

Adopted: November 4, 2014

BAXTER ACADEMY NONDISCRIMINATION/EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION

Discrimination against and harassment of school employees and students because of race, age, color, sex, sexual orientation, religion, ancestry or place of origin, or disability are prohibited.

The Baxter Academy Board is committed to the principle of Affirmative Action and does not discriminate in the educational and employment programs which it operates and will honor all appropriate laws relating to discrimination.

The Board directs the school administration to implement a continuing program designed to prevent discrimination against all applicants, employees, students and individuals with disabilities having access rights to school premises and activities. The Baxter Academy Affirmative Action Plan designates the Head of School as the Affirmative Action Officer who will be responsible for ensuring compliance with all federal and state requirements relating to nondiscrimination. The Affirmative Action Officer will be a person with direct access to the Board.

The Board directs the administration to provide notice of compliance with federal and state civil rights laws to all applicants for employment, employees, students, parents and other interested persons, as appropriate.

Baxter Academy will require all persons, agencies, vendors, contractors, and other persons and organizations doing business with or performing services for the school unit to subscribe to all applicable federal and state laws pertaining to contract compliance.

Legal Reference: Equal Employment Opportunities Act of 1972 (P.L. 92-261) Amending Title VII of the Civil Rights Act

of 1964 (42

U.S.C. § 2000 (e) et seq.)

Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 Et seq.)

Title VI of the Civil Rights Act of 1964 (P.L. 88-352)

Age Discrimination in Employment Act of 1967 (29 U.S.C. § 621 et seq.) Equal Pay

Act of 1963 (29 U.S.C. § 206)

Vocational Rehabilitation Act of 1973 (29 U.S.C. § 794 et seq.) Americans with Disabilities Act (42 U.S.C. § 12101 et

seq.)

Maine Human Rights Act of 1972 (5 MRSA § 4571), as amended

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BAXTER ACADEMY NONDISCRIMINATION AND AFFIRMATIVE ACTION POLICIES AND PROCEDURES

The Baxter Academy Board of Directors is committed to the principle of Affirmative Action and does not discriminate in the educational and employment programs which it operates and will honor all appropriate laws relating to discrimination.

There shall be no discriminating in educational programs, activities or employment practices on the basis of race, national origin, religion, gender, sexual orientation, age, or disability under the provisions of Titles VI and IX of the 1972 Educational Amendments, Section 504 of the Rehabilitation Act, the Individuals with Disability Education Act (IDEA) of 1990, and the Americans with Disabilities Act of 1990.

THE AFFIRMATIVE ACTION PROGRAM

The following plan for providing equal employment opportunity is hereby approved by the Board for use by the Executive Director in the administration of personnel activities for all employees.

I. EMPLOYMENT

A. The Board affirms that it will employ without discrimination on the basis of race, color, religion, gender, sexual orientation, national origin, disability, or age

the best-qualified candidates who are available at the salary levels established for school employment.

B. The Board further recognizes its obligation to comply with the provisions of the

Equal Opportunity Act of 1972, Title IX, and the Maine Human Rights Act of 1972 as amended, which prohibits such discrimination in employment.

C. The Board further recognizes its obligation to comply with the provisions of Title VI of the Civil Rights Act of 1964 and has filed an Assurance of Compliance with the federal government.

D. Therefore, the Board directs all concerned to take such affirmative action as is necessary to enforce and promote the Board's policy of equal employment opportunity by implementing a continuing program which:

1. Prevents any unlawful discrimination in recruitment, hiring, layoff, termination, upgrading, demotion, transfer, compensation, or privileges of employment;
2. Determines whether any qualified applicants or employees are being subjected to unlawful discrimination because of race, color, age, religion, gender, gender expression, sexual orientation, perceived sexual orientation, national or state origin, socioeconomic status or disability and provide for appropriate corrective action;

3. Identifies and corrects those techniques, procedures, and results of personnel actions which may have an adverse effect on the employment opportunities or status of such applicants or employees;

4. Achieves the most efficient utilization of skills which may be identified

and developed among all school employees, for the purpose of rendering better service to the students of this administrative unit.

5. Recognizes that standards for termination, layoff, demotion, or discipline must be the same for all employees.

II. IMPLEMENTATION

A. The Executive Director holds primary responsibility for the operation and success of the Affirmative Action Program. The responsibility has been delegated to the Principal/Equal Employment Opportunity Officer/ Affirmative Action Officer (referred to hereafter as the "Officer").

B. The Officer's responsibilities include, but are not limited to the following:

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1. Managing the organization, implementation, and all continuing aspects of the Affirmative Action Program;
2. Disseminating information and guidelines and interpreting federal and state requirements as they apply to personnel employed by this board;
3. Working with administrators and supervisory staff to identify and correct problem areas;
4. Maintaining records and reports relating to recruitment, hiring, interviews, disciplinary action, promotion, transfer, and termination in order to
comply with existing requirements;
5. Initiating remedial action or correcting any unlawful practices which may be brought to the Officer's attention; and
6. Reporting to the Executive Director, when necessary, any findings and recommendations for enforcing compliance with the program.

C. Each person involved with the screening, selection, hiring, and promotion of applicants or employees is responsible to the Executive Director for:

1. Prevention of unlawful discrimination and proper enforcement of this policy;
2. Identification and reporting to the Officer any problem area in interpretation or application of policy guidelines and the disposition of any charge or grievance involving alleged discrimination; and
3. Maintenance of such records, reports, and documents as the Officer may require conforming to existing law.

III. AFFIRMATIVE ACTION GRIEVANCE PROCEDURE

As it relates to the Affirmative Action Policies of the Baxter Academy Board of Directors, the following procedure is stated to ensure that discrimination does not take place in employment, curriculum, co-curricular or athletic programs.

Baxter Academy does not discriminate in the educational and employment policies, programs and practices which it operates and will honor all appropriate laws relating to discrimination in regard to race/color, gender, sexual orientation, religion, ancestry, national origin, age, physical/mental disability.

Definitions:

1. Grievance - a complaint alleging any policy, procedure or practice which would be prohibited by non-discrimination laws.

2. Grievant - any student or employee of this school district who submits a grievance relevant to nondiscrimination laws or an individual or group submitting on behalf of student(s) or employee(s).

3. Claim - the charge spelled out in its entirety, of discrimination and is limited to the provisions contained within the Affirmative Action Plan.

4. AA Officer/Coordinator - the employee designated to coordinate the

Board's efforts to comply with the Affirmative Action Program.

The person with whom a grievance may be filed.

5. Respondent - person alleged to be responsible for the violation alleged in the grievance.

6. Grievance Answer - the written statement of the respondent regarding the

grievance allegation.

7. Grievance Decision - the written statement of a hearing officer of her/his findings regarding the validity of the grievance allegation and the corrective action to be taken.

8. Hearing Officer - the representative of the Board who is the delegated authority for hearing/resolving grievance at a Level 3 or Level 4 proceeding.

9. Corrective Action - action taken by the school board or its delegated

representative to eliminate or modify any procedure or practice found to be in violation of nondiscriminatory

regulations and/or to provide redress to any grievant injured by the identified violation.

10. Day - means a working day (excludes Saturdays, Sundays, holidays, vacations).

Filing of Grievances:

1. Eligibility for Filing: Any student or employee, or any individual or group acting on behalf of a student or employee may file a grievance with the Affirmative Action Officer/Coordinator or Head of School.

2. Informal Grievance Procedure - Level 1:

A. Report (not required to be in writing) incident to the appropriate discipline person (teacher, building principal, etc.). This person will meet with the person charged with the harassment and clarify specific behaviors that are unacceptable. Assign consequences and inform of further consequences if the unacceptable behavior continues.

B. The appropriate discipline person will keep an incident report and will send a copy of that incident report to the Head of School/AA Officer/Coordinator.

3. Informal Grievance - Level 2:

A. Grievance may be filed with the Head of School /AA Officer/Coordinator in writing and should be filed within 6 months of the alleged act. The Head of School shall contact the Executive Director immediately to request an informal conference to discuss the grievance.

B. The Head of School/AA Officer/Coordinator shall hold a pre-grievance meeting between the respondent and grievant within 5 days of filing, to collect data and shall make reasonable effort to resolve the problem without utilizing the formal grievance procedure.

C. This informal procedure shall not be a prerequisite to filing a formal grievance.

D. If the matter is not resolved within 10 days, the formal procedure will be initiated by the grievant.

4. Formal Grievance Procedure - Level 3 and Level 4:

A. The grievant shall inform the Head of School/AA Officer/Coordinator that he/she is initiating the formal grievance procedure.

B. Within 5 days of the filing of the grievance, the Head of School/AA Officer/Coordinator shall notify the

respondent of the grievance and of his/her responsibility for submission of a written grievance answer within 5 days after receipt of the grievance notification.

C. Respondent's Grievance Answer - the respondent shall, within 5 days of receipt of a copy of the grievance, submit to the Head of School/AA Officer/Coordinator a written grievance answer. Such answer shall:

- a. confirm or deny each fact alleged in the grievance;
- b. indicate the extent to which the grievance has merit; and
- c. indicate acceptance or rejection of any desired redress specified by the grievant, or outline an alternative proposal for resolution.

D. The AA Officer/Coordinator will send a copy of the grievance and the respondent's grievance answer to the Executive Director.

E. Level 3:

- a. The hearing officer serving at all Level 3 grievance activities shall be the Executive Director. In the event the Executive Director is the respondent, the Board of Directors will delegate a hearing officer.
- b. The Executive Director shall, within 5 days of referral, submit a written grievance decision to the grievant, the respondent and the Head of School/AA Officer/Coordinator. The decision shall:
 - 1. Confirm or deny each fact alleged in the grievance and in the respondent's answer;
 - 2. Indicate the extent to which the grievance has merit;
 - 3. Indicate acceptance or rejection of any redress specified by the grievant or respondent; or
 - 4. Indicate that the hearing officer will conduct an informal hearing on the grievance before rendering a decision.
 - 5.

F. Level 3 - Hearing:

- a. The Head of School/AA Officer/Coordinator shall arrange a date for the Level 3 Hearing and notify the grievant, the respondent and the Executive Director. The hearing shall be held within 5 days after the appeal.
- b. Persons present at the formal hearing shall be the grievant, the respondent, any individual requested by either party to provide assistance relevant to consideration of the grievance and the Head of School/AA Officer/Coordinator.
- c. Any procedures established to govern the conduct of the Level 3 hearing should be at the discretion of the Head of School/AA Officer/Coordinator.
- d. Within 5 days of the hearing, the Executive Director shall issue a written hearing decision which includes a statement regarding the validity of the grievance allegation, and a specification of any corrective action to be taken. Copies of the decision shall be sent to the grievant, respondent, and the Head of School/AA Officer/ Coordinator.

G. Level 4:

- a. If the grievant rejects the Level 3 hearing decision or receives no written decision within the time specified above, he/she shall, within 6 days of receipt of the hearing decision, notify the Head of School/AA Officer/Coordinator of his/her intent to appeal to Level 4. This notification shall be in writing.
- b. The hearing officer serving in Level 4 hearings shall be the Board of Directors or representatives designated by the Board.
- c. For any grievance referred for hearing at Level 4, there shall be 2 alternative methods for grievance processing:
 1. The grievance hearing may be conducted by the Board in its entirety.
 2. The grievance hearing may be conducted by a sub-group of at least 3 members of the Board.
 3. The hearing shall be held within 15 days after appeal of grievance to Level 4 or no later than the next regularly scheduled Board meeting.
 4. Any written materials or records submitted to the Board by the Head of School/AA Officer/Coordinator shall also be transmitted to the grievant and the respondent. Both grievant and the respondent shall have the right to present such witnesses as they deem necessary to develop the facts pertinent to the grievance.
 5. Issuance of the final hearing decision shall be by written statement regarding the validity of the grievance and any corrective action to be taken within 5 days after the Level 4 hearing. The decision shall also include a statement of the reasons on which the decision has been based. Copies of the decision shall be sent to all members of the Board, the grievant, the respondent and the Head of School/AA Officer/Coordinator

6. The AA Coordinator shall act as grievant advocate if so desired by the grievant. If not so requested, she/he will observe the hearing and act as recorder.
7. The final Level 4 decision shall be made by a vote of the majority of the Board.

Other Issues:

1. Confidentiality - The grievant shall determine whether any grievance procedure shall be open to the public. A grievant shall have the right to determine whether or not her/his grievance record shall be open or closed to the public.
2. Maintenance of Grievance Records:

A. Any grievant may, at his/her expense, record any grievance hearing or proceeding on a tape recorder

or similar device.

B. Written records of each grievance shall be maintained by the Head of School/AA Officer/Coordinator.

These records shall be maintained on a confidential basis unless otherwise specified by the grievant.

C. Public grievance files shall be maintained by the Head of School/AA Officer/Coordinator for purposes of grievance precedents.

D. This separate public file shall indicate only the subject matter of each grievance, the resolution of the grievance, and the date of the resolution. These records, which shall be open to the public, shall not refer to any specific individuals.

E. All written records shall be maintained by the Executive Director for a minimum of three years after the resolution of the grievance.

Prohibition of Harassment:

No person shall be subjected to discharge, suspension, discipline, or harassment or any form of discrimination

for having utilized or having assisted others in utilizing this grievance procedure.

Nothing in this procedure shall prevent any grievant from filing a complaint directly with:

Maine Human Rights Commission

51 State House Station Augusta, ME 04333 (207) 287-6050

Department of Education Affirmative Action Office

23 State House Station

Augusta, ME 04333 (207) 287-5800

Director, Office of Civil Rights Department of Education Washington, D.C. 20402

STUDENT AFFIRMATIVE ACTION PROGRAM

The following plan for providing equal educational opportunity is hereby approved by the Board for use by the Executive Director in the administration of educational programs for all students of Baxter Academy.

I. Student Rights

The Board of Directors affirms the following student's rights: "No person on the basis of gender shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity."

A. Comparable facilities: Baxter Academy will continue to provide separate toilets, such facilities for students of one gender shall be comparable to facilities provided for students of the other gender.

B. Course offerings: All course offerings shall be open to members of both genders.

C. Physical education: All physical education classes shall be organized to comply with Title IX. Grouping shall be done in compliance.

D. Counseling: Appraisal materials shall not be used on the basis of gender.

E. Marital or parental status: No student shall be discriminated against because of marital or parental status.

F. Athletics: Baxter Academy may operate separate teams for members of each gender when selection for

such teams is based upon competitive skills or the activity involved is a contact sport. Intramural activities shall provide equal athletic opportunity for members of both genders.

G. Textbooks and curricular materials: Prior to adoption of new textbooks and materials, a review shall be made to insure that there is a minimum of sexism employed.

II. Student protection:

The Baxter Academy Board of Directors recognizes the right of each student to learn and to participate in programs and activities which are free of intimidation, ridicule, hostility and offensiveness. In order to assure this for our students, Baxter Academy will not tolerate harassment of students especially where harassment is based upon race, color, gender, gender expression, sexual orientation, perceived sexual orientation,

socioeconomic status, religion, age, national or state origin or handicap. Acts of this nature are not only a

violation of this policy but also constitute illegal discrimination under state and federal laws.

Examples of prohibited harassment:

1. Unwelcome sexual advances, gestures, comments or contact;
2. Threats of harm to a student, to his/her possessions, or to other individuals, whether transmitted verbally, in writing or through Cyperspace;
3. Offensive jokes;
4. Ridicule, slurs, derogatory action or remarks.

Students should also be advised of the importance of informing the harasser that his/her behavior is unwelcome, offensive, in poor taste, or highly inappropriate. Students uncomfortable with confronting the harasser should contact staff members who will inform the Head of School/Affirmative Action Officer/Coordinator

or contact the Head of School/Affirmative Action Officer/Coordinator directly at the earliest possible opportunity. The Head of School /Affirmative Action Officer/Coordinator shall advise the person who has allegedly been harassed of the various options available to the person: Title IX civil action; formal request for discipline by the Executive Director or the Baxter Academy Board of Directors; Maine Human Rights Commission; or a complaint filed to the Directors of the United States Office of Civil Rights, U.S. Department of Education, Washington, D.C.

III. Dissemination of Information to Students:

The Executive Director and building administrator will be responsible for notifying students and parents of the equal education and non-discrimination policy of Baxter Academy. This notification shall include the policy, grievance procedure and responsible persons to whom students and parents or guardians may address any questions.

Complete copies of this policy are to be posted in the administrative office of Baxter Academy. Additionally, an outline of the policy will be included in the faculty and student/parent handbooks.

Adopted: November 4, 2014

BAXTER ACADEMY STUDENT DISCRIMINATION AND HARASSMENT

Any and all discrimination and harassment is prohibited by Baxter Academy.

Discrimination

Discrimination includes but is not limited to an unjust distinction based on race, color, age, sex, sexual orientation, perceived sexual orientation, gender, gender expression, socioeconomic status, religion or ancestry, national or state origin, age, or disability.

Harassment

Harassment includes but is not limited to verbal abuse based on race, color, sex, sexual orientation, perceived sexual orientation, gender, gender expression, socioeconomic class, religion, ancestry or national or state origin, or disability.

Sexual Harassment

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

Discrimination and/or harassment of students by school employees are considered grounds for disciplinary action, up to and including discharge. Discrimination and/or harassment of students by other students is considered grounds for disciplinary action, up to and including expulsion. In the case of an organization affiliated with this school unit which authorizes hazing, penalties may include rescission of permission for that organization to operate on school property or to receive any other benefit of affiliation with the school unit. The Board will determine appropriate sanctions for discrimination and/or harassment of students by persons other than school employees and students.

The Board of Directors will investigate complaints of discrimination and harassment in accordance with the Student Discrimination and Harassment Complaint Procedure (Policy ACAA-R). School employees, students, and parents shall be informed of this policy/procedure through handbooks and/or other means selected by the school administration.

Adopted: November 4, 2014

BAXTER ACADEMY ALLEGATION OF HARASSMENT, PHYSICAL AND/OR SEXUAL ABUSE

In the event that an allegation of harassment, physical and/or sexual abuse is made against any source, internal and external, the following steps will be taken:

EMPLOYEES

- A. Any employee learning of the allegation must immediately advise the Head of School/Affirmative Action Officer who is to immediately notify the Executive Director.
- B. The Executive Director is to immediately assess the situation and cause an investigation to be made;
- C. If there is reasonable cause to believe the allegation, and the allegation would severely impair the school's reputation or endanger the health and welfare of students and/or fellow employees and/or the school, the employee will be placed on administrative leave. In the event an employee is placed on administrative leave, the board shall be notified as soon as practicable;
- D. The employee will not be returned to his/her primary position until the Executive Director is satisfied that the allegation is false or the charges are dismissed. Every effort will be made to conclude the investigation within a reasonable time from the initial notification to the Executive Director; and
- E. If the Executive Director finds that the allegation is true, the appropriate disciplinary action will be initiated which may include but not necessarily be limited to dismissal.

STUDENTS

- A. Any student learning of the allegation is to immediately advise the Head of School/Affirmative Action Officer who is to immediately assess the situation and cause an investigation to be made.
- B. Should the allegation involve an employee/staff member, the Executive Director will be notified immediately.
- C. If there is reasonable cause to believe the allegation, section C through E affecting employees as noted previously will be followed.
- D. If there is reasonable cause to believe the allegation involves a fellow student, the appropriate disciplinary action will be taken.
- E. This action may involve a three-day in-school suspension, detentions or being brought before the Executive Director and recommended disciplinary actions.

F. In the event that the allegation is false and the charges dismissed, every effort will be made to conclude the investigation within a reasonable time from the initial notification to the parties involved.

Adopted: November 4, 2014

BAXTER ACADEMY HARASSMENT

The Board of Directors recognizes the right of each employee and student to a working and learning atmosphere which is free of intimidation, hostility, and offensiveness. In order to ensure such an atmosphere, employees and students are not to engage in harassment of any other person. Acts of harassment based upon race, color, gender, gender expression, sexual orientation, perceived sexual orientation, religion, age, socioeconomic status, national or state of origin, or disability are not only a violation of this policy but also may constitute illegal discrimination under state and federal laws.

Examples of prohibited harassment:

- A. Unwelcome sexual advances, gestures, comments, or contact;
- B. Threats of harm to a student, to his/her possessions, or to other individuals, whether transmitted verbally, in writing or through cyberspace;
- C. Offensive jokes;
- D. Ridicule, slurs, derogatory action or remarks; and
- E. Basing employment decisions or academic decisions affecting students on practices of submission to harassment.

Employees and students should also be advised of the importance of informing the harasser that his/her behavior is unwelcome, offensive, in poor taste, or inappropriate. Employees who believe that they are victims of harassment should report such occurrences to the Head of School/Affirmative Action Coordinator or Executive Director. Students who believe that they are victims of harassment should report such occurrences to a teacher, counselor, or administrator or parent/guardian. The person who has allegedly been harassed shall be advised of the various options available to the person: Maine Human Rights Commission complaint, Title IX civil action, or formal request for discipline by the Executive Director and/or board.

A substantiated charge against a staff member will subject him/her to disciplinary action, which may include dismissal.

A substantiated charge against a student will subject him/her to disciplinary action, which may include suspension or expulsion.

Appropriate information regarding harassment and recourse shall be posted in a prominent and accessible location in each workplace in the unit. Education and training shall take place as required by law for each new employee.

Adopted: November 4, 2014

BAXTER ACADEMY EMPLOYEE DISCRIMINATION AND HARASSMENT COMPLAINT PROCEDURE

The following procedure has been adopted by Baxter Academy to provide a method of prompt and equitable resolution of employee complaints of discrimination and/or harassment as described in the Baxter Academy policies cross referenced below.

How to Make a Complaint

- A. Any employee who believes he/she has been discriminated against or harassed is encouraged to try to resolve the problem by informing the individual(s) that the behavior is unwelcome or offensive and by requesting that the behavior stop. This shall not prevent the employee, however, from making an immediate formal complaint.
- B. Any employee who believes he/she has been discriminated against or harassed should report their concern promptly to the Head of School/Affirmative Action Officer (AAO). If the employee is uncomfortable reporting concerns to the AAO, he/she may report the concern to the Executive Director. The report must be made in writing. Employees who are unsure as to whether unlawful discrimination or harassment has occurred are encouraged to discuss their concerns with the AAO. Employees will not be retaliated against for reporting

suspected discrimination or harassment.

- C. The AAO will promptly inform the Executive Director and the person who is the subject of the complaint that a complaint has been received.
- D. The AAO may pursue an informal resolution of the complaint with the agreement of the complainant and the person against whom the complaint is made. The AAO may pursue an informal resolution of the complaint with the agreement of the parties involved. The informal resolution is subject to the approval of the Executive Director, who shall consider the particular circumstances and applicable policies and laws.
- E. The complaint will be investigated by the AAO unless the Executive Director designates another person to investigate it on his/her behalf.

a. The person who is the subject of the complaint will be provided with an opportunity to be heard as part of the investigation.

b. If the complaint is against an employee of Baxter Academy, any rights conferred under any applicable collective bargaining agreement shall be applied.

c. Privacy rights of all parties to the complaint shall be maintained in accordance

with applicable State and Federal laws.

d. The Head of School/AAO shall keep a written record of the investigation process.

- e. The Head of School/AAO may take interim remedial measures (consistent with any applicable collective bargaining agreement provisions) to reduce the risk of further harassment while the investigation is ongoing.
- f. The AAO shall consult with the Executive Director concerning the investigation, conclusions, and any remedial and/or disciplinary actions he/she recommends.
- g. The investigation shall be completed within 15 school days of receiving the complaint, if practical.

F. If the Head of School/AAO determines that discrimination and/or harassment occurred, he/she shall, in consultation with the Executive Director:

1. Determine what remedial action is required, if any;
2. Determine what disciplinary action should be taken against the person(s) who engaged in discrimination and/or harassment, if any; and
3. In writing, inform the employee who made the complaint of the results of the

investigation and its resolution (in accordance with applicable state and federal privacy laws).

G. If the employee who made the complaint is dissatisfied with the resolution, he/she may appeal to the Executive Director within 14 calendar days after receiving notice of the resolution. The Executive Director shall review the investigation report and may conduct further investigation if deemed appropriate. The Executive Director's decision shall be final.

H. In the case of a discrimination or harassment complaint against the Executive Director, the Baxter Academy Board of Education Chair, or his/her designee, in consultation with Legal Counsel will act in place

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of the Executive Director in this policy. Any employee who believes he/she has been discriminated against or harassed is encouraged to utilize the school's complaint procedure. However, employees are hereby notified that they also have the right to report incidents of discrimination or harassment to the Maine Human Rights Commission, State House Station 51, Augusta, ME 04333 (telephone: 207-624-6050) and/or to the Federal Office for Civil Rights, Region 1 Regional Director, U.S. Department of Education, John .W. McCormack POCH Room 222, Boston, MA 02109-4557 (telephone: 617-223-9622).

Adopted: November 4, 2014

BAXTER ACADEMY 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 the Baxter Academy schools shall be prohibited at all times.

No administrator, faculty member, or other employee of the school system shall encourage, permit, condone,

or tolerate injurious hazing activities. No student, including leaders of students’ organizations, shall plan, encourage, or engage in injurious hazing activities.

Persons not associated with Baxter Academy 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, discharge or other appropriate measures.

In the case of an organization affiliated with this school system which authorizes hazing, penalties may include rescission of permission for that organization to operate on school property or to receive any other benefit of affiliation with the school system.

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

The Head of School 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 Head of School 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 Board of Directors, with respect to the provisions of this policy, shall be final.

A copy of this policy shall be included in all school, parent, and faculty handbooks or otherwise distributed to all school employees and students.

Adopted: November 4, 2014

BAXTER ACADEMY EDUCATIONAL PHILOSOPHY/SCHOOL DISTRICT MISSION

The mission of Baxter Academy is to create a safe, respectful, nurturing and active learning community where every child is given the opportunity to thrive academically, to be accepted, to celebrate accomplishments and to develop a lifetime love of learning.

Baxter Academy believes in working with the community to meet the individual educational needs of all students through trust, teamwork and communication. We will strive to provide a safe school where learning is desirable, authentic, challenging and reflective of students' diverse needs, interests and ideas. We believe that progress is only possible with change and we will improve performance through on-going evaluations making Baxter Academy a model of educational excellence.

