

EDUCATIONAL PHILOSOPHY

CAPE ELIZABETH SCHOOLS

Our Mission

CAPE Schools open minds and open doors.

Our Vision

We empower students with the academic, personal, and social knowledge and skills needed to build fulfilling and engaged lives.

Our Values

Community: We value the connections among our school, local, and global communities that foster meaningful participation in a dynamic and diverse world.

Academics: We value rich and varied learning experiences that support critical thinking, perseverance, effective communication, and independent and collaborative work inside and outside of the classroom.

Passion: We value personal investment in learning in an environment that nourishes joy and creativity, protects risk-taking, and cultivates individual expression.

Ethics: We value decision-making and actions guided by the principles of personal integrity, empathy, responsibility, and respect for self and others.

ADOPTED: Prior to 1991
REVIEWED AND ACCEPTED: 1991
REVISED: October 12, 2004
Revised: May 8, 2012
ADOPTED:

DRUG-FREE WORKPLACE

The Cape Elizabeth School Board recognizes that alcoholism and drug dependency are treatable diseases. Left untreated, they may result in serious personal and family problems. At the same time, the Board is also seriously concerned about the effects of alcohol and drug dependency upon an employee's job performance and ability to serve as a role model for our students.

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, the Board 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.

Any employee who suspects that he/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 outside agency upon request and assisted in determining the extent to which insurance coverage to help pay for such services is available. All voluntary referrals shall be kept confidential.

Prohibited Conduct

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 any other controlled substance (as defined in schedules I through V of section 202 of the federal Controlled Substance Act [21 USC § 812]; by regulation at 21 CFR, § 1300.11 through 1300.15; and in 17-A MRSA, § 1101). This applies-before, during and after school hours, at school or in any other school system location, defined as follows:

"School 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 transports 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, department; or during any period of time such employee is supervising students on behalf of the school system or otherwise engaged in school department business.

Any illegal use, possession, furnishing, selling or provision of assistance in obtaining alcoholic beverages or scheduled drugs not covered by the preceding paragraph is also prohibited.

In addition, employees (including coaches) are prohibited from selling, distributing or promoting any performance-enhancing substances included on the banned substances list prepared by the Maine Department of Health and Human Services Office of Substance Abuse.

DRUG-FREE WORKPLACE

Appropriate disciplinary action shall be taken against any employee who violates this policy, up to and including dismissal. Referrals for assistance or treatment do not preclude disciplinary action being taken for violations of this policy.

As provided in the Drug-Free Workplace Act of 1988, any employee is required to notify the school district 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 Superintendent, 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 district receives grant funds.

Implementation

The Superintendent shall be responsible for developing and administering appropriate procedures 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 and is to be posted in appropriate locations throughout the school system.

Legal Reference: 21 U.S.C. § 812 (Controlled Substances Act)
21 C.F.R. §§ 1300.11-1300.15
Fed. P.L. 101-226
17-A MRSA § 1101
20-A MRSA § 6621 et seq.

Cross Reference: JICH - Drug and Alcohol Use by Students

ADOPTED: August 27, 1991

Recoded: June 1998

REVIEWED and APPROVED: December 14, 2004

Adopted: _____

FAMILY CARE LEAVE

Maine’s “Act to Care for Families” requires employers who provide paid leave under the terms of a collective bargaining agreement or employment policy to allow employees to use such leave to care for an immediate family member who is ill (hereafter referred to as “family care leave”) in accordance with the conditions described in this policy.

I. Definitions

For the purposes of this policy, the following definitions from the Act to Care for Families apply:

- A. “Immediate family member” means an employee’s child, spouse or parent.
- B. “Paid leave” means time away from work by an employee for which the employee receives compensation, and is limited to sick time, vacation time, compensatory time and leave that is provided as an aggregate amount for use at the discretion of the employee for any of these same purposes. Paid leave does not include paid short-term or long-term disability, catastrophic leave or similar types of benefits.

II. Amount of Leave Available

An employee may take up to 40 hours of available paid leave (or the amount provided by an applicable collective bargaining agreement if that is greater) as family care leave per 12-month period. For the purposes of this policy, the 12-month period is **September 1 through August 31**. An employee may not use paid leave for family care leave purposes until it has been earned. If the employee has more than one type of paid leave available under an applicable collective bargaining agreement or employment policy, he/she may specify which type and the amount of each type of leave to be used as family care leave.

