

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit – Pittsfield**

Student Residence Policy

This policy sets forth the residency requirements for attendance at MSAD #53 schools, including private schools to which the District may pay tuition.

1. General Rule

Title 20-A, Section 5202 (2) MRSA provides “General Rule. A person is eligible to attend schools in the school administrative unit where the person’s parent resides, where the person resides upon reaching the age of 18 years or upon becoming an emancipated minor.”

Under this statute, the following persons shall be considered residents of MSAD #53 for purposes of attendance at MSAD #53 schools and contract schools:

- (1) A student who has at least one parent who is a resident of the district.
- (2) A student who is 18 years old and is a resident of the district.
- (3) A student who is a legally emancipated minor and is a resident of the district.
- (4) A student who lives in the district with someone other than his parent or guardian with legal custody and the Superintendent has made the determinations provided in 20-A MRSA #5205 (2), or;
- (5) A student who is a ward of the state and has been placed in the district as provided by 20-A MRSA #5205 (1).

2. Definition of “Parent”

“Parent” means a biological or adoptive parent with legal custody or guardian with legal custody. Where a court has made a determination as to legal custody or parental rights and responsibilities with respect to a child, only a parent with whom a child has primary physical residence during the school year shall be deemed a “parent” within the meaning of this policy. To have legal custody, a guardian must have been declared to have legal custody in a court judgment or decree that is enforceable in a Maine court, and must demonstrate that the guardianship was obtained for necessary reasons regarding the student and not just for education purposes.

3. Definition of “Resident”

- A. (1) Lawfully occupies on a regular and continuing basis a dwelling place within the District where he or she ordinarily sleeps, takes meals and conducts other day-to-day activities, and

(2) If he or she is not present within the District only for the purpose of attending District schools or other schools for which the District pays tuition.

- B. Presence within MSAD #53 for educational purposes only will not qualify a student for tuition-free attendance at MSAD #53 schools or other schools for which the District pays tuition.
- C. Ownership of property within the District alone is not sufficient to establish residence in the District for purposes of this policy.
- D. Any student attending Maine Central Institute with tuition paid by a person or entity other than MSAD #53 who applies to be treated as a resident of MSAD #53 for tuition purposes shall be presumed in the District for educational purposes only and therefore not a resident of the District for purposes of this policy. A student may overcome this presumption by demonstrating that he or she is not present in the District for educational purposes only.

4. Exceptions; transfers

Exceptions to the general residency rules and transfers into the district may be made as permitted by Maine Statutes.

Local standard requires the use of transfer as a means of providing a student with reasonable access to a public school in a neighboring district due to geographical location hardship.

Homeless students have the right to attend, and be transported to, their school of origin as long as they remain homeless, or if the student becomes permanently housed, until the end of the academic year during which housing is acquired.

5. Procedures

- A. Residence decisions shall be made by the Superintendent. Parents or students seeking to establish residency in the District have the burden of proving that they are residents as defined by this policy. They will be permitted to present relevant evidence to the Superintendent. The Superintendent may conduct his own investigation of relevant facts.
- B. The Superintendent's decision may be appealed to the Commissioner of the Department of Educational and Cultural Services to the extent provided by law.

Policy Reference: (9.32) Education of Homeless Children and Youth

Legal Reference: Title 20A, MSRA§5202

NcKinney – Vento Homeless Education Assistance Improvement Act of 2001, 42 United States Code, Section 11431 Et Seq.

Amended: February 3, 1999

Amended: April 4, 2005

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit – Pittsfield**

**SAD #53 School Attendance Policy for Students Infected with Human
Immunodeficiency Virus**

Policy Statement

Public law in Maine guarantees all children the right to an education. The purpose of this policy is to establish what actions shall be taken in the event that MSAD #53 is made aware that a student attending school is infected with HIV.

MSAD #53 has as its primary goal the provision of quality education in a safe environment for all students.

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

Policy Elements

1. In general, MSAD #53 shall provide educational opportunities for students infected with HIV just as it does for other students. This shall include attendance in regular class settings. Students infected with HIV shall be entitled to all the rights, privileges, and services provided by Maine law and MSAD #53 policies.
2. In the event that a public health threat is perceived by the student's physician, the Bureau of Health must be notified, and will conduct an evaluation. If the school is notified of a student infected with HIV by the parents/guardians and becomes concerned about the safety of that student, other students, or staff, a similar evaluation may be requested. At any time that MSAD #53 is concerned that a particular student poses a public health threat to others, advice may be requested from the Bureau of Health.
3. In the rare event that the Bureau of Health determines that conditions exist which suggest that a student with Human Immunodeficiency Virus infection is a health threat to the school community, the Bureau of Health shall notify the superintendent and the Bureau of health and/or the superintendent shall remove the student from the usual classroom setting until other arrangements can be made or until the Bureau of Health determines that the risks have abated. The health status of a student temporarily removed from the usual school setting in order to protect the health of the student or others will be re-evaluated at least quarterly by the Bureau of Health and reported to the superintendent.
4. Current Maine law protects the confidentiality of HIV test results with certain statutory exceptions. Test results may not be disclosed to anyone without written consent of parents/guardians. Records containing information about Human Immunodeficiency Virus test results and consent forms relating to test results

shall be kept separated from other school records. Only those persons given written consent by the student's parents/guardians shall have access.

5. With written consent of the parents/guardians, the school shall designate an individual or team to:
 - A. Serve as the liaison between the school, and the student's parents, the student's physician and, if necessary, the Bureau of Health; and/or
 - B. Serve as the coordinator of the medical component of the student's educational experience.

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

In the event that a school employee should discover through verbal or written conversation that a student is infected with Human Immunodeficiency the staff member will report that information to the superintendent at the earliest possible time. The superintendent will inform the parents of the HIV student and request advice from the Bureau of Health. Confidentiality standards will be upheld.

6. At the parents/guardians' written request, a designated team member, usually the school nurse, will notify the student's parents/guardians and/or the student's physician in the event that infections occur in the school population that may place an immunodeficient student at increased risk as defined by the student's physician or Bureau of Health. The decision whether or not to remove the student from school will be made by the parents/guardians and the student's physician.
7. Because of the inability to identify individuals who may be infected with Human Immunodeficiency Virus or other agents transmissible through blood and other body fluids, MSAD #53 shall follow standard procedures for cleaning and disinfecting all body fluids spills. If there is a need to handle items which are soiled with body fluids or to clean surfaces which are contaminated with body fluids, gloves shall be used in this process. Such contaminated articles shall be cleaned with soap and water and disinfectant. All staff members shall participate in the training on how to deal with body fluids that they may encounter as part of their daily tasks. The procedures for cleaning bodily fluids spills shall be reviewed annually by all school staff members.

MSAD #53 will continually provide educational programs to inform parents/guardians, students and staff regarding AIDS and all other communicable diseases. The superintendent shall be responsible for the consistent procedural implementation of this policy.

Adopted: January 7, 1991

Reviewed: September 12, 2005

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit - Pittsfield**

Child Find Policy

M.S.A.D. #53 seeks to ensure that all students within its jurisdiction who are school-age 5 through the school year in which they turn 20 are identified, located, and evaluated to determine what special education and supportive assistance they are in need of. This includes state wards, state agency clients, students who have been suspended or expelled, children attending private schools, institutional residents, highly mobile children with disabilities, 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.

As part of this Child Find responsibility, M.S.A.D. #53 shall identify, locate and evaluate all students enrolled in public school, private schools, or home schools, including all entering kindergarten students and transfer students at any grade level.

The Child Find process shall include obtaining data on each student, through direct assessment or by indirect means of the student's academic performance, gross and fine motor skills, receptive and expressive language skills, vision, hearing and cognitive skills.

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 Pupil Evaluation Team to determine the student's eligibility for special education services.

School staff, parents, or agency representatives may refer students to the pupil evaluation 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.

Some factors that may be considered when making a referral might include whether the student has accumulated 45 absences during a school year, has been suspended or removed for disciplinary reasons in excess of 10 cumulative school days in the school year, or has experienced an illness, hospitalization, or accident that may indicate a need for special education and supportive services. These considerations are guidelines only, and do not mandate or preclude referral to the Pupil Evaluation Team.