Baxter Academy is committed to fostering in students a lifelong commitment to intellectual exploration, individual growth, and social responsibility by inspiring and supporting them to strive for academic and personal excellence within an ethical framework that places the highest value on honor and respect for others.

II. OBJECTIVES

In the practical application of this philosophy, opportunities shall be provided which challenge each student to the maximum of his/her capacity:

- A. To learn, insofar as his/her ability permits, to think critically and act effectively through the mastery of the basic skills, such as reading, writing, mathematics and the use of written and spoken language, as well as current technology;
 - B. To develop and appreciate our national, state and local heritage, and gain knowledge of the culture and history of other peoples;
 - C. To develop intellectually, emotionally, morally and socially so that problems of everyday living can be dealt with successfully;
 - D. To develop a healthy body;
 - E. To develop intellectual curiosity and creativity;
 - F. To acquire the basic preparation for various vocations and professions in society;
- and
- G. To develop as life-long learners.

We believe that children learn best when they are interested and when they have a sense of need and purpose.

The teacher's task is to inspire, challenge, direct, discover, strengthen interests, help the student to set objectives that are worthwhile, attainable and dynamic, and to guide the student's efforts of self-education. Teachers and the system as a whole should strive to instill a continuing desire to learn. The basic worth and dignity of the human being should at all times be defended and upheld.

Adopted: November 4, 2014

BAXTER ACADEMY SCHOOL SYSTEM COMMITMENT TO STANDARDS FOR ETHICAL AND RESPONSIBLE BEHAVIOR

The Board of Directors believes that promoting ethical and responsible behavior is an essential part of the school unit's educational mission. The Board recognizes that ethics, constructive attitudes, responsible behavior, and character are important if a student is to leave school as a responsible and involved citizen. The Board also recognizes that Maine law requires the adoption of a district- wide student code of conduct consistent with statewide standards for student behavior developed by the Commissioner of the Department of Education in compliance with 20-A MRSAS 254(11).

The Board seeks to create and maintain a school climate in which ethical and responsible behavior can flourish. The Board believes that instilling a sense of ethics and responsibility in students requires setting positive expectations for student behavior as well as establishing disciplinary consequences for behavior that violates Board policy or school rules. Further, the Board believes that in order to teach ethical and responsible behavior, adults who interact with students must strive to model and reinforce ethical and responsible behavior. To that end, the Board supports an active partnership between schools and parents.

Recognizing that collaboratively identified core values are the foundation for a school culture that

encourages and reinforces ethical and responsible student behavior, the Board is committed to the establishment and implementation of a process for identifying shared values and setting and enforcing standards for behavior, including prescription of consequences for unacceptable behavior. The process for identifying such shared values will invite and include the participation of Board members, school administrators, staff, parents, students, and the community. Core values will be reviewed periodically,

with opportunity for public participation.

The Board will direct the Executive Director/designee to

develop a process to assess school system progress toward achievement of an ethical and responsible

school culture.

Following the identification of core values, the Board, with input from administrators, staff, parents, students, and members of the community, will adopt a Student Code of Conduct consistent with statewide standards for student behavior¹ that shall, as required by law:

- A. Define unacceptable student behavior;
- B. Establish standards of student responsibility for behavior;
- C. Prescribe consequences for violation of the Student Code of Conduct, including first-time violations, when appropriate;
- D. Describe appropriate procedures for referring students in need of special services to those services;

E. Establish criteria to determine when further assessment of a current

Individual Education Plan (IEP) is necessary, based on removal of the student from class;

F. Establish policies and procedures concerning the removal of disruptive or violent students from a classroom or a school bus, as well as student disciplinary and placement decisions, when appropriate; and

G. Establish guidelines and criteria concerning the appropriate circumstances when the Executive Director / designee may provide information to the local police or other appropriate law enforcement authorities regarding an offense that involves violence committed by any person on school grounds or other school property.

The Student Code of Conduct will be reviewed periodically by the Board of Directors, with input from administrators, staff, parents, students, and members of the community.

ADAA (Cont'd.)

Students, parents, staff, and the community will be informed of the Student Code of Conduct through handbooks and/or other means selected by the Executive Director /designee.

Ethics and Curriculum

The Board encourages examination and discussion of ethical issues within content areas of the curriculum, as appropriate. The Board also encourages Baxter Academy to provide students with meaningful opportunities to apply values and ethical and responsible behavior through activities such as problem solving, peer mediation and student government/leadership development.

Adopted: November 4, 2014

BAXTER ACADEMY TOBACCO USE AND POSSESSION ADMINISTRATIVE PROCEDURE

The purpose of the following administrative procedure is to effectuate the mandates imposed by the various federal and state laws.

I. PROHIBITED CONDUCT A. Students

The use, possession, sale, dispensing or distribution of tobacco products by all students is prohibited in school buildings and facilities, during school-sponsored events, on school grounds and buses, and at all other times by all persons. The display or wearing of any type of tobacco promotion materials is also prohibited.

B. Employees and All Other Persons

The use of tobacco products by employees and all other persons is prohibited in school buildings, facilities and on school buses, and during school-sponsored events and at all other times on school grounds. In addition, employees and all other persons are strictly prohibited, under law and this Board's policy/administrative procedure, from selling, dispensing or distributing tobacco products to students.

II. ENFORCEMENT

In order to enforce the tobacco products policy, the following guidelines shall be utilized by the Head of School. The Head of School shall report any violations of this policy/procedure, as promptly as practicable, to the Executive Director.

A. Student Violations: Grades (9-10)

Smoking and the use, possession and sale of tobacco products are prohibited by school policy in school buildings, on school grounds, on school buses and at school-sponsored functions at all times by all persons.

1st Violation

1. Confiscate materials
2. Notify parents/legal guardian and shall be sent a written notice regarding the tobacco violation or hold conference with Head of School.
3. Up to three days suspension from school.

2nd Violation

1. Confiscate materials
2. Notify parents/legal guardian and shall be sent a written notice regarding the tobacco violation or hold conference with Head of School.
3. Up to five days suspension from school.

3rd Violation

1. Confiscate materials

2. Notify parents/legal guardian and shall be sent a written notice regarding the tobacco violation or hold conference with Head of School.

3. Up to 10 days suspension from school

4. Report to Police

C. Student Referral to Law Enforcement Agency

The Executive Director or his/her designee reserves the right to refer students to a law enforcement agency, on a case-by-case basis, as he/she may deem necessary. However, the Executive Director/designee shall refer to

a law enforcement agency any student reasonably suspected of selling, dispensing or distributing tobacco products.

D. Other Persons in Violation

All other persons violating this policy, e/g. employees, visitors shall be immediately directed to cease violative behavior. This includes non- school hours and all functions of the school, athletics or otherwise. This also includes

other organizations using school property. In addition, all persons suspected of selling, distributing or in any way

dispensing tobacco products to students shall be referred to a law enforcement agency. If the visitor does not

comply, they will be asked to leave. If they refuse to leave, the police may be called.

III. NOTICES

The Board's tobacco policy and corresponding disciplinary actions for infractions shall be printed in employee and student handbooks.

Signs indicating that the use of tobacco is prohibited shall be posted in Baxter Academy.

Adopted: November 4, 2014

BAXTER ACADEMY SCHOOL DISTRICT COMMITMENT TO THE COMMON CORE

Baxter Academy Board hereby adopts the system of Common Core State Standards and the Maine Department of Education's applicable rules. The Common Core State Standards are intended to serve as a

foundation for education reform and to promote and provide assessment of student learning, accountability

and equitable opportunities for all students to access the content standards. The Board recognizes that

the legislative intent of the Common Core State Standards system is to provide children with schools that reflect high expectations and create conditions where these expectations can be met.

The Board understands that implementation of the Common Core State Standards has broad implications for the school unit, including curriculum, budget, professional development, student assessment, professional evaluation, and graduation requirements. Therefore, the Board is committed to examining its policies to ensure that they are consistent with the intent and goals of the Common Core State Standards system. This will require a concerted and coordinated effort involving the Board, the Executive Director, administrators, teachers, parents, students and the community.

The Board directs the Executive Director to develop a plan and timeline for implementing the Common Core State Standards and any appropriate administrative procedures. The Board further directs the Executive Director to report to the Board on a regular basis progress toward implementing the Common Core State Standards.

August 30, 2018

BOARD OF DIRECTORS MEMBER CODE OF ETHICS

Having accepted the challenge of service on this Board of Directors, I accept the principles set forth in the following code of ethics to guide me in helping to provide free public education to all the children of my school within the State of Maine.

- I will view service on the Board of Directors as an opportunity to further our school's mission of project-based STEM curriculum emphasizing real-world problem solving.
- I will at all times think of children first and base my decisions on how they will affect children, their education, and their training.
- I will make no disparaging remarks, in or out of the Board of Directors meetings, about other members of the Board or their opinions.
- I will remember at all times that as an individual I have no legal authority outside the meetings of the Board of Directors, and that I will conduct my relationship with the school staff, the local citizenry, and all media of communications on the basis of this fact.
- I will recognize that my responsibility is not to operate the school but to see that it is well operated.
- I will seek to provide education for all children in the community commensurate with their needs and abilities.
- I will listen to all citizens but will refer all complaints to the proper authorities, and will discuss such complaints only at a regular meeting after failure of administrative solution.
- I will abide by a decision graciously once it has been made by the majority of the Board of Directors.
- I will not criticize employees publicly, but will make such criticism to the Executive Director for investigation and action, if necessary.

- I will make decisions openly after all facts bearing on a question have been presented and discussed.
- I will refuse to make promises as to how I will vote on a matter that should properly come before the Board of Directors as a whole.
- I will not discuss the confidential business of the Board of Directors in my home, on the street, in my office, or any location other than during a Board of Directors executive session.
- I will confine my Board of Directors action to policy making, planning, and appraisal, leaving the administration of the school to the Executive Director.
- I will welcome and encourage cooperation and participation by teachers, administrators, and other personnel in developing policies that affect their welfare and that of the children they serve.
- I will endeavor at all times to see that school has adequate financial support within the capabilities of the community and state, in order that every child may receive the best possible education.
- I will resist every temptation and outside pressure to use my position as a Board member to benefit myself or any individual or agency apart from the total interest of the school.
- I will endeavor to attend every regular and special Board of Directors meeting recognizing that my presence contributes to the most complete representation the school. If I find that this is not possible for an extended length of time, I will give consideration to resigning from my position on the Board of Directors.
- I will abide by the Baxter Conflict of Interest policy (FH).

Reviewed: June 12, 2018

Adopted: August 30, 2018

Adopted: November 4, 2014

BAXTER ACADEMY SCHOOL ATTORNEY/LEGAL SERVICES

The Board of Directors recognizes that the increasing complexity of school operations frequently requires procurement of professional legal services. Consequently, it shall retain an attorney or law firm for purposes of systematically securing such services. The school attorney shall be an individual who has been admitted to practice law in Maine.

A decision to seek legal advice or assistance in behalf of the school unit shall normally be made by the Executive Director or by the Board Chair unless otherwise authorized by the Executive Director or the Board. Such action shall occur as is consistent with approved Board policy or standard practice and meets an obvious need of the unit. It may also take place as a consequence of formal Board direction.

The school attorney shall render administrative advice, conduct or assist with the conduct of school district litigation, and provide specialized legal services. The legal advisor may be requested to attend Board meetings or other activities when his/her services are needed.

Many types of instances of legal assistance to the unit may be considered routine and not necessitating specific Board approval or prior notice. However, when the administration concludes that unusual types or amounts of professional legal service may be required, the Board directs the administration to so advise it and to expeditiously seek either initial or continuing authorization for such service.

Adopted: September 9, 2014

BAXTER BOARD MEETINGS AND FREEDOM OF ACCESS

The Board and its members shall satisfy their obligations under the Maine Freedom of Access Act ("FOAA"), which is applicable to governing boards of public charter schools under 20-A M.R.S.A § 2412(5)(C) . Generally, FOAA requires that the Board provide advance public notice of its meetings and conduct its meetings in public, subject to specific exceptions under which the Board is permitted to meet in executive session. FOAA also requires individual directors to obtain FOAA training and, subject to certain exceptions, to disclose any documents or records they create or obtain during the course of their Board service to any member of the public upon request.

BEDA

Adopted: November 4, 2014

BAXTER ACADEMY NOTIFICATION OF BOARD MEETINGS

Public notice shall be given for all public proceedings, as provided in law, if these proceedings are a meeting of a body or agency consisting of three or more persons and the body or agency will deal with the expenditure of public funds or taxation, or will adopt policy at the meeting. This notice shall be given in ample time to allow public attendance. In the event of an emergency meeting, local representatives of the media shall be notified of the meeting, whenever practical, the notification to include time and location, by the same or faster means used to notify the members of the agency conducting the public proceedings.

Adopted: November 4, 2014

BAXTER ACADEMY PUBLIC PARTICIPATION AT BOARD MEETINGS

Regular, special and emergency meetings of the school Board are open to the public. This Board wishes to

provide opportunity for citizens to express interests and concerns related to the matters under consideration

by the Board. The public is cordially invited to attend and participate as set forth in this policy.

Board meetings are conducted for the purpose of carrying on the official business of the school. The meetings

are not public forum meetings, but are meetings which are held for the Board to do its business in public. The

minutes of each public meeting will record the action taken and will show how the Board voted on each item

presented for action.

Individuals or organizations desiring to make requests, or proposals on matters before the Board will be provided that opportunity during the public session.

The Baxter Academy Board wants all present to be able to actively participate in the discussions and have their

opinions heard. The Chair may allow at his/her discretion public input during the discussion of agenda items

as long as the discussion does not interfere with the fulfillment of the scheduled agenda of the Board.

An agenda shall be published in advance of each meeting in accordance with Board policy. Copies are to be posted or available at Baxter Academy and on the Baxter Academy website. Anyone desiring additional information about any item on the agenda should direct such inquiries to the Executive Director.

The following ground rules are to further guide public participation at meetings:

- A. The Chair may limit the time given to comments on a particular topic as well as the amount of time any individual may speak.
- B. In the event of many persons wishing to speak, the Chair may require persons interested in speaking to so indicate by signing up to speak, so they may be called on in the most expedient order.
- C. Citizens, employees, and others with a legitimate interest in the Board's business are welcome to participate as provided in this policy. Others may be recognized to speak at the Board's

discretion. Employees or employee groups will not be permitted to discuss matters for which other, more appropriate forums are provided.

D. All speakers are to identify themselves as they begin talking. Speakers will not be permitted to participate in gossip, make defamatory comments, or use abusive or vulgar language.

E. The Board Chair will maintain the prerogative to discontinue any presentation which violates any of the public participation guidelines.

F. All speakers are to address the Board Chair and may direct questions or comments to board members or other officers of the school system only upon approval of the chair. Members of the board and the Executive Director have the privilege of asking questions of any person who addresses the board. Such questions must be addressed through the Chair.

G. Comments and suggestions will be welcomed and given consideration by the Board, including written comments. Speakers may offer objective comments on school operations and programs that concern them. Generally, the Board may hear but not discuss or act on an item not on the agenda. Personnel matters or complaints will not be entertained in a public meeting but will be deferred to established resolution procedures.

H. No complaints or allegations will be allowed concerning any personnel or any person connected to the

BEDH (Cont'd.)

school. If appropriate, concerns about an individual will be handled in a conference where the rights and interests of all parties will be appropriately regarded.

I. Generally, duplication or repetition of comments to the board should be avoided in order to make the most efficient use of the time in meetings. Groups or organizations are requested to be represented by designated spokespersons.

J. If a member of the public or group desires to make a public presentation on business germane to the Board, that request should be made through the Executive Director as a future agenda item.

Adopted: November 4, 2014

BAXTER ACADEMY BROADCASTING/TAPING OF BOARD MEETINGS

The following guidelines will govern the public use of recording devices at the public meetings of the Board of Directors.

Any recording device may be used by members of the public so long as it does not: Require the use of power cords and microphone cords that would interfere with the free movement of traffic into, out of, and within the meeting room;

A. Produce sufficient continuous or periodic sounds that interfere with speakers or with the ability of all persons present to hear the proceedings;

B. Require the occasional or frequent relocation of a microphone or microphones in such a manner as to be disruptive to speakers or other persons present; and/or;

C. Require excessive space in the meeting room so that any participants or observers at the meeting are displaced or excluded or cannot see because of the device.

When, at the request of any Board member and/or when, in the judgment of the Chair, any of the above guidelines have been violated in such a way as to interfere with the conduct of the meeting or with the ability of the public to observe the proceedings of the meeting, the Chair shall request the operator of the recording device to comply with the guidelines. If said interference continues, the Chair shall direct that the recording be discontinued and, if necessary, that the recording device be removed from the meeting room.

Adopted: November 4, 2014

BAXTER ACADEMY POLICY DEVELOPMENT

It is the intent of the Board to develop written policies to serve as guidelines and goals for the successful and efficient functioning of Baxter Academy.

The Board considers policy development its chief function, along with providing the wherewithal

– such as personnel, buildings, materials, and equipment – for the successful administration, application and execution of its policies.

The Board accepts the definition of policy set forth by the National School Boards Association:

“Policies are principles adopted by the school board to chart a course of action. They tell what is wanted; they may include why and how much. Policies should be broad enough to indicate a line of action to be followed by the administration in meeting a number of problems, yet narrow enough to give clear guidance. Policies are guides for action by the administration, which then sets the rules and regulations to provide specific directions to school district personnel.”

It is the Board’s intention that its policies serve as sources of information and guidance for people who are interested in or connected with Baxter Academy.

The policies are framed, and are meant to be interpreted, in terms of state statute, Baxter’s contract with the Maine Charter Commission, rules of the Maine Department of Education, and all other regulatory agencies within our local, county, state, and federal levels of government. The policies are also framed, and are meant to be interpreted, in terms of those educational objectives, procedures, and practices which are broadly accepted by leaders and authorities in the public education field.

Changes in needs, conditions, purposes, and objectives will require revisions, deletions, and additions to the policies of the current Board and those of the future. The Board will welcome suggestions for ongoing policy development.

Adopted: November 4, 2014

BAXTER ACADEMY BOARD OF DIRECTORS USE OF ELECTRONIC MAIL

Use of electronic mail (email) or other electronic messaging by school Board members should conform to the same standards of judgment, propriety and ethics as other forms of school board-related communication. Board members shall comply with the following guidelines when using email in the conduct of board responsibilities:

A. The Board shall not use email or other electronic messaging as a substitute for deliberations at Board meetings or for other communications or business properly confined to Board meetings.

B. Board members should be aware that email and email attachments received or prepared for use in Board business or containing information relating to Board business are likely to be regarded as public records which may be inspected by any person upon request, unless otherwise made confidential by law.

C. Board members shall avoid reference to confidential information about employees, students or other matters in email communications because of the risk of improper disclosure. Board members should comply with the same standards as school employees with regard to confidential information.

Adopted: November 4, 2014

BAXTER ACADEMY BOARD MEMBER ORIENTATION

A new Board member or a member-elect shall be afforded the fullest measures of courtesy and cooperation by the Board and staff. They shall make every feasible effort to assist the new member to become fully informed about the Board's functions, policies, procedures, and current issues.

A. New members will be encouraged to attend appropriate orientation workshops. Activities involving the possible reimbursement of expenses should be cleared first with the Board Chair.

B. The new member is to be provided with copies of all appropriate publications and Baxter Academy policies.

C. The Board Chair and members of the administrative staff will also confer with the new member as necessary on special problems or concerns.

Adopted: November 4, 2014

BAXTER ACADEMY BOARD MEMBER DEVELOPMENT OPPORTUNITIES

On-going development and in-service education are critical aspects of the overall operation of a school. It is recognized that the Board members of this school, like administrators, teachers and other school personnel, need to be well informed and to stay current on education issues. Continually enhancing boardsmanship skills is necessary to make each member the best that he/she can be.

Participation is encouraged in appropriate local, regional, state and national programs sponsored by the Maine School Boards Association, the Maine School Management Association, The National School Boards Association and other recognized leaders in education. This Board is committed to the further development of its members so that the greatest good can be rendered by them on behalf of the children in our school.

The Board is committed to the individual and collective seeking of good advice, reliable information and feasible solutions to problems. The Board's needs are included with those of the staff for a well-developed, comprehensive in-service education program to assist all who are responsible for effective and enlightened school leadership.

Adopted: November 4, 2014

BAXTER ACADEMY BOARD MEMBER FREEDOM OF ACCESS TRAINING

In accordance with Maine law, beginning July 1, 2008, every Board member must complete a course of training on the requirements of Maine's Freedom of Access law as it relates to public records and proceedings not later than the 120th day after the date he/she takes the oath of office to assume his/her duties as an elected official. Freedom of Access training must be repeated within 120 days of taking the oath of office each time a Board member is elected to serve a new term.

At a minimum, the training course must include instruction in:

- A.** The general legal requirements of the Freedom of Access law regarding public records and public proceedings;
- B.** Procedures and requirements regarding complying with a request for a public record under the Freedom of Access law; and
- C.** Penalties and other consequences for failure to comply with the Freedom of Access law.

A Board member may meet the training requirement by conducting a thorough review of all the information made available by the State of Maine on the Frequently Asked Questions portion of its Freedom of Access website, www.maine.gov/foaa/faq/, or by completing any other training course that includes all of this information.

Each Board member shall attest by means of a written or electronic record that he/she has completed the training and provide a copy of such record to the Executive Director.

To facilitate documentation of training, the Executive Director will make available to Board members copies of the State's sample Certificate of Completion of Freedom of Access Training form.

CERTIFICATION OF COMPLETION OF

FREEDOM OF ACCESS TRAINING REQUIRED BY 1 M.R.S.A. § 412

I, _____, hereby certify that I have met the
(Name of elected official)

training requirements set forth in M.R.S.A. § 412 on _____ by

(Date of training)

completing the following training.

A thorough review of all of the information made available on the Frequently Asked Questions portion of the State Freedom of Access website,
www.maine.gov/foaa/faq.

Another training course that includes this information, identified as follows:

(Title of course)

(Name of course provider)

Dated this _____ day of _____, _____.

(Signature)

(Printed name)

(Elected office)

BID

Adopted: November 14, 2014

BAXTER ACADEMY BOARD MEMBER COMPENSATION

No Director or officer shall receive any fee, salary, or remuneration of any kind for services rendered to Baxter Academy, except that Directors and officers may be reimbursed for proven expenses incurred in the business of Baxter Academy and approved by formal vote of the Board of Directors.

Adopted: November 4, 2014

BAXTER ACADEMY SCHOOL BUILDING ADMINISTRATION

The Head of School is the chief school administrator in the actual day-to-day administration and supervision of the individual school building. The Head of School's major responsibility is the improvement of

the teaching-learning situation; his/her goal is to provide for the continued improvement of the total educational

process so that the students may grow to the limits of their capacity.

The Head of School's task is as follows:

Purpose: All activities of the Head of School have the single purpose of improving the instructional program for the students attending the school.

Shared responsibility: As educational leader of a school, the Head of School is responsible for making use of, coordinating and directing all available instructional and supervisory services. Whenever possible, teachers should have a share in designing and carrying out plans for the efficient operation of the school.

Duties and responsibilities: The Head of School will:

Work with building staff to develop and improve the

curriculum; Oversee the evaluation process for all

staff;

Work with building staff to develop instructional goals, and design a means to achieve them; Work with building staff in the formulation and execution of school system policies relating to

pupil classification, marking, reporting and promoting;

Determine the need for a continuous program of supervision within the building;

Assume responsibility for a continuous program of in-service education for building staff members;

Keep building staff informed concerning new educational developments on the local, state and national level.

Provide for the interchange of information and ideas among teachers and other staff;

Assist in the selection of equipment, books, furniture, supplies, etc., as required for the school.

Provide leadership in the preparation and revision of instructional guides;

Discover and recommend prospective teaching and supervisory personnel; and

Participate in programs, exhibitions, and special demonstrations in the community and schools. Provide for the safety of all staff and parents.

Adopted: November 4, 2014

BAXTER ACADEMY DEVELOPMENT OF REGULATIONS

The Board shall delegate to the Executive Director the function of specifying required actions and designing the detailed arrangements under which the schools will be operated.

Such rules and detailed arrangements shall constitute the administrative rules governing the schools. They must be in every respect consistent with the policies adopted by the Board.

Adopted: November 4, 2014

BAXTER ACADEMY STUDENT/STAFF HANDBOOKS

Student Handbooks:

In order to inform students, parents and staff members of pertinent Board policies, regulations, and rules and procedures, the administration shall publish and annually revise student handbooks containing information about Baxter Academy. The contents of student handbooks must conform to Board policies, administrative procedures, and state and federal laws and regulations. Board members shall receive copies of handbooks at the September Board meeting.

Handbooks shall be distributed to all students at the beginning of the school year and to new students when they enroll. They will be accessed on-line through the Baxter Academy website.

Staff Handbooks:

To inform staff of Board policies and administrative regulations and departmental administrative procedures, the Executive Director or his/ her designee will develop employee handbooks. The content of any such handbooks must conform with Board policies, administrative regulations, state and federal laws and regulations.

Board members shall receive copies of handbooks at the September Board meeting. They will be accessed on-line through the Baxter Academy website.

Handbooks will be distributed to all Baxter Academy employees at the beginning of each school year and to new employees at the time of hire.

CHD

Adopted: November 4, 2014

BAXTER ACADEMY ADMINISTRATION IN POLICY ABSENCE

In cases when action must be taken within Baxter Academy and the board has provided no guidelines for administrative action, the Executive Director shall have the power to act.

His/her decisions, however, shall be subject to review by the Board at its regular meeting. It shall be the duty of the Executive Director to inform the Board promptly of such action and the need for policy.

Adopted: November 4, 2014

BAXTER ACADEMY ANNUAL REPORT

An annual report covering the diversified activities of the school and the Head of School's recommendations for

their improvement shall be prepared by the Executive Director and presented to the Board prior to August 1st

each year. Upon Board approval, the report shall be made available to the public and used as one means for

informing parents and citizens, the state education agency, and other school districts in the area of the programs and conditions of the school system's schools.

The Executive Director shall prepare for the Board's approval a brief overview of the activities, budget, and current staff and enrollment figures of the schools.

