

**ENROLLMENT OF NON-RESIDENT EMPLOYEES' CHILDREN**

A goal of the Cape Elizabeth School District is to attract and retain quality staff. Therefore, persons who are actively employed on a fulltime basis by the Cape Elizabeth School Department may have their children enrolled, without paying tuition, provided the administrative conditions established for all non-resident students have been met and affirmed by the Superintendent, that space is available, and that the educational needs of the student can be met with existing district programs.

Staff requests for tuition waivers must be made annually by March 1 of the prior academic year. In all cases, the Superintendent has the ability to review special circumstances and to make a decision based on the best interest of the Cape Elizabeth School District.

Legal Reference: TITLE 20A MRS §§ 2701; 5202; 5801

Cross Reference: JFAB – Admission of Non-Resident Students

ADOPTED: October 9, 1984

DELETED: April 14, 1994

ADOPTED: November 14, 2000

REVIEWED AND ACCEPTED: January 11, 2005

Revised: January 14, 2014

## **EMPLOYEE COMPUTER AND INTERNET USE**

As used herein, the term "Computer[s]" refers to any desktop, laptop, or other mobile computing device, including cellular phone, owned or issued by the Cape Elizabeth School District to any employee for school and/or home use. The term "Privately-Owned Computer[s]" refers to any privately-owned desktop, laptop, or other mobile computing device, including cellular phones. The term "Computer Services" refers to the School District's network or Internet connections used to access school or Internet-based information.

The Cape Elizabeth School District provides Computers and Computer Services to support the educational mission of the schools. This policy and the accompanying rules apply to the use of these Computers and Computer Services whether in use at school or off school premises. Staff are allowed to use privately-owned computers at school, provided that they comply with this policy and the related rules and policies.

School district computers, network and Internet services are provided for purposes related to school programs and operations, and performance of employees' job responsibilities. Incidental personal use of school computers is permitted as long as such use: 1) does not interfere with an employee's job responsibilities and performance; 2) does not interfere with system operations or other system users; and 3) does not violate this policy and the accompanying rules, or any other Board policy/procedure or school rules. "Incidental personal use" is defined as use by an individual employee for occasional personal communications which do not interfere or conflict with his/her job responsibilities.

Compliance with the Cape Elizabeth School's policies and rules concerning Computers and Computer Services use are mandatory. An employee who violates these policies and rules may be subject to disciplinary action, up to and including termination. Such violations of the school district's computers may also result in referral to law enforcement and/or legal action.

Cape Elizabeth School District's Computers remain under the control, custody and supervision of the school district at all times. The school district shall have the right to monitor, review and have access to all Computers and information concerning the use of Computer Services by staff, whether those Computer Services have been accessed on or off school grounds. Staff have no expectation of privacy in their use of school Computers and/or Computer Services, whether they are used on or off school property.

The Superintendent or his/her designee 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 district's Computer Services may be implemented by the Superintendent, consistent with Board policies and rules. The Superintendent may delegate specific responsibilities to the Technology Coordinator, building principals and others, as he/she deems appropriate.

**EMPLOYEE COMPUTER AND INTERNET USE**

Employees shall be informed of this policy and the accompanying rules through employee handbooks, the school website, computer start-up page and/or other means selected by the Superintendent.

Cross Reference:     GCSA-R – Employee Computer and Internet Use Rules  
                          GBEB – Staff Conduct with Students  
                          IJNDB – Student Computer and Internet Use  
                          EGAD – Copyright Compliance

ADOPTED:   January 10, 2006  
Revised:     February 8, 2011  
               January 14, 2014

## EMPLOYEE COMPUTER AND INTERNET USE RULES

As used herein, the term “Computer[s]” refers to any desktop, laptop, or other mobile computing device, including cellular phone, owned or issued by the Cape Elizabeth School District to any student for school and/or home use. The term “Privately-Owned Computer[s]” refers to any privately-owned desktop, laptop, or other mobile computing device, including cellular phones. The term “Computer Services” refers to the School District’s network or Internet connections used to access school or Internet-based information.

The policy and accompanying rules apply to the use of Computers and Computer Services whether in use at school or off school premises. Staff are allowed to use privately-owned computers at school, provided that they comply with the policy and related rules and policies.

Each employee is responsible for his/her actions and activities involving Computers and Computer services, and for his/her computer files, passwords and accounts. These rules provide general guidance concerning the use of computers and computer services and examples of prohibited uses. The rules do not attempt to describe every possible prohibited activity by employees. Employees who have questions about whether a particular activity or use is prohibited are encouraged to contact a building administrator or the Technology Coordinator. These rules apply to all Computers and/or school Computer Services regardless of how they are accessed.