References: 34 C.F.R. § 300.125 (1999); Me. Dep't. of Educ. Reg. Ch. 101, §§ 7.1 to 7.10 (1999).

Policy Ref.: 9.19, 9.20

Adopted: 10/5/92

Amended: October 8, 2001

MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit – Pittsfield

Student Fund Raising Activities

In general, the Board discourages fund raising in the communities by students for school activities. Especially discouraged is the sale of goods produced by companies for profit, such as magazines, candy, etc.

Exceptions to this policy shall be:

1. Sale of tickets to scheduled athletic events and school dramatic and musical performances.
2. Sale of advertising space in school publications.
3. A fund-raising activity, approved by the principal, and designated as a special project.
4. Proposals to raise funds for charitable purposes or of benefit to the school or community. Examples might be American Field Service activities, United Nations, or scholarship funds. In any case, such proposals must be individually approved by the building principal and superintendents.

Guidelines:

Plans for all fund-raising activities will be submitted in writing to the building principal for approval. The plans should contain the following information:

1. The anticipated dates of the activity.
2. The specific organization/class involved.
3. The purpose of the fund raising.
4. Specific plans for conducting the activity.
5. The anticipated revenue from the fund-raising.
6. The name of the sponsoring company if a commercial fund-raiser is involved.
7. The safety of students involved must be evidenced in the plan and conform to the standard established by the administration.

The principal will approve the request based on the following:

1. The funds raised will directly benefit the students, a charity or the community.
2. The funds raised will be used to support supplemental student activities and will not replace school budget items.

A financial statement covering the fund raising activity will be submitted to the principal at the conclusion of the activity.

Amended: November 9, 1998

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit – Pittsfield**

School Activities Funds Management

School activities funds shall include athletic and student organization funds and any other funds belonging to any student or class group or activity.

Whether such funds are collected from student contributions, club dues, for special activities, or result from admissions to special events or from other fund raising activities, all such funds shall be under the jurisdiction of the Board and under the specific control of the administration. They shall be deposited in a designated depository, and shall be disbursed and accounted for in accordance with instructions issued by the superintendent.

The funds shall be audited annually by the certified public accountant selected to make an audit of all district funds.

Amended: April 8, 1996

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit – Pittsfield**

Contests for Students

The Board believes the primary educational aims of the schools and the needs and interests of their students must be the most important consideration at all times. It shall therefore be a general policy for principals to deny promotional aid, school time, or faculty assistance to pupil contests, involving essay writing, poster making, or other activities sponsored by organizations outside the school.

Exceptions may be made if in the judgment of the administrator and with the concurrence of the superintendent, a particular contest involves experiences which are closely allied to and in support of the instructional work of the school and which will clearly serve to advance the educational aims of the school. The worthiness of the sponsoring agency's cause, or the opportunity for individuals to win prizes, shall not in themselves constitute sufficient reason for exception to the general policy.

Contests or projects, in general, should not interfere with the operation of the regular course of study in classes, or require a teacher to sacrifice much time from the regularly planned program for students. Students should not be required to participate in a contest as part of their grade.

Amended: April 8, 1996

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit – Pittsfield**

Standards for Responsible and Ethical Student Behavior

Philosophy

The MSAD #53 Board of School Directors recognizes the importance of providing a quality education for its students. To this end, the District's overriding goal is to contribute to the development of students who display high academic achievement and reflect responsible and ethical behavior.

The Board firmly believes that our schools should provide an environment that permits each individual student to develop fully within his or her capacity in order that he/she may become a responsible and contributing member of the community, state and country.

Expectations and Standards

The Board considers this to be the mutual responsibility of parents, staff and students. This means that every student should be free of behavior that may interfere with his or her academic opportunities, co-curricular opportunities and social interactions. Each student should be free of fear of physical, emotional, or psychological harm while at school or school activities.

The school staff is to emphasize and set before children high standards of personal courtesy, morality, honesty, and wholesome relationships with others along with pride in one's work and achievement within the limits of an individual's ability.

A. Academic Honesty:

In a learning organization such as the MSAD #53 School District, the integrity of each students' work must be cherished and be representative of the effort of that individual. Cheating and the plagiarism of the work of others will not be tolerated.

B. Individual Conduct:

In the MSAD #53 School District the "Golden Rule" guides expectations for behavior. We believe that individuals should treat others as they want to be treated themselves. Mutual respect among students and adults in the learning environment is the standard.

C. Protection of Individual Rights:

Individual behavior may not violate the rights of others. This expectation means that physical, emotional and sexual harassment and hate crimes due to intolerance of others because of race, sex, religion, etc., will not be tolerated.

D. Protection of the Learning Environment:

Disruptive behavior in the classroom, on school buses, or on any school property is unacceptable and will result in disciplinary action up to and including

expulsion. Subject to the approval by the principal, teachers shall have the authority to make and enforce, with suitable penalty, all rules necessary, both in and out of their classrooms, to insure productive and appropriate behavior of students.

E. Maintaining a Safe Environment:

Any behavior which threatens the safety of students and/or staff will not be condoned. Individuals participating in practices which endanger others will be subject to consequences including suspension and expulsion.

F. Responsible Group Behavior and Good Sportsmanship.

Groups and teams of individuals represent the District at various festivals, athletic events, competitions, field trips, and other gatherings. Students, either as participants or spectators, are ambassadors for our communities and must demonstrate the highest standards for responsible and ethical behavior.

G. Empowerment:

The administrators are empowered by the Board to take necessary, consistent, and appropriate actions to insure a positive learning environment and a safe school setting. Disciplinary action may include detention, suspension, and/or the initiation of expulsion proceedings.

These rules and policies apply to any student who is on school property, who is in attendance at school or at any school-sponsored activity, or whose conduct at any time or place directly interferes with the operations, disciplines, or general welfare of the school.

Policy References: 8.06. Co-curriculum Programs
9.8 Student Dress Code
9.11 Detention of Students
9.12 Suspension/Expulsion of Students
9.17 Health
9.20 Compulsory Attendance/Truancy
9.21 Hazing
9.24 Homework
10.01 General Transportation
11.13 Weapons Free Schools
11.14 Smoking on School
11.16 Parent Involvement in Education Premises

Legal References: MRS 17A, Sections 1.9; 2.12, A
MRS 20A, Sections 3271; 3272
MRS 20A, Section 1001.9; 6552; 6553.2

Adopted: May 10, 1999

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit – Pittsfield**

Student Dress Code

The responsibility for the dress and appearance of students shall rest with individual students and parents or guardians. Student dress and appearance shall be neat and shall not interfere with the safety, order and effectiveness of the educational process.

Examples of unacceptable attire include, but are not limited to, clothing that:

- (a) promotes alcohol, tobacco or other drugs;
- (b) contains a message that is obscene, vulgar or indecent;
- (c) presents a safety hazard within the classroom;
- (d) causes excessive maintenance problems such as cleats, shoes that scratch floors, and trousers with metal rivets that scratch furniture; and
- (e) immodest or revealing clothing that distracts from the educational process.

Appropriate dress will be determined at the sole discretion of administrators. Students who violate this policy will be subject to disciplinary action.

Policy Reference: 9.7 Standards for Student Behavior

Adopted: November 11, 1996

MAINE SCHOOL ADMINISTRATIVE DISTRICT #53**Burnham – Detroit – Pittsfield****Student Storage Facility Policy****Purpose:**

The purpose of this policy is to maintain and promote a learning environment in the school that is functional, safe and conducive to education. The MSAD #53 School Board finds that the presence in the school of items not connected to the school curriculum or co-curricular school activities creates a distraction from the fundamental educational mission of the school and may pose serious health and safety dangers to the school community. In order to promote a functional, safe, and effective educational atmosphere, the following student storage facility policy is hereby established:

Definitions:

The term "storage facility" includes but is not limited to student lockers, locker rooms, storage baskets and desks.

Scope:

This policy is intended to govern only those "storage facilities" made available to, or in fact used by, school students or students of other schools. This policy does not govern the rights of school administrators who are legal employees or independent contractors of the school, school district, municipality or state.

Policy:**A. No Student Rights To/In Student Storage Facilities**

The school is under no legal or moral obligation to provide "storage facilities" for student use. Students have no inherent right to the use of or access to school "storage facilities."