Adopted: November 4, 2014

BAXTER ACADEMY FISCAL MANAGEMENT GOALS

The Board recognizes that money and money management comprise the foundational support of the whole school program. To make that support as effective as possible the Board intends:

- A. To encourage advance planning through the best possible budget procedures
- B. To explore all practical and legal sources of dollar income
- C. To guide the expenditure of funds so as to achieve the greatest educational returns
- D. To require maximum efficiency in accounting and reporting procedures
- E. To maintain a level of per pupil expenditure needed to provide high quality education

As trustee of local, state, and federal funds allocated for use in education, the Board has the responsibility to protect the funds and use them wisely.

DB

Adopted: November 4, 2014

BAXTER ACADEMY ANNUAL BUDGET

The Board recognizes that financial resources and the proper management of same are fundamental to the support of school programs and operations. With this in mind the Board will develop and present an annual operating budget as directed by applicable laws.

The annual budget will be for a 12 month period covering the fiscal year July 1 through June 30.

The Board shall designate the Executive Director as its budget officer, but he/she may delegate portions of such responsibility to the Head of School, who shall serve as the Executive Director's adviser on financial planning.

The three general areas of responsibility of the budget officer are budget preparation, budget presentation and budget administration.

Adopted: November 4, 2014

BAXTER ACADEMY GRANTS/FUNDING PROPOSALS AND APPLICATIONS

Numerous foundations and organizations offer financial support in the form of grants to public school systems. Grant-generated funds can provide opportunities for students and staff that the Baxter Academy budget would otherwise be unable to support. The Board encourages the Executive Director, Head of School, and staff to seek grants. To provide for program continuity and to assist the Board in fiscal planning, all grant applications must be approved by the Executive Director.

Individuals authoring a grant application should consider the following grant application issues, which will be factors in the Board's decision whether to permit a grant application to be submitted:

- A. Whether the grant supports current curriculum activities or initiates new ones;
- B. Baxter Academy's financial commitment, in the short and long term;
- C. Whether funds are currently budgeted to meet grant requirements;
- D. The kind of training staff will receive; and
- E. What happens when the grant's term ends.

Adopted: UNDER REVIEW**BAXTER ACADEMY FIXED ASSETS**

This policy establishes the minimum cost value (capitalization amount) that shall be used to determine the capital assets, including infrastructure assets, that are to be recorded in Baxter Academy's annual financial statements in order to comply with the requirements of GASB Statement No. 34.

The policy also addresses other considerations for recording and depreciating fixed assets in order to comply with the provisions of GASB Statement No. 34.

A. Capital Asset Definition

Capital assets will be defined as tangible and intangible assets that have initial useful lives that extend beyond a single reporting period.

B. Capitalization Method

All capital assets will be recorded at historical costs as of the date acquired or constructed. If historical cost information is not available, assets will be recorded at estimated historical cost by calculating current replacement cost and deflating the cost using the appropriate price-level index.

C. Capitalization Thresholds

BA establishes the following minimum capitalization thresholds for capitalizing fixed assets: Detailed records shall be maintained for all fixed assets above the established thresholds.

D. Other Assets

Detailed records shall be maintained at the discretion of the Executive Director for all items below the capitalization thresholds that should be safeguarded from loss. These items will be part of the annual physical inventory discussed below. These items include computer equipment that falls below the established thresholds and any other assets specified by the Executive Director.

E. Depreciation and Useful Life

The Executive Director will assign an estimated useful life to all assets for the purposes of recording depreciation. The Association of School Business Officials' "Useful Lives" schedule will be used to establish lives for most assets. Asset lives will be adjusted as necessary depending on the present condition and use of the asset and based on how long the asset is expected to meet current service demands. Adjustments should be properly documented. Depreciation will be recorded based on the straight line method using actual month convention and depreciated down to the assets salvage value.

F. Safeguarding and Controlling Fixed Assets

All machinery and equipment, vehicles, and furniture will be assigned an asset number and identified with a fixed asset tag. As fixed assets are purchased or disposed of, the Head of School will be responsible for preparing a fixed asset data sheet, which will then be forwarded to the Executive Director to ensure proper recording. A physical inventory will be taken annually on or

about June 30 and compared to the physical inventory records. The results will be forwarded to the Executive Director where appropriate adjustments will be made to the fixed asset records.

DIE

Adopted: November 4, 2014

BAXTER ACADEMY AUDITS

The school's books shall be audited annually by qualified certified public accountants or public accountants who conduct audits in compliance with Government Auditing Standards. The Executive Director shall be responsible for working with auditors in their conduct of annual or other audits as required.

The fiscal year of an audit shall be from July 1st to June 30th, except that audits of federal programs shall conform to federal requirements.

Adopted: November 4, 2014

BAXTER ACADEMY PURCHASING AND CONTRACTING: PROCUREMENT STAFF CODE OF CONDUCT

Conflict of Interest

All employees of Baxter Academy shall perform their duties in a manner free from conflict of interest to assure the proper performance of school business as well as to earn and keep public confidence. No employee of Baxter Academy with a real or an apparent conflict of interest in a proposed transaction shall participate in the selection, award, or administration of a contract pursuant to the transaction.

Conflict of interest is defined as when an interested party has a financial interest in the firm selected for the award. Interested party is defined as 1) the employee; 2) a member of the employee's immediate family; 3) his/her partner; or 4) an organization that employs or is about to employ a person described above.

Conflict of Interest Disclosure

All employees with real or apparent conflicts of interest as defined above must disclose the conflict of interest to the Executive Director who will investigate the circumstances of the transaction. The Executive Director will exercise due diligence in investigating the circumstances of the transaction and if necessary, will make reasonable efforts to find alternatives to the proposed transaction or arrangement that would not give rise to a conflict of interest. If the Executive Director determines that the proposed transaction is in the best interest of Baxter Academy and is fair and reasonable, it may proceed with the transaction. In the event that the Executive Director may have a conflict of interest, an ad hoc committee of the Board will investigate and make a determination regarding the transaction.

Violations

Employees of Baxter Academy who violate this code of conduct may be subject to discipline, up to and including termination of employment, and, if appropriate, referral to law enforcement.

DJC

Adopted: November 4, 2014

BAXTER ACADEMY PETTY CASH ACCOUNTS

In order to facilitate refunds and minor purchases, the Board authorizes a petty cash fund in the Baxter Academy and the Board Office.

The account custodian for such accounts at the school will be the Executive Director.

Each transaction must be supported with proper receipts to the account custodian.

Justifiable expenditures from the petty cash accounts will include but not be limited to: miscellaneous materials and supplies, for office supplies, stamps and freight (\$50 maximum). All items purchased with petty

cash funds should meet the criteria of an expedient measure and should not be used to circumvent established policy on purchasing authority.

The petty cash funds will be replenished as imprested funds and are to be reimbursed to each account through accounts payable after approval by the Executive Director.

Adopted: November 4, 2014

BAXTER ACADEMY SAFETY PROGRAM

It shall be the policy of the Board to take every reasonable precaution to protect the safety of all students, employees, visitors and others present on school property or at school-sponsored events.

The practice of safety shall be considered part of the instructional plan of the schools by virtue of educational programs, fire prevention, emergency procedures, etc., appropriately geared to students at different grade levels.

The Head of School shall be responsible for the supervision of a safety program for his/her school, and the Executive Director shall have overall responsibility for the safety program of the school system. General areas

of emphasis shall include, but not be limited to: in-service training; accident record-keeping; plant inspection;

fire prevention; school site selection; and emergency procedures and traffic safety problems relevant to

students, employees, and the community.

Adopted: November 4, 2014

BAXTER ACADEMY CHEMICAL HAZARDS

Baxter Academy is committed to providing a safe environment for students and employees. It is the policy of Baxter Academy to follow safe practices in regard to the storage and handling of hazardous chemicals in its schools. The school unit will comply with all applicable Maine and Federal laws and regulations concerning hazardous chemicals.

The Executive Director will be responsible for developing a Chemical Hygiene Plan that includes procedures relevant to the identification, purchase, storage, inventory, handling, and disposal of hazardous chemicals, maintenance of material safety data sheets (MSDS), and for ensuring that employees are provided required training and information concerning hazardous chemicals used in the schools. The Executive Director may delegate responsibilities associated with Plan development to school system staff, as appropriate or, with the approval of the Board, to a professional consultant.

The Executive Director /designee will appoint a Chemical Hygiene Officer for the school unit. The Chemical Hygiene Officer will have the primary responsibility for implementing the school unit's Chemical Hygiene Plan. The person appointed Chemical Hygiene Officer should be familiar with State and Federal regulations pertaining to laboratory and chemical safety and the chemicals used in the schools.

The Chemical Hygiene Officer shall achieve such certification and/or attend such training as may be mandated by the Maine Department of Education or other State agencies.

Adopted: November 4, 2014

BAXTER ACADEMY AUTOMATED EXTERNAL DEFIBRILLATOR (AED) POLICY

(part of medical emergency response plan MERP)

The Board recognizes that from time to time medical emergencies may arise that warrant the use of an automated external defibrillator (AED). Baxter Academy may acquire one or more AED's for use by qualified personnel in its school and at school activities.

Unless otherwise provided by law, an AED may be used only by a person:

- A. Who has successfully completed a course approved by the American Red Cross, the American Heart Association, or the Maine Department of Public Safety; and
- B. Who has made a reasonable attempt to summon appropriate emergency services personnel when communication is possible.

An automated external defibrillator (AED) is used to treat victims who experience sudden cardiac arrest (SCA). It is only to be applied to victims who are unconscious, not breathing normally and showing no signs of circulation, such as normal breathing, coughing and movement. The AED will analyze the heart rhythm and advise the operator if a shockable rhythm is detected. If a shockable rhythm is detected, the AED will charge to the appropriate energy level and advise the operator to deliver a shock. AED protocol will be followed.

The Executive Director shall be responsible for developing, in consultation with qualified experts, protocols for the use, storage, location, testing and maintenance of the school unit's AEDs, and for identification of school personnel who should be trained in the use of an AED.

The authorization for acquisition, placement, and use of AEDs in the schools or at school activities is not to be construed as an assertion or guarantee that an AED or a person trained in its use will be available at any particular school site or school- sponsored event.

Adopted: November 4, 2014

**BAXTER ACADEMY COMPREHENSIVE EMERGENCY MANAGEMENT PLAN (FORMERLY:
CRISIS**

RESPONSE PLAN)

The Board hereby adopts the Baxter Academy Comprehensive Emergency Management Plan. The Executive

Director and Head of School shall be responsible for developing, in consultation with staff and persons or agencies with expertise in planning for and responding to emergencies, a comprehensive emergency management plan that identifies and addresses all hazards and potential hazards that could reasonably be expected to affect the school unit and school facilities.

The Executive Director and Head of School shall be responsible for ensuring that the plan is implemented and evaluated on an annual basis and whenever the plan is used.

As required by law, the Board will approve the plan annually. Any substantive changes in the plan shall be subject to the approval of the Board.

The following information pertaining to the Baxter Academy Comprehensive Emergency Management Plan is considered public information:

- A. A description of the scope and purpose of the Plan and the process used for developing and updating it;
- B. General information on auditing for safety and preparedness;
- C. Roles and responsibilities of the Head of School, teachers and staff and the designated chain of command during an emergency; and
- D. Strategies for conveying information to parents and the general public during an emergency.

Except as specified in paragraphs A through D above, those portions of the Comprehensive Emergency Management Plan and any other records describing security plans, security procedures or risk assessments prepared specifically for the purpose of preventing or preparing for acts of terrorism shall not be considered public information under the Freedom of Access Act but only to the extent that the release of such information could reasonably be expected to jeopardize the physical safety of school unit personnel or the public. For the purpose of this policy, "terrorism" is defined as in 1 M.R.S.A. § 402(3)(L) as "conduct that is designed to cause serious bodily injury or substantial risk of bodily injury to multiple persons, substantial damage to multiple structures whether occupied or unoccupied or substantial physical damage sufficient to disrupt the normal functioning of a critical infrastructure."

Adopted: November 4, 2014

BAXTER ACADEMY EMERGENCY EVACUATION DRILLS

In order to protect the safety of students and school personnel and in compliance with the Maine Department of Education regulations, schools at all levels Prek- 12 are required to hold two emergency evacuation drills during the first two weeks of school. Schools enrolling grades Prek-4 will hold an additional eight emergency evacuation drills during the year; schools enrolling grades 5-8, an additional six emergency

evacuation drills; schools enrolling grades 9- 12, an additional four emergency evacuation drills. Schools enrolling any combinations of these grade levels will hold the additional number of emergency evacuation drills required of the lowest grade level within the span, except that the local fire chief may increase the number of drills required. Results shall be recorded and deficiencies noted and corrected.

Emergency evacuation procedures will be incorporated into the school unit's emergency management plan. The Head of School may seek the advice of local fire, emergency management and law enforcement officials to identify routes that will accomplish the evacuation of their individual school buildings as quickly and efficiently as possible.

The Head of School shall keep a record of all emergency evacuation drills held in their schools, stating the date and time the drill was held and the time required for evacuation of the building. This information will be reported to the Executive Director or his/her designee after each drill. Fire officials will be notified before each drill.

Written procedures for emergency evacuation drills shall be posted in in each classroom and in the Head of

School's office.

The Head of School will be responsible for ensuring that school personnel receive an annual orientation concerning emergency evacuation procedures. The Head of School will be responsible for ensuring that teachers familiarize students with designated evacuation routes prior to the first emergency evacuation drill of the school year.

BUS EVACUATION DRILLS

Maine Department of Education regulations require that, at least twice a year, students who are transported in school buses be instructed in safe riding practices and participate in emergency evacuation drills. The Head of School will be responsible for arranging times and locations of such drills. Bus evacuation drills must be conducted in the school parking lot or other safe location. The Head of School will determine appropriate evacuation procedures for students with disabilities. The first bus evacuation drill will occur within the first three weeks of school.

LOCK DOWN DRILLS

Some high- risk situations (e.g. intruder with weapon) may result in a lock down or partial lock down of a school rather than an evacuation. The school unit's emergency management plan should include a lock down procedure. The Board requires two lock down drills during the school year. These should occur in the first week of school and in the last half of the year.

Adopted: November 4, 2014

BAXTER ACADEMY BOMB THREATS

The Board recognizes that bomb threats are a significant concern to the school unit. Whether real and carried out or intended as a prank or for some other purpose, a bomb threat represents a potential danger to the safety and welfare of students and staff and to the integrity of school property. Bomb threats disrupt the instructional program and learning environment and also place significant demands on school financial resources and public safety services. These effects occur even when such threats prove to be false.

Any bomb threat will be regarded as an extremely serious matter and treated accordingly. The Board directs the Head of School to react promptly and appropriately to information concerning bomb threats and to initiate or recommend suitable disciplinary action.

A. Conduct Prohibited

No person shall make, or communicate by any means, whether verbal or non-verbal, a threat that a bomb has been, or will be, placed on school premises. Because of potential for evacuation of the schools and other disruption of school operations, placement of a bomb or of a "look-alike" bomb on school premises will be considered a threat for the purpose of this policy.

B. Definitions

1. A **"bomb"** means an explosive, incendiary or poison gas bomb, grenade, rocket, missile, mine, "Molotov cocktail" or other destructive device.
2. A **"look-alike bomb"** means any apparatus or object that conveys the appearance of a bomb or other destructive device.
3. A **"bomb threat"** is the communication, by any means, whether verbal or non-verbal, that a bomb has been, or will be, placed on school premises, including possession or placement of a bomb or look-alike bomb on school premises.
4. **"School premises"** means any school property and any location where any school activities may take place.

C. Development of Bomb Threat Procedures

The Head of School shall be responsible for developing and implementing procedures specific to bomb threats as part of the school unit's Crisis Response Plan. These procedures are intended to inform administrators and staff of appropriate protocols to follow in the event that a bomb threat is received and should include provisions to address:

1. Threat assessment (for the purpose of identifying a response that is in proportion to the threat, in light of what is necessary to ensure safety);
2. Building evacuation and re-entry (including selection of potential alternative sites for those who are evacuated);

3. Incident “command and control” (who is in charge, and when);
4. Communications contacts and mandatory bomb threat reporting;
5. Parent notification process;
6. Training for staff members; and
7. Support services for students and staff.

The Head of School will be responsible for overseeing a review or evaluation of bomb threat procedures prior to the Board’s required annual approval of the school unit’s Crisis Response Plan, or following implementation of the procedure in response to a specific threat.

D. Reporting of Bomb Threats

A student who learns of a bomb threat or the existence of a bomb on school premises must immediately report such information to the Head of School, teacher, or other employee in a position of authority.

An employee of the school unit who learns of a bomb threat shall immediately inform the Head of School. The Head of School shall immediately take appropriate steps to protect the safety of students and staff in accordance with the school unit’s bomb threat procedure and inform the Executive Director of the threat.

All bomb threats shall be reported immediately to the local law enforcement authority by an administrator, as provided in the bomb threat procedures

EBCC (Cont'd.)

The Executive Director shall be responsible for reporting any bomb threats to the Department of Education within two business days of the incident. Reports will include the name of the school, the date and time of the threat, the medium used to communicate the threat, and whether or not the perpetrators have been apprehended.

E. Student Disciplinary Consequences

Making a bomb threat is a crime under Maine law. Any student suspected of making a bomb threat shall be reported to law enforcement authorities for investigation and possible prosecution. Apart from any penalty imposed by law, and without regard to the existence or status of criminal charges, a student who makes a bomb threat shall be subject to disciplinary action by the school.

The administration may suspend and/or recommend for expulsion any student who makes a bomb threat.

The making of a bomb threat will be considered deliberately disobedient and deliberately disorderly within

the meaning of 20-A M.R.S.A. § 1001(9) and will be grounds for expulsion if found necessary for the peace

and usefulness of the school.

In addition, a student who is found after hearing by the Board to have brought a bomb to school shall be expelled from school for at least one year in accordance with 20-A M.R.S.A. § 1001(9- A) and Policy JICIA, except that the Executive Director may modify the requirement for expulsion based on individual circumstances.

A student who has been identified through the IEP process as having a disability and whose conduct in violation of this policy is related to the disability shall be disciplined.

F. Aiding Other Students in Making Bomb Threats

A student who knowingly encourages, causes, aids or assists another student in making or communicating a bomb threat shall be subject to the disciplinary consequences described in Section E of this policy.

G. Failure to Report a Bomb Threat

A student who fails to report information or knowledge of a bomb threat or the existence of a bomb or other destructive device in a school building or on school property may be subject to disciplinary consequences, which may include suspension and/or expulsion.

H. Staff Disciplinary Consequences

An employee who makes or communicates a bomb threat will be reported to appropriate law enforcement authorities and will be subject to disciplinary action up to and including termination of employment. Disciplinary action taken shall be consistent with Board policies.

An employee who fails to report information or knowledge of a bomb threat or the existence of a bomb on school premises will be subject to discipline up to and including termination of employment.

I. Civil Liability

The school reserves the right to bring suit against any individual responsible for a violation of this policy and to seek restitution and other damages as permitted by law.

Adopted: November 4, 2014

BAXTER ACADEMY PEST MANAGEMENT IN SCHOOL FACILITIES AND ON SCHOOL GROUNDS

The Board recognizes that structural and landscape pests can pose significant problems for people and school unit property, but that use of some pesticides may raise concerns among parents, students and staff. It is therefore the policy of Baxter Academy to incorporate Integrated Pest Management (IPM) principles and procedures for the control of structural and landscape pests. A copy of this policy shall be kept in every school

and made available upon request to staff, parents, students and the public.

IPM is a systematic approach to pest management that combines a variety of methods for managing pests including monitoring; improved horticultural, sanitation and food storage practices; pest exclusion and removal; biological control; and pesticides.

For the purpose of this policy, “pests” are populations of living organisms (animals, plants or microorganisms) that interfere with use of school facilities and grounds. “Pesticide” is defined as any substance or mixture of substances intended for preventing, destroying, repelling or mitigating any pests and any substance or mixture of substances intended for use as a plant regulator, defoliant or desiccant.

The objective of the school’s IPM program is to provide effective pest control while minimizing pesticide use. The goals of the IPM program include managing pests to reduce any potential hazards to human health; preventing loss or damage to school structures or property; preventing pests from spreading beyond the site of infestation to other school property; and enhancing the quality of life for students, staff and others.

The Executive Director and/or designee shall develop and implement a Pest Management Plan consistent with the following IPM principles and procedures:

1. Recording and monitoring data and pest sightings by school staff and students;
2. Coordinating pest management with pest control contractors;
3. Recording and ensuring that maintenance and sanitation recommendations are carried out where feasible;
4. Ensuring that any pesticide use is done according to the school’s Pest Management Plan and Chapter 27 Maine Department of Agriculture Board of Pesticides Control Rules (“Standards for Pesticide Applications and Public Notification in Schools”);
5. Making the school’s pest management policy available.
6. Having available for parents and staff a copy of the Maine regulation pertaining to pesticide applications in schools (Chapter 27 Maine Department of Agriculture Board of Pesticides Control “Standards for Pesticide Applications and Public Notification in Maine Schools”) and a record of prior pesticide applications and information about the pesticides used.

7. Initiating and coordinating notification of parents and staff of pesticide applications according to the school unit's notification procedure and posting notification signs as appropriate; and
8. Recording all pesticides used by either a professional applicator or school staff and maintaining other pest control data.

B. Identification of Specific Pest Thresholds

Routine inspection and accurate identification of pests are needed to recognize potential problems and determine when action should be taken.

Action thresholds for specific sites will be determined on a case-by-case basis by the IPM Coordinator in consultation with the Head of School and/or Executive Director, and if necessary, with the advice of a professional pest control expert.

As pest management objectives will differ from site to site (e.g.: maintaining healthy turf and specific playing surfaces on athletic fields, carpenter ant control in buildings, or maintenance of ornamental plants), differences

should be considered before setting an action threshold.

C. Pesticide Applicators

Any person, who applies pesticides in school buildings or on school grounds, including school personnel, must possess a Maine pesticide applicators license and should be trained in the principles and practices of IPM. All pesticide use must be approved by the school unit's IPM Coordinator. Applicators must follow state regulations and label precautions and must comply with the IPM policy and pest management plan.

School personnel do not need to be licensed for normal or routine cleaning practices, for emergency stinging insect control, or use of repellants for personal protection. However, school personnel do need to be licensed if they will be using pesticides in school facilities or on school grounds.

D. Selection, Use and Storage of Pesticides

Pesticides should be used only when needed. Non-chemical pest management methods will be implemented whenever possible to provide the desired control. The choice of using a pesticide will be based on a review of other available options (sanitation, exclusion, mechanical means, trapping, biological control) and a determination that these options have not worked or are not feasible. When it has been determined that a pesticide must be used to achieve pest management goals, the least hazardous effective pesticide should be selected. Application should be conducted in a manner that, to the extent practicable using currently available technology, minimizes human risk.

Decisions concerning the particular pesticide to be used and the timing of pesticide application should take into consideration the use of the buildings or grounds to be treated.

Pesticide purchases should be limited to the amount expected to be used for a specific application or during the year.

Pesticides will be stored and disposed of in accordance with label directions and state and federal regulations.

Pesticides must be stored in an appropriate, secured location not accessible to students or unauthorized personnel.

E. Notification of Students, Staff and Parents of Use of Pesticides

When required by regulations, signs will be posted at each point of access to the treated area and in a common area of the school at least two working days prior to the application and for at least 48 hours following the application in accordance with

F. Recordkeeping

When a pesticide has been used, records pertinent to the application including labels and material safety data sheets will be maintained at the school for two years following application. Records are to be completed on the day the pesticide is applied. Pest surveillance records should be maintained to verify the need for pesticide treatments.

Adopted: November 4, 2014

BAXTER ACADEMY FREE SCHOOL SUPPLIES AND MATERIALS

Baxter Academy affirms their commitment to meeting all aspects of Free and Appropriate Public Education (FAPE). We recognize that students need to have educational materials and supplies in order to be successful in meeting the content standards under the Common Core Standards. It is the responsibility of Baxter Academy to insure that supplies necessary to meet assignments be provided by the school system to the maximum extent feasible. The school will provide all books, lab materials and additional equipment necessary to fulfill the Common Core Standards.

Certain extracurricular activities or special student projects may require the purchase of equipment or materials by the student or parent and that is expected under this policy.

Adopted: November 4, 2014

BAXTER ACADEMY TRANSPORTATION SERVICES MANAGEMENT

The Executive Director with the approval of the Board and in accordance with the State Law will provide the following transportation services:

Baxter Academy will provide transportation for students to and from the school that is within our catchment area. The bussing contractor has determined a route that will be cost effective and within the budget limitations set by the designated Baxter Academy staff.

Bus routes will be reviewed annually. Appeals for additional stops must be made in writing to the Executive Director, and if so requested by the parent, the decision of the Executive Director may be reviewed by the Board at their discretion.

Transportation shall be accomplished in the most economical manner that is consistent with the welfare and safety of the students.

Adopted: November 4, 2014

BAXTER ACADEMY SCHOOL TRANSPORTATION ACCIDENT POLICY

If a vehicle authorized to transport students is involved in a traffic accident, the following steps shall be followed:

1. The driver will immediately notify 9- 1-1. Whenever possible, the driver should immediately notify the Principal who will inform the Executive Director.
2. At the scene of an accident, the responding law enforcement agency is in charge.
3. To every extent possible, the driver will provide emergency first aid (airway, breathing, circulation, shock, minor injuries). If the driver is incapacitated, other adult (teacher/chaperone/coach) will assume responsibilities if present.
4. A. The parents/guardian will be notified by a school representative. B. Luce Transportation will be notified by the driver.
5. A complete report of the accident will be made by the bus driver noting any injuries to the students.
6. If the accident involves an employee owned vehicle used for school purposes, the employee must contact the Executive Director as soon as possible. The employee's insurance is in force as the primary coverage and Baxter Academy will refer additional claims, if necessary, to the Baxter Academy insurance vendor.

Adopted: November 4, 2014

BAXTER ACADEMY USE OF PRIVATE VEHICLES ON SCHOOL BUSINESS

The Board recognizes the need for some school employees to use their own motor vehicles for school purposes either regularly or occasionally. Privately owned vehicles may be used for student transportation when, in the opinion of the Head of School, this is the most practical or only possible method of transportation. To safeguard Baxter Academy, employees and students in matters of liability, the following policy will be observed.

A. Prior to use of the private vehicle for school purposes, the employee must have the written permission of the Executive Director/designee. This permission will include a written assurance that the driver has a valid license.

