

*City of Biddeford*  
**School Policy Committee**  
**March 19, 2018 3:30 PM Classroom adjacent to Little Theater**

- 1. Call to Order**
- 2. Roll Call**
- 3. Student Travel:**
  - 3.1. Policies regarding Student Travel
    - [\\*\\*EEAFSpecialuseofschoolbuses .pdf](#)
    - [\\*\\*EEAF-RChartertripregulations \(1\).pdf](#)
    - [IJOAFieldtrips&excursions.pdf](#)
    - [\\*\\*EEAF-R2 Overnight Field Trips-2.pdf](#)
    - [\\*\\*EEAF-R3 Overnight Field Trip Form.pdf](#)
- 4. Video Cameras:**
  - 4.1. Policies on Video Cameras:
    - [\\*\\*EEAEFAVideoSurveillance.pdf](#)
    - [\\*\\*EEAEFA-Rvideocamerauseonschool.pdf](#)
    - [\\*\\*EEAEFVideocamerastransportation.pdf](#)
- 5. Student Nutrition:**
  - 5.1. Policies on Student Nutrition:
    - [\\*\\*EFCfree&reduced.pdf](#)
    - [\\*\\*EFC-Rchargingstudentmeals.pdf](#)
    - [\\*\\*EFCBflavoredmilk.pdf](#)
- 6. Use of Private Vehicles:**
  - 6.1. Policies on Use of Private Vehicles:
    - [\\*\\*EEBBUseofprivatevehicles.pdf](#)
    - [\\*\\*EEBB-RUseofprivatevehicles.pdf](#)
    - [\\*\\*EEBB-R2Useofprivatevehiclesschool.pdf](#)
- 7. Student Conduct & Records:**
  - 7.1. Policies on Student Conduct & Records:
    - [\\*\\*JRASStudentEducationalrecords.pdf](#)
    - [\\*\\*JKStudentdiscipline.pdf](#)
    - [\\*\\*JICCStudentConduct.pdf](#)
- 8. Revisions/Updates in Preparation for Pre-K Audit:**
  - 8.1. Policies on Revisions/Updates in Preparation for Pre-K Audit:
    - [\\*\\*IHBACchildfind.pdf](#)
    - [\\*\\*KBF-E2\\_JFKTitle1.pdf](#)
    - [\\*\\*JLCBImmunizations.pdf](#)
    - [\\*\\*JLCB-RImmunizationrequirements.pdf](#)
    - [Stateimmunizations.pdf](#)
- 9. School Property:**
  - 9.1. Policy on School Property:
    - [\\*\\*EDCAuthorizedstaffuseofschoolproperty.pdf](#)

## **10. Adjournment**

## **SPECIAL USE OF SCHOOL BUSES**

~~School buses may be used to transport students for field trips and extracurricular activities in accordance with School Committee policies, applicable administrative regulations and budgetary limitations.~~

~~All policies and regulations pertaining to student conduct on school buses shall also apply to special trips. Chaperones shall be responsible for maintaining order on the buses. There must be at least one chaperone for every fifteen (15) students.~~

~~All transportation arrangements for special trips shall be made through the Dispatch Supervisor to the Superintendent's Office.~~

~~Bus drivers on special trips must follow pre-approved routes and may not make unscheduled stops or detours. Drivers shall notify the Superintendent/designee in case of emergency or undue delay.~~

Cross Reference: JICC – Student Conduct on School Buses  
EEAF-R - Charter/Trip Regulations

Adopted: January 13, 1993

Revised: April 27, 1999

Deleted: \_\_\_\_\_

BIDDEFORD SCHOOL DEPARTMENT

MSMA Note:

This policy should be deleted. Use for school-sponsored activities are not “special” uses. There is no reason to have this policy since everything in it would typically be addressed in administrative procedures (of the kind that don’t need Board approval). There is no equivalent MSMA sample policy. At one time we had a policy with that code and title but it served a different purpose, i.e., “renting” busses for municipal/community purposes.

## CHARTER/TRIP REGULATIONS

The following is a list of guidelines that must be followed by staff, students, coaches and/or chaperones during charters/trips. **Expectations for bus behavior, whether on regular bus routes, to and from extracurricular events, or field trips should be communicated to students through the student handbook, athletic/extracurricular code of conduct, or in the context of specific 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. However, 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 ~~may be~~ are equipped with **a sound system**. ~~with an AM-FM radio.~~ The volume **must** be adjusted to a level that allows safe operation of the school bus by the driver, and is set at the discretion thereof. 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 loss of future bus privileges.

Adopted: April 27, 1999

Revised: \_\_\_\_\_

## **FIELD TRIPS AND EXCURSIONS**

The Biddeford School Committee recognizes the educational value of school sponsored trips as a means of extending the curriculum as a vehicle for encouraging and supporting student participation in academic, artistic, and athletic competitions.

School- sponsored trips include field trips, competition trips and school sponsored excursions.

### **FIELD TRIPS**

A field trip is defined as any trip organized and conducted by an employee of the Biddeford School Department as an integral part of the school curriculum. It takes place during the school day (may begin earlier in the day and end later in the day with the approval of the building principal). To be educationally beneficial, a field trip requires thoughtful selection, careful advance planning, and opportunities for students to assimilate the experience during the conclusion of the trip. All students within the class or grade will be eligible to participate. An excursion is any trip organized and conducted by an employee of the Biddeford School Department as a non-essential supplement to the school curriculum.

Teachers and principals are expected to consider the following factors in selection of field trips and excursions:

- A. Field Trips should be taken from the approved curriculum-related list with a link to the Common Core standards;
- B. Relationship and importance of the field trip activity to the adopted curriculum;
- C. All teams, departments, or grade levels will be asked to attend at least one (1) field trip annually from the approved field trip list. This will help alleviate concerns that some students may never have the opportunity to go on field trips;
- D. Value of the field trip/excursion activity to the particular class group or class groups;
- E. Suitability of the field trip/excursion activity and distance traveled to age level;
- F. Mode and availability of transportation;
- G. Cost and availability of appropriate funding through the school budget or appropriate sources;
- H. Arrangements of meals if applicable;
- I. The amount of school time will be missed by students and staff,

- J. The effect on other school programs, and;
- K. All teams, departments, or grade levels will be asked to attend no more than three (3) trips annually. Overnight trips and optional trips are not included in this limit.

Approval considerations: Field trips must be approved in advance by the building principal. Each request shall be reviewed and permission granted or denied on its individual merit within budgetary limitations. With sufficient reason, the building principal or director has the ability to override the above parameters, allowing some discretion as needed at the school level. However, this should not be a regular occurrence.

In addition the Biddeford School Committee requires:

1. Trip Request forms shall be completed by the teacher and given to their administrator two weeks before departure.
2. A minimum of one adult chaperone is required for groups of up to 10 students K-12 for off school campus grounds. The names of the adults selected must be submitted by the teachers in advance to the principal for approval. The teacher(s) are responsible for assigning specific duties and responsibilities to the adult supervisors. Chaperones must remain on site of the field trip or excursion. Chaperones must follow the District's Code of Conduct as well as abstain from any prohibitive substances per Biddeford School Committee policy.
3. Provisions must be made to accommodate students with disabilities participating in field trips.
4. Permission slips, signed by the parent/guardian, are necessary whenever the trip requires students to leave the school grounds. Permission forms signed by the parent/guardian for a student to participate in an ongoing field trips activity will cover the entire year except for overnight trips/excursions. Under certain circumstances, the administrator can obtain permission by other means such as phone calls, email, etc.
5. A student may not participate in a trip if he/she:
  - is subject to a suspension or expulsion at the time of the trip; or
  - if an IEP or 504 Team has concluded that the student cannot safely participate in the trip.

Students participating in field trips must conduct themselves in a manner consistent with Biddeford School Committee policies and school rules.