B. Storage Facilities are School Property

All "storage facilities" made available to students by the school are, at all times, the property of, in custody of, and under the control of the school and school authorities. Students' possession of "storage facilities" is non-exclusive against the school and school authorities.

C. Temporary Use of Storage Facilities by Students

School authorities may, in their discretion, grant joint access or joint use of "storage facilities" with a student for the TEMPORARY storage of the following:

1. Textbooks, notebooks, supplies and equipment reasonably necessary for use in that student's current school-approved curriculum;

2. Seasonable clothing reasonably necessary for that student to commute to and from school, and clothing and equipment reasonably necessary to participate in current school-approved activities and sports;
3. Food reasonably necessary for the students consumption during that school day;
4. United States currency in an amount reasonably necessary to purchase food for the student's consumption during that school day, or in an amount reasonably necessary for immediate payment by that student for school-approved purposes, but in no event is the amount of United States currency to exceed one hundred (\$100) dollars.

STUDENTS SHALL NOT KEEP CONTRABAND OF ANY KIND, OR HIGHLY PERSONAL ITEMS, IN ANY SCHOOL "STORAGE FACILITY".

D. School Authorities Have Unlimited Access to Student Storage Facilities

School authorities may, at any time and without prior notice, open, clean, inventory, inspect, relocate, remove, alter, destroy, search, dispose of or reassign any "storage facility" (whether locked or unlocked) and its contents.

E. Implied Consent by Students to Unlimited Access to Storage Facilities by School Authorities

All students who use or accept the use of any "storage facility" shall thereby imply their consent to the shared or joint custody and control of that "storage facility" with school officials. A student who uses a school "storage facility" agrees to the opening, cleaning, inventory, inspection, relocation, removal, alteration, destruction, search, reassignment or disposal of that "storage facility" and its contents by school officials without prior notice.

All students who accept the use of, or use, any "storage facility" shall thereby accept the limitations, restrictions, rules and regulations relating to such "storage facilities".

Policy Reference: Interrogation and Search #9.16

Adopted: November 11, 1996

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit – Pittsfield**

Pregnant/Married Students

Marital, maternal, or paternal status shall not affect the rights and privileges of students to receive a public education nor to take part in any activities offered by the school.

Pregnant students shall be permitted to continue in school in all instances when continued attendance has the sanction of a physician. The physician's approval of this continued attendance must be on file at the school. The school administration is authorized to make special arrangements for the instructional program designed to meet their special needs.

Amended: April 8, 1996

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit – Pittsfield**

Detention of Students

A school administrator or teacher may detain a student for disciplinary reasons after school hours, provided the parent has been notified of the detention and clear and specific arrangements have been made for the student's transportation home.

At the elementary and the middle school levels, parents must make arrangements for the student's transportation home. A form letter notifying the parent of the detention shall be sent home at least 24 hours in advance; in cases of hardship, the parent shall be given the opportunity to suggest an alternative date for the detention. Students shall not be detained for more than one hour after school on any one day without prior parental agreement.

Detention may also be given for make-up work or for extra help or study sessions, provided the parent is aware of the detention and proper arrangements have been made for the student's transportation home. Detention shall require the notification of the principal, and detention for make-up shall not be given if the absence was an excused absence.

Students who are detained after school must never be left alone during their detention. Their supervision must be provided, or arranged for, by the teacher or administrator who detains them.

Detention may be held on Saturdays or after school.

Amended: April 8, 1996

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit – Pittsfield**

Suspension/Expulsion of Students

Suspension of Regular Education Students:

The School Board delegates to administrators the authority to suspend disobedient and/or disorderly students for a period not to exceed ten (10) school days per offense.

Prior to the suspension, except as hereinafter provided:

- A. The student shall be given oral or written notice of the charge(s) against him/her;
- B. The student shall be given an explanation of the evidence forming the basis for the charge(s); and
- C. The student shall be given an opportunity to present his/her side of the case.

However, students whose presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process may be immediately removed from school; in such cases, the notice of charges, explanation of evidence, and the student's opportunity to explain his/her side of the story, shall be arranged as soon as practicable after removal of the student from school.

The parent or guardian shall be notified of suspension of his/her son or daughter by telephone immediately, if possible, and/or by written notice which shall be dispatched by mail on the day of the suspension. A copy of the written notice shall be sent to the Office of the Superintendent of Schools.

Students shall be responsible for any school work missed during their suspension. After reinstatement, they shall be permitted to take any tests, quizzes or any other form of evaluation affecting their grades.

Expulsion of Regular Education Students:

The principal may request that the superintendent schedule an expulsion hearing with the Board of School Directors when:

- A. A student's behavior poses a potential threat to staff, students or school premises;
- B. A student's behavior constantly disrupts the educational opportunity of others; and/or
- C. A student is in violation of the Weapons Free Schools Policy.

Suspension/Expulsion of Special Education Students:

Except as provided by federal law, no identified special education student shall be expelled or suspended in excess of 10 cumulative days in the school year for misconduct related to the student's disability. Due process, as outlined above, must be followed. If expulsion or suspension in excess of 10 cumulative days is to be considered, the student's pupil evaluation team ("PET") shall make the determination whether the misconduct in question, including any past incidents of misconduct which may be considered in making the disciplinary decision, is related to the student's disability.

For misconduct that is related to the student's disability, the student's PET may determine what programming or placement alterations are warranted beyond the 10 cumulative days of suspension permitted under this policy.

For misconduct unrelated to the student's disability, the school unit may proceed with a suspension or expulsion consistent with law and with school policy. During any such removal in excess of 10 cumulative days in the school year, the PET shall offer free and appropriate educational services to the special education student.

The school unit shall comply with all applicable state and federal laws governing suspension and expulsion of students with disabilities.

Legal Reference: Title 20A MRSA § 1001.9, (9-B); 20 U.S.C. § 1415(k)(1)(A),
(3)(B),(5)(A)
Maine Special Education Regulations, Chapter 101, § 10.10

Policy Reference: 9.7 Standards for Student Behavior
11.13 Weapons Free Schools
11.14 Smoking Policy
9.17 Student Substance Abuse

Amended: April 8, 1996

Amended: April 12, 1999

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit – Pittsfield**

Student Insurance Program

A student accident insurance program providing broad coverage at nominal cost to parents shall be made available to all students. Such protection, when purchased by the parent, shall cover the student while at school, on the way to and from school, and when engaged in any school-sponsored activities, excluding interscholastic athletics, either on school grounds or elsewhere.

Purchase of insurance shall be optional, except for students participating in interscholastic sports. These students shall be required to purchase the appropriate coverage, unless they provide proof that they are already covered by comparable insurance through a family or personal policy.

Amended: April 8, 1996

MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit – Pittsfield

Health

The Board of Directors shall authorize the Superintendent to be responsible for the district's total health program within the requirements of the State Department of Educational and Cultural Services and the laws of the State of Maine.

SAD #53 will use the following to direct its health program:

1. Procedures as outlined in the 1993 School Health Manual, with updates and documentation standards developed by SAD #53.
2. Standards of Care for First Aid based on AMA Standards found in American Medical Association Handbook of First Aid and Emergency Care (1990).
3. SAD #53 General Health Procedure, Emergency Care Procedure and Medication Procedure.
4. Health – Family – Life Quest Curricula, K-8.
5. Requirement for initial sports physical before student participation in the Warsaw sports program and establishment of administrative procedures for sports physicals, which include current advisories by the Maine Principal's Association. (Administrative procedure for sports physicals.)

Amended: April 8, 1996

Amended: October 7, 1996

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit – Pittsfield**

Student Dismissal Procedures

Staff members shall not excuse any pupil from school prior to the end of the school day, or into any person's custody, without the direct prior approval and knowledge of the parent or guardian. All students must be signed out at the office.

The building principal shall not excuse a pupil before the end of the school day unless the student is ill, or unless a written request for early dismissal has been submitted by the student's parent or guardian. Telephone requests for early dismissal of a pupil shall be honored only if the called can be identified as a pupil's parent or guardian.

Additional precautions shall be taken by the school administration appropriate to the age of students, and as needs arise. No student shall be sent on any errand off school grounds.

Adopted: November 4, 1991

Amended: December 4, 2000

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit – Pittsfield**

Questioning and Searches of Students

The School Board seeks to maintain a safe and orderly environment in the schools. School administrators are authorized to question and/or search students in accordance with this policy and accompanying administrative procedures.