1. The permit will state the particular purpose and whether it includes transportation of students.

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

B. The Executive Director may approve the use of private vehicles in situations in which budget or schedule restrictions make it prohibitive or impractical to use a school vehicle.

C. For student trips made in private vehicles, owners must be properly licensed and carry a minimum liability insurance of \$100,000/\$300,000, minimum property damage insurance of \$50,000, and a minimum medical coverage of \$5,000. Drivers must also be insured against uninsured motorists.

D. The vehicle must display a current inspection sticker and registration.

E. The driver must have no OUIs or suspended licenses.

F. No vehicle will carry more than is considered normal for that vehicle (example: 6-passenger auto). Seatbelts must be used for each passenger. No child 12 or under may ride in a front seat with an airbag.

Adopted: November 4, 2014

BAXTER ACADEMY RECORDS MANAGEMENT

The Board is aware that records of various kinds are created and received as the school educates its students and manages the operations of its schools.

For the purpose of this policy, "records" are all documentary materials made or received and maintained by the school in accordance with law or rule or in the transaction of its business. Records may be created and received in multiple formats including but not limited to print, handwriting, audio and videotapes, and in various

digital forms (on hard drives, servers, CDs/DVDs, disks, flash drives, etc.) . Records specifically include email, instant messages, and other electronic communications that are created, sent, and received.

Attention to the proper retention and disposal of the school's records is essential not only for compliance with laws and regulations, but to protect the legal interests of the school, staff, and students and to ensure that the school is managed effectively.

Baxter Academy will comply with all applicable laws and rules pertaining to the routine retention, storage, and disposal of records and with its obligation to preserve records when litigation is reasonably anticipated or has commenced.

The Head of School shall be responsible for developing a records management program for the cataloging/ classification, storage, and disposal of the school's records that are consistent with applicable laws and rules and which allow for retrieval of records when necessary. The Head of School will also be responsible, by methods he/ she deems appropriate, for informing school employees of this policy, making them aware of the kinds of documents, data, and materials that must be saved and those which may be disposed of or deleted, and of any specific procedures employees need to follow.

Board Records

The Board shall keep such records as are necessary for the transaction of its business. The Executive Director shall act as custodian of Board records and will be responsible for storing Board and subcommittee minutes, reports, and studies commissioned by the Board, and other Board documents, data, and materials in a manner consistent with this policy and with applicable laws and rules.

Adopted: November 4, 2014

BAXTER ACADEMY FACILITIES DEVELOPMENT PRIORITY OBJECTIVES

As the Board seeks to overcome deficiencies in its physical plant, it will strive to provide new and remodeled facilities that will offer the best possible physical environment for learning and teaching.

The Board aims specifically toward:

- A. Renovations that will accommodate and facilitate those new organizational and instructional patterns that support the school's educational philosophy and instructional goals;
- B. Meeting all safety requirements through remodeling;
- C. Providing such building renovations as needed to meet requirements on the availability of public school facilities to handicapped persons; and
- D. Building design and construction that will lend to low maintenance costs and the conservation of energy. These two factors will also be given special consideration in the renovation of the building.

Decisions pertaining to educational specifications of new buildings and renovations will be developed only after the viewpoints of appropriate individuals have been heard.

Adopted: November 4, 2014

BAXTER ACADEMY FACILITIES PLANNING

It is the goal of the BA Board of Directors is to provide appropriate facilities that will best support and accommodate our education program. Therefore, a five-year facilities plan shall be on file, and the plan will be updated.

In planning facilities, the board recognizes that capital outlay funds are limited and that it must establish priorities in order to make the best use of these funds.

Architects employed by the Board are expected to plan for high educational utility and flexibility; access to and use by the handicapped; sound economics; low long-range maintenance costs; energy efficiency; low insurance rates; and quality of design.

New buildings and/or renovations to the existing building shall be in accordance with the organizational patterns established by the Board and shall be designed to fit current as well as anticipated instructional programs.

For each building project, the facilities committee will be charged with the responsibility of facilities planning.

This committee, with the approval of the board, shall have the authority to:

- A. Engage consultants for feasibility studies and cost estimates;
- B. Employ an architect or firm of architects;
- C. Submit construction plans to the board for approval;
- D. Advertise for bids;
- E. Open bids, and submit proposed contract awards to the board for approval; and F. Supervise construction of facilities through a clerk of the works.

Decisions pertaining to the construction of educational facilities will be made after consultation with the appropriate constituent group.

All plans and procedures shall be in compliance with federal and state law, and all regulations of the Maine Department of Education in all stages of facilities planning and construction.

Adopted: November 4, 2014

BAXTER ACADEMY EDUCATIONAL SPECIFICATIONS

To ensure that all facilities and/or major renovations are designed and built to serve the school's educational program, the Executive Director shall be charged with detailing educational specifications for all buildings. Specifications, with Board approval, will be presented to the School Facilities Committee for use by the architect.

In developing specifications, the Executive Director shall draw on recommendations from appropriate constituent groups.

Specifications shall include (but not be limited to):

- A. Organization and estimated enrollment in the proposed building;
- B. Description of students to be served;
- C. Description of proposed teaching methods and curriculum;
- D. Space requirements; and
- E. Architect's floor plans and layouts of special areas and specifications for equipment needed in these areas.

Adopted: November 4, 2014

BAXTER ACADEMY PERSONNEL POLICY GOALS

The personnel employed by Baxter Academy constitute the most important resource in our schools. Important contributions to a successful education program are made by all staff members. Baxter Academy shall employ highly qualified personnel, conduct appropriate staff development activities, and establish policies and working conditions which enable each staff member to make the fullest contribution to Baxter Academy's programs and services.

The goals of Baxter Academy's personnel program shall include the following:

- A. To develop and implement procedures for personnel recruitment, screening, and selection to employ
the best available candidate;
- B. To develop general deployment strategy for greatest contribution to the learning program, and to utilize it as the primary basis for determining staff assignments;
- C. To develop a climate in which optimum staff performance, morale, and satisfaction are produced;
- D. To provide positive programs of staff development designed to contribute to the improvement of the learning program;
- E. To provide reasonable compensation and benefits as well as the other provisions for staff welfare;
and
- F. To develop and utilize for personnel evaluation, processes which contribute to the improvement of staff capabilities.
- G. To develop and implement a mentoring and induction program for all professional personnel.

Adopted: November 4, 2014

BAXTER ACADEMY STAFF INVOLVEMENT IN DECISION MAKING

The Board believes that policy decisions regarding the curriculum, instruction, and the overall school program should be reached with meaningful participation by the professional staff in a process which culminates in a recommendation to the board by the Head of School. However, such participation should be interpreted as contributing to the establishment of public policy not setting it, which is a right ultimately reserved to the Board of Directors.

The Board believes that such participation by the administration and school staff should be conducted in a spirit

of cooperation and with the clear focus that student learning is the most important function of a classroom and a

school. What is best for the students of our school should always be the guiding principle that underscores any decision-making process related to the instructional program.

The Head of School shall establish a process by which meaningful participation by the professional staff is sought during vital phases of decision making. The process should recognize and further the school's collective sense

of responsibility for school-wide student performance. The Board encourages the use of staff development

opportunities specifically directed toward cultivating the school faculty's research, analytical, and decision-

making abilities.

In addition, the Board believes greater involvement in decision making by the professional staff should be accompanied by an increased level of accountability for results. Therefore, any proposals for alterations to the instructional program or any system-wide and/or school goals, resulting from collaborative decision-making processes, should incorporate evaluation procedures that are linked to student outcomes. Evaluations of individual teachers, then, should include an assessment of how effectively the teacher has worked toward and achieved these common goals.

The Board believes that the Head of School must play a leadership role in the development of new proposals for the instructional program, both in maintaining a consistent focus on student outcomes and in providing the necessary research and technical support for the school faculty.

The Board reserves unto itself the right to make the final decision on questions of school policy. The Board will endeavor to respect the judgment of the professional staff and take into account any recommendations resulting from shared decision-making processes prior to reaching a decision on behalf of the public and the students of the school.

Adopted: November 4, 2014

BAXTER ACADEMY STAFF CONDUCT WITH STUDENTS

The Baxter Academy Board expects all standards professional, moral, and ethical For the purposes in their conduct with students. volunteers. of this policy, staff members also include school

The intent of this policy is to ensure that the interactions and relationships between staff members and students are based on mutual respect and trust; that staff members understand the importance of maintaining appropriate professional boundaries between adults and students in an educational setting; and that staff members conduct themselves in a manner consistent with the educational mission of Baxter Academy. It is understood that staff members may interact with and have friendships with students' families outside of school. It is also understood that our children benefit from the support of staff and this policy is not meant to discourage staff from attending student functions, helping students before or after school or engaging in a dialogue that helps students in a meaningful way.

This policy is not intended to prohibit such interactions and friendships, provided that professional boundaries are maintained at all times.

A. Prohibited Conduct

Examples of unacceptable conduct by staff members that are expressly prohibited include but are not limited to the following:

1. Any type of sexual or inappropriate physical contact with students or any other conduct that might be considered harassment under the Baxter Academy policy on Harassment and Sexual Harassment of Students;
2. For non-guidance/counseling staff, encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, staff members are expected to be supportive but to refer the student to appropriate guidance/counseling staff for assistance if it is a matter that appears to warrant intervention.
3. Sexual references, jokes or innuendos of a sexual nature with students;
4. Asking a student to keep a secret from parents or authority figures at the exclusion of all others;
5. Disclosing employment concerns, sexual or other private matters to one or more students in any venue including face to face;
6. Use of text messages, phone calls, letters, notes or any other means or allowing social networking postings of an intimate or personal nature to be shared with a student;
7. Verbally threatening, swearing at, name-calling, mocking or engaging in a humiliating or demeaning dialogue with or about a student in front of others, or any deliberate or reckless action or speech that might be upsetting or emotionally disturbing to any student; and

8. Inviting students into staff homes unaccompanied.

Staff members are expected to be sensitive to the appearance of impropriety in their conduct with students.

B. Reporting Violations

Students and/or their parents/guardians are strongly encouraged to notify the Head of School if they believe a teacher or other staff member may be engaging in conduct that violates this policy. Though the board recognizes and respects the delicacy of staff reporting any signs of impropriety of another staff member, it is important that staff be aware that they are 'mandated reporters'* if they suspect sexual or inappropriate behavior.

C. Disciplinary Action

Staff violations of this policy shall result in disciplinary action up to and including dismissal. Violations involving sexual or other abuse will also result in referral to the Department of Health and Human Services, the District Attorney and/or law enforcement.

D. Policy to be Included in Handbooks

This policy shall be included in all employee, student and volunteer handbooks.

Adopted: November 4, 2014

BAXTER ACADEMY DRUG-FREE WORKPLACE

The Board believes strongly that all employees and students should be able to work and learn in an environment free from alcohol and drug abuse. Accordingly, Baxter Academy expects all employees to report for work and to perform their duties in a manner which does not jeopardize the health, safety and well-being of co-workers and students.

No employee shall distribute, dispense, possess, use or be under the influence of any alcoholic beverage, malt beverage or fortified wine or other intoxicating liquor. Nor shall an employee unlawfully manufacture, distribute, dispense, possess, use or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, anabolic steroid or another other controlled substance (as defined in scheduled I through V of section 202 of the federal Controlled Substance Act [21 U.S.C., sec. 812]; by regulation at 21 C.F.R., 1300.11 through 1300.15; and in Title 17-A MRSA, section 1101). This applies before, during and after school hours, at school or in any other school system location, defined as follows:

“School unit system location” means in any school building or 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-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school unit; or during any period of time such employee is supervising students on behalf of the school system or otherwise engaged in school business.”

Any employee who suspects that he or she may have an alcohol or drug dependency problem is strongly encouraged to contact his/her supervisor to seek voluntary diagnosis and treatment. The employee will be provided confidential referral services to an extent to which insurance coverage to help pay for such services is available. All voluntary referrals shall be kept confidential.

All illegal use, possession, furnishing, selling or provision of assistance in obtaining alcoholic beverages or scheduled drugs not covered by the preceding paragraph may, depending upon the circumstances, constitute sufficient grounds for discipline, up to and including dismissal. Referrals under foregoing paragraphs of this policy will not preclude disciplinary action under this paragraph, depending on the circumstances.

As provided in the Drug-Free Workplace Act of 1988, any employee is required to notify the school system of a criminal or civil conviction for a drug violation occurring in the workplace no later than five calendar days after such conviction. In turn, the Executive Director, within 10 calendar days of learning of such a conviction, is to give written notification to the U.S. Department of Education and to any other federal agency from which the unit receives grant funds.

Appropriate personnel sanctions shall be taken against any employee who violates the terms of this school system’s drug and alcohol policy, up to and including termination.

Implementation

The Head of School shall be responsible for the development and promulgation of appropriate regulations to implement this policy.

Communication

A copy of this policy is to be given or mailed to all current employees and to new employees at the time of their employment.

Review

The Executive Director is to oversee a biennial review of the policy and regulations to determine the programs' effectiveness, to implement changes to programs, policy and regulations, as needed, and to ensure that disciplinary sanctions are consistently enforced.

Adopted: November 4, 2014

BAXTER ACADEMY BLOODBORNE PATHOGENS EXPOSURE CONTROL POLICY

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

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

The Head of School shall prepare for Board consideration and approval an initial Occupational Exposure Control Plan with updates on at least an annual basis. The adopted plan shall be made available to all employees. The following issues shall be addressed in the plan:

- A. Exposure determination;
- B. Preventive measures including training, universal precautions, Hepatitis B vaccination, engineering controls, work practice controls, and personal protective equipment;
- C. Post-exposure evaluation and follow-up; and
- D. Recordkeeping.

Adopted November 4, 2014

BAXTER ACADEMY PERSONNEL RECORDS

Baxter Academy shall maintain records of current and former employees in the Office of the school in accordance with state and federal laws and regulations.

Directory Information

As required by law, a record of directory information for each employee shall be open to inspection and copying by any person. Directory information shall contain:

- A. Name of employee;
- B. Date(s) of employment by the school;
- C. Regular and extra-curricular duties, courses, subjects taught, and any other responsibilities since the start of employment by the school unit;
- D. Post-secondary educational institution(s) attended;
- E. Major and minor field(s) of study as recognized by those institutions; and
- F. Degrees received and dates degrees were awarded.

Confidential Information

As required by law, all information (except Directory Information) about an employee, applicant for employment, or an employee/applicant's immediate family shall be kept confidential if it relates to the following:

- A. All information, working papers, and examinations used in the examination or selection of applicants for employment;
- B. Medical information of any kind, including information pertaining to diagnosis or treatment of mental or emotional disorders;
- C. Performance evaluations, personal references, and other reports and evaluations reflecting on the quality or adequacy of the employee's work or general character compiled and maintained for employment purposes;
- D. Credit information;
- E. The personal history, general character or conduct of the employee or any member of the employee's immediate family;

F. Complaints, charges of misconduct, replies thereto, and memoranda and other materials pertaining to disciplinary action;

G. Social Security number;

H. Any teacher action plan and support system documents and reports maintained for certification purposes; and

I. Criminal history record information.

Personnel Files

Personnel files will contain a cumulative history of the staff member's employment, including formal or informal employee work evaluations and reports relating to the employee's character, credit, work habits, compensation and benefits.

Other Confidential Personnel Records

The school must maintain the following confidential employee records separate from the personnel files:

- A. Medical information of any kind; and
- B. Teacher action plans and support system documents and reports maintained for certification purposes.

Disciplinary Action Information

Any written record of a decision involving an employee disciplinary action by the Board shall not be included within any category of confidential information.

Procedures for Review of Personnel Files

For the purpose of this section, a personnel file shall include, but not be limited to, any formal or informal employee evaluations and reports relating to the employee's character, credit, work habits, compensation and benefits that are maintained by the school unit for employment purposes.

- A. The Executive Director shall, upon written request and within two (2) business days, provide the employee, former employee, or his/her duly authorized representative(s) with an opportunity to review and copy his/her personnel file, if the Executive Director has a personnel file for that employee.
- B. Reviews of personnel files shall take place at the location where the personnel files are maintained and during normal office hours.
- C. The cost of any copying is to be paid by the person requesting the copy.
- D. Access to confidential college placement records and letters of reference will be granted only to the Executive Director/designee.

Access to Personnel Files

Access to personnel files may be given to the following persons without the consent of the employee:

- A. The Executive Director and his/her designee(s), the employee's building administrator or other supervisor

(s). Personnel files are not accessible to individual Board members.

Relevant portions of a personnel file may be summarized and/or shared with the Board by the Executive Director when consideration is being given to performance evaluation and continuation of employment or disciplinary action.

- B. The general public shall have access only to the Directory Information as outlined above.

Access to personnel files will not be granted to any other persons except under the following circumstances:

A. When the employee gives written consent for the release of his/her records. The written consent must specify the record(s) to be released and to whom they are to be released. Each request for consent must be handled separately; blanket permission for release of information will not be accepted; and

B. Upon advice of counsel, when subpoenaed or under court order. Records Management

The Executive Director has overall responsibility for maintaining and preserving the confidentiality of all employee/applicant records. The Executive Director may designate (a) staff member(s) who shall be responsible for granting or denying access to records according to the guidelines in this policy.

Written reports shall be maintained in personnel files to document with federal and state laws and regulations and Board policies regarding employee evaluations. Once a document is properly placed in a personnel file, it shall remain in the file permanently.

Records Retention

The school unit will retain all personnel records and files in accordance with applicable laws and regulations.

GBN

Adopted: November 4, 2014

BAXTER ACADEMY FAMILY AND MEDICAL LEAVE

Baxter Academy shall comply with all applicable provisions of the federal Family and Medical Leave Act of 1993 (FMLA), the Maine Family Medical Leave Law, and any other Board regarding family and medical leave.

The Executive Director is responsible for implementing administrative procedures to comply with this policy.

Adopted: November 4, 2014

BAXTER ACADEMY PROFESSIONAL AND SUPPORT STAFF MILITARY LEAVE

The Board of Directors supports our nation's need for a system of Military Reserve Units. In support of this concept, the board makes provision for Military Leave Requests by school employees assigned to a Military Reserve Unit according to existing law and the following guidelines.

A. Regular employees will be entitled to a Military Reserve Unit Active Duty Leave for service with the armed services of the United States, for a period not to exceed four years, unless extended up to one additional year by the federal government.

B. The employee must immediately notify his/her supervisor and the Executive Director in writing upon receipt of an active duty assignment. A letter requesting a Military Reserve Unit Active Duty Leave, and the dates thereof, also must be submitted to the Executive Director at this time.

C. Pay

Pay and benefits will be provided during such leave as specified in the hiring agreement.

D. The employee must apply to the board for reinstatement within 31 days of completion of active service if activated for fewer than 90 days, or within 90 days if activated for a longer period of time. Any provision for continued pay/benefits in C. above shall apply only to the time of the actual military service.

E. The employee has the right to be returned to a position at least at the same level (not necessarily the same assignment) and to the same pay he/she would have enjoyed had there been no such leave of absence.

F. As provided by law, a returning reservist cannot be terminated without cause as follows:

1. If call-up lasts 90 days or less – for six months following the return to work; or

2. If call-up lasts more than 90 days – for a full year following the return to work. G. Employees eligible for Earned Time Off shall not accrue vacation while on such leave.

H. Any person employed to take the place of a person on such leave shall be fully informed in his/her employment agreement of the temporary nature of the position and the rights that obtain to the person on his/ her return.

I. In the event of conflict between a provision of this policy and any federal or state statute relating to military service by public employees, the provisions of such pertinent federal or state statute then applicable will apply and be paramount to the specific contradicted policy provision herein.

Adopted: November 4, 2014

BAXTER ACADEMY STAFF RECRUITMENT PROCEDURES

When job openings develop, the building level administrators and appropriate staff will develop, in writing, a job description which includes goals and job expectations. Notice of vacancy, containing the name of the position, the general duties and the clearly stated pre-requisites concerning training and experience will be appropriately posted. All applications will be screened and recorded.

Adopted: November 4, 2014

BAXTER ACADEMY SUPERVISION OF PROFESSIONAL STAFF

The Baxter Academy Head of School shall be committed to the task of supervision to the end that instructional staff members may develop their teaching abilities to the optimum degree.

The Board of Directors recognizes that the primary purposes of supervision shall be to help the teacher analyze and improve teaching, to provide teachers with ready support and help on teaching problems, and to

assure that sufficient assistance has been provided in overcoming teaching problems.

The supervising Head of School is charged with the direct supervision of the teachers in school, and shall provide assistance and educational leadership to their staff.

Adopted: November 4, 2014

BAXTER ACADEMY AUTHORIZATION TO ACCEPT RESIGNATIONS

The Executive Director is authorized to accept, on behalf of the Board, resignations from school system employees when such a resignation is tendered between Board meetings, and it is not convenient to defer action on the resignations until the next scheduled meeting. The Executive Director shall acknowledge receipt of and accept the resignation in writing and present the resignation and acceptance to the Board at its next subsequent meeting for the Board's information and action, as necessary.

Adopted: November 4, 2014

BAXTER ACADEMY EMPLOYEE AND VOLUNTEER COMPUTER AND INTERNET USE

The school provides computers, networks and Internet access to support the educational mission of the school and to enhance the curriculum and learning opportunities for students and school staff.

Employees/volunteers are to utilize the school's computers, networks and Internet services for school-related purposes and performance of job duties. Incidental personal use of school computers is permitted as long as such use does not interfere with the employee's and volunteer's job duties and performance, with system operations or other system users. "Incidental personal use" is defined as use by an individual employee for occasional personal communications. Employees/volunteers are reminded that such personal use must comply with this policy and all other applicable policies, procedures and rules.

Any employee/volunteer who violates this policy and/or any rules governing use of the school's computers will be subject to disciplinary action, up to and including discharge. Illegal uses of the school's computers will also result in referral to law enforcement authorities.

All school computers remain under the control, custody and supervision of the school. The school reserves the right to monitor all computer and Internet activity by employees and volunteers. Employees and volunteers have no expectation of privacy in their use of school computers or personal computers on the school unit's network.

Each employee/volunteer authorized to access the school's computers, networks and Internet services is

required to sign an acknowledgment form stating that they have read this policy and the accompanying rules.

The acknowledgment form will be retained in the employee's and volunteer's personnel file.

The Executive Director shall be responsible for overseeing the implementation of this policy and the accompanying rules and for advising the Board of the need for any future amendments or revisions to the policy/rules. The Executive Director may develop additional administrative procedures/rules governing the day-to-day management and operations of the school unit's computer system as long as they are consistent with the Board's policy/rules. The Executive Director may delegate specific responsibilities to building principals and others as he/she deems appropriate.

Upon ending employment, employees/volunteers may retain e-mail access for no more than 30 days without the Executive Director's permission.

Adopted: November 4, 2014

BAXTER ACADEMY EMPLOYEE AND VOLUNTEER COMPUTER AND INTERNET USE RULES

The intent of these Board-level rules is to provide employees and volunteers with general requirements for utilizing the school's computers, networks and Internet services. The Board rules may be supplemented by more specific administrative procedures and rules governing day-to-day management and operation of the computer system.

These rules provide general guidelines and examples of prohibited uses for illustrative purposes but do not attempt to state all required or prohibited activities by users.

Failure to comply with Board policy GCSA, these rules and/or other established procedures or rules governing computer use may result in disciplinary action, up to and including discharge. Illegal uses of the school's computers will also result in referral to law enforcement authorities.

A. Access to School Computers, Networks and Internet Services

The level of access that employees/volunteers have to school computers, networks and Internet services is based upon specific employee/volunteer job requirements and needs.

B. Acceptable Use

Employee/volunteer access to the school's computers, networks and Internet services is provided for administrative, educational, communication and research purposes consistent with the school's educational mission, curriculum and instructional goals. General rules and expectations for professional behavior and communication apply to use of the school's computers, networks and Internet services.

Employees/volunteers are to utilize the school's computers, networks and Internet services for school-related purposes and performance of job duties. Incidental personal use of school computers is permitted as long as such use does not interfere with the employee's/volunteer's job duties and performance, with system operations or other system users. "Incidental personal use" is defined as use by an individual employee/ volunteer for occasional personal communications. Employees/volunteers are reminded that such personal use must comply with this policy and all other applicable policies, procedures and rules.

C. Prohibited Use

The employee/volunteer is responsible for his/her actions and activities involving school computers, networks and Internet services and for his/her computer files, passwords and accounts. General examples of unacceptable uses that are expressly prohibited include but are not limited to the following:

1. Any use that is illegal or in violation of other Board policies, including harassing, discriminatory or threatening communications and behavior, violations of copyright laws, etc.;
2. Any use involving materials that are obscene, pornographic, sexually explicit or sexually suggestive;

3. Any inappropriate communications with students or minors;
4. Any use for private financial gain, or commercial, advertising or solicitation purposes;
5. Any use as a forum for communicating by e-mail or any other medium with other school users or outside parties to solicit, proselytize, advocate or communicate the views of an individual or non-school-sponsored organization; to solicit membership in or support of any non-school-sponsored organization; or to raise funds for any non-school-sponsored purpose, whether for-profit or not-for-profit. No employee/volunteer shall knowingly provide school e-mail addresses to outside parties whose intent is to communicate with school employees, students and/or their families for non-school purposes. Employees and volunteers who are uncertain as to whether particular activities are acceptable should seek further guidance from the building principal or other appropriate administrator.
6. Any communication that represents personal views as those of the school or that could be misinterpreted as such;

GCSA-R (Cont'd.)

7. Opening or forwarding any e-mail attachments (executable files) from unknown sources and/or that may contain viruses;
8. Any malicious use or disruption of the school's computers, networks and Internet services or breach of security features;
9. Any misuse or damage to the school's computer equipment;
10. Misuse of the computer passwords or accounts (employee or other users);
11. Any communications that are in violation of generally accepted rules of network etiquette and/or professional conduct;
12. Any attempt to access unauthorized sites;
13. Failing to report a known breach of computer security to the system administrator;
14. Using school computers, networks and Internet services after such access has been denied or revoked; and
15. Any attempt to delete, erase or otherwise conceal any information stored on a school computer that violates these rules.

D. No Expectation of Privacy

The school retains control, custody and supervision of all computers, networks and Internet services owned or leased by the school. The school reserves the right to monitor all computer and Internet activity by employees, volunteers and other system users. Employees and volunteers have no expectation of privacy in their use of school computers, including e-mail messages and stored files. The use of personal laptops on the school's network may be monitored by the school.

