

1. School Committee Meeting Materials

Documents:

[MARCH 16,2022 AGENDA WITH FIRST READ POLICIES.PDF](#)

YORK SCHOOL COMMITTEE MEETING
Wednesday, March 16, 2022
7:00 p.m.
York Public Library
(Masks Optional)

Agenda

- A. Call to Order
- B. Pledge of Allegiance
- C. Recognitions
- D. Approval of March 2, 2021 School Committee Meeting Minutes
- E. Communications
 - 1. School Committee
 - a. Upcoming Meetings/Events:
March 17, 2022 YHS Spring Band Concert, 7:00 PM, York Community Auditorium
March 22, 2022 Nomination Papers for School Committee Candidates due to Town Hall
April 6, 2022 School Committee Meeting 7 p.m. at York Public Library
April 18-22 Spring Recess (No School)
 - 2. Superintendent's Report
 - a. Acceptance of Donations
 - b. Superintendent's Update of School Operation During COVID-19
 - c. 2022-2023 School Calendar
 - 3. Director of Curriculum, Instruction and Assessment
- F. Comments From the Public
- G. New Business
 - 1. Vote on Superintendent's Recommendation
 - 2. Consent Agenda
 - 3. Ratification of York Support Bargaining Unit (YSBU) Collective Bargaining Agreement (CBA)
 - 4. First read policies: [BG](#) School Committee Policy; [BHC](#) School Committee Communications with Staff; [BEDI](#) School Committee Communications with the Media; [JICIA](#) Weapons, Violence and School Safety; [JEA](#) Compulsory School Attendance
- H. Administrators' Reports:

1. Business Administrator Report:
 - a. Approval of Bills and Payrolls

I. Old and Unfinished Business:

- J. Executive Session: (1) Disposition of Property: 1 MRSA §405(6)(A)
(2) Discussion or consideration by a school board of suspension or expulsion of a public school student: 1 MRSA §405(6)(B)

K. Adjournment

NEPN/NSBA Code: BEDH

PUBLIC PARTICIPATION AT SCHOOL COMMITTEE MEETINGS

School Committee meetings are conducted for the purpose of carrying on the official business of the school system. All regular, special and emergency meetings of the School Committee are open to the public. The public is cordially invited to attend and participate in School Committee meetings as provided in this policy. This policy applies only to meetings of the full Committee, not to meetings of Committee subcommittees.

Although School Committee meetings are not public forums, the School Committee will provide appropriate opportunities for citizens to express opinions and concerns related to matters concerning education and the York School Department schools. The intent is to allow a fair and adequate opportunity for the public to be heard and to provide adequate time for the School Committee to obtain information and opinion on subjects before it, while ensuring that the time allowed for public discussion does not interfere with the fulfillment of the scheduled agenda.

The Committee will designate a portion of its agenda as an opportunity for public participation. During the time allotted for public participation, members of the public may speak on any subject directly related to the operations of the schools, except for personal matters or complaints concerning specific employees or students, which shall be addressed through established policies and procedures.

Members of the public may address the School Committee within the guidelines provided in this policy. The Chair shall be responsible for maintaining proper order and compliance with these guidelines.

The following guidelines shall apply to public participation at School Committee meetings.

A. York citizens and employees of the York School Department are welcome to participate as provided in this policy. Others may be recognized to speak at the Chair's discretion. Individual employees and/or employee groups will not be permitted to discuss matters for which complaint or grievance procedures are provided.

B. The Chair may limit the time allotted for comments on a particular topic as well as the time each individual may speak.

C. In the event of a sizable audience, the Chair may require persons interested in speaking to sign up so they may be called on in a fair and efficient manner.

D. During the time set aside for public participation, the Chair will be responsible for recognizing all speakers, who must identify themselves as they begin talking.

E. Speakers are not permitted to share gossip, make defamatory comments, or use abusive or vulgar language.

F. All speakers are to address the Chair and direct questions or comments to particular School Committee members or the Superintendent only with approval of the Chair. Requests for information or concerns that require further research may be referred to the Superintendent to be addressed at a later time.

G. Members of the School Committee and the Superintendent may ask questions of any person who addresses the School Committee but are expected to refrain from arguing or debating issues. Questions must be addressed through the Chair.

H. No complaints or allegations will be allowed at School Committee meetings concerning any person employed by the school system or against particular students. Personal matters or complaints concerning student or staff issues will not be considered in a public meeting but will be referred through established policies and procedures.

I. In order to make efficient use of meeting time, the School Committee discourages duplication or repetition of comments to the School Committee. The School Committee requests that groups or organizations be represented by designated spokespersons.