Students may not bring, possess or store at school any items or substances which are prohibited by law, Board policies and/or school rules, or which interfere with the operations, discipline or general welfare of the school.

Student use of all school storage facilities, including but not limited to lockers, desks, and parking lots, is a privilege granted by the school. All storage facilities are school property and remain under the control, custody and supervision of the school. Students have no expectation of privacy in school storage facilities or for any items placed in such storage facilities. School administrators have the authority to inspect and search storage facilities and their contents on a random basis, with or without reasonable suspicion, and without notice or consent.

If a search produces evidence that a student has violated or is violating the law, Board policies and/or school rules, such evidence may be seized and impounded by school administrators and appropriate disciplinary action may be taken. Evidence may be forwarded to law enforcement authorities as required by law or as deemed appropriate by school administrators.

School staff, students and parents shall be informed of this policy on an annual basis through handbooks and/or other means selected by school administrators.

The Superintendent is authorized to develop and implement, with input from legal counsel, administrators, staff and others as appropriate, any administrative procedures necessary to carry out this policy. Such administrative procedures shall be subject to Board approval.

Reference: Crisis Plan; 5.2 Bomb Threats; 5.5 Crisis Intervention; 9.17 Student Substance Abuse; 9.28 Police Involvement

Amended: February 12, 2001

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit – Pittsfield**

Student Substance Abuse

The MSAD #53 Board of School Directors recognizes that alcoholism and drug dependency are treatable diseases. Left untreated, they may result in serious personal and family problems. At the same time, the Board also recognizes the dangers of alcohol and drug abuse in school and is seriously concerned about the effects of alcohol and drug dependency upon students. It is the Board's belief that the unlawful possession and use of illicit drugs and alcohol is wrong and harmful.

In order to promote the highest possible standards of learning, as well as the safety, health and well-being of students, the Board of Directors has adopted a Student Substance Abuse Policy which is designed to aid students to abstain from the use of alcohol and drugs, provide for early intervention when use is detected, and provide corrective disciplinary action when necessary and aftercare support as appropriate. Compliance with the District's standards of conduct related to substance abuse is mandatory.

Prevention

The District will provide students with information and activities focused on prevention of the use of alcohol and drugs. Such information and activities will address the legal, social and health consequences of drug and alcohol use and will provide information about effective techniques for resisting peer pressure to use illicit drugs or alcohol.

Intervention

The District will establish and provide assistance, through a team approach, to intervene with students who are chemically involved. Students will be assisted in addressing their harmful involvements with chemicals and in continuing in their educational programs. Moreover, information will be provided, as appropriate, about any drug or alcohol counseling and rehabilitation and re-entry programs that are available to students.

Rules and Sanctions

Students are prohibited from consuming, possessing, furnishing, selling, receiving, buying or being under the influence of prohibited substances before, during and after school hours, at school, in any school building, on any school premises, in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities, off school property at any school-approved activity, event or function (such as a field trip or athletic event) where students are under the

jurisdiction of the District, or at any time or place if the conduct has an adverse effect on the discipline or welfare of the schools.

The term “prohibited substance” shall include, but not be limited to:

1. Alcohol;
2. Scheduled drugs (as defined in 17-A MRSA § 1101);
3. Controlled substance (as defined in Federal Controlled Substances Act, 21 U.S.C. § 812);
4. Any substance which can affect or change a student’s mental, physical or behavior pattern, including but not limited to, volatile materials such as glue, paint or aerosols, when possessed for the purpose of inhalation, or steroids;
5. Paraphernalia – implements used for distribution or consumption of a prohibited substance; or
6. Any look-alike drug or substance that is described as or is purported to be a prohibited substance defined in this section.

Any violation of the terms of this policy shall constitute sufficient grounds for student discipline, including suspension or expulsion from school, at the appropriate discretion of the administration and the Board. A student may also be referred to law enforcement authorities for investigation and/or prosecution.

Any incidents involving student possession, furnishing or trafficking of scheduled drugs where expulsion is not recommended shall be reported to the Board of Directors for informational purposes.

It is not a violation for a student to use in school a prescription drug, including a legally defined drug or controlled substance if it is specifically prescribed for the student’s own therapeutic use by his/her doctor if used in compliance with district Health Policy 9.14 and related procedures.

Implementation

The superintendent shall be responsible for the development and promulgation of appropriate curricula, programs, rules and procedures to implement this policy.

Communication

This policy and appropriate related information shall be distributed to students and parents through means selected by the administration.

Review

The superintendent shall oversee a biennial review of the policy to determine the program’s effectiveness, to implement changes to the program, policy and rules, as needed, and to ensure that disciplinary sanctions are consistently enforced.

Policy References: Teaching About Drugs, Alcohol & Tobacco 8.4
Co-Curricular Programs 8.6
Standards for Responsible and Ethical Student Behavior 9.7
Student Suspension 9.12
Health 9.14
Smoking on School Premises 11.14

Legal References: Drug-Free Schools and Communities Act, 20 U.S.C. 1 § 3224a, 34
C.F.R. §§ 86.200-86.201
Controlled Substances Act, 21 U.S.C. § 812, 21 C.F.R. §§
1300.11-11300.15
Title 17-A MRSA § 1101

Adopted: March 3, 1993

Amended: November 6, 1997

Guidelines of Equal Employment Opportunity Comm. PL 1991,
Chap. 474 (5 MRSA Sec. 4613.2: 26 MRSA Sec. 806.807)

Adopted: February 7, 1994

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit – Pittsfield**

Policy: Referral

It shall be the policy of M.S.A.D. #53 to ensure referral of all school-age students suspected of having a disability that requires special education to the pupil evaluation team (“PET”) for an evaluation in the suspected areas of disability. Referrals of students to the pupil evaluation team may be made by professional school staff, by parents, and by other persons knowledgeable about the child’s educational needs.

The Administrator of Special Services, in consultation with other District professionals, will develop procedures for referral and the use of pre-referral interventions within the local school unit, and may from time to time amend those procedures as necessary.

References: Maine Department of Education, Reg. Ch. 101, §§ 7.7, 9.8, 9.17 (Nov. 1999); 20 U.S.C. § 1400(c)(5)(F); C.F.R. Part 300, App. A., Q. 17 (Mar. 1999)

Date Adopted: February 7, 1994

Amended: April 3, 2000

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit – Pittsfield**

Compulsory Attendance and Truancy

The MSAD #53 School Board expects attendance of persons 7 years of age or older and under 17 years of age in our school system during the time it is in regular session, pursuant to Title 20A, Maine Revised Statutes Annotated, Subchapter I (Attendance). A procedure will be maintained which addresses this policy and defines administrative guidelines for its facilitation, pursuant to Title 20A, Subchapter II (Habitual Truants).

A child is a habitual truant if he/she, subject to Section 5001-A, Compulsory Attendance, is absent from school for 10 full days or seven consecutive school days for other than excusable absence. When the records show that a student's absence pattern gives cause to believe that habitual truancy may exist, the school principal shall follow the procedure outlined in the administrative guidelines on habitual truants.

Legal Reference: 20-A MRSA 5001-A 5052-5054

Policy Reference: 9.3 Child Find
9.19 Referral

Adopted: February 7, 1994

Amended: December 2, 2002

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit – Pittsfield**

Hazing

Maine statute defines injurious hazing as “any action or situation which recklessly or intentionally endangers the mental or physical health of a student enrolled in a public school”.

It is the policy of the Board that injurious hazing activities of any type, either on or off school property, by any student, staff member, group or organization affiliated with this school unit, are inconsistent with the educational process and shall be prohibited at all times.

No administrator, faculty member, or other employee of SAD #53 shall encourage, permit, condone, or tolerate injurious hazing activities. No student, including leaders of student organizations, shall plan, encourage, or engage in injurious hazing activities.

Persons not associated with SAD #53 who fail to abide by this policy may be subject to ejection from school property and/or other measures as may be available under the law.

Administrators, faculty members, students and all other employees who fail to abide by this policy may be subject to disciplinary action which may include suspension, expulsion, or other appropriate measures.

In the case of an organization affiliated with SAD #53 which authorizes hazing, penalties may include revision of permission for the organization to operate on school property or to receive any other benefit of affiliation with the school unit.