Student exclusion from the trip must be approved by the building administrator. Parents must be notified ahead of time if their child is excluded from participating in the trip.

6. No student will be denied the opportunity to take part in a field trip or excursion due to lack of adequate funds. There must be provisions in place to seek alternative funding

methods, such as fundraising, to help cover the expenses of students who would not otherwise be able to go on the field trip for financial reasons. No student should be restricted from attending a field trip because of financial hardship.

7. It is the responsibility of the parent to make the teacher/chaperone aware of on-going medical problems a student might have and to supply emergency telephone numbers in the event of an emergency or illness.
8. During the last two weeks of the school year, trips will need to be scheduled with caution because of multiple demands for transportation services. Once approved through the budget process, trips do not require further Biddeford School Committee approval unless such approval is required under another portion of this regulation.
9. Private cars shall not be used to transport students unless approved in advance by the Superintendent except in the case of an emergency.
10. Parents will be notified at least two weeks in advance of the trip. Notification will include date, time, trip description, during trip participation.

### **Competition Trips**

“Competition trip” means any trip related to an academic, artistic, athletic, or other student competition or performance that involves individual students or teams. The Biddeford School Committee recognizes that some competition trips are earned through success in qualifying events and do not lend themselves to advance planning. Any competition trip that is outside of those scheduled for the year must be approved in advance by the Superintendent. Approval may be contingent upon availability of funding through the school budget or other sources.

### **School-Sponsored Excursions**

“School-sponsored excursions” are trips that are organized and conducted by an employee of the Biddeford School Department as a non-essential supplement to the curriculum, a class social activity, or an activity planned by a student club or organization. Such trips may include overnight, long-distance in-state or out-of-state travel, or foreign travel.

The Biddeford School Committee must approve in advance all overnight or foreign trips. Same-day short-distance excursions may be approved by the Superintendent/designee or building principal.

Staff or administrators seeking approval for school-sponsored excursions must furnish the following information:

- A. Objectives of the trip and anticipated outcomes;

- B. Specific learning or social activities to be experienced;
- C. Number and grade(s) of students;
- D. Criteria for selecting students;
- E. Maximum number of students who may participate;
- F. Cost per student, including funds requested from District and from individual students;
- G. Fundraising plans (if applicable);
- H. Transportation arrangements;
- I. Itinerary;
- J. Arrangements for meals and lodging;
- K. Arrangements for adult supervision/chaperons, with a minimum ratio of 1:10;
- L. Plans for safety and emergencies;
- M. Plans for communicating information to parents and obtaining parental permission; and
- N. Accountability for student conduct.

Adequate supervision must be provided to maintain discipline and safety and to respond to emergencies.

Students participating in field trips are expected to conduct themselves in a manner consistent with Biddeford School Committee policies and school rules. Students who violate Biddeford School Committee policy or school rules will be subject to disciplinary consequences.

### **Non-School-Sponsored Trips and Excursions**

Travel that is not an extension of the instructional program and has not been approved as a school-sponsored trip by the Superintendent, building principal or Biddeford School Committee in compliance with this policy will be considered a non-sanctioned trip or excursion.

Non-school-sponsored trips are any trips or excursions organized by Biddeford School Department employees, parents, students, non-school groups, community members,

or others acting independently of the schools. These trips involve students on a voluntary and self-supporting basis, are not approved by the Biddeford School Committee, and are not part of or associated with the curriculum, co-curricular, or extracurricular activities.

All responsibility for non-sanctioned trips and excursions lies with the individual(s) or group(s) organizing them. The Biddeford School Committee accepts no responsibility for non-school-sponsored trips or excursions, and organizers should be aware that such trips or excursions are not covered by the Biddeford School Department's liability insurance.

To minimize the impact of these trips on the instructional program and operation of the schools, the Biddeford School Committee strongly encourages organizers/sponsors to schedule non-sanctioned trips during weekends and/or vacation periods. If travel arrangements result in missed school days, normal procedures for staff and student absences will be followed.

Instructional time may not be used to promote the trip or distribute materials. Individuals or groups who wish to use the schools for the purpose of publicizing trips or recruiting participants may do so in accordance with the Biddeford School Committee's facilities use policy. Individuals or groups wishing to distribute promotional materials may do so only in accordance with Biddeford School Committee policy. Non-school-sponsored trips and excursions must not be represented as school functions or as related to, or an extension of, the Biddeford School Department's instructional, co-curricular or extracurricular programs.

While private activities of staff cannot be regulated by the school, it is the responsibility of any staff engaging in such trips or activities to notify the parents of the participating students that this is not a school activity, but a private volunteer excursion undertaken by that teacher or other staff member.

**Cross Reference:** EEBB – Use of Private Vehicles on School Business  
KHB – Advertising in Schools  
EEAF- R Charter/Trip Regulations  
EEAF- R2 Overnight Field Trips

**Approved:** April 13, 2010

**Revised:** February 12, 2013

**Reviewed:** \_\_\_\_\_

## OVERNIGHT FIELD TRIPS

When students are engaging in school-sponsored overnight field trips, they are responsible to the Biddeford School Department. School personnel assigned to their supervision serve *in loco parentis*.

A fully completed and signed Overnight Field Trip Form (Policy EEAF-R3) must be submitted to the Superintendent to place on an agenda for a First and Second Reading approval by the Biddeford School Committee.

The following is a list of guidelines that must be followed by Building Administrators/Field Trip Coordinator(s) when requesting approvals for overnight field trips:

- A. Provide the minimum number of chaperones as follows:
  - 1. 1 staff/teacher per every 25 students
  - 2. 1 chaperone per every 10 students
- B. For any co-ed overnight field trip, you must ensure that both genders are proportionally represented (example – for every 8 female students, there will be 1 female chaperone, etc.)
- C. **First Reading:** A presentation will be made to the Biddeford School Committee (no less than twenty-eight (28) days prior to the event) on the overnight field trip by the Building Administrator/Field Trip Coordinator(s). The Biddeford School Committee will be provided with the information contained in this policy at this reading. A preliminary vote to approve the overnight field trip will be taken.
- D. **Second Reading:** The final presentation to the Biddeford School Committee (no less than fourteen (14) days prior to the event), will include the official chaperone list, alternates list, and any additional information requested by the Biddeford School Committee from the First Reading. A vote to approve the overnight field trip will be taken.
- E. Completed volunteer forms that have been approved by the Building Administrator will be required on overnight trips for chaperones who are not staff members of the Biddeford School Department.
- F. Overnight field trip permission and medical release forms must be signed by parent/guardian and student.
- G. On the date of departure, a passenger manifest, listing of all passengers per vehicle, must be submitted to the building administrator.

- H.** The Building Administrator shall have the right, after conferring with the field trip coordinator(s) and the student, to exclude a student from the activity if said student's prior demonstrated behavior is deemed to pose a risk to the success or safety of the field trip.
- I.** Cancellation Policy: The Superintendent and the Biddeford School Committee reserve the right to cancel an approved overnight field trip up until the time of departure. In the event of a cancellation, the school system is not responsible for any expenses incurred. The individuals coordinating the trip need to ensure that all parties are aware of this policy.