### **A. Access to School Computers and Acceptable Use**

The level of employee access to school Computers and Computer Services, is based upon specific job requirements and needs. Unauthorized access to secure areas of the school’s Computers and Computer Services is strictly prohibited.

All Board policies, school rules and expectations for professional conduct and communications apply when employees are using Computers and Computer services whether in use at school or off school premises.

### **B. Prohibited Uses**

Examples of unacceptable uses which are expressly prohibited include, but are not limited to, the following:

- 1 Any use that is illegal or which violates Policy GCSA and/or other Board policies/procedures or school rules, including harassing, discriminatory or threatening communications and behavior; violations of copyright laws etc. The school district assumes no responsibility for illegal activities of employees while using school computers.
- 2 Any use involving materials that are obscene, pornographic, sexually explicit or sexually suggestive, harmful to minors, or intended to appeal to prurient interests.
- 3 Any communications with students or minors for non-school-related purposes.
- 4 Any use for private financial, commercial, advertising or solicitation purposes.

## EMPLOYEE COMPUTER AND INTERNET USE RULES

- 5 Any use as a forum for communicating 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 profit or not-for-profit. Employees who are uncertain as to whether particular activities are acceptable should seek further guidance from the building administrator or other appropriate administrator.
- 6 Any communication that represents an employee's personal views as those of the school district or that could be misinterpreted as such.
- 7 Sending mass e-mails to school users or outside parties for any purpose without the permission of the Technology Coordinator or district administrator. Except that the school district may, at its sole discretion, provide a forum for exchanging information that could be beneficial to its employees, e.g., Buy/Sell/Exchange, Google group/e-mail.
- 8 Any malicious use or disruption of the school district's computers, network and Internet services; any breach of security features; any failure to report a security breach; or misuse of computer passwords or accounts (the employee's or those of other users).
- 9 Any attempt to delete, erase or otherwise conceal any information stored on a school computer and school computer services that violates these rules or other Board policies or school rules, or refusing to return computer equipment issued to the employee upon request.
- 10 Any attempt to access unauthorized web sites or any attempt to disable or circumvent the school district's filtering/blocking technology.

### **C. Disclosure of Confidential Information**

Employees are expected to use appropriate judgment and caution in communications concerning students and staff to ensure that personally identifiable information remains confidential. Use of e-mail for sharing confidential information must comply with FERPA.

### **D. Employee/Volunteer Responsibility to Supervise Student Computer Use**

Employees and volunteers who use school computers with students for instructional purposes have a duty of care to supervise such use and to enforce the school district's policies and rules concerning student computer use. When, in the course of their duties, employees or volunteers become aware of a student violation, they are expected to stop the activity and inform the building administrator consistent with the educational mission and curriculum and instructional goals.

### **E. Compensation for Losses, Costs and/or Damage**

An employee is responsible for compensating the school district for any losses, costs or damages incurred by the school district for violations of Board policies and school rules while the employee is using school district computers and school computer services, including the cost of investigating such violations. The school district assumes no responsibility for any unauthorized charges or costs incurred by an employee while using school district computers and school computer

## EMPLOYEE COMPUTER AND INTERNET USE RULES

services. Cape Elizabeth School District will be responsible for accidental damages to employee computers that occur through normal use of their job functions.

### **F. Additional Rules for Use of Privately-Owned Computers by Employees**

1. Employees are permitted to use Privately-Owned Computers in school provided that they comply with the policy and rules governing Computer and Internet Use, there is a suitable educational basis for the request, and the demands on the school district's network or staff are reasonable. In addition, if requested, the employee must provide to the technology coordinator such information as IP addresses and login passwords as to enable enforcement of all policies and rules regarding use of Computer Services.
2. The Technology staff has the authority to determine whether use of an employee's Privately-Owned Computer would place an undue burden on or could interfere with the Computer Services.
3. The employee is responsible for proper care of his/her Privately-Owned Computer including any costs of repair, replacement or any modifications needed to use the computer at school.
4. The school district is not responsible for damage, loss or theft of any Privately-Owned Computer.
5. Employees have no expectation of privacy in their use of Computer Services while using a Privately-Owned Computer at school.
6. Employees are required to comply with all Board policies/procedures and school rules while using school computer services on privately-owned computers at school or elsewhere.
7. Violation of any Board policies, administrative procedures or school rules involving an employee's use of Computer Services or a Privately-Owned Computer may result in the revocation of the privilege of using the computer at school and/or disciplinary action.
8. The school district may seize any privately-owned computer used by an employee in school without authorization as required by these rules and the contents of the computer may be searched in accordance with applicable laws and policies. The computer will be returned to the owner when it is no longer needed for investigatory or evidentiary purposes.