These penalties shall be in addition to any civil or criminal penalties to which the violator or organization may be subject.

The superintendent or designee shall assume responsibility for administering this policy. In the event that an individual or organization disagrees with an action – or lack of action – on the part of the superintendent or designee as he/she carries out the provisions of this policy, that individual or organization may appeal to the full school board. The ruling of the school board, with respect to the provisions of this policy, shall be final.

This policy shall be referenced in all school, parent, and faculty handbooks or otherwise distributed to all school employees and students.

Legal Reference: Title 20-A MRS A Sec. 6553.2

Adopted: April 4, 1994

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit – Pittsfield**

Suicide Prevention

MSAD #53 recognizes that our response to suicide contemplated, threatened, or attempted, is more than just an assumed responsibility. The relationship between schools and students is a “quasi-parental” role, which obligates a school to exercise reasonable care to “protect (the student) from injury, self-inflicted or otherwise”. (McBride, 277 N.Y.S. 2d. at 87) It is the policy of MSAD #53 that all personnel will report disclosures by students of suicide contemplation, threats, or attempts to the Building Principal or Counselor. These individuals will then follow the established suicide prevention procedure. To support this policy, MSAD #53 will provide training for school personnel in suicide prevention.

Policy Reference: Crisis Intervention

Legal References: 20-A MRSA § 4008:
32 MRSA § 7005:

Adopted: January 9, 1995

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit – Pittsfield**

Life-sustaining Emergency Care

Appropriately trained staff members whose responsibilities include the provision of life-sustaining emergency care shall take all reasonable steps to provide such care to any student on school grounds in need of life-sustaining emergency care, and shall attempt to contact an ambulance in accordance with regular school policies to secure the speedy transportation of the student to hospital facilities.

It is the policy of MSAD #53 not to comply with directives from parents or others that life-sustaining emergency care should not be provided to any particular student in need of such care while under the control and supervision of the school.

For purposes of this policy, “life-sustaining emergency care” means any procedure or intervention applied by appropriately trained school staff that may prevent a student from dying who, without such procedure or intervention, faces a risk of imminent death. Examples of life-sustaining emergency care include: efforts to stop bleeding, unblocking airways, mouth-to-mouth resuscitation, and cardio-pulmonary resuscitation (“CPR”).

Policy Reference: Crisis Intervention

Adopted: January 9, 1995

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit – Pittsfield**

Homework

General

Numerous studies show that the amount of time students spend on learning a skill directly affects their ability to master it.

The Board believes that there are several reasons for assigning homework:

- A. Homework helps students learn better and faster. Research shows that many successful teachers assign meaningful homework. By asking students to spend some of their out-of-class time working on a specific skill or subject, teachers make it possible to spend class time teaching students even more.
- B. Homework helps families become involved with education. We know that for schools to do the best possible job educating each student, parents and schools must work together. Homework is one way parents can make a meaningful contribution to helping their sons and daughters achieve. When students see that their parents think education is important, their performance improves.
- C. Homework communicates the high expectations that schools hold for their students. The best schools have confidence that their students can and will achieve. Assigning meaningful homework is one way of letting students develop confidence in their own abilities.
- D. Homework helps students develop self-discipline and organizational skills. Through homework, students learn how to manage their time. They learn the importance of setting goals and working to achieve them. They learn to be responsible for their own achievements. All these skills will help them continue to be successful throughout their lives.

The amount of homework assigned should be gradually increased from grade to grade. As a child advances through school, it is reasonable to expect that the amount of homework can be increased, using the following guidelines:

Grade 1 to 3: A students' daily homework assignments be an average of 15 minutes, one to three times a week.

Grade 4 to 6: A students' total daily homework assignments be an average of 15 to 45 minutes, two to four times a week.

Grade 7 to 8: A students' total daily homework assignments be an average of 30 to 60 minutes, three to four times a week.

Planning and Assigning Homework

Homework should be planned and assigned in such a way that it will:

- Help students see how homework is related to class work;
- Ensure that the assignments, procedures for accomplishing them, and the due dates are clear, meaningful and appropriate;

- Ensure that the amount of homework is appropriate to students' needs and abilities and in conformity of the student's IEP as required by Federal statute; and
- Teacher will establish and communicate, to the student, the manner in which homework will be evaluated and the weight it will carry in the overall evaluation of the student.

Homework should be of a practice nature to reinforce skills and concepts already introduced in class. Complex, long-range assignments should incorporate appropriate structure and guidelines including a sequence of tasks and frequent progress reviews.

Accepting, Evaluating and Returning Homework

Since homework is considered to be a valuable learning experience:

- Homework will be accepted through reasonable deadlines or due dates established by the teacher. Under circumstances when late homework is accepted, students may accordingly accrue less credit than otherwise may have been earned; and
- All completed homework will, in some manner, be evaluated and returned to the student within a reasonable length of time.

Responsibility of Parents

While students should assume the major responsibility for completing homework assignments, parents should be encouraged to take an active interest in students' homework by:

- Promoting a positive attitude toward homework;
- Providing a consistent time and a suitable place for study;
- Making resource materials available whenever possible;
- Assisting with drills; and
- Communicating to the teacher special circumstances which may affect the child's ability to complete assignments.

Delegation of Authority

The superintendent, or designee, has the responsibility for enforcing this policy by communicating it to all relevant parties and by providing necessary instruction and guidelines to the appropriate administrators.

Legal Reference: Maine Department of Education Rules, Chapter 125.23, B, 5, 1.

Policy Reference: Model Procedure on Child Identification in Special Education

Adopted: May 1, 1995

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit – Pittsfield**

Co-curricular Out of State Trips

PURPOSE:

The Board of Directors adopts this policy to establish guidelines when considering requests for co-curricular and interscholastic teams or individuals to take part in out-of-state competitions as representatives of the SAD #53 school system.

POLICY PROVISIONS:

1. The school district does not budget funds for out-of-state competitions, but encourages participation where appropriate circumstances allow. However, in recognition of the academic or interscholastic value, the district may condone the use of fund raising activities to fund participation through the Student Fund Raising Policy 9.4.
2. The Board of Directors prior to considering requests will be provided with the information outlined in this policy.
3. Plans for team or individual participation in out-of-state competition must be submitted through the administration to the school board for approval. The plan must contain the following information:
 - A. The specific nature of the competition;
 - B. The date(s) of the competition;
 - C. The number of student(s) and adult(s) scheduled to participate;
 - D. Outline of the specific travel, lodging and meal plan;
 - E. A break down of expenses to be incurred.
4. The cost of the student(s) and adult(s) expenses to participate in the competition may be supported by fund raising activities.
5. The cost of expenses for the school district advisor may in part be financed through available school funds.
6. Should circumstances not allow timely Board approval, the superintendent will act on behalf of the Board. That action will be reviewed at the next regular Board meeting.

Policy Reference: Student Fund Raising Activities Policy 9.4

Adopted: November 6, 1997

Amended: November 9, 1998

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit – Pittsfield**

Distribution of Materials by Students

The MSAD #53 Board of School Directors recognizes that free expression of student opinion is an important part of education in the democratic society. Students may express oral, written, or illustrative opinions on school premises as long as it does not disrupt the operation of the school.

The building administrator or designee must be notified and provided a copy of any materials to be distributed at least 24 hours prior to the planned distribution.

An enrolled student may distribute publications or other materials prior to the opening of the school day or following the close of the school day. A student may also distribute materials during break periods, such as recess and lunch periods. The principal or designee will approve areas where materials may be distributed, or designate specific locations. Materials that are distributed must state the name of the individual(s) or organization, and its chief officer who is responsible for the preparation of the materials. Such materials must not: present a clear and present likelihood that they will cause a disruption of the proper and orderly operation and discipline of the school or school activities, or will cause the commission of unlawful acts or the violation of lawful school regulations; be obscene to minors or libelous; invade the privacy of others; constitute insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, or harassment based on race, religion, ethnic origin, handicap or gender); be indecent or vulgar; or promote the use of tobacco products, alcoholic beverages, illicit drugs, or drug paraphernalia (see Appendix for definitions). The right of individuals to refuse materials will be upheld as expression of their democratic rights.