**NOTE:** While the above policy is the expected practice, The School Committee recognizes that occasionally, a last-minute opportunity or rescheduled event requires more immediate consideration than the timeline detailed in this policy. In such a case, the Superintendent may serve as the School Committee's proxy, but shall inform the Committee of his disposition on the matter within 48 hours. ~~and consult with the Committee if at all possible.~~

Cross Reference: EEAF-R3, Biddeford School Department Overnight Field Trip Form  
GBEEB, Employee/Volunteer-Student Relationships  
IJOC, School Volunteers  
IJOC-R, School Volunteers Administrative Regulation  
IJOC-E1, Volunteer Agreement Form  
IJOC-E2, School Volunteers Authority to Release Information

Adopted: January 25, 2005

Revised: July 8, 2008, July 23, 2013, May 9, 2017, \_\_\_\_\_

**OVERNIGHT FIELD TRIP FORM**

☐ BHS/ (9-12) ☐ BRCOT (9-12) ☐ BMS (6-8) ☐ BIS (4-5) ☐ BPS (1-3) ☐ JFK (Kindergarten)

**Name of Event:** \_\_\_\_\_ **Date(s) of Event:** \_\_\_\_\_

**Teacher in Charge:** \_\_\_\_\_ **Class/Group Attending:** \_\_\_\_\_

**Address & phone number where group can be reached:** \_\_\_\_\_

**A. The minimum number of chaperones:** 1 staff/teacher per every 25 students | 1 chaperone per every 8 10 students

\_\_\_\_\_ # of students attending trip \_\_\_\_\_ # of staff/teachers required \_\_\_\_\_ # of chaperones required

**For any co-ed overnight field trip, you must ensure that both genders are proportionally represented.  
(example – for every 8 female students, there will be 1 female chaperone, etc.)**

\_\_\_\_\_ # of female chaperones required \_\_\_\_\_ # of male chaperones required

Names of Chaperones (attached separate sheet if necessary):

\_\_\_\_\_  
\_\_\_\_\_

**B. Completed volunteer forms required for chaperones.**

Volunteer forms completed, verified and approved by Building Administrator for every chaperone that is not a staff member of the Biddeford School Department.

☐ Yes ☐ No

\_\_\_\_\_  
(Signature of Building Administrator)

\_\_\_\_\_  
(Date)

**C. Date Received by Superintendent:** \_\_\_\_\_

**D. First Reading: Initial presentation to school committee. Must be no less than 28 days prior to event.**

\_\_\_\_\_ Date for presentation to the Biddeford School Committee.

**E. Second Reading: Final presentation, include official chaperone list, alternates and additional information. Must be no less than 14 days prior to event.**

\_\_\_\_\_ Date for final presentation to the Biddeford School Committee.

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

Cross Reference: EEAF-R2, Overnight Field Trips

Adopted: July 23, 2013

Revised: May 9, 2017, \_\_\_\_\_

## VIDEO SURVEILLANCE ON SCHOOL PROPERTY

The Biddeford School Committee recognizes the school's continuing responsibility to maintain order and an appropriate learning environment in and around schools to ensure the safety of staff and students. After carefully balancing the need for safety with student and staff interests in privacy, the Biddeford School Committee supports the use of video surveillance cameras on school grounds and in areas of common use within buildings. Areas of common use include but may not be limited to parking lots, school entrances, hallways, cafeterias, libraries and gymnasiums. In an effort to maintain order and school safety, the cameras may be used to monitor activity during the school day and monitor activities in and around the school property at any time.

~~Notice of use of video cameras for safety and security purposes will be provided to students, parents and staff in appropriate handbooks on an annual basis.~~ Appropriate signage, indicating the use of video cameras, will be displayed outside and within Biddeford School Department buildings.

Violations of Biddeford School Committee policies / procedures and school rules viewed or recorded on the video surveillance system shall be addressed in accordance with the applicable School Committee policies and/or school rules. In addition, evidence of illegal activities may be referred to law enforcement authorities. (In regard to such video recordings, the school system will comply with all applicable provisions of state and federal law concerning staff and student records).

The Superintendent is responsible for the development of administrative procedures regarding the use of the video surveillance system. Such procedures will provide a process for review when significant violations of the staff or student discipline / conduct code occur. Procedures will also address monitoring of cameras and requests to view video recordings, retention of video recordings, the security of video cameras and recordings, the school official(s) responsible for purchase, installation, maintenance, and replacement of equipment, and scheduling and placement of cameras.

Cross Reference:     EEAEFA-R – Video Surveillance on School Property Administrative Procedure  
                               EEAEF – Video Camera Use on School Vehicles  
                               JRA – Student Educational Records

Adopted:               January 8, 2013

Revised: \_\_\_\_\_

## **VIDEO CAMERA USE ON SCHOOL PROPERTY ADMINISTRATIVE PROCEDURE**

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

### **NOTICE**

- A. ~~The Biddeford School Department will annually provide a copy of policy EEAEFA to students, parents and staff.~~
- B. The following notice will be placed on all school buildings: "This building is equipped with a video/audio monitoring system."

### **USE**

- A. Staff and students are prohibited from tampering with or otherwise interfering with video camera equipment.

### **VIEWING REQUESTS**

- A. Requests in writing for viewing video records will be limited to the school administrator, parent/guardian or student 18 or older, or others with a direct interest in the proceeding as determined by the Superintendent.
- B. Requests for viewing may be made through the Superintendent's Office within 14 days of the incident.
- C. Only the portion of the video recording concerning a specific incident(s) will be made available for viewing.
- D. Approval/denial of a viewing request will be made in writing to the requesting individual(s) within five (5) days of receipt of request.
- E. Video recordings will be made available for viewing within three (3) school days of the request approval.

### **VIEWING**

- A. Actual viewing will be permitted at school-related sites only, including the Transportation Office, schools, Central Office, or as otherwise required by law.
- B. All viewing will be ~~done~~ in the presence of the school administrator/Superintendent designee.
- C. A written log will be maintained including the date and individuals viewing the video recording, reason, the date the recording was made.
- D. Video recordings remain the property of the School Department and may be reproduced only in accordance with the law and Biddeford School Department policies and procedures.
- E. Superintendent will designate access privileges to administrators.

Adopted: January 8, 2013

Revised: \_\_\_\_\_

## VIDEO CAMERA USE ON SCHOOL VEHICLES

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

When the resulting video recordings are used as a basis for **student** discipline, parent/guardian(s) will be notified in writing and given the opportunity to view the video recording of their child. Students in violation of school discipline and conduct codes shall be dealt with in accordance with established Biddeford School Committee policy, administrative guidelines and school practices.

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

~~All video recordings will be maintained by the Superintendent / designee. The Superintendent / designee may provide access to video recordings only upon request by a Biddeford School Department administrator.~~

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

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

Video recordings may be viewed by students and/or parents under the supervision of a Biddeford School Department administrator. Only segments of the video recordings relevant to the student conduct will be reviewed.

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

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

Adopted:                January 8, 2013

Revised: \_\_\_\_\_

## FREE AND REDUCED PRICE MEALS

The Biddeford School Department shall take part, as feasible, in the National School Lunch and Breakfast Programs and other food programs, which may become available to assure that all children for whom the School Committee is responsible shall have the opportunity to receive proper nourishment.

Parents shall be advised that this program is available and eligibility criteria shall be made public.

In accordance with the guidelines for participation in these programs and in accordance with the wishes of the School Committee, no child who a teacher believes is improperly nourished shall be denied a free lunch, breakfast or other food simply because proper application has not been received from his/her parents/guardians. No student is to be denied food as a disciplinary measure.

It shall be school policy that when school lunch/breakfast is desired, payment is expected on that day or in advance by/for pupils not eligible for free meals. Should there be any difficulty in obtaining such payment, the matter is to be resolved by direct contact with the parent (or student, if emancipated). The maximum allowed "on account" for purchase of hot lunch/breakfast shall be three (3) days, and no credit shall be allowed after May 1. All outstanding student accounts are expected to be paid prior to the end of the academic year.

Students whose Family is determined to be homeless or who is an unaccompanied homeless youth shall automatically be eligible to receive free access to school nutrition services.

The Superintendent/designee shall implement and communicate, as appropriate, regulations, which conform with state and federal requirements and the intent of this policy regarding participation in programs for free/reduced price meals and supplementary food.