E. Confidentiality of Information

Employees/volunteers are expected to use appropriate judgment and caution in communications concerning students and staff to ensure that personally identifiable information remains confidential.

F. Staff Responsibilities to Students

Teachers, staff members and volunteers who utilize school computers for instructional purposes with students have a duty of care to supervise such use. Teachers, staff members and volunteers are expected to be familiar with the school's policies and rules concerning student computer and Internet use and to enforce them. When, in the course of their duties, employees/volunteers become aware of student violations, they are expected to stop the activity and inform the building principal.

G. Compensation for Losses, Costs and/or Damages

The employee/volunteer shall be responsible for any losses, costs or damages incurred by the school related to violations of policy GCSA and/or these rules.

H. School Assumes No Responsibility for Unauthorized Charges, Costs or Illegal Use

The school assumes no responsibility for any unauthorized charges made by employees/volunteers including but not limited to credit card charges, subscriptions, long distance telephone charges, equipment and line costs, or for any illegal use of its computers such as copyright violations.

I. Employee/Volunteer Acknowledgment Required

Each employee/volunteer authorized to access the school's computers, networks and Internet services is required to sign an acknowledgment form (GCSA-E) stating that they have read policy GCSA and these rules. The acknowledgment form will be retained in the employee's personnel file.

Adopted: November 4, 2014

BAXTER ACADEMY CURRICULUM DEVELOPMENT AND ADOPTION

For the purpose of this policy “curriculum” means Baxter Academy’s written document that sets forth the learning expectations for all students for all content areas as specified in our Charter and as specified by the Board.

The curriculum shall reflect continuous, sequential and specific instruction aligned with the content areas of the Common Core Standards. It is the intent that curriculum be aligned with clear articulated standards vertically aligned with well-developed formative and summative assessments.

The Board recognizes that curriculum development, review and evaluation is an ongoing process and that programs and practices may need to be adjusted or revised to meet educational standards and to serve the best interests of students and the community.

Therefore:

A. The Board expects the administration and staff to be sensitive to changing conditions that may require modifications in curriculum.

B. The Board expects all programs to be subject to ongoing review and evaluation to ensure that they meet the instructional needs of students.

C. The Board expects the school to undertake intensive curriculum revision as needed.

D. The Head of School is expected to lead the ongoing curriculum development and review process, and in aligning curriculum with educational standards and with advances in knowledge, educational research and “best practices.”

E. The Board expects that curriculum development and revision will be achieved with appropriate involvement of administrators, instructional and support staff, students, parents, community and the Board.

F. The Board shall review and adopt all curriculum guides, course descriptions and courses of study prior to their implementation.

G. All curricula will be standards based.

The Head of School is expected to develop plans and timelines as necessary for the development, implementation and evaluation of the curriculum.

The Head of School is expected to make recommendations concerning professional development, instructional materials and resources needed for curriculum implementation, consistent with Board policy.

Adopted: November 4, 2014

BAXTER ACADEMY CHALLENGE OF INSTRUCTIONAL MATERIALS FORM

Type of Material: (CIRCLE)

Book

Magazine/Periodical

Film

Recording Software

Other (Please specify)

Author (if known)

Title

Publisher (if known)

Person making complaint:

Address:

Telephone:

Complainant represents: (CIRCLE)

Him/herself

Organization

Other group

1. To what portion of the material do you object? (Please be specific, cite pages, scenes, etc.)

2. What do you feel might be the negative result of reading/viewing/hearing this material?

3. For what age group would you recommend this material?

4. Is there anything good about this material?

5. Did you read/view/hear all of the material? If not, what parts did you read/view/ hear?

6. Are you aware of the professional reviews/judgment of this material?

7. What do you believe is the theme and/or intention of this material?

8. What would you like the school to do about this material?

Do not assign it to my child.

Do not assign it to any students.

Withdraw)if)from)the)library)and/or)instructional)program.)

Refer)it)to)the)Educational)Media)Review)Committee)for)evaluation.)

)

9.)In)its)place,)what)material)would)you)recommend?)

)

)

)

Signature)of)Complainant)Date)

)

)

Checklist*for*Reconsideration*of*Materials*

*

Purpose:))

)

What)is)the)overall)purpose)of)the)material?)

)

)

)

Is)this)purpose)accomplished?)

)

)

)

Does)the)material)promote)the)educational)goals)and)mission)of)Baxter?)

)

)

)

Authenticity:)

)

Is the author competent and qualified in the field?)

)

)

What is the reputation and significance of the author and publisher?)

)

)

Are information sources well documented?)

)

)

Are translations and retellings faithful to the original?)

Content:

Is the content of this material well presented by providing adequate scope, range, depth and continuity?

Does this material present information not otherwise available?

Are the illustrations appropriate to the subject and age levels?

Adopted: November 4, 2014

BAXTER ACADEMY WEB USE POLICY

The guidelines below are Baxter Academy's policy in deciding acceptability of content on school web pages.

1. Reflects excellence at appropriate grade level.
2. Serves Baxter Academy's purpose as an institution; i.e., curriculum and student activities.
3. Does not violate copyright laws.
4. Adheres to School Publication Guidelines.
5. Does not violate student or staff confidentiality.

The following is allowed on web pages using BA hosts:

Pictures of students work with or without the student's first name.

Examples of students writing with or without student's first name

Group pictures of students engaged in educational and school related activities without any student names.

Appropriate permission forms will be developed to secure parent's permission to display their child's work, writing, or to have their children appear in group pictures or to use their child's first name on displayed work.

Adopted: November 4, 2014

BAXTER ACADEMY STUDENT COMPUTER AND INTERNET USE

Baxter Academy computers, network, and Internet access are provided to support the educational mission of the schools and to enhance the curriculum and learning opportunities for students and school staff.

Student use of school computers, networks and Internet services is a privilege, not a right. Compliance with the school unit's policies and rules concerning computer use is mandatory. Students who violate these policies and rules may have their computer privileges limited, suspended, or revoked. Such violations may also result in disciplinary action, referral to law enforcement, and/or legal action.

Baxter Academy computers remain under the control, custody, and supervision of the school unit at all times. The school unit monitors all computer and Internet activity by students. Students have no expectation of privacy in their use of school computers and the use of personal laptops on school networks.

Baxter Academy utilizes filtering technology designed to block materials that are obscene or harmful to minors, and child pornography. Baxter Academy takes precautions to supervise student use of the Internet, but parents should be aware that Baxter Academy cannot reasonably prevent all instances of inappropriate computer use by students in violation of Board policies and rules, including access to objectionable materials and communication with persons outside of the school. The school is not responsible for the accuracy or quality of information that students obtain through the Internet.

Students and parents shall be informed of this policy and the accompanying rules through handbooks, the school website, and/or other means selected by the Head of School.

The Head of School is responsible for implementing this policy and the accompanying rules. Additional administrative procedures or school rules governing the day-to-day management and operations of the school unit's computer system may be implemented, consistent with Board policies and rules.

Adopted: November 4, 2014

BAXTER ACADEMY SCHOOL SYSTEM WEBSITE/WEB PAGES

The School maintains an official website to provide general information about our school system, as well as information about educational programs, school events, and student and staff achievements. This website is

intended to support the educational mission of the schools, to enhance the curriculum and learning opportunities for

students and staff, and to provide valuable information to the larger community about our schools. The website does

not create, nor is it intended to create, a public or limited public forum.

The Board recognizes that the schools must establish reasonable controls to protect the privacy of students and staff, to ensure that the website is in compliance with applicable laws, and to ensure that it meets the highest educational and quality standards. The Executive Director shall be responsible for overseeing the implementation of this policy and the accompanying guidelines, and for advising the Board of the need for any future amendments or revisions to

the policy or guidelines. The Executive Director may develop additional administrative procedures and/or rules

governing the day-to-day management and operations of the School's website, consistent with the Board's policy and

guidelines.

Adopted: November 4, 2014

BAXTER ACADEMY REPORTING OF STUDENT ACADEMIC ACHIEVEMENT

The evaluation of the academic achievement of students in Baxter Academy is based on the premise that students

have diverse capabilities, interests and individual patterns of growth and learning. It is essential that the professional staff have adequate information to assess a student's educational needs, growth patterns, and other factors necessary to design instructional plans for the student. Sharing of information among parents/guardians, teachers and students is an integral part of the evaluative process, as is self-assessment and goal setting by students.

The focus of the evaluation system is to report on each student's progress in demonstrating the learning standards required for graduation. The system's primary function should be to enhance communication and encourage students to achieve, rather than to serve as a punitive measure. Through Baxter Academy's methods of student evaluation and parent/guardian/student/teacher communications, Baxter Academy strives to meet the following objectives.

A. Progress will be reported in a standards-based grading model that tracks achievement over the student's education at Baxter Academy.

B. Students will be required to self-assess the quality of their work and their growth towards goals regularly throughout their school years, culminating in twice annual student-led conferences.

C. Students/parents/guardians are to be informed regularly, at least three times a year, as to the progress their children are making in school.

D. Parents/guardians will be alerted and conferred with when the student's performance or attitude becomes unsatisfactory or shows marked or sudden change. The student's advisor, teacher, or Head of School will be responsible for notifying parents if their child shows marked decline in school performance.

E. Distinctions will be made between a student's attitude and academic performance.

F. Baxter Academy staff will strive for consistency in grading and reporting.

G. When grades are given, the school staff will take particular care to explain the meaning of the marks and symbols to students and parents/guardians.

IMDC

Adopted: November 4, 2014

BAXTER ACADEMY PERFORMING ARTS PROGRAMS AND HOLIDAY CELEBRATION POLICY

Our nation's history is rich with embracing religious holidays as part of our cultural heritage. In a nation as diverse as

America, we have the unusual opportunity to integrate appropriate levels of study and celebration of holiday

celebrations that are rooted in our tradition. We acknowledge the strict provision for separation of church and school

in regards to the school's responsibility to refrain from support of any particular doctrine and celebratory events will never be used to inculcate religious beliefs.

BAXTER ACADEMY TRUANCY

Baxter Academy Board of Directors recognizes that regular school attendance is vital to achieving academic success. State law requires all children between the ages of 7 and 17 to attend school unless they meet one of the exceptions spelled out in Title 20-A, 5001-A. Baxter Academy will comply with all aspects of Title 20A to insure that the truancy provisions are dutifully followed.

Habitual Truant

Truancy laws vary depending on the grade level of the student. A student who has completed grade 6 is considered

“habitually truant” if he or she has the equivalent of ten full days or seven consecutive days of non-absences during a school year. A student who is at least seven years old but has not completed grade 6 is excused habitually truant if he or she has the equivalent of seven full days or five consecutive days of non-absences during a school year. When the records show that a student’s absence pattern gives cause to believe that habitual truancy may become a problem (usually after two unexcused absences) the Head of School follow the procedure outlined below: excused

- A. The parents and students, where appropriate, shall have a conference with the building administrator to discuss the problem.
- B. Counseling shall be set up with the appropriate school personnel. Appropriate school personnel shall be defined as building administrator/teaching staff.
- C. Health records shall be reviewed. Screening and preliminary evaluation shall be carried out.
- D. Staff who have professional contact with the student shall meet in conference to discuss the situation and to plan ways to deal with the truancy. Referral to the IEP Team shall be considered where appropriate.
- E. If the problem persists (usually after four unexcused absences or 2 unexcused absences for children who have not completed 6th grade) the parents shall be contacted for a second conference. Records from steps A- D shall be discussed. Again, referral to the IEP Team shall be considered where appropriate.
- F. A written summation of the steps to date, recommendations and results shall be prepared by the building administrator and summarized in a letter to parents.
- G. Once it is determined that a student is habitually truant, a separate file will be set up for this purpose only, and all materials relating to that student’s truancy will be transferred to the truancy file.

The following shall be included as part of the Head of School’s report to the Executive Director:

- A. Written summations of any and all counseling sessions with the student.

- B. Results of any and all physical examinations including screening for vision and hearing deficiencies.
- C. Results of any and all psychological evaluations.
- D. Written summations of any and all home visits and of any and all counseling sessions with school officials.
- E. Written summations of faculty discussions.
- F. Written reports from any other public or private agencies which may have evaluated the child.
- G. Written summations of all efforts by the school to meet the child's educational needs.
- H. Recommendations by the building administrator and faculty to resolve the problem.

JHB (Cont'd.)

This record will be treated like all other students' records in that it is a personal record, and accorded the same level of confidentiality.

This record will be kept current and maintained by the same person who has the responsibility for the register in which the student's name is recorded.

The matter shall be referred to the IEP Team where appropriate.

Unexcused Absences (truant)

All absences that are not included as excused absences.

Information Required to be Maintained on Truant Pupils

The Head of School will complete all required reports regarding truancy to the State and Federal government in a timely manner as required.

- A. Date(s) of truancy;
- B. Contacts with parent/guardian;
- C. Conferences with truant;
- D. Excuses given by student;
- E. Excuses given by parent/guardian; and
- F. Information from teachers or other school personnel.

Procedures for Referral of Truancy Matters from the Principal to the Executive Director

If the building administrator decides that the matter can no longer be handled at the school level, he/she will refer the matter to the Executive Director for further disposition. Along with a letter of transmittal, the building administrator will send the following:

- A. A chronological outline of the steps that have been taken at the school level;
- B. The truancy folder on the student; and
- C. Recommendations for the next step.

The Executive Director shall review the situation and recommendations. He/she shall determine next steps and schedule a meeting with the parents to develop a plan that will insure that the child begins regular school attendance. This will be documented and a plan with a timeline will be established and monitored. It will be clear that the Executive Director is expected to make further referrals to the Department of Health and Human Services and/or to local law enforcement agencies to insure that families are meeting the rigor to the law as it applies to compulsory school attendance.

If a child meets criteria to waive compulsory attendance, the Executive Director, acting on behalf of the school board, is authorized to approve such plan if it meets the rigor of Title 20-A, 5001-A.

BAXTER ACADEMY ATTENDANCE POLICY

Regular attendance is an essential requirement and model for academic and future employment success. Learning experiences that occur in the classroom are meaningful and vital components of the educational process. Time lost from class, whether for legitimate reason or due to a student's intentional decision not to attend, is irretrievable in terms of opportunity for instructional interaction. While make-up assignments and reading may be done independently, many learning experiences (labs, simulations, discussions, etc.) cannot be reproduced outside the milieu of the classroom. Thus, attendance and participation in specific class activities are important factors contributing to academic achievement that may be taken into account along with other performance requirements when determining student grades. Students are expected to take responsibility for attending their classes, engaging in academic learning experiences in and out of class, and keeping their parents informed of any problems related to school attendance.

As long as a student is enrolled in Baxter Academy schools, regardless of age, the student's parents (which also includes legal guardians) are responsible for his/her attendance, dismissals and tardiness to school.

Exceptions will be made only for students who have been legally emancipated by court decree or for any student who is eighteen years of age, living on his/her own and has prior approval from his/her parents and the Administration.

EXCUSED ABSENCES

The following absences are excused under State law:

1. Personal illness;
2. Observance of a recognized religious holiday when the observance is required during the regular school day;
3. An appointment with a health professional that must be made during the regular school day;
4. Family emergencies; or
5. A planned absence for personal or educational purpose which has been approved in advance by the administration.

In addition, classes missed for the following reasons will be treated as present in school and excused from class: 6. In the case of a disabled student, a reason which the student's IEP or 504 Plan determines the absence is disability related;

7. Absence from class due to participation in a school-sponsored or approved trip or event; and
8. Serving a school-imposed disciplinary suspension.

TRUANCY

Once a student has attained the equivalent of ten (10) full days of non-excused absences or seven (7) consecutive days of non-excused absences during a school year, the student is habitually truant (see Habitual Truant Policy).

ABSENCE REPORTING

The student's parent and/or guardian is expected to notify the school on the morning of an unplanned absence. If the notification is not oral, a written note must be received by the school within two (2) school days after the student's

return. For illnesses longer than five (5) consecutive days, appropriate documentation from a physician will be

required. For planned absences, a student's parent is expected to provide written notification in advance.

All parent notes must include the student's name, date(s) of the absence, the specific reason for the absence

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and the parent's signature. **Failure to provide acceptable documentation or proper calls to the attendance office will cause the absence to be recorded as UNEXCUSED and any work missed during that period may be subject to consequences.**

MAKE-UP WORK

The amount of time a student has to make up missed work due to an excused absence will be determined by the classroom teacher in a conference with the student. **During this conference the teacher and student can discuss any deadlines and/or help sessions that may be needed to help the student successfully complete the work in the agreed upon timeframe. This conference should happen within the first two (2) days of the student's return from the absence.**

The burden of responsibility for make-up is with the student. Work missed due to an UNEXCUSED absence will be provided to the student. Students should complete the missed work because a grade of zero on missed work can drastically impact their grade point average and could contribute to course failure.

All excused absences, including absences due to disciplinary actions entitle the student to make up the work for full credit.

If a student has experienced hardships or extenuating circumstances that prevented him or her from being

successful in a course due to attendance and missed assignments, he or she may be eligible to have an action plan created to help ensure the success of that student. Administration, guidance, and teachers, in a conference with both student and parent, will develop such a plan in which additional accommodations and/or support can be implemented to ensure the student's completion of coursework. The student will be responsible for completing this plan.

Adopted: November 4, 2014

BAXTER ACADEMY STUDENT RIGHTS AND RESPONSIBILITIES

Students have certain legal rights under federal and state constitutions and federal and state statutes. In connection with these rights are responsibilities that must be assumed by students.

It is the Board's belief that as part of the educational process, all students should be made aware of their legal rights and also of the legal authority of the Board to make or delegate authority to its staff to make rules and regulations

regarding the orderly operation of the schools. As such, this policy shall be included in school handbooks or

otherwise communicated to students and parents at the beginning of each school year. The board expects all staff

to abide by this policy in order to most effectively achieve mutual respect of rights and the acceptance of responsibilities.

This policy is designed for educational and informational purposes and is not intended to create, expand, or restrict any student rights or responsibilities.

Adopted: November 4, 2014

BAXTER ACADEMY STUDENT CONDUCT ON SCHOOL BUSES

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

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

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

Children who become a serious disciplinary problem on the school bus may have their riding privileges suspended by the building administrator. In such cases, the parents of the children involved become responsible for seeing that their children get to and from school safely.

Adopted: November 4, 2014

BAXTER ACADEMY STUDENT PUBLICATIONS

Because the Board recognizes creative student expression as an educational benefit of the school experience, it encourages freedom of comment, both oral and written, in a school setting with a degree of order in which proper learning can take place.

Some student publications, such as annual yearbooks and school newspapers, may be developed as part of the

curriculum and be of a major educational benefit to those who compile, edit, and publish them. Faculty will be

assigned to guide students engaged in these activities. Student editors have initial responsibility in determining

content. However, the faculty advisor may override the student editor's decision, but shall give substantial and due regard for the judgment of the student editors and for the educational value of the exercise of that judgment. Censorship shall be limited to those aspects of publications that conflict with the basic educational mission of the school, that may be inappropriate for young audiences, or that may be reasonably judged by the public to be endorsed by the school.

Students may be required to submit publications for approval prior to distribution. When approval is required,

school administrators must make available to students the standards which will be used in determining the grant or denial of permission.

The Head of School is authorized to develop, review, and appeal procedures for students who feel that their material may have been improperly or unfairly censored and to make those procedures known to students, parents, and faculty.

Distribution of any nonschool-sponsored materials or literature on school property shall receive prior approval of the building administrator, who shall review and judge the material using the same standards that pertain to other student publications. Limitation as to time and place of distribution of approved materials shall be imposed, as deemed appropriate and necessary by the administration.

BAXTER ACADEMY STUDENT DRUG USE - GUIDELINES

Students are prohibited from attending school or school functions after having consumed or while under the influence of any unauthorized mood altering chemical. They are prohibited from possessing, furnishing, or consuming tobacco, alcohol or illicit drugs while in school or on school grounds, or at school functions, or on a school bus.

Students who violate the above rule shall be considered involved with tobacco, drugs and/or alcohol in a potentially harmful way and shall be automatically referred through the following procedure:

A. On the first offense:

1. The appropriate administrator will notify the parent/guardian of the student involvement. The student will be given in-school suspension, if available, for up to 10 days. If in-school suspension is not available, the student will be suspended from school for up to 10 days. Students who are deemed to be under the influence of any illegal

substances will first be evaluated by the administrator and then released to the parents. If their condition is

deemed serious, an ambulance will be called. If not, the parent/guardian will be responsible for arranging transportation home. If parents or a relative cannot be reached, the individual will be turned over to the police department for protective custody. The student will be placed on social probation for 40 school days. (Social probation is defined as not being allowed to take part in or attend activities beyond the academic classroom.)

On returning to regular classes after in- school suspension or suspension, the student shall be referred to an appropriate counselor to determine the general nature of the individual's emotional, mental, and social health. The student will have a clinical assessment by a school social worker, school psychological services provider, or an outside consultant. This report will be part of the youth's confidential file kept with the guidance office.

Students must participate in this clinical assessment. Once the student completes the assessment, the student and his/her parent(s)/guardian(s) and his/her counselor will review the results of the entire assessment and establish a plan of action. The plan of action will include the following: Setting up a written contract with him/ her concerning the use or abuse of tobacco, alcohol and/or drugs, and list of dates for planned outside counseling sessions, and periodic visits to the school's social worker. The counselor will arrange a follow-up conference with the student.

B. On the second offense:

1. The appropriate administrator will notify the parent/guardian of the student involvement. The student will be given in-school suspension or suspension. Parents/guardians are responsible for transporting their student home if the student is suspended. In-school suspension or suspension will continue until he/she has been evaluated by a substance abuse counselor and treatment recommendations have been made by a community- based outside

source. If the evaluation cannot be completed before the termination of the in-school suspension or suspension

period, a meeting of parents, student, and school authorities will be held to determine the most acceptable course of action.

After being reviewed and accepted by appropriate school personnel, these treatment recommendations must be followed in order that the young person remains in school. The student will be placed on social probation for the remainder of the school year. (Social probation is defined as not being allowed to take part or attend activities beyond the academic classroom.)

2. Additional informational from the student's individual teachers will be gathered to verify the student's academic progress and to determine if any additional support is needed. The school may collaborate with an outside agency whose professional mission is to consult with teachers, counselors, and administrators on effective ways to identify and support students with substance abuse issues.

C. On the third or subsequent offense:

1. The student will automatically be suspended by the Head of School pending an expulsion hearing by the board.

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Re-entry to school will be contingent upon satisfactory evidence of successful completion of treatment recommendations as verified by the treatment agency and the school counselor and principal. The student must give some indication that the behavior which was the cause of the student being expelled will not recur. The student will be placed on social probation for one year. Only the Board can re-enroll an expelled student upon satisfying treatment plan conditions with Head of School's recommendation for re-admittance.

D. Miscellaneous points:

1. All cases of possession, sale, or transfer of illegal drugs, alcohol, and/or unauthorized mood altering chemicals will be reported to the appropriate law enforcement agency. All alcohol, drugs, unauthorized mood altering chemicals, and related paraphernalia confiscated will be turned over to the appropriate law enforcement agency.
2. Students suspected of drug/alcohol use will be referred to school counselors for preliminary assessment without disciplinary repercussions.
3. The time frame for the first, second, and third offenses is while the student is currently enrolled in the Baxter Academy and shall be documented as an incident report in the student's health record.
4. When a student breaks social probation, the student shall be suspended up to five (5) school days.
5. A clinical meeting will be held for any student requiring in-patient treatment to recommend tutoring while the student is in treatment. To help re-entry to the school community, the appropriate support group will be identified with well-articulated interventions.
6. It is understood that all information gathered in the assessment and self-referral process will be treated in a confidential manner adhering to practical and legal considerations.

Adopted: November 4, 2014

BAXTER ACADEMY SCHOOL SAFETY

The Baxter Academy Board of Directors 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 Board policies, school rules, reasonable unwritten behavior expectations, and applicable state and federal laws.

School staff is required to immediately report incidents of prohibited conduct by students to the building administrator for investigation and appropriate action.

BAXTER ACADEMY BULLYING

It is the intent of the Baxter Academy Board of Directors to provide all students with an equitable opportunity to learn. To that end, the Board has a significant interest in providing a safe, orderly, and respectful school environment that is conducive to teaching and learning.

Bullying is detrimental to student learning and achievement. It interferes with the mission of the schools to educate their students and disrupts the operations of the schools. Bullying affects not only students who are targets but also those who participate and witness such behavior.

The Board also believes that promoting ethical and responsible behavior is an essential part of the school unit's educational purpose. Ethics, responsible behavior, and "character" are important if a student is to leave school as a responsible and involved Citizen. Bullying interferes with the accomplishment of this goal.

Finally, the Board recognizes the well-publicized incidents of violence and threatened violence that have

occurred nationally in the past several years. As research suggests, there is a link between bullying and school violence, and the Board seeks to avoid such incidents and instead take a systematic approach to bullying prevention and intervention.

It is not the Board's intent to prohibit students from expressing their ideas, including ideas that may offend the

sensibilities of others, or from engaging in civil debate. However, the Board does not condone and will take action in response to conduct that interferes with students' opportunity to learn, the educational mission of the Baxter Academy schools, and the operation of the schools.

Bullying and Cyberbullying Prevention in Schools

I. Introduction

It is our goal for Baxter Academy for Technology and Science to be a safe and secure learning environment for all students. It is the intent the Baxter Board to provide all students with an equitable opportunity to learn. To that end, the Board has a significant interest in providing a safe, orderly, and respectful school environment that is conducive to teaching and learning.

Bullying and other forms of peer mistreatment are detrimental to the school environment as well as student learning, achievement and well-being. Peer mistreatment interferes with the mission of the schools to educate their students and disrupts the operations of the schools. Bullying and other forms of peer mistreatment affect not only students who are targets but also those who participate in and witness such behavior. These behaviors must be addressed to ensure student safety and an inclusive learning environment.

It is not the Board's intent to prohibit students from expressing their ideas, including ideas that may offend the sensibilities of others, or from engaging in civil debate. However, the Board does not condone and will take action in response to conduct that interferes with students' opportunity to learn, the educational mission of Baxter Academy for Technology and Science, and the operation of the school.

II. Prohibited Behavior

The following behaviors are prohibited:

1. Bullying;
2. Cyberbullying;
3. Harassment and Sexual Harassment (as defined in board policy ACAA);
4. Retaliation against those reporting such defined behaviors; and
5. Making knowingly false accusations of bullying behavior.

Any person who engages in any of these prohibited behaviors that constitutes bullying shall be subject to appropriate disciplinary actions.

III. Bullying and Cyberbullying Defined

"Bullying" and "Cyberbullying" have the same meaning in this policy as in Maine law:

A. "Bullying" includes, but is not limited to, a written, oral or electronic expression or a physical act or gesture or any combination thereof directed at a student or students that:

(1) Has, or a reasonable person would expect it to have, the effect of:

(a) Physically harming a student or damaging a student's property; or

- (b) Placing a student in reasonable fear of physical harm or damage to the student's property;

OR

- (2) Interferes with the rights of a student by:

- (a) Creating an intimidating or hostile educational environment for the student; or
- (b) Interfering with the student's academic performance or ability to participate in or benefit from the services, activities or privileges provided by a school;

OR

- (3) Is based on a student's actual or perceived race, color, national origin, ancestry, religion, physical or mental disability, gender, sexual orientation, or any other distinguishing characteristic, or is based on a student's association with a person with one or more of these actual or perceived characteristics, and that has the effect described in subparagraph (1) or (2) above. (These behaviors might also meet the criteria for harassment as defined in board policy ACAA: Harassment and Sexual Harassment of Students.)

Examples of conduct that may constitute bullying include, but are not limited to:

1. Repeated or pervasive taunting, name-calling, belittling, mocking, put-downs, or demeaning humor;
2. Behavior that is likely to harm someone by damaging or manipulating his or her relationships with others, including but not limited to gossip, spreading rumors, and social exclusion;
3. Non-verbal threats and/or intimidations such as use of aggressive, menacing, or disrespectful gestures;
4. Threats of harm to a student, to his/her possessions, or to other individuals, whether transmitted verbally or in writing;
5. Blackmail, extortion, demands for protection money, or involuntary loans or donations;
6. Blocking access to school property or facilities;

7. Stealing or hiding books, backpacks, or other possessions;
8. Stalking; and
9. Physical contact or injury to another person or his/her property.

B. "Cyberbullying" means bullying through the use of technology or any electronic communication, including, but not limited to, a transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted by the use of any electronic device, including, but not limited to, a computer, telephone, cellular telephone, text messaging device and personal digital assistant.

Examples of conduct that may constitute cyberbullying include, but are not limited to the following actions on any electronic medium:

1. Posting slurs or rumors or displaying any defamatory, inaccurate, disparaging, violent, abusive, profane, or sexually oriented material about a student on a website, an app, in social media, or any other electronic platform;
2. Posting misleading or fake photographs or digital video footage of a student on websites or creating fake websites or social networking profiles in the guise of posing as the targeted student;
3. Impersonating or representing another student through the use of that other student's electronic device or account to send e-mail, text messages, instant messages (IM), phone calls or other messages on a social media website;
4. Sending e-mail, text messages, IM, or leaving voice mail messages that are mean or threatening, or so numerous as to bombard the target's e-mail account, IM account, or cell phone; and
5. Using a camera phone or digital video camera to take and/or send embarrassing or "sexting" photographs of other students.

C. "Retaliation" means an act or gesture against a student for asserting or alleging an act of bullying. "Retaliation" also includes knowingly falsely reporting an act of bullying.

D. "Substantiated" means that the outcomes of the investigation provides clear evidence to prove that bullying or cyberbullying, as defined in policy, did occur.

E. "Alternative discipline" means disciplinary action other than suspension or expulsion from school that is designed to correct and address the root causes of a student's specific misbehavior while retaining the student in class or school, or restorative school practices to repair the harm done to relationships and persons from the student's misbehavior.

IV. Application of Policy

A. This policy applies to any student, school employee, contractor, visitor or volunteer who engages in conduct that constitutes bullying or retaliation, all of whom have the responsibility to comply with this policy.

B. This policy applies to bullying that:

1. Takes place at school or on school grounds, meaning: a school building; property on which a school building or facility is located; and property that is owned, leased or used by a school for a school-sponsored activity, function, program, instruction or training. "School grounds" also includes school-related transportation vehicles.
2. Takes place while students are being transported to or from schools or school-sponsored events;
3. Takes place at any school-sponsored event, activity, function, program, instruction or training; or

4. Takes place elsewhere or through the use of technology, but only if the bullying also infringes on the rights of the student at school as set forth in this policy's definition of bullying.

V. Reporting

Bullying or suspected bullying is reportable in person or in writing (including anonymously) to school personnel.

- A. School staff, coaches and advisors for extracurricular and co-curricular activities are required to report alleged incidents of bullying to the Head of School or other school personnel designated by the Head of School. Any other adult working or volunteering in a school will be encouraged to promptly report observed or suspected alleged incidents of bullying to the Head of School or school personnel designated by the Head of School.
- B. Students who are believed to have been bullied or are aware of incidents of bullying are strongly encouraged to report this behavior to a staff member or school administrator.
- C. Parents and other adults who believe that an incident of bullying has occurred are encouraged to report this behavior to a staff member or school administrator.
- D. Acts of reprisal or retaliation against any person who reports an alleged incident of bullying are prohibited. Any student who is determined to have knowingly falsely accused another of bullying shall be subject to disciplinary consequences.

VI. Responding

The Head of School, Dean of Students, or the Head of School's designee will:

- A. Promptly investigate and respond to allegations of bullying behavior;
- B. Keep written documentation of all allegations of bullying behavior and outcomes of the investigations;
- C. Inform parent(s) or guardian(s) of the student(s) who was alleged to have bullied AND of the student(s) who was believed to have been bullied that a report of an alleged incident of bullying has been made;

D. Communicate to the parent(s) or guardian(s) of a student(s) who was believed to have been bullied the measures being taken to ensure the safety of the student(s) who was believed to have been bullied and to prevent further acts of bullying;

E. Inform parent(s) or guardian(s) of the students involved the findings of the investigation and actions to be taken;

F. Communicate with local or state law enforcement agency if it's believed that the pursuit of criminal charges or a civil action under the Maine Civil Rights Act may be appropriate.

VII. Remediation

Head of School, Dean of Students, or the Head of School's designee will:

A. Identify the specific nature(s) of the incident.

B. Apply disciplinary actions through implementation of the Baxter Discipline Ladder and supporting Restorative Justice model, which may include but is not limited to imposing a series of graduated consequences that include alternative discipline. In determining the appropriate response to students who engage in bullying behavior, school administrators should consider the type of behaviors, the frequency and/or pattern of behaviors, and other relevant circumstances. Alternative discipline includes, but is not limited to:

1. Meeting with the student and the student's parents/guardian;
2. Reflective activities, such as requiring the student to write an essay about the student's misbehavior;
3. Mediation, but only when there is mutual conflict between peers, rather than one-way negative behavior, and both parties voluntarily choose this option;
4. Counseling;
5. Anger management;
6. Health counseling or intervention;
7. Mental health counseling;
8. Participation in skills building and resolution activities, such as social-emotional cognitive skills building, resolution circles and restorative conferencing;
9. Community service; and
10. In-school detention or suspension, which may take place during lunchtime, after school or on weekends.

C. Remediate any substantiated incident of bullying to counter the negative impact of the bullying and reduce the risk of future bullying incidents, which may include referring the victim, perpetrator or other involved persons to counseling or other appropriate services.

VIII. Appeal

Notification shall be provided to parent(s), guardian(s) and students of the right to appeal a decision of the Head of School, Dean of Students, or the Head of School's designee related to taking or not taking remedial action in accordance with this policy. The appeals procedure must be consistent with other appeals procedures established by the school board and may include an appeal to the Executive Director.

IX. Assignment of Responsibility

A. The School Board is responsible for:

1. Posting this policy and related procedures on the school administrative unit's publicly accessible website; and

B. The Head of School is responsible for:

1. Annually providing written versions of this policy and related procedures to students, parent(s) and guardian(s), volunteers, administrators, teachers and school staff;
2. Including in student handbooks a section that addresses in detail this policy and related procedures.
3. Oversight, implementation, and enforcement of this policy and its procedures;
4. With the Dean of Students, administering the policies at the school level;
5. Developing a procedure for publicly identifying the other designees for administering the policies at the school level;
6. Ensuring that the prohibition on bullying and retaliation and the attendant consequences apply to any student, school employee, contractor, visitor or volunteer who engages in conduct that constitutes bullying or retaliation;
7. Ensuring that any contractor, visitor, or volunteer who engages in bullying is barred from school grounds until the Head of School is assured that the person will comply with the policies of the school board;
8. Ensuring that any organization affiliated with the school that authorizes or engages in bullying or retaliation forfeits permission for that organization to operate on school grounds or receive any other benefit of affiliation with the school;
9. Providing professional development and staff training in the best practices in prevention of bullying and harassment and implementation of this policy;
10. Filing the SAU policy that addresses bullying and cyberbullying with the Maine Department of Education; and

11. Ensuring that substantiated incidents of bullying and cyberbullying are reported to the Maine Department of Education on at least an annual basis.

Baxter Academy for Technology and Science

JICK

Adopted: January 10, 2017

Legal Reference: 20-A M.R.S.A. § 254 (11-A)
20-A M.R.S.A. § 1001(15), 6554

Maine Public Law, Chapter 659

Cross Reference: Baxter Academy Behavior and Discipline Management and

Disciplinary Step ladder

AC - Nondiscrimination, Equal Opportunity

ACAA - Harassment and Sexual Harassment of Students

ACAA-R – Student Discrimination and Harassment Complaint

Procedure

ACAD – Hazing

ADAA – School System Commitment to Standards for Ethical and

Responsible Behavior

CHCAA - Student Handbooks

IJNDB – Student Computer and Internet Use and Internet Safety

JI - Student Rights and Responsibilities

JIC - Student Code of Conduct

JICC - Student Conduct on Buses

JICIA - Weapons, Violence and School Safety

JK - Student Discipline

JKD - Suspension of Students

JKE - Expulsion of Students

JRA-R – Student Education Records and Information Administrative

Procedures

KLK - Relations with Law Enforcement Authorities

Bullying and Cyberbullying Reporting Form

Bullying or suspected bullying is reportable in person or in writing (including anonymously) to school personnel.

Upon completion of this form, submit to Head of School or Head of School Designee.

Date the alleged incident of bullying is being reported:

Person(s) reporting the alleged incident(s) of bullying (this is optional as reports can be made anonymously, except when reported by staff, coaches and advisors):

Person(s) completing this form (if different than person listed above and not anonymously reporting):

Person reporting is: student parent grandparent guardian
school staff coach advisor other _____

Contact information of person reporting (optional):

home or work phone: () Cell phone: ()
) _____

email: _____

home address:

Details

Name of student(s) who is believed to have been bullied:

Name of the student(s) or adult(s) who is alleged to have bullied:

Date(s): _____

Time(s)/time(s) of day:

Location(s) of incident(s):

Were there any witnesses? ☐ yes ☐ no

May the school personnel conducting an investigation contact these witnesses? ☐ yes
☐ no

If so, please provide names of witnesses to be contacted during the investigation:

Please provide a description of incident(s) and include any supporting documentation. Additional pages can be attached, of course.

I agree that the information in this report is accurate and true to the best of my knowledge and belief.

_____ Date: _____

Signature of person reporting (optional)

**

Received by: _____ Date: _____
Position/title: _____
Copy to Head of School on: _____

Date
Copy received: _____ Date: _____

Signature of Head of School

Baxter Academy for Technology and Science

Reporting Form – JICK-E2

Bullying and Cyberbullying Responding Form

The purpose of this form is to guide the response to the incident, and/or to document this response.

Date the alleged incident of bullying was reported: _____

Name of school personnel investigating the report of alleged incident(s) of bullying. Name and title:

Details and overview of incident and reporting:

Person(s) reporting the alleged incident(s) of bullying (if indicated, but required if school staff, coaches or advisors):

Person who completed the Reporting Form (if indicated):

The person(s) reporting the alleged incident of bullying is: student parent
grandparent guardian school staff coach advisor other _____

Name of the student(s) or adult(s) who was believed to have been bullied:

Was the behavior related to the targeted student's actual or perceived (as indicated in the description of the alleged incident on the Reporting Form):

_____ Race/color

_____ Sex

_____ Sexual orientation (including gender identity and gender expression)

_____ Religion

_____ National origin/ancestry

_____ Disability

If so;

refer to Board policy ACAA: Harassment and Sexual Harassment of Students,

if the behavior includes threats, violence, and/or property damage, it may be enforceable under the Maine Civil Rights Act and should be referred to local law enforcement.

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Does the student have a 504 plan? ☐ yes ☐ no

Does the student have an IEP? ☐ yes ☐ no

If yes to either above questions, please refer to student's 504 plan or IEP.

Is the student in the referral process for either? ☐ yes ☐ no

If the student receives Special Education services, when was the Director of Special Education or 504 Coordinator made aware of this situation? date: _____

Name of the student(s) or adult(s) who is alleged to have bullied:

The reported alleged incident(s) occurred:

_____ on school grounds

_____ on the school bus

_____ at a school sponsored activity

_____ through the use of technology – at home ☐ at school ☐

_____ elsewhere – (be specific) _____

Date(s):

Time(s)/time(s) of day:

Additional details known:

Have there been prior reports of alleged incidents of bullying or substantiated incident(s) of bullying involving the student(s) and/or adult(s)? ☐ yes ☐ no If yes, please include details and outcomes:

Evidence of allegation(s) of bullying provided to the school or in the school's possession used in this investigation:

_____school video cameras

_____school bus camera

_____cell phone video

_____electronic photos

_____printed photos

_____email(s)

(specify)_____

_____letters

_____phone conversation notes

_____written statements

_____hospital reports

_____police reports

_____other

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Communication:

When did the school contact the parent(s) or guardian(s) of the student(s) who was believed to have been bullied?

Person communicating:

Date of communication(s):

Details of communication:

The head of school or designee met with the student(s) who was believed to have been bullied on:

Details of communication:

When did the school contact the parent(s) or guardian(s) of the student(s) who was alleged to have bullied?

Person communicating:

Date of communication(s):

Details of communication:

The head of school or designee met with the student(s) alleged to have bullied on:

Details of communication:

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Did the person(s) reporting the alleged incident identify any witnesses? ☐ yes ☐ no

Name(s) of witness:

Did the school identify any witnesses? ☐ yes ☐ no

Name(s) of witness:

If yes, the Head of School or designee met with the witness(es) on:

Details of communication:

Safety Measures:

Local or state law enforcement will be contacted for potential:

_____ criminal charges

_____ civil action under the Maine Civil Rights Act

_____ N/A

What measures are being taken throughout the investigation to ensure the safety of the student who was believed to have been bullied?

Attach safety measures (ie. Student Support & Safety Plan) to this Responding Form.

When was there communication with the parent(s) or guardian(s) of the student(s) who was believed to have been bullied about these safety measures?

Date of communication(s):

Details of communication:

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Determination of Bullying:

Refer to the definition of bullying in policy JICK

Behavior(s) had the effect of:

_____ Physically harming a student or damaging a student's property; or

_____ Placing a student in reasonable fear of physical harm or damage to the student's property

OR

Behavior(s) interfered with the rights of a student by:

_____ Creating an intimidating or hostile educational environment for the student; or

_____ Interfering with the student's academic performance or ability to participate in or benefit from the services, activities or privileges provide by a school

_____ None of the above

Summary of Investigation: (use additional sheet)

Outcomes: (use additional sheet)

All findings and results shall be reported to the Head of School.

Is this a substantiated incident of bullying?

☐ yes ☐ no

If yes, refer to the Remediation Form (JICK- E3) to indicate specific nature(s) of the incident, the consequences, and actions taken for the student who has bullied. This substantiated incident is to be reported to the Maine Department of Education as part of annual reporting.

If no, refer to the district-wide code of conduct and disciplinary policies for student behavior.

Signature and title of investigator

Date: _____

If the investigator is not the school head of school, copy to school head of school on:

Copy received: _____

Date: _____

Signature of Head of School

Bullying and Cyberbullying Remediation Form

The intent of remediating a substantiated incident of bullying is to counter the negative impact of bullying and to reduce the risk of future bullying incidents.

This remediation is in reference to the alleged incident of bullying reported on: Behavior Management system incident reference number (if available):

Name of student(s) involved:

Delineate the specific nature(s) of the incident:

_____ Cyberbullying

_____ Electronic expression

_____ Physical act or gesture

_____ Retaliation

_____ Verbal/Oral

_____ Written

Discipline imposed and/or actions taken:

_____ Meeting with the student and the student's parent(s) or guardian(s)

_____ Reflective activities, such as requiring the student to write an essay about the student's misbehavior

_____ Mediation, but only when there is mutual conflict between peers, rather than one-way negative behavior, and both parties voluntarily choose this option

_____ Counseling

_____ Anger management

_____ Health counseling or intervention

_____ Mental health counseling

_____ Participation in skills building and resolution activities, such as social emotional cognitive skills

building, resolution circles and restorative conferencing

_____ Community service

The student received/will receive the following discipline actions (consequences):

_____ Alternative Discipline

_____ Detention

_____ Weekend Detention

_____ In-school suspension

_____ Out-of-school suspension

_____ Expulsion/Recommended for expulsion

Baxter Academy for Technology and Science

Reporting Form – JICK-E3

Was the student referred to law enforcement? ☐ yes ☐ no

Outcome(s):

Additional details of disciplinary actions taken:

**[DOCUMENTATION OF ALL REMEDIATION ACTIONS MUST
RESPECT CONFIDENTIALITY OF STUDENT INFORMATION AS
PROVIDED BY FEDERAL AND MAINE LAW AND REGULATIONS]**

Signature of Head of School or designee completing this form

Date: _____

Title of Head of School designee

If this person is not the Head of School, copy to school principal on: _____

Date

Copy received: _____ Date:

Signature of Head of School

Signature of Superintendent

**This substantiated incident of bullying was reported to the Maine
Department of Education *without personally identifying
information* on:**

_____ initialed by: _____

Bullying and Cyberbullying Administrative Procedure

This procedure is intended as guidance for the Head of School or Head of School's representative to address an alleged bullying incident. Definitions, as well as steps for reporting, responding to, and remediating allegations of bullying, are provided.

Behavior alleged to be based on a targeted student's actual or perceived race, color, sex, sexual orientation (including gender identity and expression), religion, ancestry or national origin, or disability should be addressed under the Student Harassment and Sexual Harassment procedure (ACAA).

Definitions

The following terms are defined in Maine Public law, Chapter 659 and 20-A M.R.S.A. §6554:

A. "Bullying" includes, but is not limited to, a written, oral or electronic expression or a physical act or gesture or any combination thereof directed at a student or students that:

- (1) Has, or a reasonable person would expect it to have, the effect of:
 - (a) Physically harming a student or damaging a student's property; or
 - (b) Placing a student in reasonable fear of physical harm or damage to the student's property;

OR

- (2) Interferes with the rights of a student by:
 - (a) Creating an intimidating or hostile educational environment for the student; or
 - (b) Interfering with the student's academic performance or ability to participate in or benefit from the services, activities or privileges provided by a school;

OR

- (3) Is based on a student's actual or perceived race, color, national origin, ancestry, religion, physical or mental disability, gender, sexual orientation, or any other distinguishing characteristic, or is based on a student's association with a

person with one or more of these actual or perceived characteristics, and that has the effect described in subparagraph (1) or (2) above.

“Bullying” includes cyberbullying.

B. “Cyberbullying” means bullying through the use of technology or any electronic communication, including, but not limited to, a transfer of signs, signals, writing,

images, sounds, data or intelligence of any nature transmitted by the use of any electronic device, including, but not limited to, a computer, telephone, cellular telephone, text messaging device and personal digital assistant.

C. “Retaliation means” an act or gesture against a student for asserting or alleging an act of bullying. “Retaliation” can also include knowingly false reporting of bullying.

D. “School grounds” means a school building; property on which a school building or facility is located; and property that is owned, leased or used by a school for a school-sponsored activity, function, program, instruction or training. “School grounds” also includes school-related transportation vehicles.

E. “Alternative discipline” means disciplinary action other than suspension or expulsion from school that is designed to correct and address the root causes of a student’s specific misbehavior while retaining the student in class or school, or restorative school practices to repair the harm done to relationships and persons from the student’s misbehavior.

Reports of Bullying

Bullying or suspected bullying is reportable in person or in writing (including anonymously) to school personnel.

Baxter’s Reporting Form (JICK-E1) can be used for the initial report, or later, to document the report.

School staff, coaches and advisors for extracurricular and cocurricular activities are required to report alleged incidents of bullying to the Head of School or other school personnel designated by the Head of School. Any other adult working or volunteering in a school will be encouraged to promptly report observed or suspected alleged incidents of bullying to the Head of School or school personnel designated by the Head of school.

Students who are believed to have been bullied or are aware of incidents of bullying are strongly encouraged to report this behavior to a Baxter adult, whether teacher, staff, or administrator.

Similarly, Parents and other adults who believe that an incident of bullying has occurred are encouraged to report this behavior to a Baxter staff member or administrator.

Acts of reprisal or retaliation against any person who reports an incident of bullying are prohibited. Any student who is determined to have knowingly falsely accused another of bullying shall be subject to disciplinary consequences.

Reports of alleged bullying may be made anonymously, except by school staff, coaches and advisors, but in no instance will disciplinary action be taken against any person or organization affiliated with the schools solely on the basis of an anonymous report.

Safety Measures

The Head of School or Head of School's designee will communicate to the parent(s) or guardian(s) of the student(s) who was believed to have been bullied the measures being taken to ensure the safety of the student who was believed to have been bullied and to prevent further acts of bullying.

These measures are documented on the Responding Form (JICK-E2)

[NOTE: School personnel should be careful to respect the confidentiality of student information when communicating with the parent(s) or guardian(s) of a student who was believed to have been bullied. It should be sufficient to inform the parents of what the school is doing to protect the student from further alleged bullying behaviors and to convey that the incident will be investigated and appropriate actions will be taken, without providing details that would be considered a violation of FERPA or an invasion of privacy.]

Responding/Investigation

The Head of School or Head of School's designee will:

Ensure that all reports of alleged bullying are investigated and responded to promptly and that documentation of the investigation is completed promptly using the Responding form (JICK-E2).

Inform parent(s) or guardian(s) of the student(s) who was alleged to have bullied AND of the student(s) who was believed to have been bullied that a report of an alleged incident of bullying has been made;

Communicate to the parent(s) or guardian(s) of a student(s) who was believed to have been bullied the measures being taken to ensure the safety of the student(s) who was believed to have been bullied and to prevent further acts of bullying;

Inform parent(s) or guardian(s) of the students involved the findings of the investigation and actions to be taken;

Communicate with local or state law enforcement agency if it's believed that the pursuit of criminal charges or a civil action under the Maine Civil Rights Act may be appropriate.

Remediation

If it is determined that there is a substantiated incident of bullying, the Head of School or Head of School's designee will:

Determine the specific nature(s) of the incident, alternative discipline actions, and appropriate consequences;

Complete the Remediation Form (JICK-E3);

Assure that the substantiated incident of bullying is reported to the Maine Department of Education in the yearly report.

Appeal

Notification shall be provided to parent(s), guardian(s) and students of the right to appeal a decision of the Head of School, Dean of Students, or the Head of School's designee related to taking or not taking remedial action in accordance with this policy. The appeals procedure must be consistent with other appeals procedures established by the school board and may include an appeal to the Executive Director.

JIH Adopted as Amended: September 13, 2016

BAXTER ACADEMY QUESTIONING AND SEARCHES OF STUDENTS

The Board of Directors seeks to maintain a safe and orderly environment in the schools. Baxter Academy 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 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. Baxter Academy 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. Note that during the school day, the school grounds include areas accessed by students using their Open Campus privilege.

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 BA 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 Baxter Academy administrators.

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

The Head of School 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.

The Head of School is authorized to have trained search dogs, under the control of police personnel, search school lockers, locker rooms, backpacks, school buses, and other student and school property as need indicates.

Adopted: November 4, 2014

BAXTER ACADEMY STUDENT COMPLAINTS AND GRIEVANCES

Any alleged act of unfairness or any decision made by school personnel, which students and/or parents/ guardians believe to be unjust or in violation of pertinent policies of the Board or individual school rules, may be appealed to the Head of School or a designated representative.

The following guidelines are established for the presentation of student complaints and grievances.

A. The Head of School shall schedule a conference with the student and any staff member(s) involved to attempt to resolve the problem. Parents/guardians may be involved in the conference or a later conference for parents/ guardians may be scheduled at the discretion of the Head of School.

B. If the problem is not resolved to the satisfaction of the student and/or parents/guardians, a request may be submitted for a conference with the Executive Director. The executive director shall arrange a conference to consider the problem and inform participants of the action that will be taken.

C. If the student and/or parents/guardians are not satisfied with the action of the Executive Director, they may submit a written request to appear before the board. The decision of the Board shall be final.

All persons are assured that they may utilize this procedure without reprisal.

All records of notices, conferences, and actions taken to resolve student complaints and grievances will be filed and identified as grievance records, and will not be placed in personnel files.

Adopted: November 4, 2014

BAXTER ACADEMY STUDENT DISCIPLINE

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

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

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

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

Adopted: November 4, 2014

BAXTER ACADEMY PROCEDURES ON PHYSICAL RESTRAINT AND SECLUSION

These procedures are established for the purpose of meeting the obligations of Baxter Academy under state law/regulations. These procedures shall be interpreted in a manner consistent with state law and regulations.

1. Definitions

Definitions for important terms in this procedure include:

A. Physical Restraint: An intervention that restricts a student's freedom of movement or normal access to his or her body, and includes physically moving a student who has not moved voluntarily.

Physical Restraint does not include any of the following:

1. Physical escort: A temporary touching or holding inducing a student to walk to another location, including assisting the student to the student's feet in order to be escorted.
2. Physical prompt: A teaching technique that involves physical contact with the student and that enables the student to learn or model the physical movement necessary for the development of the desired competency.
3. Physical contact: When the purpose of the intervention is to comfort a student and the student voluntarily accepts the contact.
4. A brief period of physical contact necessary to break up a fight.
5. Momentarily deflecting the movement of a student when the student's movements would be destructive, harmful or dangerous to the student or others.
6. The use of seat belts, safety belts or similar passenger restraints, when used as intended during the transportation of a child in a motor vehicle.
7. The use of a medically prescribed harness, when used as intended; the use of protective equipment or devices that are part of a treatment plan prescribed by a licensed health care provider; or prescribed assistive devices when used as prescribed and supervised by qualified and trained individuals.
8. Restraints used by law enforcement officers or school resource officers employed by a police department in the course of their professional duties are not subject to this policy/procedure or DOE Rule Chapter 33.

9. DOE Rule Chapter 33 does not restrict or limit the protections available to school officials under 20-A M.R.S.A. § 4009, but those protections do not relieve school officials from complying with this policy/procedure.

B. **Seclusion:** The involuntary confinement of a student alone in a room or clearly defined area from which the student is physically prevented from leaving, with no other person in the room or area with the student.

Seclusion does not include:

1. Timeout: An intervention where a student requests, or complies with an adult request for, a break.

C. **Emergency:** A sudden, urgent occurrence, usually unexpected, but sometimes anticipated, that requires immediate action.

D. **Imminent risk of injury or harm:** A situation in which a student has the means to cause physical harm or injury to him/herself or others and such injury or harm is likely to occur at any moment, such that a reasonable and prudent person would take steps instantly to protect the student and others against the risk of such injury or harm.

E. **Dangerous behavior:** Behavior that presents an imminent risk of injury or harm to a student or others.

F. **Serious bodily injury:** Any bodily injury that involves: (1) A substantial risk of death; (2) Extreme physical pain;

(3) Protracted and obvious disfigurement; or (4) Protracted loss or impairment of the function of a bodily member,

organ or mental faculty.

2. Physical Restraint

To the extent possible, physical restraint will be implemented by staff certified in a training program approved by

the Maine Department of Education. If untrained staff have intervened and initiated a physical restraint in an

emergency, trained staff must be summoned to the scene to assume control of the situation if the emergency

continues.

This procedure does not preclude law enforcement personnel from implementing physical restraints in carrying out

their professional responsibilities.

A. Permitted Uses of Physical Restraint

1. Physical restraint may be used only as an emergency intervention when the behavior of a student presents imminent risk of injury or harm to the student or others, and only after other less intrusive interventions have failed or been deemed inappropriate.

2. Physical restraint may be used to move a student only if the need for movement outweighs the risks involved in such movement.

3. Prescribed medications, harnesses, and other assistive or protective devices may be used as permitted by Rule Chapter 33.

4. Parents may be requested to provide assistance at any time.

B. Prohibited Forms and Uses of Physical Restraint

1. Physical restraint used for punitive purposes; as a therapeutic or educational intervention; for staff convenience; or to control challenging behavior.

2. Physical restraint used solely to prevent property destruction or disruption of the environment in the absence of imminent risk of injury.

3. Physical restraint that restricts the free movement of a student's diaphragm or chest, or that restricts the airway so as to interrupt normal breathing or speech (restraint-related asphyxia).

4. Physical restraint that relies on pain for control, including but not limited to joint hyperextension, excessive force, unsupported take-downs (e.g., tackles), the use of any physical structure (e.g., wall, railing or post), punching and hitting.

5. Aversive procedures, and mechanical and chemical restraints.

a. Aversive procedures are defined as the use of a substance or stimulus, intended to modify behavior, which the

person administering it knows or should know is likely to cause physical and/or emotional trauma to a student, even when the substance or stimulus appears to be pleasant or neutral to others. Such substances and stimuli include but are not limited to infliction of bodily pain (e.g., hitting, pinching, slapping); water spray; noxious fumes; extreme physical exercise; costumes or signs.

b. Mechanical restraints are defined as any item worn by or placed on the student to limit behavior or movement

and which cannot be removed by the student. Prescribed assistive devices are not considered mechanical restraints when used as prescribed and their use is supervised by qualified and trained individuals in accordance with professional standards.

c. Chemical restraints are defined as the use of medication, including those administered PRN (as needed), given involuntarily to control student behavior. Prescribed medications are not considered chemical restraints when administered by a health care provider in accordance with a student's health care plan.

C. Monitoring Students in Physical Restraint

1. At least two adults must be present at all times when physical restraint is used except when, for safety reasons, waiting for a second adult to arrive is precluded by the particular circumstances.

2. The student must be continuously monitored until he/she no longer presents an imminent risk of injury or harm to him/herself or others.

3. If an injury occurs, applicable school policies and procedures should be followed.

D. Termination of Physical Restraint

1. The staff involved in the use of physical restraint must continually assess for signs that the student is no longer presenting an imminent risk of injury or harm to him/herself or others, and the emergency intervention must be discontinued as soon as possible.

a. The time a student is in physical restraint must be monitored and recorded.

- b. If physical restraint continues for more than ten (10) minutes, an administrator/designee shall determine whether continued physical restraint is warranted, and shall continue to monitor the status of the physical restraint every ten (10) minutes until the restraint is terminated.
- c. If attempts to release a student from physical restraint have been unsuccessful and the student continues to present behaviors that create an imminent risk of injury or harm to him/herself or others, then staff may request additional assistance from other school staff, parents, medical providers, or other appropriate persons or organizations.

3. Seclusion

To the extent possible, seclusion will be implemented by staff certified in a training program approved by the Maine Department of Education. If untrained staff have intervened and initiated seclusion in an emergency, trained staff must be summoned to the scene as soon as possible.

A “timeout” where a student requests, or complies with an adult request for, a break is not considered seclusion under this procedure. Seclusion also does not include any situation where others are present in the room or defined area with the student (including but not limited to classrooms, offices and other school locations).

A. Permitted Uses and Location of Seclusion

1. Seclusion may be used only as an emergency intervention when the behavior of a student presents imminent risk of injury or harm to the student or others, and only after other less intrusive interventions have failed or been deemed inappropriate.
2. Seclusion may be achieved in any part of a school building with adequate light, heat, ventilation and of normal room height.
 - a. Seclusion may not take place in a locked room.
 - b. If a specific room is designated as a seclusion room, it must be a minimum of sixty (60) square feet; have adequate light, heat and ventilation; be of normal room height; contain an unbreakable observation window in a wall or door; and must be free of hazardous material and objects which the student could use to self-inflict bodily injury.
3. Parents may be requested to provide assistance at any time.

B. Prohibited Uses of Seclusion

1. Seclusion used for punitive purposes; as a therapeutic or educational intervention; for staff convenience; or to control challenging behavior.
2. Seclusion used solely to prevent property destruction or disruption of the environment in the absence of imminent risk of injury.

C. Monitoring Students in Seclusion

1. At least one adult must be physically present at all times to continuously monitor a student in seclusion. The adult, while not present in the room or defined area, must be situated so that the student is visible at all times.
2. The student must be continuously monitored until he/she no longer presents an imminent risk of injury or harm to him/herself or others.
3. If an injury occurs, applicable school policies and procedures should be followed.

D. Termination of Seclusion

1. The staff involved in the seclusion must continually assess for signs that the student is no longer presenting an imminent risk of injury or harm to him/herself or others, and the emergency intervention must be discontinued as soon as possible.

a. The time a student is in seclusion must be monitored and recorded. b. If seclusion continues for more than ten (10) minutes, an

administrator/designee shall determine whether continued seclusion is warranted, and shall continue to monitor the status of the seclusion every ten (10) minutes until the restraint is terminated.

c. If attempts to release a student from seclusion have been unsuccessful and the student continues to present behaviors that create an imminent risk of injury or harm to him/herself or others, then staff may request additional assistance from other school staff, parents, medical providers, or other appropriate persons or organizations.

4. Notification and Reports of Physical Restraint and Seclusion Incidents

For the purposes of this procedure, an “incident” consists of all actions between the time a student begins to create a risk of harm and the time the student ceases to pose a risk of harm and returns to his/her regular programming.

A. Notice Requirements

After each incident of physical restraint or seclusion:

1. A staff member involved in the incident shall make an oral notification to the administrator/designee as soon as possible, but no later than the end of the school day.
2. An administrator/designee shall notify the parent/legal guardian about the physical restraint or seclusion (and any related first aid provided) as soon as practical, but within the school day in which the incident occurred. The administrator/designee must utilize all available phone numbers or other available contact information to reach the parent/legal guardian. If the parent/legal guardian is unavailable, the administrator/designee must leave a message (if the parent/legal guardian has a phone and message capability) to contact the school as soon as possible. The parent/legal guardian must be informed that written documentation will be provided within seven (7) calendar days.
3. If the physical restraint or seclusion incident occurred outside the school day, the notifications must be made as soon as possible and in accordance with Baxter Academy’s usual emergency notification procedures.
4. If serious bodily injury or death of a student occurs during the implementation of physical restraint or seclusion, Baxter Academy’s emergency notification procedures shall be followed and an administrator/designee shall notify the Maine Department of Education within twenty-four (24) hours or the next business day.

B. Incident Reports

Each use of physical restraint or seclusion must be documented in an incident report. The incident report must be completed and provided to an administrator/designee as soon as practical, and in all cases within two (2) school days of the incident. The parent/legal guardian must be provided a copy of the incident report within seven (7) calendar days of the incident.

The incident report must include the following elements:

1. Student name;
2. Age, gender and grade;
3. Location of the incident;
4. Date of the incident;
5. Date of report;

6. Person completing the report;

7. Beginning and ending time of each physical restraint and/or seclusion;

8. Total time of incident;
9. Description of prior events and circumstances;
10. Less restrictive interventions tried prior to the use of physical restraint and/or seclusion and, if none were used, the reasons why;
11. The student behavior justifying the use of physical restraint or seclusion;
12. A detailed description of the physical restraint or seclusion used;
13. The staff person(s) involved, their role in the physical restraint or seclusion, and whether each person is certified in an approved training program;
14. Description of the incident, including the resolution and process of returning the student to his/her program, if appropriate;
15. Whether the student has an IEP, 504 Plan, behavior plan, IHP (individual health plan) or any other plan.
16. If a student and/or staff sustained bodily injury, the date and time of nurse or other response personnel notification and any treatment administered;
17. The date, time and method of parent/legal guardian notification;
18. The date and time of administrator/designee notification.
19. Date and time of staff debriefing.

Copies of the incident reports shall be maintained in the student's file and in the school office.

5. School Response Following the Use of Physical Restraint or Seclusion

A. Following each incident of physical restraint or seclusion, an administrator/designee shall take these steps within two (2) school days (unless serious bodily injury requiring emergency medical treatment occurred, in which case these steps must take place as soon as possible, but no later than the next school day):

1. Review the incident with all staff persons involved to discuss: (a) whether the use of physical restraint or seclusion complied with state and school board requirements and (b) how to prevent or reduce the need for physical restraint and/or seclusion in the future.
2. Meet with the student who was physically restrained or secluded to discuss: (a) what triggered the student's escalation and (b) what the student and staff can do to reduce the need for physical restraint and/or seclusion in the future.

B. Following the meetings, staff must develop and implement a written plan for response and de-escalation for the student. If a plan already exists, staff must review it and make revisions, if appropriate. For the purposes of this procedure, "de-escalation" is the use of behavior management techniques intended to

cause a situation involving problem behavior of a student to become more controlled, calm and less dangerous, thus reducing the risk of injury or harm.

6. Procedure for Students with Three Incidents in a School Year

The school unit will make reasonable, documented efforts to encourage parent/legal guardian participation in the meetings required in this section, and to schedule meetings at times convenient for parents/legal guardians to attend.

A. Special Education/504 Students

1. After the third incident of physical restraint and/or seclusion in one school year,

the student's IEP or 504 Team shall meet within ten (10) school days of the third incident to discuss the incident and consider the need to conduct an FBA (functional behavioral assessment) and/or develop a BIP (behavior intervention plan), or amend an existing one.

B. All Other Students

1. A team consisting of the parent/legal guardian, administrator/designee, a teacher for the student, a staff member involved in the incident (if not the administrator/designee or teacher already invited), and other appropriate staff shall meet within ten (10) school days to discuss the incidents.
2. The team shall consider the appropriateness of a referral to special education and, regardless of whether a referral to special education is made, the need to conduct an FBA (functional behavioral assessment) and/or develop a BIP (behavior intervention plan).

7. Cumulative Reporting Requirements

A. Reports within the School Unit

1. Each building administrator must report the following data on a quarterly and annual basis:
 - a. Aggregate number of uses of physical restraint;
 - b. Aggregate number of students placed in physical restraint;
 - c. Aggregate number of uses of seclusion;
 - d. Aggregate number of students placed in seclusion;
 - e. Aggregate number of serious bodily injuries to students related to the use of physical restraints and seclusions; and
 - f. Aggregate number of serious bodily injuries to staff related to physical restraint and seclusion.
2. The Head of School shall review the cumulative reports and identify any areas that could be addressed to reduce the future use of physical restraint and seclusion.

B. Reports to Maine Department of Education

1. The Head of School shall submit an annual report to the Maine Department of Education on an annual basis that includes the information in Section 7.A.1 above.

Adopted: November 4, 2014

BAXTER ACADEMY SUSPENSION OF STUDENTS

The Baxter Academy Board of Directors delegates to the building administrator the authority to suspend disobedient and disorderly students for a period not to exceed ten (10) school days. Suspensions in excess of 10 days may be imposed by and must be approved by the Board.

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 those 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 instructional 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 student's parents/guardians shall be notified of suspension as soon as practicable by telephone, if possible, and by written notice sent by mail. A copy of the written notice shall be sent to the office of Baxter Academy.

Students shall be responsible for any schoolwork missed during their suspension. After re-admittance, they shall be permitted to take tests, quizzes or any other form of evaluation affecting their grades.

Adopted: November 4, 2014

BAXTER ACADEMY EXPULSION OF STUDENTS

No student may be expelled from school except by action of the Board. The Board shall expel students as provided in 20- A MRSA § 1001(9) and (9A). The Board also has the authority to readmit an expelled student on satisfactory evidence that the behavior which was the cause of the student being expelled will not likely recur.

The parents/guardians (and the student if 18 years of age or older) shall be notified by certified letter and regular mail of the Board expulsion hearing. The hearing shall be in a properly called executive session and may also be attended by persons designated by the Executive Director to present information in the case.

The notice of the hearing shall include:

- A. The date, time and location of the hearing;
- B. A description of the charge(s);
- C. A statement that the student may be represented by legal counsel;
- D. A statement that the student or his/her representative may cross-examine any witnesses presented by the administration at the hearing; and
- E. A statement that the parents/guardians and student may present evidence, including witnesses and documents, on the student's behalf.

Adopted: November 4, 2014

BAXTER ACADEMY EXPULSION OF STUDENTS GUIDELINES

The following steps constitute general guidelines for the conduct of an expulsion hearing. The guidelines may be adjusted to meet the flexible requirements of due process on a case-by-case basis.

PROCEDURE FOR CONDUCT OF BOARD HEARING TO EXPEL

- A. Any discussion, consideration or hearing by the School Board of suspension or expulsion of a student shall be in executive session.
- B. The Board shall be in a public meeting and vote to enter executive session. Executive session requires 3/5 affirmative vote of the members present and voting, and the vote must be recorded.
- C. The parents/guardians, the student and legal counsel (if any) must be present for the hearing, except that the hearing may go forward if the parents/guardians and student (if 18 years of age or older) have been provided prior written notice and failed to appear for the hearing.

EXECUTIVE SESSION

I. General Rules of Conduct

- A. The hearing officer (Board Chair/designee or Board attorney) will conduct the hearing.
- B. Witnesses shall be sequestered in response to a request by either party.
- C. The hearing officer will state "no irrelevant or repetitious evidence will be allowed and no debate between the parties will be allowed."
- D. The hearing officer will state "no arguments will be allowed." All parties are expected to maintain the confidentiality of the proceeding."
- E. The School Board and student (at his/her own expense) may be represented by legal counsel through each stage of the process.

II. Procedures

- A. Hearing officer will state for the record:
 - ❖ Date of this hearing;
 - ❖ Place of hearing;
 - ❖ Time

of
hearing;

- ❖ Name of the student;
- ❖ Allegation;
- ❖ Date of alleged act(s);
- ❖ Those in attendance for administration; ❖ Those in attendance for student; and ❖ Those in attendance for the Board.

B. The hearing officer will request from the Executive Director a copy of the hearing notice, read the hearing notice to the Board and include the notice in the record. If no person appears at the hearing on behalf of the parents/guardians or student, the hearing officer will request that the Executive Director confirm that the

parents/guardians and student (if age 18 or older) were provided notice of the hearing.

C. The Executive Director or designee, hereafter called “the administration,” will make an opening statement that includes an overview of the evidence, his/her recommendation, the reason(s) for the recommendation, and the legal basis for the recommended expulsion.

D. The hearing officer informs the student and parents of their rights:

1. To hear evidence;
2. To cross examine witnesses; and

3. To present witnesses and offer other relevant evidence. E. Potential Conflict of Interest

The hearing officer will ask if any member of the Board finds him/herself in a possible conflict of interest situation because he/she knows the student or parents/guardians, or has knowledge of the facts to such an extent that he/she would not impartially hear the facts and decide the issue on its merits.

F. Witnesses Sworn In

All witnesses shall be sworn in by the hearing officer. Each witness raises his/her right hand and is asked "Do you solemnly swear to tell the truth, the whole truth and nothing but the truth."

G. Building Administrator

The building administrator or designee calls witnesses.

H. Student

After each witness has answered all questions put by the administration, then the student/designee (hereinafter, the student) may cross examine. This should be limited to questions and not arguments with the witness.

I. Building Administrator

The administration may ask rebuttal questions after the student finishes questioning.

J. School Board

At the conclusion of the rebuttal, members of the Board may ask questions.

K. Student

The student/designee may then call his/her own witnesses to testify and the student may testify. All witnesses will be sworn. The administration may cross-examine.

The student may ask rebuttal questions. After the rebuttal questions, the Board may ask questions.

L. Building Administrator

When all the student's witnesses have completed testimony, (including the student), the administrator may call additional rebuttal witnesses who may be cross examined.

M. Building Administrator/Student

At the end of the testimony, the administration may make a statement which should include its recommendations. The same may then be done by/for the student.

N. Board Deliberation

The Board should then deliberate in executive session. The Executive Director, Board attorney, administration, the student charged, his/her parents/guardians, and the student's legal counsel may remain for deliberations. If the student and representatives elect not to be present during deliberations, the administration will also be excluded from deliberations, except that the Executive Director may remain to provide guidance to the Board if he/she was not directly involved in the investigation/presentation of evidence.

O. Board Finding of Fact(s)

The Board shall discuss whether the charges are more likely than not supported by the evidence presented. The Board may discuss and/or draft proposed findings of fact(s) concerning the charges prior to leaving the executive session.

P. Board

The Board should then leave executive session.

III. Public Sessions

A. In public session, a member of the Board may make a motion to “expel a student and

direct the Executive Director to provide the student and his/her parents/guardians with the Board’s finding of fact(s).” Following a second, the Board Chair should state the motion and the Board should vote. If no motion is made to expel, the student will return to school at the conclusion of the previously imposed administrative suspension.

B. The Executive Director is responsible for notifying the parents/guardians (and the student if age 18 or older) of

the Board’s decision. If the student has been expelled, the Executive Director will also provide notice of the conditions, if any were given at that time, for Board consideration of readmission.

Adopted: November 4, 2014

BAXTER ACADEMY IMMUNIZATION REQUIREMENTS FOR STUDENTS ENTERING BA

All parents registering a student in the Baxter Academy must show written proof that their child has received the following immunizations per State of Maine Immunization Law, *before* they may attend school. Though it is very clear under state statute that the parent must provide this information prior to attending school, we recognize that from time to time circumstances prevent timely attention to detail. The Head of School will send one letter to the parents reminding them of the statute requirements and if there is no response in five (5) days, the Executive Director will be informed and send official notification to the parent that the student must, by law, be excluded, from attending school.

5 DPT/DT's (4 if the fourth dose was given after age 4)

4 POLIO (3 if the third dose was given after age 4)

2 MMR

1 VARICELLA (2 if the first does was given after age 13)

Acceptable forms of evidence of immunization include previous school health record, medical record from medical office, laboratory results, or official Certificate of Immunization. One of these must be provided to the school main office for a child to attend Baxter Academy.

Non-immunized students shall not be permitted to attend school unless one of the following conditions is met:

A. The parents/guardians provide to the school written assurance that the child will be immunized within 90 days of enrolling in school or his/her first attendance in classes, whichever date is earlier. This option is available only once to each student during their school career and requires a written statement and time schedule approved by a physician; or B. The parents/guardians provide a physician's written statement each year that

immunization against one or more diseases may be medically inadvisable (as defined by law/regulation); or C. The parents/ guardians state in writing each year that immunization is contrary to their sincere

religious or philosophical beliefs.

The Head of School shall exclude from school any non-immunized student when there is a clear danger to the health of the un-immunized child.

The Head of School/designee is directed to develop such administrative procedures as are necessary to carry out this policy and comply with statutory requirements.

Adopted: November 4, 2014

BAXTER ACADEMY COMMUNICABLE DISEASES

Staff shall be alert to signs of illness and communicable disease and refer children who are showing such symptoms to the school nurse.

All students under quarantine shall be excluded from school and school activities. Regulations established by the Maine Center for Disease Control or from the Department of Education or Governor's office will be observed. The Head of School shall be responsible for notifying the Maine CDC of all students having a communicable disease as required by law and Department of Education rules. The Executive Director shall be notified of all communicable disease cases and contacts in the school.

Children who have other types of communicable diseases shall be excluded from school as prescribed by law, or shall observe other protective procedures according to recommendations issued by the Maine CDC. Every effort to collaborate and inform staff, the community and related agencies will be made in the spirit of attempting to control further outbreak of any disease.

Communication between the school nurse or Head of School and the Maine CDC or attending physician must be documented prior to the return of school of any child who has been diagnosed with a reportable communicable disease. The communication may be verbal and documented and should express that the child is no longer at risk for transmitting the illness. Final approval for re-admittance to class will be given by the school nurse or Head of School.

Adopted: November 4, 2014

BAXTER ACADEMY MEDICATION POLICY

It is the policy of Baxter Academy that, whenever possible, the schedule of medication administration should allow a student to receive all prescribed doses at home.

I. If it is necessary for a student to take medication during school hours and a registered nurse is not available, the Head of School or designee(s) will administer the medication in accordance with the following:

- A.** A permission form, "Medication Authorization Form-(Prescription or Non-prescription)," is completed and signed by the parent or legal guardian and the physician or nurse practitioner or physician's assistant.
- B.** The medication must be sent to the school office in the original, unbreakable container with a pharmacy produced prescription label with the name of the medication, date, dosage and the name of the student who is to receive it. Over the Counter (OTC) medication must be in the original container.

II. Any person administering medication in the District (i.e. school day, field trips) will comply with the following:

- A.** Participate in appropriate training or instruction given by a nurse annually with documentation of the training filed in the District Human Resources Office.
- B.** Refer to this medication policy as necessary.
- C.** Verify that a permission form (See Section I.A. above) is on file.
- D.** Follow the prescription instructions.
- E.** Record the administration of each medication.
- F.** Store medication in a locked cabinet.
- G.** Consult with the school nurse as appropriate.
- H.** Allow inhalers to be kept by students as directed by a physician/parent if a nurse has determined that the student uses the inhaler appropriately.

III. Parents or legal guardians should be advised that:

- A.** The Head of School's designee(s) will assist with administration of medication based on label directions.

B. Changes in the medication administration will be according to a doctor's prescription. A one-time telephone order from the physician is acceptable and must be followed up by a written prescription.

C. Medication permission forms must be completed yearly.

D. Parents must supply all medications and administration equipment needed by a student in school, including, but not limited to, glucose tablets, glucagon, glucose monitoring equipment, EpiPens, and nebulizer equipment.

E. Parents are responsible for authorizing the removal of the medication from school at the end of the school year or on the last days of the student's enrollment. Medication will be discarded appropriately by the school nurse if not removed by the parent or guardian by the end of the school year.

F. Medications sent to school improperly packaged and/or without a physician's signature *will not* be administered, and the parent/legal guardian will be notified.

IV. Anaphylactic Emergencies

A. Parents or legal guardians will be responsible for providing precise instructions from their physician for action to be taken when a student contacts an allergen which may cause anaphylaxis (bees, wasps, nuts, other foods, latex, etc.).

B. A nurse will complete an individualized health plan for each student who has been diagnosed with anaphylaxis.

C. The parent is responsible for providing the appropriate medication for those students who require immediate treatment.

D. In some cases emergency epinephrine and inhaler medication may be kept with the student. The student must demonstrate sufficient knowledge, skills and judgment to carry and use to a nurse.

V. Asthma/Diabetes Mellitus

Parents and physician are expected to complete an asthma or diabetes management plan annually, if students are medicated for persistent asthma or diabetes.

VI. No child with a potentially life-threatening illness will be allowed to attend school without providing the school with unexpired emergency medication. This includes but is not limited to EpiPens, glucagon, and albuterol inhalers.

Adopted: Tuesday, January 9, 2018

MEDICAL MARIJUANA IN SCHOOLS

Maine law provides that a “primary caregiver” as defined in 22 MRSA § 2423-A91)(E) will possess and will administer marijuana in a non-smokeable form in a school bus or on the grounds of the preschool or primary or secondary school in which a minor qualifying patient is enrolled, if:

- A. A medical provider has provided the minor qualifying patient with a current written certification for the medical use of marijuana, and
- B. Possession of medical marijuana is for the purpose of administering it to the minor qualifying patient.

In order to facilitate administration of medical marijuana with a minimum interruption of instructional time for the student and with a minimum of disruption of routine school operations, the Board approves the following guidelines for the administration of medical marijuana:

- A. The person administering the medical marijuana must provide proof that
 - 1. He/she is the primary caregiver for the student;
 - 2. The student has a current written certification from a medical provider for the use of medical marijuana;
 - 3. The student needs to have the drug administered during the school day, as opposed to before or after school.
- B. The marijuana must be in a nonsmokeable form;
- C. The marijuana must be possessed only by the primary caregiver and only for the purpose of administering it to the student at school;
- D. Medical marijuana may only be possessed by the primary caregiver; it cannot be given to or held by any school employee, student or other person in school, with the exception of the “qualifying patient;”
- E. Only the primary caregiver may administer medical marijuana – it cannot be done by, or delegated to, a school employee or any other person than the primary caregiver;
- F. Medical marijuana may be administered only at the designated area, but not in the health clinic, as determined by the principal; the primary caregiver must go there directly and, if visitors are required to sign in, to do so;
- G. The student may not possess medical marijuana at any time or place except during

the time of its consumption, at the designated location, and under the supervision of the caregiver; and

H. This policy will be enforced where applicable and allowable by law (ie. schoolfield trips or out-of-state or out-of-country).