Cape Elizabeth Schools may utilize all information provided in F1 above to review, monitor, and/or have access to an employee's private computer at any time, without prior notice, to determine if an employee is using the school computer services on an employee's privately-owned computer, in compliance with all applicable policies and rules of the School.

EMPLOYEE COMPUTER AND INTERNET USE RULES

**G. Violations**

A violation by the employee of the school's policies and rules or use of school computer services shall subject the employee to such disciplinary action as the superintendent believes is appropriate including, but not limited to, loss of use of school computers and/or school computer services.

Cross Reference:       GCSA – Employee Computer and Internet Use  
                              GBEBB – Staff Conduct with Students  
                              JRA – Student Education Records and Information

APPROVED: January 10, 2006

Revised:       February 8, 2011  
                  January 14, 2014

## **STUDENT COMPUTER AND INTERNET USE**

As used herein, the term “Computer[s]” refers to any desktop, laptop, or other mobile computing device, including cellular phone, owned or issued by the Cape Elizabeth School District to any student for school and/or home use. The term “Privately-Owned Computer[s]” refers to any privately-owned desktop, laptop, or other mobile computing device, including cellular phones. The term “Computer Services” refers to the School District’s network or Internet connections used to access school or Internet-based information.

The Cape Elizabeth School District provides Computers and Computer Services to support the educational mission of the schools. This policy and the accompanying rules apply to the use of these Computers and Computer Services. Students are allowed to use privately-owned computers at school with prior authorization, provided that they comply with this policy and the related rules and policies.

Compliance with the Cape Elizabeth School’s policies and rules concerning Computer and Computer Services use are mandatory. Students who violate these policies and rules may, after being given an opportunity to respond to an alleged violation, have their Computer or Computer Services privileges limited, suspended or revoked. The building administrator shall have the final authority to decide whether a student’s school Computer and/or Computer Services privileges will be altered, based on the circumstances of the particular case. Such violations may also result in disciplinary action, referral to law enforcements and/or legal action.

Cape Elizabeth School District’s Computers remain under the control, custody and supervision of the school district at all times. The school district shall have the right to monitor, review and have access to all Computers and information concerning the use of Computer Services by students, whether those Computer Services have been accessed on or off school grounds. Students have no expectation of privacy in their use of school Computers and/or Computer Services, whether they are used on or off school property.

The Cape Elizabeth School District utilizes filtering technology designed to block materials that are obscene or harmful to minors and child pornography. The Cape Elizabeth School District’s mobile devices provide access to web-based “app stores” that are privately filtered. The Cape Elizabeth School District takes precautions to supervise student use of the Internet. Parents should be aware that the Cape Elizabeth School District cannot reasonably prevent all instances of inappropriate Computer use by students that may violate Board policies and rules, including access to objectionable materials and communication with persons outside of the school. The Cape Elizabeth School District is not responsible for the accuracy or quality of information that students obtain through the Internet. In the interest of student safety (‘cyber safety’), Cape Elizabeth also educates students about online behavior, including interacting on social networking sites and chat rooms, and issues surrounding cyberbullying awareness and response.



## **STUDENT COMPUTER AND INTERNET USE**

The Superintendent or his/her designee 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 district's Computer Services may be implemented by the Superintendent, consistent with Board policies and rules. The Superintendent may delegate specific responsibilities to the Technology Coordinator, building principals and others, as he/she deems appropriate.

Student and parents shall be informed of this policy and the accompanying rules through handbooks, the school web site, login Computer screens and/or other means selected by the Superintendent.

Cross Reference: IJNDB-R: Student Computer and Internet Use Rules  
JICIA: Weapons, Violence, Bullying and School Safety  
GBEBB: Staff Conduct with Students  
GCSA: Employee Computer and Internet Use  
EGAD: Copyright Compliance

Legal Reference: 47 USC § 254(h)(5) (Children's Internet Protection Act)

ADOPTED: January 10, 2006

Revised: February 8, 2011  
February 14, 2012  
January 14, 2014

## STUDENT COMPUTER AND INTERNET USE RULES

As used herein, the term “Computer[s]” refers to any desktop, laptop, or other mobile computing device, including cellular phone, owned or issued by the Cape Elizabeth School District to any student for school and/or home use. The term “Privately-Owned Computer[s]” refers to any privately-owned desktop, laptop, or other mobile computing device, including cellular phones. The term “Computer Services” refers to the School District’s network or Internet connections used to access school or Internet-based information.