All family care leave taken by an employee shall be counted toward his/her entitlement under the federal Family and Medical Leave Act or state Family Medical Leave Act.

III. Employee Notice Requirements

Notice and verification requirements for use of family care leave shall be the same as those required by the school department for an employee’s own illness. The employee must specify that leave is being taken pursuant to the Act to Care for Families.

Legal Reference: 26 M.R.S.A. § 636

Cross Reference: GBN – Family and Medical Leave

ADOPTED:

PROFESSIONAL STAFF HIRING

~~One of the most important tasks of administrative personnel is the recommendation for hire of talented, accomplished, and effective professional staff. Hiring the best possible candidate makes a long term difference in school system quality. Good staff hiring should be done in stages involving various people in separate roles while employing a variety of information sources.~~

~~Through its employment policies, the board shall attempt to attract, hire and retain the best qualified personnel for all professional positions.~~

~~It shall be the duty of the superintendent to see that any person nominated for employment in the schools shall meet all certification requirements, health requirements and the requirements of the board for the type of position for which the nomination is made.~~

~~The Cape Elizabeth Schools *Hiring Procedures Manual* will continue to be School board approved. It will be reviewed annually by the Personnel Committee and will be updated as needed.~~

~~While the Board may accept or reject a nomination, an appointment shall be valid only if made with the recommendation of the Superintendent.~~

~~Legal Reference: — TITLE 20A MRSA SEC. 13201 ET SEQ.~~

~~ADOPTED: — January 12, 1988~~

~~REVIEWED: — March 10, 1992~~

~~Recorded: — June 1998~~

~~Revised: — June 10, 2003~~

~~Revised: — December 14, 2004~~

RECRUITING AND HIRING OF ADMINISTRATIVE STAFF

The Board affirms its commitment to the strict prohibition of discrimination in employment on the basis of race, color, national origin or ancestry, religion, sex, sexual orientation, age, genetic information or disability, and to the principle of affirmative action to obtain wide and representative candidate pools.

In accordance with 20-A MRSA, § 1001.13, the Superintendent shall prepare a procedure designed to ensure nondiscriminatory practice in recruitment and hiring for all positions requiring administrator certification, as well as to result in selection of the most qualified candidates.

Moreover, upon each occasion of administrative vacancy, the Superintendent shall review the procedure and make appropriate adaptations as may be warranted by special circumstances.

In accordance with 20-A MRSA, § 4502.4-A, the district's Affirmative Action Plan shall include: a description of the status of the district's nondiscriminatory administrator hiring practice, plans for in-service training programs on gender equity for teachers, administrators and the School Board; and the relationship of the above to the State's five-year goal for the employment of women in administrative positions.

Legal Reference: 5 MRSA § 4576
20-A MRSA §§ 6, 254.8-10, 256.1, 7, 1001.13, 4502.4A, 13011.6, 13019-A.1D, 13019-B.1C

Cross Reference: AC – Nondiscrimination/Equal Opportunity and Affirmative Action
(See *Cape Elizabeth Schools Hiring Procedures Manual*)
GBJC – Retention of Application Materials

ADOPTED: March 12, 1996
REVISED: June 10, 2003
REVISED: December 14, 2004
Adopted: _____

PROFESSIONAL STAFF DEVELOPMENT OPPORTUNITIES

The Board recognizes the importance of developing, maintaining, and extending the skills of staff members and encourages employees to engage in programs and activities that will lead to their professional growth and increased competence.

The Superintendent is authorized to initiate programs and activities which are designed to serve the following purposes:

- A. To provide a structure through which staff members can stay abreast of new developments in their areas of specialty;
- B. To familiarize staff members with new research and innovative teaching methods;
- C. To assist staff members in the process of change and school improvement; and
- D. To facilitate the development, implementation and evaluation of new programs.

Within budgetary limitations, visitations and attendance at conferences may be approved by the Superintendent in accordance with Board policy.

ADOPTED: April 14, 1992

Recoded: June 1998

Reviewed & Approved: December 14, 2004

Legal Reference: Chap. 125 (Maine Dept. of Ed. Rule)

Adopted: _____

POLICY ON INDIVIDUALIZED EDUCATION PROGRAMS

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

Student IEPs shall be reasonably calculated to provide the identified student with educational benefits in the least restrictive educational environment. The Cape Elizabeth School Department shall ensure that such IEPs are in effect within 30 days of when a student is first identified as in need of special education services, and in effect no later than the beginning of each school year for subsequent IEPs. All IEPs must be reviewed at least annually, as prescribed by state and federal special education laws.

Legal References: 20 U.S.C. §§1414(d); 34 C.F.R. §300.320 to .324 (2006); Me. Dept of Educ.
Reg. ch. 101, § IX(3)

Adopted: April 8, 2008

Revised:

Referral/Pre-Referral Procedures

~~The Cape Elizabeth School Department shall refer to the IEP Team all school-age students suspected of having a disability that requires special education and related services. Referrals to the IEP Team may be made by a child's parent, by professional school staff, or by others with knowledge of the child. Referrals should be made and processed consistent with these procedures.~~

~~A. — **Referrals by parents** A parent may refer his or her child to the IEP Team at any time. That referral shall be made in writing directly to the office of the Director of Instructional Support.¹ Should the parent seek to make a referral through other professional staff (such as teachers, guidance counselors, or administrators), that professional staff member shall directly assist the Family in making the referral in writing to the office of the Director of Instructional Support. Should a parent attempt to make a referral orally, professional staff shall assist the parent in reducing that referral to writing and submitting it to the office of the Director of Instructional Support.~~

~~———— A parent referral shall be processed consistent with these procedures and governing timelines even if the child is receiving interventions pursuant to the District's pre-referral procedures (discussed below). Those pre-referral procedures shall continue during the referral process, however.~~

~~B. — **Referrals by staff** Any professional employee of the school unit may refer a child to the IEP Team regardless of the results of initial child find activities, but only after completion of any pre-referral intervention process used by the school unit. The school unit may move directly forward with the referral process in those circumstances where the school unit and parent agree to do so. Even in that situation, however, pre-referral interventions will continue during the referral process.~~

~~———— Professional school staff shall prepare a referral in writing and shall submit that referral directly to the office of the Director of Instructional Support.~~

~~C. — **Referrals by others** Individuals or agency representatives (including representatives of the Department of Health and Human Services) with knowledge of the child may refer that child to the IEP Team regardless of the results of initial child find activities but only after completion of any pre-referral intervention process used by the school unit. The school unit may move directly forward with the referral process in those circumstances where the school unit and parent agree to do so. Even in that situation, however, pre-referral interventions will continue during the referral process.~~

¹ Many school units use different titles for the office that manages special education within that school unit. The bracketed title in this model procedure should be changed to reflect the title used by the local unit.

Referral/Pre-Referral Procedures

~~Should such a person attempt to make a referral orally, professional staff shall assist that person in reducing that referral to writing and submitting it to the office of the Director of Instructional Support.~~

~~D. — **Receipt of Referral** Regardless of the source of the referral, a referral is received by the school unit on the date that the written referral is received by the office of the Director of Instructional Support. It shall be signed and dated by the Instructional Support director or designee, thereby indicating the date of the receipt of that referral.~~

~~E. — *(Special Note: This policy and procedures assume and recommend that the referrals be received by the central special education office, rather than by a building-based model, such as by the principal. If a school unit prefers a different approach, they should discuss the pros and cons of any alternative with their school attorney.)*~~

~~**Time Line for Processing Referral** Once the referral has been received in the office of the Director of Instructional Support, the IEP Team shall review existing evaluation data and determine the need for additional evaluations. The IEP Team may conduct its review without a meeting. If additional evaluations are needed, the local unit must send a “consent to evaluate” form to the parent within 15 school days of receipt of the referral. Also upon receipt of the referral (from any source), the local unit shall send the parent its Written Notice form documenting that referral.~~

~~Once the office of the Director of Instructional Support receives the signed consent for evaluation back from the parent, the local unit shall have 60 calendar days to complete the evaluation and to hold an IEP Team meeting to determine whether the student qualifies for special education services. If the student is identified as a child with a disability in need of special education, the Team should develop an IEP for that child either at that same meeting or within 30 calendar days of determining that the student is eligible.~~

~~The local unit shall implement the IEP as soon as possible following the IEP Team meeting when the child is found eligible, but no later than 30 calendar days after that meeting.~~

~~F. — **Transfer Students** Students who have already been identified as in need of special education services and who transfer into the school unit from another school unit *within Maine* shall, on enrollment and in consultation with the parent, be provided with FAPE (including services comparable to those described in the child’s IEP from the previous school unit) until the local unit either adopts the child’s IEP from the previous~~

Referral/Pre-Referral Procedures

~~unit or develops, adopts, and implements a new IEP.~~

~~Students who have already been identified as in need of special services and who transfer into the school unit from another school unit *from outside of Maine* shall, on enrollment and in consultation with the parent, be provided with FAPE (including services comparable to those described in the child's IEP from the previous school unit) until the local unit conducts an evaluation ~~if deemed to be necessary by this school unit~~ to determine whether the student is eligible for special education and, if so, develops, adopts, and implements a new IEP.~~

~~If the transfer student's ~~student's~~ current IEP from his or her prior school unit is not available or is believed to be inappropriate by either the parent or the school, the local unit should develop a new IEP through appropriate procedures within a short time after the student enrolls at the school.~~

~~If a child transfers into the school unit after the referral time line has begun in the previous school unit but before an eligibility determination has been made, the time line referenced above for completing that process shall not apply if the local unit is making sufficient progress to ensure a prompt completion of the evaluation, and the parent and school unit agree to a specific time when the evaluation will be completed and the eligibility decision made.~~

Pre-Referral Procedures

~~Professional school staff members who observe that a student is encountering academic or functional difficulties in school that interfere with the ~~student's~~ education shall document those specific difficulties on a Pre-Referral Checklist.~~

~~The school staff member shall then develop intervention strategies using the intervention checklist that accompanies the pre-referral checklist. The staff member may consult with other school employees and/or the ~~student's~~ parents in developing the intervention strategy. The intervention strategies shall have an established time period for implementation, and at the end of that time, its success shall be assessed and documented at the bottom of the intervention checklist. If the intervention strategies have not been effective or if the interventions are demonstrated to be effective but require continued and substantial effort that may include the provision of special education and related services, the staff member shall ~~refer~~ refer the child to the IEP consistent with the procedures set forth above.~~

~~The local unit shall notify parents whenever their child has demonstrated educational difficulties that have led to completion by a staff member of the pre-referral~~

Referral/Pre-Referral Procedures

~~checklist and intervention strategy checklist. That notification of pre-referral interventions should include copies of the completed checklists and shall request that the parents contact the staff member who has completed the documents. That notification shall also inform parents that they have a right to refer their child directly to the IEP Team if they suspect that their child may need special education services. The local unit may advise the parents as to why it may be appropriate to have the child participate in the intervention strategies prior to a referral to the IEP team, but the local unit shall not reject or delay the referral until the completion of the intervention strategies.~~

~~———— All notes from the pre-referral process and, if relevant, team meetings and all the data collection procedures that may have been developed through this process shall be considered by the IEP Team and shall become part of the child's special education file. For children who do not qualify for special education services, all pre-referral documents are kept in the child's cumulative folder for future reference and for ongoing educational planning.~~

~~———— The general education interventions developed through this pre-referral process shall be continued ~~in the event of a referral while the referral is being handled by the IEP Team, and the resulting data shall become part of the child's special education file.~~~~

~~Special education due process procedures shall not be used to address parental concerns regarding successful implementation of these pre-referral procedures, and the failure to use this pre-referral process may not be used in special education due process proceedings to establish that the school unit has failed to meet its child find or referral obligations.~~

~~Legal Reference Ch. 101, §§ II(23), III, IV(2)(D), (E), V(4)(A) (Me. Dept. of Ed. Rules) (August 2007)~~

~~Adopted: ——— April 8, 2008~~

~~Reference: Me. Dept. of Educ. Reg. ch. 101, §§ II(23), III, IV(2)(D), (E), V(4)(A) (May 2010)~~

~~Date adopted by Superintendent: _____~~

Child Find Policy

The Cape Elizabeth School Department seeks to ensure that all children within its jurisdiction are identified, located and evaluated who are school-age 5 through the school year in which they turn 20 and who are in need of special education and supportive assistance -- including homeless children, state wards, state agency clients, students who have been suspended or expelled, children attending private schools, receiving home instruction, children incarcerated in county jails, children who have the equivalent of 10 full days of unexcused absences or 7 consecutive school days of unexcused absences during a school year, highly mobile children (including migrant or homeless), and children who are suspected of being disabled and in need of special education and supportive assistance even though they are advancing from grade to grade.

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

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

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

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

References: 34 C.F.R. § 300.111 (2006); Me. Dep't of Educ. Reg. ch. 101, IV(2) (2010).