The district does not intend to provide a forum to be used by outside individuals or groups to communicate with students or employees. In order to prevent the use of students as conduits for such outside individuals, distribution or materials by students for financial or other inducement by outside individuals is not covered by this policy, and may be subject to more stringent review.

Policy reference: 9.4 Student Fund Raising Activities
11.5 Solicitations/Gifts/Advertising in Schools

Adopted: December 8, 1997

APPENDIX TO DISTRIBUTION OF MATERIALS POLICY

The following definitions apply to the terms as used in this policy.

1. "Obscene to minors" is defined as:
 - A. The average person, applying contemporary community standards, would find that the written material, taken as a whole appeals to the prurient interest of minors of the age to whom distribution is requested;
 - B. The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, and lewd exhibition of the genitals; and
 - C. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
2. "Minor" means any person under the age of eighteen (18).
3. "Libelous" is a false and unprivileged statement about a specific individual that tends to harm the individual's reputation or to lower him/her in the esteem of the community.
4. "Distribution" means circulation or dissemination of materials by means of handing out free copies, selling or offering copies for sale and accepting donations for copies. It includes displaying materials in areas of the school which are generally frequented by students.
5. "Materials" include any form of communication, including but not limited to writing, printing, recorded tape, film, video, computer disk, and amplified voice. For purposes of this policy, "materials" include tangible objects bearing no verbal communication or messages that are nonetheless distributed for the purpose of communication or expression.

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit – Pittsfield**

Immunization

Immunizations: Records of immunizations are the responsibility of the parents or guardian. No child shall enter the district without proof of the following:

5 DPT (4 DPT if 4th is given after 4th birthday)

4 Polio (3 Polio if 3rd is given after 4th birthday)

2 MMR (Measles, Mumps & Rubella which must be given after the 1st birthday)

*1 varicella (chicken pox shot or proof of disease by physician, date of disease or date of titer)

Waiver for Philosophical or Religious Reasons: Waivers are for those parents who have philosophical or sincere religious reasons for their child not to have immunizations. The state requires that waivers must be in the form of a letter detailing their objections. Each year the parent must present another waiver to the school for the child to be exempt. For those children who are waived for philosophical or religious reasons, the waiver must be resubmitted by August 15th of each year for the child to attend school.

Medical Waivers: Medical waivers for pertussis will be accepted when signed by a physician, or when proof that a DT rather than a DPT shot has been given. Waivers for children who need extended time to complete their shot series due to a delay in starting the immunizations will also be accepted. A specific time frame of completion will be set by the physician, and will be provided to the school district.

*on the following schedule:

- A) start of school year 2003-kindergarten and 1st grade (k-1)
- B) start of school year 2004-k-2 and grade 9
- C) start of school year 2005-k-3 and 6, 9, and 10
- D) start of school year 2006-k-4 and 6, 7, 9, 10 and 11
- E) start of school year 2007-k-12

Policy Reference: 9.14 Health

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

Adopted: May 11, 1998

Amended: March 3, 2003

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham- Detroit – Pittsfield**

Police Involvement

The School Board recognizes that a cooperative relationship with law enforcement authorities is desirable for the protection of students and staff, maintaining a safe school environment, and safeguarding school property.

School administrators and staff shall have the primary responsibility for maintaining proper order in the schools and for disciplining students for violations of Board policies and school rules. However, the Board authorizes the superintendent/administration to seek the assistance of law enforcement authorities when they believe there is a substantial threat to the welfare and safety of the schools, students and/or staff. The superintendent/administration shall also inform law enforcement authorities when they have reason to suspect that a student or staff member may have violated a local, state or federal law.

The Board strongly discourages law enforcement authorities from using the schools as a venue to arrest and/or interrogate students for activities not related to or affecting the schools. The superintendent/administration retain the authority to deny law enforcement access to students for non-school related investigations.

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

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

Reference: 5.2 Bomb Threats; 5.5 Crisis Intervention; 9.17 Student Substance Abuse

Amended: February 12, 2001

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit – Pittsfield**

Individualized Education Program

It shall be the policy of MSAD #53 to maintain a complete individualized education program (“IEP”) for each student who has been identified with a disability and in need of special education services under state and federal special education laws, and who is in attendance at MSAD #53 public schools. MSAD #53 shall develop these IEPs in a manner consistent with the procedural requirements of state and federal special education laws.

Student IEPs shall be reasonably calculated to provide the identified student with educational benefits in the least restrictive educational environment. MSAD #53 shall ensure that such IEPs are in effect within 30 days of when a student is first identified as in need of special education services, and that such IEPs are reviewed at least annually, as prescribed by state and federal special education laws.

Reference: 20 U.S.C. §§ 1414(d); 34 C.F.R. § 300.340 to .350 (Mar. 1999); Me. Dept. of Educ. Reg. Ch. 101, § 1.4, 10.1 to 10.5 (Nov. 1999).

Policy Reference: 9.19 Referral

Date Adopted: November 5, 2001

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit - Pittsfield**

Disability Harassment

MSAD #53 expects that the requirements of state and federal law are met with respect to preventing and responding to harassment and other forms of discrimination on the basis of disability. MSAD #53 will not tolerate hostile or abusive treatment, derogatory remarks, or acts of violence because of disability against students, staff, or volunteers with disabilities. The District considers this behavior to constitute discrimination on the basis of disability in violation of **Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act.**

Complaints of harassment on the basis of disability will be addressed and resolved in a fair and expeditious manner following established procedures. In accordance with the District's disciplinary procedures, appropriate disciplinary action shall be taken against students, staff, and volunteers who are found to have engaged in disability harassment. In addition to these procedures, students, staff, and volunteers may have rights and procedural safeguards under other school policies or state and federal law.

Legal References: Section 504 of the Rehabilitation Act
 1973.29USC 294.34CFR Part 10
 Americans with Disabilities Act
 1990.42USC 12134.28CFR Part 35
 Individuals with Disabilities Education Act
 1975.20USC 1400 et. Seq. 34CFR Part 300

Policy References: 9.7 Standards for Responsible and Ethical Behavior
 9.18 Harassment
 11.4 Visitors to Schools

Adopted: December 3, 2001

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit - Pittsfield**

Time Out Rooms and Therapeutic Restraint

MSAD #53 authorizes school officials to use designated time out rooms and therapeutic restraint to the extent permitted by law, and in a manner consistent with state law and regulations. The Superintendent of Schools or designee is responsible for developing procedures for the use of designated time out rooms and therapeutic restraint. This policy and any accompanying procedures shall be reviewed at least annually by the Superintendent or his/her designee, and the Superintendent shall recommend to the School Board any needed changes in this policy.

For purposes of this policy and any accompanying procedures, the terms “designated time out room” and “therapeutic restraint” shall have the following meanings:

Designated time out room: A designated time out room is a room used specifically to isolate a student for the purpose of bringing under control student behavior that is dangerous or presents a risk of significant property damage. Dangerous behavior is behavior that presents a risk of injury or harm to that student or to others, and in the judgment of those involved cannot be controlled through interventions short of isolation in the designated time out room.

This policy and any accompanying procedures do not apply to interventions such as sending a student to the Principal’s office, to any staff member’s room or office, or to any other such setting, but is instead limited to use of a room specifically designated by the Superintendent of Schools for the purpose of isolating students as described above. Use of this area to control student behavior must comply with this policy and any procedures developed hereunder.

Therapeutic Restraint: Therapeutic restraint is physical restraint of a student for the purpose of preventing that student from injuring him or herself or others, when such restraint is undertaken in accordance with an individualized written plan that specifically calls for therapeutic restraint. Therapeutic restraint as defined in this policy and any accompanying procedures should be administered by personnel trained in that restraint.

Therapeutic restraint does not include any intervention by any school official that would otherwise be governed by state law on the use of reasonable force (20-A M.R.S.A. § 4009), which includes the use of a reasonable degree of force by school officials against a person who is creating a disturbance, when the official believes that force is necessary to control the disturbing behavior or to remove the person from the scene of the disturbance.

Legal References: 20-A M.R.S.A. § 4502(5)(M) and accompanying regulations; 20-A
M.R.S.A. § 4009.