Legal Reference: **McKinney-Vento Homeless Assistance Act (42 U.S.C 11431 et seq.) 20-A MRSA § 6601 et seq.**

Adopted: March 22, 1994

Revised: April 27, 1999, January 10, 2006, \_\_\_\_\_

BIDDEFORD SCHOOL DEPARTMENT

### CHARGING FOR STUDENT MEALS ADMINISTRATIVE REGULATION

1. The Charging of Student Meals Administrative Regulation will be published on every menu during the months of September and October. It will appear on other months if needed.
2. If a child carries a balance exceeding three days, the child will be given a complimentary meal as determined by the food service supervisor.
3. Each school will maintain records that track the charging of meals for each student in that building.
4. Notification to parents will be as follows:
  - a. Policy is posted ~~on menus periodically~~ **online; this regulation is posted on at least fall menus.**
  - b. At the time of the first Charged Meal, the student will be told to tell his/her parent that the money is due the next day.
  - c. At the time of the second Charged Meal, the student will be given a note for the parent requesting the balance be paid. **The third meal shall consist of a sandwich, milk, veggie, & fruit.**
  - d. At the time of the third Charged Meal, the student will receive a copy of the Charging Policy with a note detailing dates that meals were charged as well as the meals that will be served to their child until the balance is paid.
  - e. If a student receives a complimentary meal because he/she has exceeded the charging allowance, the food service staff will notify the food service supervisor and the building principal. The building principal and/or food service supervisor will contact the parents.
5. **No charging is permitted for a la carte items.**
6. **The Biddeford School Department utilizes PayPams online payment system. The system helps parents track their children's/child nutrition choices, and payment or balances.**

Reference: EFC, Free and Reduced Price Meals

Adopted: January 10, 2006

Revised: \_\_\_\_\_

### FLAVORED MILK

Skim, 1% low-fat, whole plain milk and ~~low-fat~~ skim flavored milk shall be allowed as part of the federally/state subsidized school lunch and breakfast programs of the Biddeford School Department.

Adopted: April 27, 1999

Revised: \_\_\_\_\_

BIDDEFORD SCHOOL DEPARTMENT

## **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.~~

**The School Committee recognizes the need for some school employees to use their privately owned motor vehicles for school purposes either regularly or occasionally.**

**Privately owned vehicles may be used for student transportation when, in the opinion of the building principal and with the expressed approval of the Superintendent this is the most practical or only possible method of transportation.**

**To safeguard Biddeford School Department employees and students in matters of liability, the following policy will be observed:**

- A. Prior to use of a private vehicle for school purposes, the employee must have the expressed permission of the Superintendent/designee. When time allows, this permission should be expressed in writing.**

**This permission may be in the form of a standing authorization for employees who use their own vehicles regularly for school purposes. The permit will state the particular purpose and indicate whether it includes transportation of students.**

**For all special trips involving students, e.g., field trips, a special permit must be obtained in advance for the specific trip.**

- B. No student may be sent on school errands with his/her own vehicle, an employee-owned vehicle, or a school-owned vehicle.**

- C. Field trip and other off-campus school-sponsored activity transportation will be by school bus whenever practicable.**

**The Superintendent may approve the use of private vehicles in situations in which the small number of students or budget or schedule restrictions make bus use prohibitive or impractical.**

- D. For student trips made in private vehicles, the owner must be properly licensed and carry a minimum liability insurance of \$100,000/\$300,000; minimum property damage of \$50,000; and minimum medical coverage of \$5,000. Proof of current license and insurance will be required.**

- E. A Maine driving record check will be conducted on all prospective drivers. In the interest of safety, a prospective driver may be disqualified based on a review of information contained in the record.**

**F. The vehicle must have a current registration and display a current inspection sticker.**

**The vehicle must have sufficient seat belts for the driver and each of the other persons being transported.**

**G. No employee may transport students for school purposes without prior authorization by the Superintendent/designee.**

**H. No student will be allowed to transport other students on field trips or for other school-sponsored activities.**

### **PARENT AND VOLUNTEER-OWNED VEHICLES**

**The above provisions apply to the use of private vehicles when the driver is a parent or other approved volunteer transporting students to or from school-sponsored events or activities or using a private vehicle for other school purposes.**

**The school will inform parent drivers and other approved volunteers that in the event of an accident, the parent or approved volunteer's liability insurance will be the primary coverage.**

**The school will not be responsible for any accident or injury arising from a parent's transportation of his/her own child(ren) to or from a school sponsored event or activity. Students are expected to travel by school-provided transportation when available.**

### **DELEGATION OF RESPONSIBILITY**

**The Superintendent/designee will be responsible for developing administrative procedures, including those for accident reporting, and application, permit, permission and/or other forms, to implement this policy.**

Cross Reference: EEBB-R - Use of Private Vehicles on School Business—Administrative Regulation  
IJOA-Field Trips & Excursions

Adopted: January 13, 1993

Revised: April 26, 1994; April 27, 1999, \_\_\_\_\_

**USE OF PRIVATE VEHICLES ON SCHOOL BUSINESS  
ADMINISTRATIVE REGULATION**

- A. To use a private vehicle for school business, a staff member must have ~~written~~ **express** permission from the Superintendent/designee.
1. ~~Standing permits~~ Authorization may be issued to employees who use their own cars regularly for school business. The permit shall state the particular purpose and whether it includes transportation of students. The permit will be valid for one year.
  2. ~~A special permit~~ Authorization must be obtained in advance for all other uses of private vehicles for school business whether or not students are transported.
  3. No ~~permit~~ authorization shall be issued until the completion of a driver history through the Department of Motor Vehicles.
- B. All staff members authorized to use their private vehicles for school business shall be required to show proof of adequate liability coverage and to notify the Superintendent/designee of any changes in their insurance coverage.
- C. The Biddeford School Department shall assume no responsibility for liability in case of accident unless the staff member has the authorization described above.
- D. ~~The School Committee specifically forbids any staff member to transport students for school business without prior authorization.~~

Cross Reference: EEBB - Use of Private Vehicles on School Business  
EEBB-R2 - Use of Private Vehicles on School Business-  
Permit Authorization Form

Adopted: January 13, 1993

Revised: April 26, 1994; April 27, 1999, May 10, 2005, \_\_\_\_\_

BIDDEFORD SCHOOL DEPARTMENT

# **USE OF PRIVATE VEHICLES ON SCHOOL BUSINESS PERMIT AUTHORIZATION FORM**

☐ BHS (9-12)☐ BMS (6-8)☐ BIS (4-5)☐ BPS (1-3)☐ JFK (Kindergarten)Employee Name: \_\_\_\_\_  
(please print)

Home Phone #: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Name of Insurance Carrier: \_\_\_\_\_  
(please print)

Phone: \_\_\_\_\_

Proof of adequate liability coverage **and drivers license** provided  
by employee: (attach copy of insurance card **& license**)☐ Yes☐ No

Does employee have valid inspection sticker?

☐ Yes☐ No

Does employee have valid/current registration?

☐ Yes☐ NoEmployee has read and received a copy of Policy EEBB  
(Use of Private Vehicles on School Business)☐ Yes☐ NoEmployee has read and received a copy of Policy EEBB-R  
(Use of Private Vehicles on School Business Administrative Regulation)☐ Yes☐ No

Does employee have valid license?

Yes

No

Permit **Authorization** valid for school year:**Note:** ~~Permits~~ **Authorization** must be **issued** each school  
year.

Employee Signature: \_\_\_\_\_

\_\_\_\_\_

**FOR OFFICE USE ONLY**

Department of Motor Vehicle History Completed

☐ Yes☐ No\_\_\_\_\_  
Initials\_\_\_\_\_  
Date**Authorization** Approved☐ Yes☐ No\_\_\_\_\_  
Signature of Administrator\_\_\_\_\_  
Date**NOTE:** File completed form with Building Principal.Cross Reference: EEBB - Use of Private Vehicles on School Business  
EEBB-R - Use of Private Vehicles on School Business—Administrative Regulation

Adopted: June 14, 2005

Revised: \_\_\_\_\_

BIDDEFORD SCHOOL DEPARTMENT

## STUDENT EDUCATIONAL RECORDS AND INFORMATION

The Biddeford School Department shall comply with the Family Educational Rights and Privacy Act (“FERPA”) and all other federal and state laws and regulations concerning confidentiality and maintenance of student records and information.