All students are responsible for their actions and activities involving Computers and/or Computer Services, and for their Computer files, passwords and accounts. These rules provide general guidance concerning the use of the Computers and/or Computer Services and examples of prohibited uses. The rules do not attempt to describe every possible prohibited activity; students, parents and school staff who have questions about whether a particular activity is prohibited are encouraged to contact a building administrator or the Technology Coordinator. These rules apply to all Computers and/or school Computer Services regardless of how they are accessed.

### A. Acceptable Use

1. Cape Elizabeth School District’s Computers and/or Computer Services are provided for educational purposes and research consistent with the Cape Elizabeth’s educational mission, curriculum and instructional goals.
2. Students must comply with all Board policies, school rules and expectations concerning student conduct and communications when using Computers and/or Computer Services, whether on or off school property.
3. Students also must comply with all specific instructions from school staff and volunteers when using the Computers and/or Computer Services.

### B. Prohibited Uses

Unacceptable uses of Computers and/or Computer Services include, but are not limited to, the following:

1. **Accessing or Communicating Inappropriate Materials** - Students may not access, submit, post, publish, forward, download, scan or display defamatory, abusive, obscene, vulgar, sexually explicit, sexually suggestive, threatening, discriminatory, harassing, bullying and/or illegal materials, images (still or video) or messages.
2. **Illegal Activities** - Students may not use Computers and/or Computer Services for any illegal activity or in violation of any Board policy/procedure or school

## STUDENT COMPUTER AND INTERNET USE RULES

rules. Cape Elizabeth School District assumes no responsibility for illegal activities of students while using Computers and/or Computer Services.

- 3. Violating Copyrights or Software Licenses** - Students may not copy, download or share any type of copyrighted materials (including music or films) without the owner's permission (*See Board policy/procedure EGAD: Copyright Compliance*); or copy or download software without the express authorization of the Technology Coordinator except as expressly provided below in connection with the district's 1:1 mobile devices. Unauthorized copying of software is illegal and may subject the copier to substantial civil and criminal penalties. The school district assumes no responsibility for copyright or licensing violations by students.
- 4. Downloading "Apps" from Authorized Sources/Authority of School Staff to Search** - Students may download apps onto mobile devices issued by the District provided that those apps do not violate the other provisions of this section regarding "Prohibited Uses" and provided they are downloaded from a school-authorized source. In the event school staff discovers inappropriate materials on a student device, the device may be confiscated and the materials removed without student permission, even if it means the loss of student-purchased material, and appropriate restrictions may be placed on the student's future Computer use. The school staff also has the right to confiscate or search Computers at any time with or without cause as part of an effort to deter violations of these rules and to confiscate and search Privately-Owned Computers on school grounds upon reasonable suspicion of a violation of this "Prohibited Uses" section.
- 5. Plagiarism** - Students may not represent as their own work any materials obtained on the Internet (such as term papers, articles, music, etc). When Internet sources are used in student work, the author, publisher and web site must be identified.
- 6. Use for Non-School Purposes** - Using Computers and/or Computer Services for any personal reasons not connected with the educational program or school assignments is permissible so long as those uses do not constitute a violation of the "Prohibited Uses" section of these rules and/or are not interfering with the educational purpose of these devices by the student or others.
- 7. Misuse of Passwords/Unauthorized Access** - Students may not share passwords, use other users' passwords, access or use other users' accounts, or attempt to circumvent the network security systems and/or Computer Services.
- 8. Malicious Use/Vandalism** - Students may not engage in any malicious use, disruption or harm to Computers and/or Computer Services, including but not

## **STUDENT COMPUTER AND INTERNET USE RULES**

limited to hacking activities, “jail breaking”, and creation/uploading of computer viruses.

### **C. Compensation for Losses, Costs and/or Damages**

The student and his/her parents are responsible for compensating the Cape Elizabeth School District for any losses, costs or damages incurred by the school district for violations of Board policies/procedures and school rules while the student is using Computers and/or Computer Services, including the cost of investigating such violations. The school district assumes no responsibility for any unauthorized charges or costs incurred by a student while using Computer and/or Computer Services. The student and his/her parents/guardians are similarly responsible if the student takes any action with a Computer that has the purpose or effect of voiding any warranty in effect covering such Computer or of providing students access to apps that are available other than at the app source authorized for use by the school.