Policy References: 9.7 Standards for Responsible and Ethical Behavior
9.12 Suspension/Expulsion of Student

Adopted: December 3, 2001

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit – Pittsfield**

Education of Homeless Children and Youth

MSAD #53 recognizes its statutory obligation to provide a free public education to homeless children and youth. Homeless students in MSAD #53 will not be segregated or stigmatized on the basis of their homelessness. In cooperation with other school units, MSAD #53 will provide homeless students with suitable academic programs which assure equal access to education. Such education shall be provided according to the best interests of the homeless student, meaning that, to the extent feasible, the student's education shall continue in the school the student last attended before becoming homeless, unless doing so is contrary to the wishes of the student or the student's parents or guardians.

MSAD #53 shall file with the Maine Department of Education, as part of its annual Title I plan, a description of the services that will be provided to homeless children. The Superintendent will designate a Liaison for Homeless Children and Youth who will coordinate school district services in regard to homeless students. The Liaison will be responsible for identifying and enrolling homeless students so they receive the educational services for which they are eligible.

The Superintendent is authorized to develop and implement any administrative procedures necessary to carry out this policy, consistent with applicable statutes and regulations.

Legal References: 42 U.S.C. § 11431 et seq.
20-A MRSA §§ 261 and 5205
Me. Dept. of Ed. Reg. 14

Policy References: 9.3 Child Find
9.19 Referral
9.1 Student Residence

Adopted: January 6, 2003

MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit – Pittsfield

Notification Teams

MSAD #53 recognizes that 15 M.R.S.A. sec 3308 provides that when a juvenile has been charged with, or adjudicated of, a juvenile offense that involves the use or threatened use of physical force against a person, the district attorney in the Judicial district where the charges were brought will provide certain information to the superintendent/designee of the juvenile's school. The information is limited to:

1. The name of the juvenile
2. The nature of the alleged offense or offense
3. The date of the alleged offense or offense
4. The date of the petition (date charged)
5. The date of the adjudication, if applicable, and
6. The location of the court where the case was brought, if applicable.

By law, this information is not to become a part of the student's educational record.

This information is to be regarded as confidential, except as provided in 20-A M.R.S.A. sec 1055(11). The MSAD #53 School Board requires the superintendent, within 10 days of receiving notice of an alleged or adjudicated juvenile offense, to convene a Notification Team. This team must include the administrator/designee of the school building where the student attends, at least one classroom teacher to whom the student is assigned, a guidance counselor, and the student's parent/guardian. The notification team is to determine, on the basis of need, which school employees are entitled to receive this information. The superintendent shall ensure that confidentiality training is provided to all school employees who have access to this information.

Legal References: 20-A M.R.S.A. §§ 254(12), 1055 (11-12)
15, M.R.S.A. Sec 3308

Policy Reference: 9.34 Reintegration Teams
11.1 Student Education Records

Adopted: October 6, 2003

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit – Pittsfield**

Reintegration of Students from Correctional Facilities

A supportive transition process is critical to the reintegration of an offender entering a public school educational program from a correctional facility. Maine law requires the establishment of a *Reintegration Team* when a student enters a public school from a juvenile correctional facility. The Board recognizes the need for appropriate confidentiality in these circumstances.

The Superintendent shall be responsible for determining whether a student will be accepted or denied access to school based on compliance with the juvenile's rehabilitation plan, as it affects reintegration. Access may be denied until the Superintendent is satisfied that conditions have been met.

The Superintendent is authorized to develop and implement any administrative procedures necessary to carry out this policy, consistent with applicable statutes and regulations.

Legal References: 20-A, M.R.S.A. §§ 254(12), 1055(12)

Policy Reference: 11.1 Student Records
9.33 Notification Team

Adopted: October 6, 2003

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit – Pittsfield**

**Assignment of Students to Classes:
Transfer Students and Home Schooling Students**

The principal of the school in which a transfer or formerly home schooled student is enrolling will be responsible for assigning the incoming student to a class or grade.

The principal shall be responsible for determining the value of the student's prior educational experience toward meeting the content standards of the Learning Results in conformance with the MSAD #53's Local Assessment System and applicable Board policies. In assessing the value of the student's prior educational experience, the principal may consider performance on standardized tests, academic records, portfolios, projects, writing samples, performances, and other demonstrations of achievement consistent with the Local Assessment System. The MSAD #53 may require an incoming student to participate in tests or other assessments to aid in this determination. For incoming high school students, tests or assessments may be required to determine whether a student has met course prerequisites or credit requirements for graduation. In addition, such tests and assessments may be used to determine when instructional intervention may be appropriate.

The principal/designee should consult with the student's parents and, as appropriate, with the guidance counselor, Administrator of Special Service, and/or other professional staff before making a class/grade assignment decision.

Legal Reference: Ch. 127 §§ 5.03, 6.02, 7.02(A)(5) (Me. Dept. of Ed. Rules)

Policy Reference: 8.5 Promotion, Retention and Acceleration of Students
8.3 Home Schooling
8.10 Learning Results

Adopted: October 6, 2003

**MAINE SCHOOL ADMINISTRATIVE DISTRICT #53
Burnham – Detroit – Pittsfield**

Administration of Medication to Students

DEFINITIONS AS THEY PERTAIN TO THIS POLICY

“Administration” means the provision of prescription or non-prescription medication to a student according to the orders of a health care provider for prescription medication and the parent or guardian for age appropriate non-prescription medication.

“Health care provider” means a medical/health practitioner who has a current license in the State of Maine with a scope of practice that includes prescribing medication.

“Indirect supervision” means the supervision of an unlicensed school staff member by the professional nurse who is available by phone and when not available by phone has designated the principal and/or superintendent to deal with any medication questions, has set up the medication system and has educated the staff giving out medication.

“Medication” means prescribed drugs and medical devices that are controlled by the U.S. Food and Drug, non prescription drugs that are age appropriate, non-prescription drugs that are not age-appropriate which are prescribed by a healthcare provider, and homeopathic drugs that are commercially prepared and are age appropriate.

“Parent” means a natural or adoptive parent, a guardian, or a person acting as a parent of a child with legal responsibility for the child’s welfare.

“School nurse” means a registered professional nurse with Maine Department of Education certification for school nursing or a professional registered nurse who is a substitute.

“Self-administration” is when the student administers medication independently to him/herself within the guidelines of the medication system of SAD 53.

“Unlicensed school personnel” are persons who do not have a professional license that allows them, within the scope of that license, to administer medication.

Although the Board discourages the administration of medication to students during the school day when other options exist, it recognizes that in some instances a student’s chronic or short-term illness, injury, or disabling condition may require the administration of medication during the school day. The school will not deny educational opportunities to students requiring the administration of medication prescribed by a healthcare provider in order to remain in attendance and participate in the educational

program if the parent or guardian works within the policy for medication administration cited below.

The intent of this policy is to promote the safe administration of medications to students by school personnel and to provide for authorization of student emergency self-administration of medication such as inhalers for children with the diagnoses of asthma, and epinephrine pens for children with life threatening allergies. The Board encourages collaboration between parents and the schools in these efforts. Standing orders for epi-pens for life threatening emergencies, and a rescue albuterol inhaler for those asthmatic children who have a current prescription for albuterol are part of this system.

The Board disclaims any and all responsibility for the diagnosis, prescription of treatment, and administration of medication for any student, and for any injury arising from a student's self-administration of medication.

It is the parents' responsibility, for all drugs that the child takes at home or in school, that the child knows how to take his/her medication correctly, knows the signs and symptoms of any side effects, and knows not to give the medication to any other person. The parent will complete a medication administration form regarding the medical concern and the medications to be administered (even if not taken in school) and to update the school nurse if any changes are made on the medication prescription.

All medications, including over the counter, must be brought in by a parent. The parent must complete the medication form (including the amount of medication given to the school); provide a current prescription bottle or box, or a non-expired over the counter medication. All medications for chronic conditions must have all of the "Action Form for Children with Chronic Diseases" filled out by the parent or guardian. Students on psychotropic medication must have the "Psychotropic Medication Form" filled out by their parent. These forms are to be filled out and kept current by the parent or guardian even if the medication is not given in school.

Except for inhalers for children with written medical diagnoses of asthma, epi-pens, and glycogen injections that have been processed under the medication administration system, no medications, prescription or non-prescription, are to be carried by the students. Children who are prescribed inhalers to help their recovery from an acute respiratory illness are not in the same category as children who have asthma.