J. The Chair has the authority to stop any presentation that violates these guidelines or the privacy rights of others.

K. Persons who disrupt the meeting may be asked to leave, and the Chair may request law enforcement assistance as necessary to restore order.

An agenda shall be published in advance of each meeting in accordance with School Committee policy. Copies will be posted and/or available prior to regular meetings, at the Superintendent's Office and on the York School Department website. Anyone desiring additional information about an agenda item should direct such inquiries to the Office of the Superintendent.

Legal Reference: 1 MRSA § 401 et seq.
20-A MRSA §1001, sub-§20

Cross Reference: [BEC – Executive Session](#)
[BEDA – Notification of School Committee Meetings](#)
[BEDB – School Committee Meeting Agenda](#)
[BEDD – Rules of Order](#)
[KE – General Communications and/or Concerns](#)

First Reading: 3/4/2020
Second Reading: 5/6/2020
Adopted: 5/6/2020

SCHOOL COMMITTEE POLICY

The York School Committee considers policy development its most important governance function.

It is the intent of the School Committee to develop written policies that will serve as the foundation for the successful and efficient operation of York School Department and its schools.

The School Committee accepts the definition of policy set forth by the National School Committees Association:

School Committee policies are statements that set forth the purposes and prescribe in general terms the organization and program of a school system. They create a framework within which the Superintendent and the staff can discharge their assigned duties with positive direction. They tell what is wanted. They may also indicate why and how much. Policies should define clearly the goals and objectives of the school system, allow for the flexibility that is vital in day-to-day operations, reflect the School Committee's vision, define roles and responsibilities (who is supposed to do what), and include measurable outcomes.

The School Committee's policies are framed and meant to be interpreted in terms of federal laws and regulations, state statutes and the rules of the Maine Department of Education, State Board of Education, and other regulatory agencies at various levels of government. The School Committee's policies are also intended to reflect the School Committee's educational philosophy and instructional objectives and practices and procedures that are supported by research and generally accepted by leaders and authorities in the field of public education.

It is the School Committee's intent that its policies set goals and provide direction and guidance for administrators, staff, and students and serve as sources of information for parents, community members and others who are interested in or connected with the schools.

The School Committee regards policy development and review as an ongoing

process. The need for a new policy or revision or deletion of an existing policy may arise from a change in law and/or regulations, modification of the school
NEPN/NSBA Code: BG

unit's vision or goals, educational research or trends, the occurrence of a significant incident or a recommendation or request from School Committee members, school administrators, staff, parents, students or other interested persons.

Adoption of new or revised policies and repeal of existing policies is solely the responsibility of the School Committee. Policies will be adopted, amended or repealed only by the affirmative vote of a majority of members present and voting.

Policies shall become effective upon School Committee adoption or at a future date designated by the School Committee at the time of adoption.

The Superintendent/designee will be responsible for distributing new or revised policies to School Committee members and for making policies accessible to school personnel, students and the public.

Legal Reference: 20-A MRS §1001 (1) (A)

Cross Reference: BEDF – Voting Procedure
BG-R – Policy Adoption Procedure

Adopted: November 19, 2014

YORK SCHOOL COMMITTEE

SCHOOL COMMITTEE COMMUNICATIONS WITH STAFF

A clear understanding of responsibilities and relationships between and among the School Committee and school personnel is essential for a smoothly running and efficient school system. It should be remembered that the School Committee, school administrators, teachers and all others responsible for any phase of the work of the school system have a common and basic responsibility—the welfare of the children in the schools. This responsibility must guide all of the School Committee's considerations and decisions.

School Committee and Superintendent

The relationship of the School Committee and the Superintendent can best be described as one of teamwork. They must function cooperatively as some of their functions are not readily separable. However, the primary functions are separable and should be clearly understood by each. The School Committee is the legislative body of the school unit. It exercises its mandated management of the schools through the formation of policies.

The Superintendent is the executive officer of the School Committee and the chief administrative officer. The School Committee recognizes this and wishes to make this clear to all staff members and to all citizens.

All communications or reports to the School Committee or to any committee of the School Committee from Principals, supervisors, teachers, or other employees shall be submitted through the Superintendent.

School Committee and Principal

The School Principal has no direct administrative relations with the School Committee. His/her relations to the School Committee are through the Superintendent, for the School Committee recognizes that the Superintendent is the person to whom it must look for professional leadership within the schools. A spirit of cooperation and mutual helpfulness must prevail between the Superintendent and the Principal if the best results are to be realized. For instance, the Principal and the Superintendent must cooperate in the selection of school staff because the Principal is in the best position to know the kind of person needed for a

particular type of service in the school. However, the Principal must make recommendations to the Superintendent and not to the School Committee.