ADOPTED: February 9, 1999
REVISED: November 14, 2000
September 13, 2005
April 8, 2008

HOME INSTRUCTION PROGRAM

A student may be excused from attending public school if he/she obtains equivalent instruction through a home instruction program that complies with applicable Maine laws.

Written Notice of Intent

The student's parent or guardian must provide a written notice of intent to provide home instruction simultaneously to the Cape Elizabeth School Department Superintendent and the Maine Commissioner of Education within 10 calendar days of the beginning of home instruction. The notice must contain all of the information required by law.

Annual Assessment of Student Progress

The law requires that students in a home instruction program participate in an annual assessment of the student's academic process. If the test is administered through the school district where the student resides, the parent or guardian must obtain the agreement of the Superintendent or designee prior to submitting the written notice of intent to provide home instruction.

On or before September 1st of each subsequent year of home instruction, the student's parent or guardian shall file a letter with the Superintendent of Cape Elizabeth Schools and the Commissioner stating the intention to continue providing home instruction and enclosing a copy of one of the forms of annual assessment of the student's academic progress as specified by law.

Roster of Students Receiving Home Instruction

The Superintendent shall maintain a roster of all students eligible to attend school within the district who are receiving home instruction.

Legal References: 20-A MRSA § 5001-A (3) and (4)
Maine Department of Education Rule Chapter 125

Cross Reference: JEA – Compulsory School Attendance
IHBGA – Home Schooling – Participation in School Programs

ADOPTED: September 13, 2005

HOME SCHOOLING – PARTICIPATION IN SCHOOL PROGRAMS

The Cape Elizabeth School Board acknowledges the provisions for equivalent instruction under Maine law. The Board further recognizes the Legislature’s statement “that the term ‘equivalent’ is intended to mean meeting state standards for alternate or other instruction and is not intended to mean the same as the education delivered in the public school system.”

In addition, it is the intention of the Board to, “cooperate in the home instruction of any child who resides in the school administrative unit to the degree that the level of cooperation does not interfere with the responsibilities to the students enrolled in Cape Elizabeth Schools’ regular programs.” Furthermore, participation of students in such school programs shall be limited to home-schooled students whose home instruction programs are in compliance with applicable Maine law and Department of Education regulations.

In order to maintain an efficient and orderly school program, the Board directs the Superintendent/designee to develop procedures, as appropriate, regarding the availability of school system resources and services to home-schooled students who would otherwise be eligible to attend school in Cape Elizabeth Schools. The procedures shall be in accord with the following provisions.

I. PROVISION OF INFORMATION

At the request of the student or the student’s parent/guardian, the Cape Elizabeth School Department shall make available to home-schooled students, in a form determined by the school, information regarding access to public school activities and attendance at Cape Elizabeth public schools. This information must include:

- A. Requirements regarding initial health and developmental screening for motor skills, vision, hearing and immunization; and
- B. Criteria for participation of home-schooled students in curricular, co-curricular and extracurricular activities.

II. PERMITTED PARTICIPATION

- A. **Participation in Regular Classes.** Home instruction students may enroll in specific, day-school classes provided that the student’s attendance is regular, the class is deemed to be age and grade appropriate, and all prerequisite course requirements are met. In addition, the following shall also apply.
 - 1. The student or the student’s parent/guardian, on the student’s behalf, shall apply in writing to and receive written approval from the Superintendent/designee. Approval may not be unreasonably withheld.

HOME SCHOOLING – PARTICIPATION IN SCHOOL PROGRAMS

2. The student shall demonstrate prior satisfactory academic achievement consistent with Cape Elizabeth School Department policy and procedures applicable to all students.
3. The student shall comply with behavioral, disciplinary, attendance and other classroom rules applicable to all students. If a student fails to comply, the school may withhold credit or terminate the student's participation.
4. Transportation must be provided by the parent/guardian or student. However, the student may use the same transportation as all other students in the school department as long as additional expenses are not incurred and vehicle capacity is not exceeded.
5. The student shall complete all assignments and tests as required of all students in the same class.

B. Course Auditing. Home instruction students may audit a course(s) provided the following conditions have been met.

1. The student or the student's parent/guardian, on behalf of the student, shall apply in writing to and receive written approval from the Superintendent/designee to audit a specific course or courses. Participation may not be unreasonably withheld.
2. The student agrees to meet established behavioral, disciplinary, attendance and other classroom rules applicable to all students. If a student fails to comply, the school may terminate participation.

III. SPECIAL EDUCATION SERVICE

Special Education Services will be available to eligible special education students in accordance with applicable federal and state laws and regulations.

IV. ADMISSION TO REGULAR PROGRAM/PLACEMENT

A student who has been receiving home-school instruction and who seeks admission or re-admission to the regular school program will be placed in a grade commensurate with the level of the student's academic achievement. Placement must be guided by the following.

- A. Grade level placement is determined by the principal, in consultation with appropriate school staff, based upon, but not limited to, such factors as the

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student's completed curricula and record of achievement, conferencing with the student's parent or guardian and administration of tests, if determined necessary.

The final grade placement decision shall be made by the principal.

V. USE OF SCHOOL TEXTBOOKS AND LIBRARY BOOKS

Subject to availability, a student receiving home instruction may use school textbooks, if the number of particular copies are sufficient, and library books owned by the school department, subject to the following conditions.

- A. The use does not disrupt regular student, staff or special program functions.
- B. The student's sign-out period for a library book is the same as that applicable to regularly enrolled students.
- C. The student may sign out a textbook for a period not to exceed one school year.
- D. The parent/guardian and student agree to reimburse the school department for lost, unreturned or damaged library books and textbooks and for consumable supplies used.

VI. USE OF SCHOOL FACILITIES AND EQUIPMENT

A student receiving home-school instruction may use public school facilities and equipment on the same basis as regularly enrolled students if the following conditions are met.

- A. The use does not disrupt regular school activities.
- B. The use is approved by the school principal in accordance with established school policy.
- C. The use does not create additional expense to the school department.
- D. The use is directly related to the student's academic program.
- E. The use of potentially hazardous areas, such as shops, laboratories and gymnasiums, is supervised by a qualified employee of the school department, approved and assigned by the Superintendent.

VII. MAINE EDUCATIONAL ASSESSMENT AND SAT/MHSA

HOME SCHOOLING – PARTICIPATION IN SCHOOL PROGRAMS

If a parent of a student in an equivalent instruction program requests to have the student participate in the Maine Educational Assessment (MEA) or SAT/MHSA, such request must be granted. Participation in such examinations must be in compliance with all rules and procedures governing testing conditions in the school unit.

VIII. ACADEMIC CREDIT

A student receiving home-school instruction must receive academic credit subject to the following requirements.

- A. Academic credit for individual courses must be awarded if the student meets required academic standards applicable to all students enrolled in the same course.
- B. Academic credit must be awarded for successful completion of alternative instruction opportunities sponsored by the school and available to all students.

IX. HIGH SCHOOL COURSE CREDITS AND DIPLOMA ELIGIBILITY

The following standards govern the awarding of course credits and a graduation diploma to a student receiving home-school instruction who seeks admission or readmission to the high school.

- A. A student shall earn high school credits for satisfactory completion of courses in the high school pursuant to 20-A M.R.S.A. § 5021(2)(A).
- B. A student may earn credit for course work completed through home-schooled instruction if the principal determines both in advance and, upon completion of the course, that the course satisfies the requirements for awarding the credit. The principal may direct that the student undergo a test or tests to assist in making a determination relative to the awarding of credit.
- C. Requests for transfer credit for equivalent instruction completed at non-approved private schools, at private schools that elect not to meet requirements under 20-A M.R.S.A. § 2901, or through other equivalent instruction programs must be evaluated on the merits of the documentation provided. The principal and guidance staff shall conduct these evaluations on request made by the student or the student's parent/guardian. The principal may direct that the student undergo a test or tests to assist in making a determination relative to the awarding of credit.
- D. Awarding of a high school diploma by the local school is conditioned upon the student's demonstration of having satisfied all specific course credit and other requirements established by the Board. The Board may establish resident credit requirements as a precondition for the awarding of a local school department diploma.

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X. PARTICIPATION IN CO-CURRICULAR ACTIVITIES

Students receiving home-school instruction may participate in co-curricular activities such as field trips, assemblies, and academically-related fairs provided:

- A. Prior written permission is obtained from both the parent/guardian and the principal; and
- B. The student has agreed to meet established behavioral, disciplinary, attendance, and other rules applicable to all students.

XI. PARTICIPATION IN EXTRACURRICULAR ACTIVITIES

Students receiving home-school instructions are eligible to try out for extracurricular activities sponsored by the school department provided the student applies in writing if the following requirements are satisfied.

- A. The student agrees to abide by equivalent rules of participation as are applicable to regularly enrolled students participating in the activity and provides evidence that the rules of participation are being met.
- B. The student complies with the same physical examination, immunization, insurance, age, and semester eligibility requirements as regularly enrolled students participating in the activity. All required documentation must be made available upon request by the school department. The school principal is authorized to collect from the student's parent/guardian actual samples of coursework (e.g., homework, examinations, etc.) as he/she deems necessary in order to make the determination that the necessary academic standards have been met.
- C. The student meets equivalent academic standards as those established for regularly enrolled students participating in the activity and provides evidence that the academic standards are being met.
- D. The student abides by the same transportation policy as regularly enrolled students participating in the activity.

XII. APPEALS

Appeals from administration and application of this policy are heard by the Board, whose decision is final and binding. Appeals that question whether this policy complies with

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legal requirements must be made to the Commissioner of Education, whose decision is final and binding.

Legal Reference: 20-A M.R.S.A. §§ 5001-A(3), 5021-5025
Ch. 127 (Maine Dept. of Ed. Rules)

Cross Reference: IHBG – Home Instruction Program

Adopted: September 13, 2005 (Replacing original policy)

SELECTION OF EDUCATIONAL MATERIALS

Definitions

Chapter 127 of the Maine Department of Education defines “instructional materials” to include “textbooks and other print materials, software and other electronic materials, and supplies and other materials to support implementation of the system of Learning Results.” “Library-media resources” include “books, written materials, online Internet resource materials, multimedia materials and information technology that support the school unit’s curriculum.”

Selection of Materials

OPTION 1: The Superintendent, in consultation with administrators and professional staff, is responsible for selecting instructional materials and library-media resources. Textbook selections must be submitted to the Board for approval. The Superintendent is responsible for developing any administrative procedures necessary to guide the review and selection of educational materials, and may delegate specific responsibilities to staff as he/she deems appropriate. All administrative procedures must be consistent with this policy.

OPTION 2: The Superintendent, in consultation with administrators and professional staff, is responsible for selecting appropriate educational materials (including instructional materials and library-media resources). The Superintendent is responsible for developing any administrative procedures necessary to guide the review and selection of educational materials, and may delegate specific responsibilities to staff as he/she deems appropriate. All administrative procedures must be consistent with this policy. The Superintendent is expected to keep the Board informed about educational materials purchased for the school unit.

Criteria for Selection

Quality educational materials and resources are essential to student learning and supporting the school unit’s educational goals and objectives.

Instructional and library-media materials selected should:

- A. Support student achievement of the content standards of the system of Learning Results;
- B. Support the goals and objectives of the school unit’s educational programs;
- C. Enrich and support the curriculum;
- D. Take into consideration the varied interests, abilities and maturity levels of the students served;
- E. Foster respect and appreciation for cultural diversity and varied opinions;
- F. Stimulate growth in factual knowledge, literary appreciation, aesthetic values, ethical standards, and critical analysis;
- G. Provide information that will enable students to make informed decisions in their daily lives;
- H. Be accurate and current;

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- I. Reflect high quality scholarship and presentation;
- J. Represent significant authors/composers and works; and
- K. Be affordable.

Selection Procedure

The highest priority shall be meeting the instructional needs of the individual schools. In meeting this priority, preference shall be given to basic learning materials, i.e., those that are the predominant instructional materials used at particular grade levels or courses and/or are essential to student achievement of Learning Results content standards.

Before selecting/recommending materials for purchase, professional staff should evaluate the existing collection, consult with staff from appropriate departments and/or grade levels, personally review the material and obtain recommendations/reviews regarding the material from appropriate reputable sources.

In accordance with state regulations, social studies and science textbooks should not be older than five years unless up-to-date supplemental instructional materials are also available.

Multiple copies of materials should be purchased as needed and within budgetary constraints. Worn or missing materials should be replaced as needed. Outdated materials or materials that are no longer in demand should be withdrawn from the collection and/or circulation.

Donated Materials

Gift materials are judged by the same criteria as materials selected by the school staff and in accordance with any applicable Board policies or procedures on gifts and donations.

Inspection of Materials by Parents and Opt-Out Requests

A student's parent/guardian may inspect, upon request, any instructional or library-media materials used as part of the curriculum. Such requests shall be made to the appropriate teacher or the library-media specialist. Access to the materials shall be provided within a reasonable time after such a request is made. The Superintendent may develop any administrative procedures necessary to implement this policy.