ADMINISTRATION OF MEDICATION BY SCHOOL PERSONNEL

A. Parental Request

In the event that no reasonable alternative exists, the parent/guardian may request in writing that medication be administered to the student during the school day. The written request must include an acknowledgment and agreement that unlicensed personnel may administer the medication as per the health care provider's instructions (located on the

Long and Short Medication forms). In addition, the request shall indicate that information regarding the student's medication may be shared with appropriate school personnel. Parents must provide the reason (diagnosis) requiring the administration of medication. Antibiotics that are ordered for more than three times a day may be administered in school. Late day medications, after one-thirty, are permitted if the school nurse agrees that it is medically necessary for the medication to be given at this time. The school will not regularly administer daily nebulizer treatments. Procedural guidelines are available for emergency nebulizer treatments.

B. Health Care Provider's Order

All parental written request forms must be accompanied by a current medication prescription label on the original container for the medication. All class-one medications must be reordered monthly. Over the counter medication will be administered according to the manufacturer's directions. Parental requests for exceptions to the manufacturers' label will need a doctor's prescription.

All orders must include:

1. The student's name;
2. The name of the medication;
3. The dose;
4. The route of administration (e.g., tablets, liquid, drops);
5. Time intervals for administration (e.g., every four hours, before meals);and
6. Any special instructions; and if a prescription medication
7. The name of the prescribing health provider,

It is the parent's responsibility to bring new medication with a current prescription bottle to school.

It is the responsibility of the school nurse to clarify any medication order that he/she believes to be inappropriate or ambiguous. In accordance with Department of Education Rule Chapter 40 § 2(B), the school nurse may decline to administer a medication if he/she believes such administration would jeopardize student safety. In this case, the school nurse must notify the parent, the student's health care provider and the school administrator (i.e., building principal or designated administrator).

C. Delivery and Storage of Medication

The student's parents shall deliver any medication to be administered by school personnel to the school in its original container. Any medication that requires injection will be administered by a LPN or RN working under the school nurse. A parent or family member may handle daily injections, if his/her technique is reviewed by the school nurse.

No more than a 20-day (one month) supply of medication shall be kept at school, excluding inhalers, epinephrine pens, and glucagons. The parent is responsible for the replenishment of medication kept at school.

If the health care provider's order/prescription is for a medication regulated by the Federal Narcotics Act, no more than one week's supply shall be kept at school.

The parent is responsible for notifying the school of any changes in or discontinuation of a prescribed medication that is being administered to the student at school. The parent must remove any medication no longer required or that remains at the end of the school year. Medications will be maintained for one week (7 days) after the last student day.

The school nurse shall be responsible for developing and implementing procedures for the appropriate and secure storage of medications kept at school, and all medications shall be stored in accordance with this procedure.

All medication cabinets will be locked nightly.

D. Record Keeping

School personnel and the student's parent shall account for all medication brought to school. The number of capsules, pills or tablets, and/or the volume of other medications brought to school shall be recorded on the parental permission form as counted by the staff.

School staff administering medication shall document each instance the medication is administered including the date, time, and dosage given.

The school nurse shall oversee a record including the parent's request, whether the prescription was on the medication label or on a pad, whether it was an over the counter drug, the parent request forms, details of the specific medications (including dosage and timing of medication), and documentation of each instance the medication is administered.

Records shall be retained according to the current State schedules pertaining to student health records.

E. Confidentiality

To the extent legally permissible, staff members may be provided with such information regarding medication and its administration as may be in the best interest of the student.

F. Administration of Medication

Medication may be administered during the school day by licensed medical personnel acting within the scope of their licenses.

The school nurse, in consultation with the Superintendent, will provide direction and oversight for the administration of medication to students. The nurse is responsible for the training of personnel, and the system that is used to administer, document, and store medication. The school nurse is not responsible for the individual acts of school personnel.

All unlicensed personnel (principals, teachers, education technicians, school secretaries, coaches, etc.) who administer medication must receive training before being authorized to do so.

Based upon the documentation of training and competency in the administration of medication, the school nurse will make recommendations to the Superintendent/designee pertaining to authorization of unlicensed persons to administer medication.

G. Administration of Medication during Off-Campus Field Trips and School-Sponsored Events

The school will accommodate students requiring administration of medication during field trips or school-sponsored events as follows:

The school nurse, principal, and, as appropriate, the district's Section 504 Coordinator and/or PET, will determine whether an individual student's participation is contraindicated due to the unstable/fragile nature of his/her health condition, the distance from emergency care that may be required, and/or other extraordinary circumstances. The student's parent and primary care provider will be consulted in making this determination. The decision will be made in compliance with applicable laws, including the IDEA, § 504 and the Americans with Disabilities Act (ADA).

The parent must provide the appropriate number of doses needed for the duration of the field trip or school-sponsored event.

When there are no contraindications to student participation, an appropriately trained staff member will be assigned to administer medication. The parent will be encouraged to accompany the student, if possible, to care for the student and administer medication. All provisions of this policy shall apply to medications to be administered during off-campus field trips and school-sponsored events.

H. Student Self-Administration of Asthma Inhalers and Epinephrine Pens

Students with allergies or asthma may carry their own prescription inhalers, emergency medication, diphenhydramine HCL, Epi-pen, glucagons and insulin as approved by the school nurse according to the MSAD #53 guidelines.

The parent must complete the MSAD #53 Action Plan for Children with Chronic Illnesses form. This plan must be completely filled in by the parent. The parent must

attest that the student can follow the correct technique to give her or himself the medication.

The parent will be informed that the school cannot accurately monitor the frequency and appropriateness of use when the student self-administers medication, and that the district will not be responsible for any injury arising from the student's self-medication.

Authorization granted to a student to possess and self-administer medication from an epinephrine pen or asthma inhaler shall be valid for the current school year only and must be renewed annually.

A student's authorization to possess and self-administer medication from an epinephrine pen or asthma inhaler may be limited or revoked by the building principal, after consultation with the school nurse and the student's parents, if the student demonstrates inability to responsibly possess and self-administer such medication.

To the extent legally permissible, staff members may be provided with such information regarding the student's medication and the student's self-administration as may be in the best interest of the student.

Sharing, borrowing, or distribution of medication is prohibited. The student's authorization to self-administer medication will be revoked and the student may be subject to disciplinary consequences for violation of this policy.

I. Required Training of Unlicensed Personnel to Administer Medication

Unlicensed school personnel who administer medication to students in a school setting (at school, on school transportation to or from school, on field trips, or during school-sponsored events) must be trained in the administration of medication before being authorized to carry out this responsibility. Such training must be provided by a registered professional nurse or physician and include the components specified in Department of Education Rules Chapter 40 and other applicable Department of Education standards, recommendations, programs, and/or methodologies.

The trainer shall document the training and competency of unlicensed school personnel to administer medication. Based upon a review of the documentation of training and competency in the administration of medication, the school nurse will make recommendations to the Superintendent/designee pertaining to authorization of such unlicensed personnel pertaining to authorization to administer medication.

Following the initial training, a training review and information update must be held at least annually for those unlicensed school personnel authorized to administer medication.

J. Delegation and Implementation

The Superintendent/designee and the school nurse shall be responsible for developing administrative procedures and/or protocols to implement or supplement this policy.

Such procedures may include direction regarding:

1. Safe transport of medication to and from school;
2. Administration of medication during field trips and school-sponsored events;
3. Accountability for medications, particularly those regulated by the Federal Narcotics Act;
4. Proper storage of medication at school;
5. Training of appropriate staff on administration of emergency medications;
6. The procedure to follow in the event of a medication reaction;
7. Access to medications in case of a disaster;
8. The process for documenting medications given and medication errors; and
9. The proper disposal of medications not retrieved by parents.

Policy Reference: 9.14 Health
 9.23 Life Sustaining Emergency Care
 9.27 Immunizations

Legal Reference: 20-A M.R.S.A. §§ 254; 4009(4); 4502 (5) (N)
 Ch. 40; 125 § 10.01(c) (Me. Dept. of Ed. Rule)
 28 C.F.R. Part 35 (Americans with Disabilities Act of 1990)
 34 C.F.R. Part 104 (Section 504 of the Rehabilitation Act of 1973)
 34 C.F.R. Part 300 (Individuals with Disabilities Education Act)
 21 U.S.C. Sec. 801 et. seq.

Adopted: