, either unit may request informal assistance from the State Homeless Education Coordinator. Should the dispute persist after such consultation, either district may initiate the state-level dispute resolution process described above. The parent, guardian, or homeless student must receive copies of all documents sent to the Department with respect to the dispute and must be given the opportunity to submit

their own statement and/or documents with respect to the dispute. The local liaison must assist the parent, guardian, or homeless student in assembling any statement or documents they wish to submit and ensuring that they are sent to and received by the State Homeless Education Coordinator. In any situation where the school units of origin and residence are in disagreement, the student must be immediately enrolled and receiving services in the school chosen by the parent, guardian, or unaccompanied youth until the dispute resolution process is concluded.

State Level Homeless Education Dispute Resolution Request Form

To the Local Liaison: Please attach this form to the complete record of all eligibility, determination of best interest, and local dispute resolution proceedings to date and mail or email to:

Amelia Lyons, State Homeless Education
Coordinator Maine Department of Education
23 State House Station
Augusta, ME 04333
amelia.lyons@maine.gov

- Please notify the Coordinator by email if you are opting to send hard copies by mail.
- Please provide the disputant with a copy of all documents being sent to the Dept. of Education as part of this request.

Cross Reference: JFABD, Admission of Homeless Students
JFABD-R, Homeless Student Appeal Process

Legal References: 42 U.S.C. § 11431-11435
20-A M.R.S.A. §§ 261, 5161-5164, 5205(7), 5205
Ch. 14 (Me. Dept. of Ed. Rules)
Maine State Plan for the Education of Homeless Children and Youth

Adopted:_____

USE OF PRIVATE VEHICLES ON SCHOOL BUSINESS

The School Committee recognizes that certain school employees use their own vehicles for school business. To safeguard the school unit in matters of liability, particularly regarding the transportation of students, employees shall strictly adhere to administrative regulations concerning the use of private vehicles.

Cross Reference: EEBB-R - Use of Private Vehicles on School Business—
Administrative Regulation

Adopted: January 13, 1993

Revised: April 26, 1994; April 27, 1999

Reviewed: _____

MENU DEVELOPMENT/OPTIONS—OFFER VS. SERVE

The “Offer vs. Serve Option” is designed to be more economical for the school unit and result in less waste. All meals offered must meet nutrient standards for the appropriate age or grade group when the nutrients in those foods are averaged over a school week.

The Offer vs. Serve concept shall be implemented in all Biddeford schools. The Superintendent/designee shall implement and communicate, as appropriate, administrative regulations which conform with state and federal requirements and School Committee policies.

Adopted: March 22, 1994

Revised: April 27, 1999

Reveiwed: _____

BIDDEFORD SCHOOL DEPARTMENT

BLOODBORNE PATHOGENS

The School Committee acknowledges the risk of infection from bloodborne pathogens that employees may incur when they handle or participate in procedures that involve blood, other body fluids, or other potentially infectious materials.

The School Committee directs the Superintendent to implement the mandated Occupational Safety and Health Administration (OSHA) standard to eliminate or minimize occupational exposure to potentially infectious material for employees who have a reasonable anticipation of exposure to blood and other body fluids.

The Superintendent shall develop and implement for School Committee approval an Exposure Control Plan for Bloodborne Pathogens. The plan shall be reviewed and updated on a regular basis. The plan shall be distributed to all employees. The following issues shall be addressed in the plan:

A. Exposure determination;

B. Preventive measures including training, universal precautions, Hepatitis B vaccination, engineering controls, work practice controls, and personal protective equipment;

C. Post-exposure evaluation and follow-up; and

D. Recordkeeping.

Cross Reference: GBGAA-R1 – Exposure Control Plan for Bloodborne Pathogens
GBGAA-R2 – Post Exposure to Bloodborne Pathogens Evaluation and Follow-Up
GBGAA-R3 – Exposure Control Recordkeeping

Adopted: December 10, 1996

Revised: April 27, 1999,_____

BUDGET PROCESS

~~Each annual budget will be for a 12-month period covering the fiscal year from July 1 to June 30. The budget shall include, in addition to operating expenses and expected income for the ensuing year, the sums required for meeting bonds falling due, interest on the bonds, and other obligations, rentals, and other fixed charges. These proposals shall be thoroughly explained, and the public shall be given an opportunity to be heard.~~

~~The budget process shall be conducted in the following sequence:~~

~~By the 4th Tuesday in January:~~	~~The Superintendent will receive the budget requests from the administrators.~~
~~By the 4th Tuesday in February:~~	~~The Superintendent completes review of administrators' requests.~~
~~By the 1st Monday in March:~~	~~The Superintendent presents proposed budget to the School Committee Finance Committee~~
~~By the 4th Tuesday in March:~~	~~The School Committee Finance Committee presents the proposed budget to the full School Committee.~~
~~By the 2nd Tuesday in April:~~	~~The School Committee will approve the proposed budget.~~
~~By the 3rd Monday in April~~	~~The City Council Finance Committee will receive the School Committee's proposed budget.~~
~~By June 30:~~	~~The City Council will adopt the budget.~~

The School Committee shall submit to the City Budget Committee a budget for the operation of the Department of Education, to include a Capital Improvement 5-Year Budget Plan by the third Monday in March. After review, the Budget Committee shall forward their recommendations to the City Council, whose decision on the budget shall be final; subject to State-mandated school budget validation requirements, if any. The proposed budget shall be comprised of: expenditures for the functions of instruction, student support, staff support services, administration, operation and maintenance, pupil transportation, adult education, debt service, and any other function(s) the Committee wishes to have funded for the fiscal year.

The total approved for each individual function by a majority vote of Council shall become the School Committee's aggregate fiscal year budget after having received its second reading. The School Committee shall not allow the transfer of funds from one function to another without first receiving 2/3 vote of the members present and voting from both the School Committee and the City Council in separate deliberations.

Legal Reference: Biddeford City Charter, Art. V, § 4

Adopted: April 27, 1999

Revised: _____

BIDDEFORD SCHOOL DEPARTMENT

CUSTODIAL/MAINTENANCE SERVICES
ADMINISTRATIVE REGULATION

The custodial/maintenance services for the Biddeford School Department have three main objectives:

a. To ensure the safety of students, staff, and the general public from fire and other hazards;

b. To safeguard the health of students, staff, and the public by maintaining scrupulous cleanliness of floors, furniture, and lavatories; and,

c. To maintain the safety and appearance of all facilities by keeping them in good repair at all times.

The ~~Custodial Service~~ **Facilities** Director is responsible for supervising all custodial/maintenance staff and ensuring that work is satisfactorily completed. Inspections shall be made daily by the **Lead or Head** custodian in charge of each building and **on a regular basis** by the ~~Custodial Service~~ **Facilities** Director.

Teachers and other school staff are responsible for reporting needed cleaning or special requests for custodial/maintenance services via **the Computerized Maintenance Management System** ~~or the building principal, who shall report such needs to the custodian in charge of the building. Staff members are not to make requests directly to custodial/maintenance staff.~~

Custodians shall be assigned extra duty as necessary when facilities are used for special, after-hours, or community purposes.

Adopted: December 16, 1992

Revised: April 27, 1999, _____

CHARTER/TRIP REGULATIONS

The following is a list of guidelines that must be followed by staff, students, coaches, and/or chaperones during charters/trips.

A. There shall be at least one staff member present on board (teacher and/or coach) per bus.

B. ~~If there is more than one staff/chaperone present on a charter/trip, one must sit in the back of the bus and one sit in the front of the school bus to monitor student behavior.~~

C. The responsibility for monitoring and managing student behavior on a charter/trip lies with the staff/chaperones. If the behavior of students/adults becomes a safety concern for the school bus driver, he/she has the authority to take steps to ensure the safety of the passengers.

D. All passengers must wear appropriate footwear. Metal cleats or ice skates are not to be worn on the school bus.

E. The passengers on a school bus are responsible for the cleanliness of the bus. All school buses will be equipped with at least one trash container, with additional liners available if a bag becomes full.

F. ~~No eating or drinking is allowed on school buses.~~ **Excepting necessary nutrition or hydration for athletes or students and staff with medical needs, eating or drinking is disallowed on school buses. Drivers may use discretion in allowing eating and drinking on the bus when a trip lasts more than two hours one way.**

G. If inclement weather occurs during a trip/charter, the school bus driver will take steps to ensure the safety of all passengers. This may include returning to Biddeford earlier or later than scheduled.

H. **ALL** passengers must follow all rules posted on the school bus.

I. A passenger manifest listing all passengers per bus must be submitted to the building administrator prior to departure.

J. All school buses are equipped with an AM/FM radio. The volume **must** be adjusted to a level that allows safe operation of the school bus by the driver. Passengers with phones, MP3 Players, etc..~~personal stereos~~ must use headphones.

K. It is the responsibility of the staff/chaperones/coaches to know the above guidelines and to review them with all persons participating in the trip/charter.

Violation of the above guidelines may result in the loss of future bus privileges.

Adopted: April 27, 1999

Revised: _____

APPROVAL OF SCHOOL PROPERTY CONSTRUCTION

All proposed publicly or privately funded construction projects which involve school buildings or grounds shall be submitted first to the School Committee ~~Capital Improvements Committee for its consideration and recommendation and then to the full School Committee~~ for approval or disapproval. Covered projects shall include any new construction, additions, or alterations to buildings or school grounds when the cost is at least ~~$2,000~~ **$5,000** or the threshold for requiring competitive bids has been reached.

The intention of this policy is to prevent any City Department or agency from authorizing a construction project on school property until and unless the School Committee has approved it in advance. Failure to comply with this policy may result in the voiding of construction contracts, at the discretion of the School Committee.

Adopted: March 10, 1998

Revised: April 27, 1999,_____

BIDDEFORD SCHOOL DEPARTMENT