If a parent/guardian wishes to restrict their child's access to particular instructional materials, the procedure in Board policy IMBB shall be followed.

Challenged Materials Procedure

This procedure applies only to requests to remove materials from the school's collection or curriculum. Individual exemption requests are subject to Board policy IMBB. In the event that a student, parent, staff or community member has a concern regarding particular materials or

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requests removal of particular material from the curriculum or collection, the following procedure will be followed:

- A. The complainant must discuss their concern first with the person providing the material in question. Individual staff members may discuss concerns, but do not have the authority to remove materials from the curriculum or library collection.
- B. If the complainant is not satisfied, he/she shall be referred to the building administrator and requested to fill out the “Citizen’s Challenge to Educational Media” form. A copy of the form will be forwarded to the Superintendent.
- C. The Superintendent shall appoint a committee composed of the following persons to review the complaint: one administrator at the appropriate grade level; one librarian/media specialist; one classroom teacher; the department head in the subject area of the challenged materials; and one community member.
- D. The review committee shall read and examine the materials referred to them; check general acceptance of materials by reading reviews; weigh the values and faults of the material. Committee members are expected to form opinions based on the material as a whole and not on passages or portions pulled out of context. The Committee should generally be neutral toward viewpoints expressed in materials, and shall ask the Superintendent to consult legal counsel for advice concerning any questions involving freedom of speech or expression. The committee shall meet to discuss the material and prepare a written report with their recommendations.
- E. The committee shall provide the final report to the Superintendent, who will inform the complainant of the results.
- F. No material shall be removed from use until the review committee has made a final decision.
- G. The review committee’s decision may be appealed to the Board. The Board may set aside a portion of a regular meeting or call a special meeting to review the complaint and the committee report, and to receive testimony from representatives of the various points of view. The material in question shall be:
 1. Reviewed objectively and in its full content;
 2. Evaluated in terms of the needs and interests of students, school, curriculum and community;
 3. Considered in the light of differing opinions; and
 4. Reviewed in light of the criteria set forth in this policy.

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The Board will announce its decision in writing not later than the conclusion of the next regular meeting of the Board.

Legal Reference: 20-A MRSA §§ 1001 (10-A), 1055 (4), 4002
Chapter 125 (Maine Department of Education Rules)
P.L. 107-110 § 1061 (No Child Left Behind Act)

Cross Reference: IJJ-E – Citizen’s Challenge of Educational Media Form
IMBB – Accommodation of Sincere Beliefs in Required Instruction

ADOPTED: September 13, 2005 *(Replaces original IJJ Selection of Instructional & Library Materials)*

Revised: _____

STUDENT PROGRESS THROUGH THE GRADES

The Cape Elizabeth School Department offers a planned program of instruction designed to assist students in achieving the content standards of the system of learning results for each grade span. In general, students will progress annually from grade to grade, but the Board recognizes that some students may require a shorter or longer time to reach instructional goals. Therefore, the grade placement of each student will be made on an individual basis. The Board expects school administrators and teachers to provide students with the instructional support needed to progress from grade to grade in the regular sequence whenever possible.

Effective communication with parents is critical to a student's success in school. The Superintendent, school administrators and teachers are responsible for ensuring that parents are kept informed of their child's progress through report cards, parent-teacher conferences and other appropriate means. Parents are encouraged to keep themselves informed regarding their child's progress and to inform their child's teacher(s) of any information that may impact the child's school performance.

School administrators, teachers and guidance counselors shall consider the following factors in making decisions concerning promotion, retention or acceleration of students:

- Information regarding the student from the student assessment system;
- Other indicators of academic achievement;
- Attendance;
- Motivation, attitude and behavior;
- Age;
- Program options;
- Any other issues pertinent to the particular student's school performance.

Decisions concerning special education students shall be in consultation with the IEP Team.

Parents will be notified as early as possible in the school year if their child is being considered for retention, and except in very unusual circumstances, no later than April 1. The building administrator shall be responsible for making the final decision regarding retention or acceleration in consultation with the student's parents, teacher(s) and guidance counselor.

Cross References: IKF - Graduation Requirements

Legal References: 20-A M.R.S.A. §§ 4711; 4721 et seq.; 6201 et seq.
Chapters 125 and 127 (Maine Department of Education Rules)

ADOPTED: October 10, 2006

Revised: _____