The Biddeford School Department designates the following student information as directory information: name, participation and grade level of students in recognized activities and sports, height and weight of student athletes, dates of attendance in the school unit, honors and awards received, and photographs and videos relating to school attendance and participation in school activities (except photographs and videos on the Internet). The Biddeford School Department may disclose directory information if it has provided notice to parents (and eligible students over 18) and has not received timely written notice refusing permission to designate such information as directory information.

### **Military Recruiters/Higher Education Access to Information**

Under federal law, military recruiters and institutions of higher education are entitled to receive the names, addresses and telephone numbers of secondary students and the Biddeford School Department must comply with any such request, provided that parents have been notified of their right to request that this information not be released without their prior written consent.

### **Health or Safety Emergencies**

In accordance with federal regulations, the Biddeford School Department may disclose education records in a health or safety emergency to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals without prior written consent.

### **Information on the Internet**

Under Maine law, The Biddeford School Department ~~shall not~~ may publish on the Internet any information that identifies a student, including but not limited to the student’s likeness or photo, full name, age, ~~photograph~~, personal biography, ~~e-mail address, home address, date of birth, social security number and parents’ names~~, without additional ~~written~~ parental consent beyond FERPA “opt-out” forms distributed by schools each fall.

### **Transfer of Student Records**

As required by Maine law, the Biddeford School Department sends students’ education records to a school unit to which a student applies for transfer, including disciplinary records, attendance records, special education records and health records (except for confidential health records for which consent for dissemination has not been obtained).

### **Designation of Law Enforcement Unit**

The Biddeford School Committee hereby designates the Biddeford Police Department as Biddeford School Department's law enforcement unit.

### **Administrative Procedures and Notices**

The Superintendent is responsible for developing and implementing any administrative procedures and parent notices necessary to comply with the applicable laws and regulations concerning student education records and information. ~~Notices shall be distributed annually to parents and eligible students concerning their rights under these laws and regulations. A copy of this policy shall be posted in each school and be included in all school handbooks.~~

Legal Reference:           20 U.S.C. § 1232g; 34 C.F.R. Part 99, as amended  
                                  20 U.S.C. § 7908  
                                  20-A M.R.S.A. § 6001, 6001-B  
                                  Maine Department of Education Rules, Chapters 101 and 125

Cross Reference:           JRA-E – Annual Notice of Student Education Records and  
                                  Information Rights  
                                  JRA-R – Education Records and Information Administrative  
                                  Procedure

Adopted:       April 27, 1999

Revised:       August 10, 1999, December 13, 2005, July 12, 2011, \_\_\_\_\_

## STUDENT DISCIPLINE

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

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

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

Physical force and corporal punishment shall not be used as disciplinary methods.

However, school personnel may use reasonable force to control the behavior of a student who presents an immediate threat of physical harm to him/herself or others, to remove a student from a situation where the student is violent or presents an immediate danger to others, or to prevent damage or destruction of school property. Force, including physical restraint, or measures to physically restrain a student's freedom of movement, should not be used beyond the point necessary to prevent the student from harming him/herself or others.

Any staff member who uses force to control the behavior of a student shall immediately contact the building principal to report the incident, the reasons for the use of force and the specific measures taken. The building principal shall notify the student's parent and the Superintendent as soon as practicable following the incident.

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

School-wide rules shall be developed by the building principal with appropriate input from school staff, students and parents and subject to approval by the Superintendent. Principals shall provide for the suspension or other serious disciplinary action against students in accordance with School Committee policies, administrative procedures and Maine law.

To reduce disciplinary problems and the potential for violence in the schools, the Superintendent may develop procedures for conflict resolution which may be accomplished through peer mediation, counseling, parent involvement, services of community agencies or other activities suitable to the school unit.

Legal Reference: 17-A MRSA § 106  
20-A MRSA § 4009  
Ch. 125.23, B, 5, 1 (Maine Dept. of Ed. Rule)

Cross Reference: AC - Nondiscrimination/Equal Opportunity and Affirmative Action  
ACAA – Student Harassment and Sexual Harassment  
EBCA – Comprehensive Emergency Management Plan  
JICIA Weapons, Violence and School Safety  
JKGA – Therapeutic Restraint  
JKB - Student Detention  
JKD - Suspension of Students  
JKE - Expulsion of Students  
JKF - Suspension/Expulsion of Students with Disabilities

Adopted: February 22, 1994

Revised: April 27, 1999, July 12, 2011

Reviewed: \_\_\_\_\_

## STUDENT CONDUCT ON SCHOOL BUSES

The law does not relieve parents of students from the responsibility of supervision before the student boards the bus in the morning and after the student leaves the bus at the end of the school day.

Once a student boards the bus—and only at that time—does he/she become the responsibility of the school system. Such responsibility shall end when the student is delivered to the authorized bus stop at the close of the school day.

In view of the fact that a bus is an extension of the classroom, the School Committee requires students to conduct themselves in the bus in a manner consistent with established standards for classroom behavior.

In cases when a student does not conduct him/herself properly on a bus, such instances are to be brought to the attention of the building Principal/**designee** by the bus driver. The building Principal/**designee** will inform the parents immediately of the misconduct and request their cooperation in checking the student's behavior.

Students who become a serious disciplinary problem on the school bus may have their riding privileges suspended by the Principal/**designee**. In such cases, the parents involved become responsible for seeing that their child gets to and from school safely.

Legal Reference: 20-A MRSA § 5401 **(AMD. 2015)**

Cross Reference: JICC-R - Student Conduct on School Buses Administrative Regulation  
JICC-E – Bus Report Form

Adopted: March 17, 1993

Revised: April 27, 1999, \_\_\_\_\_

## CHILD FIND

The Biddeford School Department seeks to ensure that all children within its jurisdiction who are school-age, ~~five~~ **four** through the school year in which they turn 20, and who are in need of special education and supportive assistance, including homeless children, state wards, state agency clients, students who have been suspended or expelled, children attending private schools receiving home instruction, children incarcerated in county jails, children who have the equivalent of 10 full days of unexcused absences or seven consecutive school days of unexcused absences during a school year, highly mobile children (including migrant or homeless), and children who are suspected of being disabled and in need of special education and supportive assistance even though they are advancing from grade to grade are identified, located, and evaluated.

The Biddeford School Department's Child Find responsibility shall be accomplished through a unit-wide process which, while not a definitive or final judgment of a student's capabilities or disability, is a possible indicator of special education needs. Final identification of students with disabilities and programming for such students occurs only after an appropriate evaluation and a determination by the IEP Team.

This Child Find process shall include obtaining data on each child through multiple measures, direct assessment, and parent information regarding the child's academic and functional performance, gross and fine motor skills, receptive and expressive language skills, vision, hearing and cognitive skills. The Biddeford School Department may schedule Child Find activities during its annual **Pre-k** and kindergarten enrollment to assist in planning for necessary special education and related service at the start of the school year. ~~If screening occurs in the spring prior to school entry, the Biddeford School Department will refer the child to the regional Child Development Services (CDS) site within 10 school days.~~

If the Child Find process indicates that a student may require special education and supportive services in order to benefit from regular education, the student shall be referred to the IEP Team to determine the student's eligibility for special education services.

School staff, parents, or agency representatives or other individuals with knowledge of the child may refer children to the IEP team if they believe that the student, because of a disability, may be in need of special education and supportive services in order to benefit from regular education. Such a referral should follow the **District's** ~~school unit's~~ pre-referral and referral policy.