NEPN/NSBA Code: BHC

At all times the Principal must remember that all matters which require School Committee action must be presented to the School Committee by the Superintendent.

School Committee and Teachers

The relationship of the teacher to the School Committee is indirect. The teacher is directly responsible to the Principal and through him/her to the Superintendent, and then to the School Committee. However, this does not mean that the teacher does not have access to the Superintendent or to the School Committee. Conditions may arise when direct access may be obtained through channels established for grievances.

Adopted: November 19, 2014

YORK SCHOOL COMMITTEE

SCHOOL COMMITTEE RELATIONS WITH THE MEDIA

The School Committee believes that it has a responsibility to keep the public informed about the operations, programs, progress, and problems of the public schools. Consequently, School Committee meetings are open to the news media and public. In the event that representatives of the news media are unable to attend a meeting, upon request, the Superintendent shall provide a summary of important School Committee actions.

Public documents will be made available as provided by Maine's Freedom of Access law and the school unit's procedures. Requests should be made to the Office of the Superintendent.

When individual School Committee members receive requests from news media representatives for information or comment, they shall refer such inquiries to the School Committee Chair who shall be public spokesperson for the School Committee.

Legal Reference: 1 MRSA § 402, 403, 408-A, 432

Adopted: November 19, 2014

WEAPONS, VIOLENCE AND SCHOOL SAFETY

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

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

Prohibited Conduct

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

A. Possession and/or use of articles commonly used or designed to inflict bodily harm and/or to threaten, intimidate, coerce or harass another person. Examples of such articles include but are not limited to firearms, BB guns, pellet guns, any other kind of gun, ammunition, explosives, cross-bows, brass knuckles, switchblades, knives, chains, clubs, Kung Fu stars and nunchucks;

B. Use of any object, although not necessarily designed to be a weapon, to inflict bodily harm and/or to threaten, intimidate, coerce or harass another person. Examples of such articles include but are not limited to bats, belts, picks, pencils, compasses, objects capable of ignition (e.g., matches, lighters), files, tools of any sort and replicas of weapons (including toys);

C. Violent or threatening behavior, including but not limited to fighting, assault and/or battery, taking hostages, threats to commit violence against persons or property (e.g., verbal or written death threats, threats of bodily harm, bomb threats);

D. Verbal or written statements (including those made on or through a computer) which threaten, intimidate, or harass others, which tend to incite violence and/or disrupt the school program;

E. Willful and malicious damage to school or personal property;

F. Stealing or attempting to steal school or personal property;

G. Lewd, indecent or obscene acts or expressions of any kind;

H. Violations of the school unit's drug/alcohol and tobacco policies;

I. Violations of state or federal laws; and

J. Any other conduct that may be harmful to persons or property.

Disciplinary Action

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

provisions of 20-A MRSA § 1001(9 and 9-A) that specifically prohibit the use and possession of weapons, infractions of violence, and possession, furnishing and trafficking of scheduled drugs.

Students who are found to have brought a firearm to school (as defined by federal law), shall be expelled for a period of not less than one year, unless this requirement is modified by the Superintendent on a case-by-case basis.

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

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

Use of Firearms and Other Weapons in Instructional Activities

Nothing in this policy shall prevent the school system from offering instructional activities related to firearms or other objects that are generally considered weapons (e.g. bows and arrows) or from allowing a firearm or other object generally considered a weapon to be brought to school for instructional activities (e.g., archery, hunter safety) approved by the school system so long as appropriate safeguards have been adopted to ensure student and staff safety. No weapons may be used in instructional activities or brought to school for instructional activities unless the superintendent/designee has given specific permission in advance.

Notification Team/Confidentiality

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

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

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

Psychological Evaluation/Risk Assessment

The School Committee authorizes the Superintendent to request an immediate psychological evaluation of a student who violates this policy when, in his/her opinion, such an evaluation will assist in assessing the risk the student poses to school safety if the student were to remain in school.

The Superintendent is also authorized to request psychological evaluations of students who have been identified as posing a substantial risk of violent behavior.

All such evaluations shall be performed at the school unit's expense.

If the parents/guardians and/or students refuse to permit a requested psychological evaluation, the Superintendent and the School Committee may draw any reasonable inferences from the student's behavior concerning the risk the student poses to school safety for purposes of determining appropriate action.