A student who holds written certification for the medical use of marijuana may not be excluded (suspended or expelled) from school because he/she requires medical marijuana to attend school.

Legal Reference: Maine 2015 P.L. Ch. 369

First Reading: November 14, 2017

Adopted:

Revised:

Reviewed:

JLCE

Adopted: November 4, 2014

BAXTER ACADEMY FIRST AID

"First aid is defined as immediate and temporary treatment and care in the event of an accident or injury, before a physician's care can be obtained. Because of the presence of children and staff engaged in a variety of activities together, accidents and injuries at school are expected."

❖ Maine Dept. of Ed. SCHOOL HEALTH MANUAL, p. G, 1

The Principal shall establish and implement procedures for handling accidents and injuries, which shall make

clear the responsibilities of various school personnel. They shall be based on "Recommended Procedures for

Emergency Care," "Emergency Guidelines for Maine Schools, (MEMS)" and other documents included by the state in

the State of Maine, Department of Education SCHOOL HEALTH MANUAL. Also, there shall be a system for accident reporting, for maintaining emergency health and contact information on each student in the school system, and the designation and first-aid training of appropriate individuals in the schools.

Adopted: November 4, 2014

BAXTER ACADEMY AUTHORIZATION FOR THE SCHOOL NURSE' S PERFORMANCE

The Baxter Academy Board of Directors supports the employment of professionally prepared registered nurses to conduct and supervise school health policies, procedures, and protocols.

The Baxter Academy Board of Directors recognizes that each School Nurse will be a currently Licensed/Registered Nurse in the State of Maine and will hold current certification from the Department of Education.

The school nurse will manage the school health services under the direction of the Head of School, and in compliance with Baxter Academy policy. The School Nurse will function in accordance with the Standards of Professional School Nurse Practice, the Nurse Practice Act, and Federal and State statutes that impact school nursing practice.

The nurse will be covered by special medical liability insurance, to be paid for or reimbursed by Baxter Academy.

The nurse retains the discretion to decline requests, which in his/her professional judgment are not appropriate to the school setting, are not in the best interest of the student(s) involved, or are not feasible to perform.

Adopted: November 4, 2014

BAXTER ACADEMY ADOLESCENT SUICIDE AWARENESS PROGRAM

The Board of Directors recognizes that depression and self-destruction are problems of increasing severity among children and adolescents. A pupil suffering from depression cannot benefit fully from the educational program and may pose a threat to him/herself or others. All school personnel should be alert to the pupil who exhibits signs of unusual depression or who threatens or attempts suicide.

With the intent of contributing to the prevention of suicide among its pupils where possible, the board directs that an Adolescent Suicide Awareness Program be initiated, including:

A. In-service education – to increase the awareness of all building staff about the seriousness of the problem and possible suicide “warning signs”;

B. Establishment of referral/response procedures in each school – to facilitate assisting pupils identified as possibly suicidal;

C. Infusion into the curriculum of appropriate understandings and information – to help students deal appropriately with feelings, to recognize possible suicide “warning signs” in themselves and others, and to increase awareness

of alternatives and resources available for assistance;

D. Parent awareness – to increase understandings of parents about the problem and the resources available; and

E. Procedures in each school for dealing appropriately with tragedies – to ease the impact on pupils, staff, and community in the event of a student suicide.

School system personnel cannot be expected to treat the suicidal adolescent. Rather, they need to recognize that they are in a position to aid in the identification of those young people who may be suicidally prone, and to intervene in

order to link these young people and their families to treatment programs in the community. In addition, school

personnel need to be better prepared to sensitively relate to suicidal young people following a suicide attempt, and to

deal with the intense emotions/reactions of the school community following an actual suicide.

Adopted: November 4, 2014

BAXTER ACADEMY STUDENT EDUCATION RECORDS AND INFORMATION ADMINISTRATIVE

PROCEDURE

This administrative procedure is intended to assist administrators and school staff in complying with the requirements of federal and state statutes and regulations concerning student education records and information, including special education requirements.

A. Definitions

The following definitions apply to terms used in this procedure.

1. "Act" means the federal Family Educational Rights and Privacy Act (20 U.S.C. §1232g).
2. "Directory information" means the following information contained in an education record of a student: name, participation and grade level of students in officially recognized activities and sports, height and weight of student athletes, dates of attendance in the school unit, and honors and awards received.
3. "Eligible student" means a student who has attained 18 years of age who has not been judged by a court of competent jurisdiction to be so severely impaired that the student is unable to make decisions or exercise judgment on his/her own behalf. When a student attains the age of 18, all rights accorded to parents concerning education records transfer to the eligible student.
4. "Parent" means parent, regardless of divorce or separation, a legal guardian, or individual acting as a parent or guardian provided that there shall be a presumption that a parent has the authority to exercise the rights governing such matters as divorce, separation or custody or a legally binding instrument that specifically revokes such rights.
5. "Education Record" means information or data that directly relates to a student and is maintained by the school unit in any medium, including but not limited to handwriting, print, computer media, video or audio tape, microfilm and microfiche. Records of instructional, supervisory and administrative personnel and personnel who support these individuals, which are in the sole possession of the maker thereof and which are not accessible or revealed to any other person except a temporary substitute for the person who made the record are excluded from this definition.
6. "Student" includes any individual with respect to whom the school unit maintains education records.

B. Notification

Parents and eligible students shall be provided with notice of their rights under FERPA and other applicable federal and state laws and regulations concerning education records at the beginning of each school year or upon enrollment if a student enrolls after the start of the school year. BA may provide notice through any of the following means:

1. Mailing to students' homes;
2. Distribution to students to take home;
3. Publication on the school website;
4. Publication in student handbooks; and
5. Publication in newsletters or other materials distributed to each parent/ eligible student.

C. Access to Policy and Administrative Procedures

Baxter Academy's policy on Student Education Records and Student Information shall be posted in each school. In addition, school administrators shall provide copies of this administrative procedure to parents/eligible students upon request.

D. Inspection and Review of Education Records

Parents/eligible students may review and inspect their educational records by the following procedure:

1. The parent/eligible student must make a written request to the Executive Director or building administrator to review the records.
2. The Executive Director or building administrator will comply with the request without unnecessary delay and in a reasonable period of time, but in no case more than 45 days after it received the request, and will comply before any IEP Team meeting regarding an Individualized Education Program or any due process hearing relating to the identification, evaluation, or placement of the student.
3. The Executive Director or building administrator may deny a request for access to or copies of the student's education records if there is reasonable doubt as to the legality of the parent-child relationship. Access will be withheld until a determination of legal right to access can be established.
4. All records shall be reviewed in the presence of a school official. Parents/eligible students may also request to review the following:
 1. Baxter Academy's list of types and locations of all records and titles of officials responsible for the records; and
 2. Baxter Academy's record of disclosures of personally identifiable information (see following section).

E. Requests to Amend Education Records

Parents/eligible students may ask Baxter Academy to amend education records they believe are inaccurate, misleading or in violation of the student's privacy rights as follows:

1. The parent/eligible student must make a written request to the Executive Director or building administrator to amend the education record. The request must clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.
2. The Executive Director or building administrator shall, within a reasonable period of time after receipt of the request, either amend the record in accordance with the request or inform the parent/eligible student of its refusal to amend the record and inform the parent/eligible student of their right to request a hearing.

3. If the parent/eligible student requests a hearing, it shall be held within a reasonable period of time from Baxter Academy's receipt of the written request. The parent/eligible student shall be given advance notice of

the date, place, and time of the hearing. The Executive Director shall designate an individual to conduct the

hearing. This individual may be an employee of Baxter Academy so long as he/she does not have a direct

interest in the outcome of the hearing. The parent/eligible student shall be afforded a full and fair opportunity

to present evidence relevant to the issues raised and may be assisted or represented by individuals of

his/her choice at his/her own expense, including an attorney.

4. Baxter Academy shall make its decision in writing within a reasonable period of time. The decision of the school shall include a summary of the evidence and the reasons for the decision.

5. If, as a result of the hearing, Baxter Academy decides that the information is inaccurate, misleading or otherwise in violation of the privacy rights of the student, it shall amend the education records of the student accordingly and so inform the parent/eligible student in writing.

6. If, as a result of the hearing, Baxter Academy decides that the information is not inaccurate, misleading or otherwise in violation of the privacy rights of the student, it shall inform the parent/eligible student of their right to include a statement in the student's education record about the contested information and/or setting forth any reasons for disagreeing with the decision of Baxter Academy.

7. Any statement placed in the student's education record under the preceding paragraph shall be maintained as long as the record or contested portion is maintained by Baxter Academy . If the education records of the student or the contested portion are disclosed by the School Department to any party, the explanation shall also be disclosed.

F. Disclosure of Education Records

All disclosures of education records will be made in compliance with federal and state statutes and regulations. The School will maintain a record of disclosures of personally identifiable information from the education records of a student. Such records do not include disclosures to the parents/eligible student, disclosures made pursuant to written consent of the parents/eligible student, disclosures to school officials or disclosures of directory information. The School will not disclose any personally identifiable information from the education records of a student without the prior written consent of the parent/eligible student. The written consent shall include a specification of the records that may be disclosed, the purpose(s) of the disclosure(s), and the identity of the party or parties to whom the disclosure(s) may be made.

There are several exceptions to the requirement to obtain prior written consent before disclosing education records as follows:

1. **Directory Information.** Baxter Academy may make directory information (as described in the Definitions section) public at its discretion unless a parent/eligible student has notified the Executive Director or Principal in writing by September 15th or within thirty (30) days of enrollment, whichever is later.

Baxter Academy may disclose directory information about former students without the consent of the parent/eligible student.

2. **School Officials with Legitimate Educational Interests.** Education records may be disclosed to school officials with a "legitimate educational interest." A school official has a legitimate educational interest if he/she needs to review an education record in order to fulfill his/her professional responsibility. School officials include persons employed by Baxter Academy as an administrator, supervisor, instructor, or support staff member (including health or medical staff and the school unit's designated law enforcement unit personnel, if any); members of the Board of Education; persons or companies with whom Baxter Academy has contracted to provide specific services (such as attorneys, auditors, medical consultants, evaluators or therapists); and parents, students or volunteers serving on an official committee (such as a disciplinary or grievance committee) or assisting a school official in performing his/her professional responsibilities.

3. **Other School Units.** Under Maine law (20- A M.R.S.A. § 6001 -B), BA is required to send a student's education records to a school unit to which a student applies for transfer, including

disciplinary records, attendance records, special education records and health records. Consent is not required for the transfer of these records, except for confidential health records.

At the request of the Superintendent of the school unit where a student seeks admission, the student's current or former school administrators shall provide, in a timely fashion, an oral or written report to the Superintendent indicating whether the student has been expelled or suspended or is the subject of an expulsion or suspension proceeding.

4. **Other Entities/Individuals.** Education records may be disclosed to other governmental entities, agencies and individuals as specifically permitted by FERPA and the accompanying regulations.

5. **Information on the Internet.** Under Maine law (20-A M.R.S.A. § 6001), the School Department shall not publish on the Internet any information that identifies a student, including but not limited the student's full name, photograph, personal biography, e-mail address, home address, date of birth, social security number and

parents' names, without written parental consent.

G. Waiver of Confidentiality Rights

A parent/eligible student may waive any of his/her rights regarding confidentiality of educational records, but such a waiver must be in writing and signed by the parent/eligible student. The school may not require that parent/eligible student waive his or her rights. Any waiver may be revoked with respect to actions occurring the revocation. If a parent executes a waiver, that waiver may be revoked by the student any time after he/ she becomes an eligible student.

H. Fees for Copying Records

There shall be no charge to search for or retrieve education records of a student. Baxter Academy shall provide

copies of education records to parents/eligible students upon request. The cost of producing copies of the record to parents/eligible student will be 10 cents per page copied, plus postage. Parents/eligible students who are unable to pay such fees will not be denied access to education records. This fee, however, will not prohibit a parent's or eligible student's opportunity for access to the records if they are unable to pay for such copies. There will be no charge to search for or to retrieve the education records of a student.

I. Maintenance and Destruction of Education Records

Baxter Academy shall maintain accurate and up-to-date education records as required by federal and state statutes and regulations.

1. Records shall be maintained by personnel who are knowledgeable about the applicable confidentiality. All records shall be safeguarded from unauthorized access. Student records must be kept in fireproof storage at the school or a duplicate set kept off-site.
2. Baxter Academy shall not destroy any education record if there is any outstanding request to inspect or review such records.
3. Records of access to education records shall be retained as long as the records themselves.
4. Baxter Academy shall inform parents of students with disabilities when education records are no longer needed to provide educational services to the student or to demonstrate that the school has provided the student with a free appropriate public education as required by law. At that point, the records may be turned over to parents/ eligible student upon their request, or destroyed in accordance with the parent's request or school unit procedures.

J. Complaints

The United States Department of Education maintains an office that handles complaints about alleged violations of FERPA by local school units. Complaints regarding violations of rights accorded parents/eligible students may be submitted in writing to:

Family Policy Compliance Office Department

of Education

400 Maryland Avenue, S.W. Washington, D.C. 20202

Adopted: November 4, 2014

BAXTER ACADEMY ANNUAL NOTICE OF STUDENT EDUCATION RECORDS AND INFORMATION RIGHTS

The Family Educational Rights and Privacy Act ("FERPA") provides certain rights to parents and eligible students (18 years of age or older) with respect to the student's education records.

A. Inspection of Records

Parents/eligible students may inspect and review the student's education records within 45 days of making a request. Such requests must be submitted to the Executive Director or building administrator in writing and must identify the record(s) to be inspected. The Executive Director or building administrator will notify the parent/eligible student of the time and place where the record(s) may be inspected. Parents/eligible students may obtain copies of education records at a cost of 10 cents per page.

B. Amendment of Records

Parents/eligible students may ask Baxter Academy to amend education records they believe are inaccurate, misleading or in violation of the student's right to privacy. Such requests must be submitted to the Executive Director or building administrator in writing, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the Executive Director or building administrator decides not to amend the record as requested, the parent/eligible student will be notified of the decision, their right to request a hearing, and information about the hearing procedure.

C. Disclosure of Records

Baxter Academy must obtain a parent/eligible student's written consent prior to disclosure of personally identifiable information in education records except in circumstances as permitted by law.

1. Directory Information

Baxter Academy designates the following student information as directory information that may be made public at its discretion: name, participation and grade level of students in officially recognized activities and sports, height and weight of student athletes, dates of attendance in the school unit, and honors and awards received. Parents/eligible students who do not want Baxter Academy to disclose directory information must notify the Executive Director in writing by September 15th or within thirty (30) days of enrollment, whichever is later.

2. School Officials with Legitimate Educational Interests

Education records may be disclosed to school officials with a "legitimate educational interest." A school official has a legitimate educational interest if he/she needs to review an education record in order to fulfill his/her professional responsibility. School officials include persons employed by Baxter Academy as an administrator, supervisor, instructor, support staff member (including health or medical staff and law enforcement unit personnel); members of the Board of

Education; persons or companies with whom Baxter Academy has contracted to provide specific services (such as attorneys, auditors, medical consultants, evaluators, or therapists); and parents, students and volunteers serving on an official committee (such as a disciplinary or grievance committee) or assisting a school official in performing his/her professional responsibilities.

3. Other School Units

As required by Maine law, Baxter Academy sends student education records to a school unit to which a student applies for transfer, including disciplinary records, attendance records, special education records and health records

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(except for confidential health records for which consent for dissemination has not been obtained).

4. Health or Safety Emergencies

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

5. Other Entities/Individuals

Education records may be disclosed to other entities and individuals as specifically permitted by law. Parents/eligible students may obtain information about other exceptions to the written consent requirement by request to the Executive Director or building administrator.

D. Complaints Regarding School Department Compliance with FERPA

Parents/eligible students who believe that Baxter Academy has not complied with the requirements of FERPA have the right to file a complaint with the U.S. Department of Education. The office that administers FERPA is:

Family Policy Compliance Office

U.S. Department of Education

400 Maryland Avenue, SW Washington, DC 20202

Adopted: November 4, 2014

BAXTER ACADEMY STUDENT EDUCATION RECORDS AND INFORMATION

Baxter Academy shall comply with the Family Educational Rights and Privacy Act ("FERPA") and all other federal and state laws and regulations concerning confidentiality and maintenance of student records and student information.

A. Directory Information

Baxter Academy designates the following student information as directory information: name, participation and grade level of students in recognized activities and sports, height and weight of student athletes, dates of attendance in Baxter Academy, honors and awards received, and photographs and videos relating to school attendance and participation in school activities (except photographs and videos on the Internet).

B. Information on the Internet

Under Maine law, Baxter Academy shall not publish on the Internet any information that identifies a student,

including but not limited to the student's full name, photograph, personal biography, and parents' names, without

written parental consent.

C. Transfer of Student Records

As required by Maine law, Baxter Academy sends student education records to a school unit to which a student

applies for transfer, including disciplinary records, attendance records, special education records and health

records (except for confidential health records for which consent for dissemination has not been obtained).

D. Designation of Law Enforcement Unit

The Board hereby designates the Skowhegan Police Department and Somerset Sheriff's Department, as the Baxter Academy law enforcement units.

F Administrative Procedures and Notices

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

Adopted: November 4, 2014

BAXTER ACADEMY STUDENT OPINION SURVEYS

Any opinion survey must have the expressed approval of the Head of School.

Examples are: opinion surveys solicited by publishing firms on behalf of their products and research projects undertaken by undergraduates, graduate students, and faculty of colleges and universities, and pre-election polls.

Adopted: November 4, 2014

BAXTER ACADEMY COMMUNITY USE OF SCHOOL FACILITIES

GENERAL

Community groups shall be permitted and encouraged to use school facilities for worthwhile purposes when such uses will not interfere with the school program. All arrangements shall be subject to the provisions which follow.

RESPONSIBILITY

The Board authorizes a representative, subject to approval of the Executive Director, to accept and act upon requests for use of school buildings and grounds in accordance with board policies and regulations. The Board, acting through its agent, reserves the right to approve or reject any application.

RULES AND REGULATIONS

Requests for use of the auditorium, gymnasium, cafeteria, classroom space, and grounds are to be made to the representative of the school prior to the date of use.

Proper forms, available at the Baxter Academy office, are to be submitted before permission to use the facility may be granted.

Groups are responsible for payment of all fees.

REGULATIONS FOR RENTAL OF FACILITIES

A. School facilities may be used as available according to the two following categories:

1. School-connected purposes;
2. Civic, community, cultural, educational, or philanthropic purposes; and

Category 1 refers to all school personnel and affiliated organizations whose purposes are school orientated. No fee for building use will be charged, but there may be a service charge. See Item H.

Category 2 is divided into two groups: (A) uses open to the public or to restricted attendance with admission charged and proceeds going to benefit projects of the organization; (B) uses open to the public or to restricted attendance for community betterment.

B. The use of facilities will be granted according to Board policy.

C. Use of tobacco (smoking or chewing) and alcohol is prohibited in any facility at any time.

D. Approved applicants shall be responsible for damage that may be caused by his/her use or sponsorship.

E. Approved applicants shall comply with local ordinances pertaining to buildings and their use, and shall adhere to the appropriate local police and fire regulations at the applicant's expense.

F. No person under the influence of intoxicating beverages or controlled substance shall be permitted in any

facility, nor shall any person bring, use, or serve alcoholic beverages or controlled substance in any facility at any time.

G. Approved applicants are expected not to use facilities in any way that would be

considered below the standards of entertainment or amusement ordinarily provided by school groups or allied organizations.

H. As a general rule, school equipment will not be loaned for use outside the buildings, except

movable tables and chairs, when available, at a rate of \$4.00 per table and 50 cents per chair as a deposit. A school representative must be present when tables and chairs are moved in and out of school buildings.

I. The Board reserves the right to adjust regulations or cancel applications for building use.

J. Use of facilities shall not interfere with school programs.

K. School authorities are not responsible for loss or damage of articles brought into or

left on school properties.

L. The service of the building custodian does not include the erecting and dismantling of equipment unless such is the property of the school.

M. Equipment of the applicant shall be removed from the facility promptly upon completion of the

use so as not to interfere with school activities. Whenever materials, equipment, furnishings, or rubbish are left following the use of the facility by persons not officially connected with the school, the applicant will be required to pay for the cost of removal, which will not be delayed for the convenience of the persons who used the facility.

N. Baxter Academy reserves the right to insure that the community event is well supervised to protect the safety of the attendees and the physical plant.

O. The Executive Director is authorized to allow the use of facilities for community events such as a special selectman's meeting or town meeting. In the spirit of community cooperation, the Executive

Director can waive all rental and custodial fees.

Adopted: November 4, 2014

BAXTER ACADEMY DISTRIBUTION OF NON-SCHOOL MATERIALS

The Board wishes to minimize intrusions on the teaching and learning time of students and staff. While there are many worthy activities in the communities served by Baxter Academy that are sponsored by various non-profit organizations, the Board believes that students should not be used to distribute or carry home flyers, brochures, or other materials that are not directly related to school programs, school curriculum, or school- related activities.

Only the following materials may be distributed to students to be carried home:

A. Communications from the Board, Executive Director, school administrators, and school staff such as newsletters, letters to parents, announcements of meetings or events, school forms, and classroom information;

B. Information and notices concerning school-sponsored activities and programs for students and/or parents;

C. Information and notices concerning activities and programs offered by groups affiliated with Baxter Academy, such as parent-teacher organizations and booster groups; and

D. Information and notices from municipal (e.g., Recreation Department, etc.), state and federal agencies concerning programs available to students.

Outside organizations are not authorized to directly distribute promotional materials to students or to their parents/guardians on school grounds.

Outside organizations that wish to distribute promotional material at Baxter Academy may send a sample of the material to the Executive Director electronically. The name, address, and telephone number of the organization, along with the name of a contact person, must accompany the sample of the promotional material.

The Executive Director/Designee retains the discretion, on a case-by-case basis, to approve the distribution of any materials from all groups concerning activities/programs that directly enhance the educational goals of the schools and are designed to benefit students. The Executive Director/Designee's decision in each case shall be final.

Adopted: November 4, 2014

BAXTER ACADEMY SOLICITATIONS IN SCHOOLS

Sale of educational materials to students.

The sale of any materials to students must have prior Board approval. Building administrators may make exception to this policy when:

- A. The materials to be purchased are directly related to the school program and are otherwise unavailable;
- B. No child will be discriminated against because of a lack of financial resources for purchase of instructional materials;
- C. The amount requested is not excessive; and
- D. A letter of explanation is sent to the parents/guardians of the students to be affected.

Adopted: November 4, 2014

BAXTER ACADEMY VISITORS TO SCHOOLS

Unauthorized Persons in School Building or on School Property

- A. Building administrators have the responsibility and authority for determining the authorization of visitors to the building or school grounds.
- B. Only one door should be unlocked during school hours so that all visitors will enter through the same entrance.
- C. All visitors should be required to stop by the building administrator's office upon arrival at the school, and a clearly marked sign should be displayed at all entrances making known this requirement.
- D. All school personnel are expected to assist the building administrator by informing the office of any unauthorized persons who are in the building or on the school grounds.
- E. People not known to be authorized visitors should be courteously asked to identify themselves and to state the purpose of the visit.
- F. If a visitor refuses to be identified or to state the purpose of the visit, the visitor should be asked to go to the building administrator's office for proper authorization to visit in the school.
- G. Should the person refuse to follow this request, the person should be informed that the building administrator will be notified of his/her presence, the refusal to respond to inquiries about his/her presence, and that he/she is being asked to leave the school property.
- H. Failure to leave the building upon request shall be sufficient cause to inform the visitor that the building administrator will be notified of this refusal and that the police will be called by the building administrator to escort the visitor from the building or to place the visitor under arrest.
- I. NO PERSON OTHER THAN THOSE DESIGNATED BY THE BUILDING ADMINISTRATOR AND WHOSE NAMES HAVE BEEN SUPPLIED TO THE POLICE WILL BE AUTHORIZED TO CALL THE POLICE.

Adopted: November 4, 2014

BAXTER ACADEMY RELATIONS WITH LAW ENFORCEMENT AUTHORITIES

Cooperation with law enforcement agencies is essential for the protection of students, for maintaining a safe environment in the schools, and for safeguarding school property. Police officers may be allowed to interview students on school grounds during school hours by request of or with permission of the building administrator. In either case, the student's parents/guardians will be notified and the building administrator or designee will be present. The student will be afforded the same rights he or she would have outside of the school.

Arrests on school property should be avoided. When such action is necessary to protect the safety of students and/or staff, the Executive Director and parents/guardians will be notified prior to the arrest or as soon thereafter as possible.

In all cases, all possible care will be taken to maintain the orderly conduct of school activities.

Adopted: November 4, 2014

BAXTER ACADEMY STUDENT TEACHING AND INTERNSHIPS

The Board, recognizing both its responsibility to improve the quality of teacher training and the contribution that student teachers and interns can make to the school, encourages the administration to cooperate with teacher-training institutions in the placement of student teachers at Baxter Academy.

The importance of the teacher-training function to the future of education and the need to assure a high quality of performance in our schools demands that student teachers be placed only with the best teachers. Therefore, teachers allowed to accept the added responsibility of training student teachers must be superior. Because they continue their primary responsibility – the education of the children of their charge – their commitment is doubled. These teachers must have demonstrated to their building administrators a capacity and willingness to meet these additional

demands. No teacher shall be requested to act as supervisory teacher more than twice in any school year when other qualified supervisory teachers are available.

Further recognizing the special skills and expertise of the teacher-preparation institution and its staff,

the Board authorizes the administration to honor the reasonable rules, regulations, and training guidelines of the sending institution.

In all arrangements made with preparation institutions, the school shall be given the privilege of interviewing, and accepting or rejecting, individual candidates for student teaching and internships.

The school shall devise procedures for evaluating the performance of student teachers and interns which meet with requirements of the sending institution and fit with the Board's policies.