Legal Reference: 34 C.F.R. § 300.111 (2006)  
Maine DOE Rule Ch. 101 § IV(2) (July 2011) **(August 2017)**

Adopted: April 27, 1999

Revised: May 22, 2012, \_\_\_\_\_

**TITLE I PARENT INVOLVEMENT POLICY – SCHOOL LEVEL  
JOHN F. KENNEDY MEMORIAL SCHOOL  
~~KINDERGARTEN CENTER~~**

The John F. Kennedy Memorial School ~~Kindergarten Center~~ school policy has been developed jointly through the district's Title IA Parent Advisory Committee which consists of the parents/guardians of students participating in the Title I programs in the Biddeford School District. It includes a "School-Parent Compact" that outlines the manner in which parents, school staff, and students will share the responsibility for improved student academic achievement. The building principal/designee will be responsible for distributing this policy to parents/ guardians of students participating in the school's Title I programs.

**I. PARENT INVOLVEMENT MEETINGS**

The John F. Kennedy Memorial School ~~Kindergarten Center~~ shall convene an annual meeting at a convenient time to which all parents/guardians of participating children shall be invited and encouraged to attend to inform them of the school's participation under Title I, explain the right of parents to be involved, and to encourage their involvement in the planning, review, and improvement of the school's Title I programs and parent involvement policy.

The John F. Kennedy Memorial School ~~Kindergarten Center~~ will offer at least three (3) other meetings during the school year, held at various times in the morning or evening for parents/guardians of students participating in Title I programs.

The John F. Kennedy Memorial School ~~Kindergarten Center~~ principal/designee will:

- A. Invite parents/guardians of participating children to review Title I information, including Compacts and Policies, on an individual basis with the child's teacher and/or principal;
- B. Introduce the representative(s) on the Parent Advisory Committee;
- C. Provide an overview of Title I and the programs the school provides under Title I during Open House and Parent/Teacher Conferences;
- D. Explain the rights of parents/guardians to be involved in developing and reviewing the school's parent involvement policy, including the School-Parent Compact;

- E. Provide a description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet;
- F. Give parents/guardians an opportunity to ask questions and engage in informal discussion about student achievement and school performance;
- G. Respond to requests from parents for opportunities for regular meetings to formulate suggestions and to participate (as appropriate) in decisions relating to the education of their children;
- H. Invite parents/guardians to serve on the Parent Advisory Committee and/or other school or district-level Title I committees;
- I. Invite parents/guardians to participate in the planning, review, and improvement of programs under Title I and the school-parent involvement policy and establish a schedule for this activity;
- J. With the input of parents/guardians, establish a process by which an adequate representation of parents/guardians can be assured;
- K. Describe the process by which parents/guardians may express concerns and complaints if they are dissatisfied with the Title I program;
- L. Engage school-based parent organizations in outreach to parents/guardians of students participating in Title I.

## **II. SCHOOL-PARENT COMPACT**

The John F. Kennedy Memorial School ~~Kindergarten Center~~ School-Parent Compact describes how parents, school staff, and students will share the responsibility for improved student academic achievement and the means by which the school and parents will develop a partnership to help children achieve the State's academic achievement standards.

- A. The Biddeford ~~Kindergarten Center~~ is responsible for providing a high-quality curriculum and instruction in a supportive and effective learning environment that enables students served under Title I to meet the State's academic achievement standards.

- B. Parents/guardians will be responsible for supporting their children's learning by:
1. Monitoring their children's attendance;
  2. Providing assistance and encouraging their children to complete homework assignments;
  3. Encouraging their children to ask for help from teachers or classroom aides (ed techs, volunteers) when needed;
  4. Talking with their children about the school day;
  5. Reading to or with their children;
  6. Monitoring and limiting their children's television watching;
  7. Volunteering in the classroom and for school-related activities such as field trips (~~School see Handbook, page 10 under Communication~~);
  8. Participating, as appropriate, in decisions related to the education of their children (RTI, SAT Team); and
  9. Enrolling their children in extracurricular and age-appropriate, community-based, after-school activities.
- C. The John F. Kennedy Memorial School ~~Kindergarten Center~~ will address the importance of communication between parents and teachers on an ongoing basis by:
1. Scheduling one or more parent-teacher meetings annually for parents/guardians of elementary school level students during which the Compact may be discussed as it relates to the individual child's achievement;
  2. Providing frequent reports to parents/guardians on their children's progress through Weekly Folders (see Handbook ~~page 9~~);
  3. Providing parents/guardians with reasonable access to staff to discuss issues related to their children's learning;

4. Giving parents the opportunity to observe classroom activities (i.e., Open House, classroom visits, also see Handbook ~~page 9~~);
5. Welcoming parents as volunteers in the classroom (see #7 above); and
6. Providing adequate supervision and feedback for parents/guardians who volunteer.

Legal Reference: 20 U.S.C. § 6318

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

## IMMUNIZATION REQUIREMENTS

All students enrolled in the Biddeford schools are required by law to have a certificate of immunization or other acceptable evidence of immunization against polio, diphtheria, pertussis (whooping cough), tetanus (lock-jaw), measles, chicken pox, rubella (German measles), and mumps except as follows:

- A. The parents/guardians provide written assurance that the child shall be immunized within 90 days;
- B. The parents/guardians provide a physician's written statement that immunization against one or more diseases is medically inadvisable; or
- C. The parents/guardians state in writing that immunization is contrary to their religious, moral, philosophical beliefs or other personal reasons.

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

The Superintendent shall exclude from school any unimmunized student when there is a direct public health threat as provided in 20-A MRSA § 6356.

Legal Reference: 20-A MRSA §§ 6352-6359

Adopted: April 5, 1990

Revised: April 27, 1999

Adopted: September 26, 2017

Revised: October 24, 2017

# **This is a New Policy:**

NEPN/NSBA Code: JLCB-R

## **IMMUNIZATION REQUIREMENTS**

The required immunizations in school aged children are as follows:

### **Pre-Kindergarten Requirements:**

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

### **Kindergarten Requirements:**

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

### **7<sup>th</sup> Grade Requirement:**

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

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

### **12<sup>th</sup> Grade Requirement:**

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

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

Cross Reference: JLCB-Immunization Requirements  
Chapter 126, 261

Adopted \_\_\_\_\_

For Committee Information. Not to make into policy

**STATE OF MAINE**  
**IMMUNIZATION REQUIREMENTS**  
**FOR SCHOOL CHILDREN**



**05-071 CODE OF MAINE RULES**  
**CHAPTER 126**

~~DEPARTMENT OF EDUCATION~~  
Department of Education

**AND**

**10-144 CODE OF MAINE RULES**  
**CHAPTER 261**

~~DEPARTMENT OF HEALTH AND HUMAN SERVICES~~  
~~MAINE CENTER FOR DISEASE CONTROL AND PREVENTION~~  
Department of Health and Human Services  
Maine Center for Disease Control and Prevention

**Last Amended: September 1, 2017**

05-071 DEPARTMENT OF EDUCATION (COMMISSIONER)

Chapter 126: IMMUNIZATION REQUIREMENTS FOR SCHOOL CHILDREN

A joint rule with

10-144 DEPARTMENT OF HEALTH AND HUMAN SERVICES

MAINE CENTER FOR DISEASE CONTROL AND PREVENTION

Chapter 261: IMMUNIZATION REQUIREMENTS FOR SCHOOL CHILDREN

**SUMMARY:** This rule is issued jointly by the Commissioner of Education and the Maine Center for Disease Control and Prevention, Department of Health and Human Services, to implement the provisions of the School Immunization Law (20-A M.R.S. §§6352-6359). It prescribes the dosage for required immunizations and defines record-keeping and reporting requirements for school officials.