Legal References: 20 USCA § 8921 (Gun-Free Schools Act of 1994)
5 MRSA § 4681 et seq.
17-A MRSA §§ 2(9); 2(12-A)
20-A MRSA §§ 1001(9); 1001(9-A); 6552

Cross References: ACAA-Harassment and Sexual Harassment Of Students
ADC-Smoking on School Premises
EBCA-Crisis Response Plan
JICH-Student Substance Abuse
JKD-Suspension of Students
JKE-Expulsion of Students
JKEA-Disciplinary Removal of Students with Disabilities
JIH-Student Interrogations, Searches & Arrests
JIC - System-Wide Student Code of Conduct
KLG-Relations with Law Enforcement

Adopted by School Committee: 4/7/04

COMPULSORY SCHOOL ATTENDANCE

Compulsory education is essential to the preservation of the rights and liberties of the people and the continued prosperity of our nation. Maintaining regular student attendance is necessary to achieve the goal of an educated citizenry.

I. Compulsory Attendance Ages

Under state law, full-time school attendance is required of all children from their 6th to their 17th birthday except:

- A. A person who graduates from high school before their 17th birthday;
- B. A person who has:
 - 1. Reached the age of 15 years or completed the 9th grade;
 - 2. Permission to leave school from that person's parent;
 - 3. Been approved by the principal for a suitable program of work and study or training;
 - 4. Permission to leave school from the Committee or its designee; and
 - 5. Agreed in writing with that person's parent and the Committee or its designee to meet annually until that person's 17th birthday to review that person's educational needs. When the request to be excused from school has been denied pursuant to this paragraph, the student's parent may appeal to the Commissioner of Education; or
- C. A person who has matriculated and is attending an accredited, post-secondary, degree-granting institution as a full-time student. An exception to the attendance in public school under this paragraph must be approved by the Commissioner of Education.

II. Attendance of Children Five Years of Age or Older and Under Six Years of Age

- A. A child five years of age or older and under six years of age who is enrolled in and who has not withdrawn from a public day school is required to attend that school during the time it is in session.

III. Alternatives to Attendance at Public Day School

- A. A person shall be excused from attending a public day school if they obtain equivalent instruction as allowed by law.

1. Equivalent instruction alternatives are as follows:

- a. A private school approved for attendance purposes pursuant to 20-A MRSA § 2901
- b. A private school recognized by the Department of Education as providing equivalent instruction;
- c. A home instruction program that complies with the requirements of 20-A MRSA § 5001-A(3)(A)(4); or
- d. Any other manner arranged for by the Committee and approved by the Commissioner of Education.

- B. A person may be excused from attendance at a public day school pursuant to 20-A MRSA § 5104-A (other public or private alternative programs) or § 8605 (student attendance in adult education courses).

C. Credit for Attendance at a Private School: A student shall be credited with attendance at a private school only if a certificate showing the name, residence and attendance of the person at the school, signed by the person or persons in charge of the school, has been filed with the YSD Superintendent's Office.

IV. Discontinuation of Home Instruction: If the home instruction program is discontinued, students of compulsory school age must be enrolled in a public school or an equivalent instruction alternative as provided for by law. The receiving school shall determine the placement of the student. At the secondary level, the principal of the receiving school shall determine the value of the prior educational experience toward meeting the standards of Maine's system of Learning Results.

V. Excusable Absences from School:

- A. Personal health, including the person's physical, mental and behavioral health;
- B. An appointment with a health professional that must be made during the regular school day;
- C. Observance of a recognized religious holiday when the observance is required during the regular school day;
- D. A family emergency;
- E. A planned absence for a personal or educational purpose which has been approved;
or
- F. Education disruption resulting from homelessness, unplanned psychiatric hospitalization, unplanned hospitalization for a medical emergency, foster care placement, youth development center placement or some other out-of-district placement that is not otherwise authorized by either any individual education plan or a superintendents' student transfer agreement. "Education disruption" does not apply to a student who is out of school for 10 or more consecutive school days as a result of a planned absence for a reason such as a family event or a medical absence for planned hospitalization or recovery.

VI. Parental Responsibility for School Attendance:

Parents are responsible for the school attendance of students who are under 17 years of age. The York School Department shall work with families in an effort to ensure compliance.

VII. Adult Students: Secondary school students 20 years of age or more will only be admitted to the YSD with prior Committee approval.

Legal Reference: 20-A MRSA §§ 5001-A; 5003; 5021; 5051 et seq.; 2901; 5001-A(3)(A)(4);
5104-A; 5162; 8605; 60021(B)
Chapters 125 § 8.06 and 127 (Maine Department of Education Rules)

Cross Reference: JFC -Dropout Prevention Committee
JHB - Truancy
IHBG - Home Schooling

First Read: 1/20/2021
Second Read: 2/3/2021
Adopted: 2/3/2021