### NOTICE

The Maine Legislature has designated proposed changes relating to diseases for which immunization is required to be major substantive. per 20-A M.R.S. §6358(1). These changes propose to add meningococcal meningitis to the diseases for which immunization is required, and are therefore major substantive.

### TABLE OF CONTENTS

|                                                                   |               |
|-------------------------------------------------------------------|---------------|
| SECTION 1. DEFINITIONS.....                                       | Page 1        |
| SECTION 2. IMMUNIZATION REQUIRED.....                             | Page 1        |
| SECTION 3. EXCEPTIONS.....                                        | Page 1        |
| SECTION 4. CERTIFICATE OF IMMUNIZATION; EVIDENCE OF IMMUNITY..... | Page 3        |
| SECTION 5. IMMUNIZATION DOSAGE.....                               | Page 3        |
| SECTION 6. EXCLUSION FROM SCHOOL.....                             | Page 4        |
| SECTION 7. RECORDS AND RECORD KEEPING.....                        | Page 5        |
| SECTION 8. REQUIRED REPORTS.....                                  | Page 65       |
| <u>STATUTORY AUTHORITY.....</u>                                   | <u>Page 7</u> |

## SECTION 1. DEFINITIONS

The definitions in this rule are those adopted in the School Immunization Law and include the following:

**Certificate of Immunization** means a written statement from a physician, nurse or public health official who has administered an immunizing agent to a child, specifying that the required dosage was administered and the month, day and year in which it was administered.

**Children Entering School / School Enterers** means any child who enters a school for the first time via kindergarten enrollment, transfers from one school to another, or otherwise enrolls in a school for the first time.

**Disease** means diphtheria, varicella (chickenpox), measles, mumps, pertussis, poliomyelitis, rubella, meningococcal meningitis and tetanus.

**Immunizing agent** means a vaccine, toxoid or other substance used to increase an individual's immunity to disease.

**Parent** means a child's parent, legal guardian, or custodian. A person shall be regarded as a child's custodian if that person is an adult and has assumed legal charge and care of the child.

**Public health official** means the Director of the Maine Center for Disease Control and Prevention, or any designated employee or agent of the Department of Health and Human Services.

**School** means any public and private elementary and secondary and special education facility which operates for children of compulsory school age.

**Student Health Record** means documentation of health information and school nursing services provided to individual students including, but not limited to, immunizations, health screening, health assessment, and nursing care plans as needed.

**Superintendent** means the superintendent of a school administrative unit or his designee, or the chief administrative officer of a private school.

## SECTION 2. IMMUNIZATION REQUIRED

### A. Parental Responsibility

Except as otherwise prohibited by law, every parent shall cause to be administered to his child the required dosage of an immunizing agent against each disease.

### B. Superintendents' Responsibility

No superintendent may permit any student to be enrolled in or to attend school without a certificate of immunization for each disease or other acceptable evidence of required immunization or immunity against each disease.

## SECTION 3. EXCEPTIONS

### A. Enrollment Without Immunization Information

A child who does not meet the immunization/immunity requirement may be enrolled in school under the following circumstances:

1. The parent provides the school with a written assurance that the child will be immunized by private effort within ninety days of enrolling (officially registering) in school or first attendance in school classes, whichever date is the earliest.

The granting of this 90-day period is a one-time provision. A child transferring from one school to another within the state may not be granted a second 90-day period, however, a period of 21 calendar days may be granted to allow for the transfer of health records from one school to another.

2. The parent grants written consent for the child's immunization by a public health officer, physician, nurse or other authorized person in their employ, or acting as an agent of the school, where such immunization programs are in effect.
3. The parent (or child) presents to the school each year a physician's written statement that immunization against one or more of the diseases may be medically inadvisable.
4. The parent states in writing each year an opposition to immunization because of a sincere religious belief or for philosophical reasons.

## **B. Medical Exemptions**

The following are medical contraindications for which medical exemptions may be certified by a physician for immunizations required by 20-A M.R.S. §§ 6352-6359:

**Pertussis vaccine:** 1) fever greater than or equal to 40.5 C (105 F); collapse or shock-like state (hypotonic-hyporesponsive episode), or persistent, inconsolable crying lasting three or more hours within 48 hours of receiving a prior dose of the pertussis vaccine; 2) seizures occurring within ~~3~~three days of receiving a prior dose of pertussis vaccine; 3) encephalopathy within ~~7~~seven days of administration of a previous dose of pertussis vaccine; or 4) anaphylactic reaction to pertussis vaccine or a vaccine constituent.

**Diphtheria or tetanus toxoids:** 1) anaphylactic reaction to diphtheria or tetanus toxoids or a toxoid constituent.

**Measles or mumps vaccine:** 1) pregnancy; 2) known altered immunodeficiency (hematologic and solid tumors; congenital immunodeficiency; and long-term immunosuppressive therapy); 3) anaphylactic reactions to egg ingestion or to neomycin; 4) anaphylactic reaction to measles or mumps vaccine or a vaccine constituent.

**Rubella vaccine:** 1) pregnancy; 2) known altered immunodeficiency (hematologic and solid tumors; congenital immunodeficiency; and long-term immunosuppressive therapy); 3) anaphylactic reactions to neomycin; 4) anaphylactic reaction to rubella vaccine or a vaccine constituent.

**Live polio vaccine:** 1) known altered immunodeficiency (hematologic and solid tumors; congenital immunodeficiency; long-term immunosuppressive therapy); other immunodeficient condition; 2) immunodeficient household contact; 3) anaphylactic reaction to polio vaccine or a vaccine constituent.

or

**Inactivated polio vaccine:** 1) anaphylactic reactions to neomycin or streptomycin; 2) anaphylactic reaction to polio vaccine or a vaccine constituent.

**Varicella:** 1) pregnancy; 2) immunosuppression; 3) anaphylactic reaction to a vaccine component; 4) recent recipient of antibody-containing blood product.

**Quadrivalent meningococcal conjugate vaccine:** 1) pregnancy; or 2) anaphylactic reaction to meningococcal vaccine or a vaccine constituent.

#### SECTION 4. CERTIFICATE OF IMMUNIZATION; EVIDENCE OF IMMUNITY

##### A. Certificate of Immunization

To demonstrate adequate immunization against each disease, a child shall present the school with a Certificate of Immunization from a physician, nurse or public health official who has administered the immunizing agent(s) to the child. The certificate shall specify the immunizing agent, the dosage administered and the date(s) on which it was administered.

##### B. Proof of Immunity

The child shall present the school with laboratory evidence demonstrating immunity or reliable documented history provided by a physician or other primary care provider.

#### SECTION 5. IMMUNIZATION DOSAGE

The following schedule is the schedule of minimum requirement for immunizing agents administered to children entering school.

**Diphtheria/Tetanus/Pertussis (DTP):** Five doses of any DTP containing vaccine or DT (pediatric). If the fourth dose was administered on or after the fourth birthday, then only four doses are required. The first dose must be administered at least ~~6~~six weeks after birth. The first three doses must be given at least ~~4~~four weeks apart and the fourth dose must be given at least ~~6~~six months after the third dose.

**Td (Adult)** may be substituted for DTP containing vaccine for non-immunized or incompletely immunized students who have reached the seventh birthday. If administering Td (Adult) vaccine, only ~~3~~three doses are required, with the first two doses given at least ~~4~~four weeks apart and the third dose given ~~6~~six months after the second. The first dose given after age ~~7~~seven should be a Tdap vaccine.

**Tetanus/Diphtheria/Pertussis (Tdap):** Effective for the start of school year 2017, ~~4~~one dose of Tdap vaccine is required for children entering 7<sup>th</sup> grade.

**Measles/Mumps/Rubella (MMR):** All students in grades kindergarten – 12 shall be immunized against measles, mumps, and rubella with ~~2~~two doses of MMR vaccine, provided the first dose is administered no sooner than 12 months of age and at least ~~4~~four weeks separate the ~~2~~two doses.

**Poliomyelitis:** Four doses of oral polio vaccine (OPV). The first dose of OPV must be administered at least ~~6~~six weeks after birth, with subsequent doses given at least ~~4~~four weeks apart. The fourth dose is not needed if the third dose is given on or after the 4<sup>th</sup> birthday.

or

**Four doses of inactivated polio vaccine (IPV):** The first dose of IPV must be administered at least ~~6~~six weeks after birth, with subsequent doses given at least ~~4~~four weeks apart. The fourth dose is not needed if the third dose is given on or after the 4<sup>th</sup> birthday. An all-IPV schedule is the preferred schedule for routine polio vaccination, including children who began the series with OPV. If a child receives both types of vaccine, four doses of any combination of IPV or OPV by ~~4-6~~four through six years of age is considered a complete polio vaccination series.

**Varicella:** One dose of varicella vaccine is required for children in grades kindergarten through 12. Any such immunizing agent must meet the standards for such biological products as are approved by the United States Public Health Service.

**Quadrivalent meningococcal conjugate vaccine (MCV4):** Effective for the start of school year 2018, one dose of MCV4 is required for children entering 7<sup>th</sup> grade. Any child entering 12<sup>th</sup> grade is required to receive two doses of MCV4. The first dose shall have been received on or after the 11<sup>th</sup> birthday, and the second dose shall have been received on or after the 16<sup>th</sup> birthday, at least eight weeks after the first dose. If the first dose is administered when the child is 16 years of age or older, only one dose is required.

## SECTION 6. EXCLUSION FROM SCHOOL

### A. Exclusion by Order of Public Health Official

A child not immunized or immune from a disease shall be excluded from school and school activities when in the opinion of a public health official the child's continued presence in school poses a clear danger to the health of others. The superintendent shall exclude the child from school and school activities during the period of danger, or until the child is immunized.

The following periods are defined as the "period of danger."

**Measles:** 15 days (one incubation period) from the onset of symptoms of the last identified case.

**Rubella:** 23 days (one incubation period) from the onset of symptoms of the last identified case.

**Mumps:** 18 days (one incubation period) from the onset of symptoms of the last identified case.

**Varicella:** 21 days (one incubation period) from the onset of symptoms of the last identified case.

### B. Exclusion by Order of Superintendent

A superintendent shall also exclude from schools and school activities any child on account of filth or communicable disease, in accordance with 20-A M.R.S. §6301. The superintendent shall also exclude from public school any child or employee who has contracted or has been exposed to a communicable disease as directed by a public health official, or as recommended by a school physician.

### C. Requirement for Educational Arrangements

For any child so excluded from school for more than ~~40~~ten days, the superintendent must make arrangements to meet his educational needs.

This section does not require the provision of off-site classes or tutoring. Instead, the child's educational needs may be met by making arrangements for the delivery of school assignments, correction of papers, and similar activities which can be accomplished at home. Any child who is unable to take examinations during this period shall be afforded the opportunity to make up the examinations, similar to arrangements made for children who have other excused absences.

## **SECTION 7. RECORDS AND RECORD-KEEPING**

### **A. Designated Record Keeping**

The school nurse (or head school nurse) in each school unit or private school shall be responsible for the maintenance of immunization records. If no school nurse has been employed, the superintendent shall designate another responsible person.

If immunization and school health records are maintained in individual school buildings, a designated person in each building shall have responsibility for supervision of the records.

### **B. Individual Health Records**

Each school/unit shall adopt a uniform permanent student health record for maintaining information regarding the health status of each child as defined under Section 1.

The immunization status of each student regarding each disease shall be noted on the child's individual student health record. These records are confidential, except that state and local health personnel shall have access to them in connection with ensuring compliance with these regulations or an emergency, as provided by the United States Family Educational Right and Privacy Act of 1974, 20 U.S.C. §1232g(b)(1) and the regulations adopted under that act.

Where an exemption has been granted for sincere religious or philosophical reasons, the parent's written request for exemption must be on file with the school health record and updated annually.

### **C. List of Non-Immunized Children**

The designated record keeper in each school unit or school shall keep a listing of the names of all children within the school unit or school who are not currently immunized against each disease. This list shall include the names of all students with authorized exemptions from immunizations as well as any who might not be in compliance with the law. The purpose of the list is to provide an efficient referral to non-immunized children in time of disease outbreaks.

A child who has not received all the required doses of vaccine shall not be permitted to attend school beyond the first day without a statement which indicates the child will be immunized by private effort within ninety days (or the parent grants written consent for the child's immunization by a public health officer, physician, nurse or other authorized person acting as an agent of the school), unless the parent is claiming an exemption due to a sincere religious belief or for philosophical reasons, or the school is presented with a medical exemption signed by the child's physician.

## **SECTION 8. REQUIRED REPORTS**

### **A. Superintendent's Responsibility**

The superintendent is responsible for submitting a summary report regarding the immunization status of students within his or her jurisdiction by December 15 of each year, on a prescribed form, to the Director of the Maine Center for Disease Control and Prevention and the Commissioner of Education.

### **B. Summary Report**

The summary report will include the following information at a minimum: specific information identifying the school, the superintendent; the total student enrollment, the number of new students identified by vaccine type, as either immunized, exempt or out of compliance, and the number of students who are previously enrolled and unimmunized. The summary report will be constructed so as to reflect meaningful data by grade groupings but with kindergarten treated separately. Each report shall be signed by the school superintendent as a certification that the information is accurate and complete.

The Maine Center for Disease Control and Prevention will, from time to time, select a small sample of student health records for the purpose of comparing reported results against the criteria delineated in these rules. The results of this sample survey will be shared with school superintendents for the purpose of identifying problem areas that may be occurring in the completion of their school health records. Individual students will not be identified by name.

Additional requirements regarding the immunization of children or employees of any school may be adopted by ordinance of the municipality, regulation of school board policy, or policy of a private school's governing board.

---

STATUTORY AUTHORITY: 20-A M.R.S. §§6352-6359

EFFECTIVE DATE:

April 26, 1981 - as "Health and Safety Standards"

REPEALED AND REPLACED:

May 29, 1985 - as "Immunization Requirements for School Children"

EFFECTIVE DATE (ELECTRONIC CONVERSION):

May 19, 1996

*(APA Office Note: the Department of Human Services amended its version, 10-144 CMR Ch. 261, effective July 14, 1996, but the Department of Education did not simultaneously revise Ch. 126.)*

NON-SUBSTANTIVE CORRECTIONS:

January 15, 2002 - minor formatting, history notes

AMENDED:

June 20, 2002 - major substantive

NON-SUBSTANTIVE CORRECTIONS:

June 6, 2002 - minor formatting and minor corrections based on a clean copy filed with the June 20 filing

AMENDED:

December 21, 2016

September 1, 2017 (Major Substantive Rulemaking Provisional Adoption)

## **AUTHORIZED STAFF USE OF SCHOOL PROPERTY**

Staff members who sign out materials and equipment for personal or classroom use are responsible for those materials and may be required to pay the replacement or repair costs for loss or damage. Staff members who habitually lose, damage or fail to return materials may be denied access to materials.

Teachers signing out classroom collections are responsible for maintaining accurate records and for ensuring that all materials are returned. **Items such as tools, laboratory equipment, athletic equipment, laundering, cleaning or food preparation equipment, computers, or peripherals may only be used for their intended purpose. Should any question arise as to what else might be covered in this provision, employees should consult with the Superintendent, with whom the final decision rests.**

Cross Reference: GCSA-Employee Use of School-Issued Computers,  
Devices and the internet.

Adopted: March 17, 1993

Revised: April 27, 1999, \_\_\_\_\_