### **D. Student Privacy and Safety**

A student should exercise caution, in consultation with a parent or school staff member, before revealing his/her full name, e-mail address, physical address, telephone number, social security number, or other personal information on the Internet. Students should never agree to meet people they have contacted through the Internet without parental permission. Students should inform their teacher and/or parent if they access information or messages that are dangerous, inappropriate or make them uncomfortable in any way.

### **E. System Security**

1. The security of the Computers and/or Computer Services is a high priority. Any student who identifies a security problem must notify his/her teacher, supervisor, or system administrator immediately. The student shall not demonstrate the problem to others or access unauthorized material.

### **F. Insurance Program/Information Sharing/Care, Damage, Loss and Theft**

1. **MLTI Computers [Mobile Devices]**. Mobile devices are loaned to Middle School students as an educational tool pursuant to the Maine Learning Technology Initiative (MLTI) and may be used only for purposes specifically authorized by school staff and the MLTI program. The rules governing that program are incorporated herein by reference.

## STUDENT COMPUTER AND INTERNET USE RULES

2. **Information Session and Insurance Protection for MLTI Computers [Mobile Devices].** Parents of Middle School students who are eligible to be issued MLTI mobile devices are required to attend an informational meeting before a MLTI device will be issued to their child. Both the student and his/her parent must sign the school's acknowledgment form before a MLTI device is allowed to be taken home; for any such devices that are taken home, a parent/guardian must participate in the Mobile Device Protection Plan, an insurance program made available by the Cape Elizabeth School District. Parents who choose to not have their students take home their MLTI devices may decline to participate in the Mobile Device Protection Plan.
3. **Information Sharing and Insurance Protection for District-Owned Mobile Devices.** The school shall share information regarding this policy and the practices, rules and regulations regarding the use of District-owned mobile devices. Before such devices may be taken home, parents must sign a consent form acknowledging their receipt and understanding of these policies, rules, and practices and must participate in the Insurance Protection Plan made available by the school department. Parents who choose to not have their students take home their District-owned mobile device may decline to participate in the Insurance Protection Plan.
4. **Care of and Responsibility for Damage to Computers.** Students and their families are responsible for the proper care of Computers at all times, whether on or off school property, including costs associated with repairing or replacing the Computer. Cape Elizabeth School District offers an optional Mobile Device Insurance Protection program for parents to cover replacement costs and/or repair costs for damages not covered by the Computer warranty. Parents who choose not to participate in the Mobile Device Insurance Protection plan should be aware that they are responsible for any costs associated with loss, theft or damage to a Computer issued to their child.
5. **Computer Loss or Theft and Loss or Theft Prevention.** If a Computer is lost or stolen, the loss or theft must be reported to the teacher and/or building administrator immediately. Additionally, if a Computer is stolen, a report should be made to the local police and the school technology coordinator immediately. With respect to the District-owned mobile devices, students must keep activated at all times the service that allows those Computers to be located remotely and must establish and keep activated at all times a security code which will prevent others from accessing the content and services of the Computers.

### G. Scope of Policy and Rules Application.

## STUDENT COMPUTER AND INTERNET USE RULES

The Board's policy and rules concerning Computer and/or Computer Services use apply at any time or place, on or off school property. Students are responsible for obeying any additional rules concerning care of District-owned Computers.

### H. Miscellaneous Issues.

1. **Confiscation/Restriction of Privileges/Disciplinary Action.** Violation of policies or rules governing the use of Computers and/or Computer Services, or any careless use of a Computer may result in a student's Computer being confiscated and/or a student only being allowed to use the Computer under the direct supervision of school staff. The student will also be subject to disciplinary action for any violations of Board policies/procedures or school rules.
2. **Required Sharing of Computer Passwords with School Staff.** Any student to whom a Computer is issued must share with the school department any passwords, codes, or keys to allow the technology staff unlimited access to any and all materials on the Computer. Failure to provide such access will result in a school discipline and confiscation or limitations placed on future use of the Computer and Computer Services.
3. **Parent Access to Student Computer Passwords.** Upon request, parents may have access to their child's login password, codes, or keys. Parents are responsible for supervising their child's use of the Computer and Internet access when in use at home.
4. **Use of Computers by Others.** Computers may only be used by the student to whom it is issued or by any family members assisting them with their educational work and consistent with the educational purpose of these Computers. All use of Computers by all persons must comply with the school's Student Computer and Internet Use Policy and Rules.
5. **Return of Computers.** Computers must be returned in acceptable working order at the end of the school year or whenever requested by school staff. Students will also be required to turn in Computers before the end of the school year, at which time they will be inventoried, updated as needed, and subjected to search for materials in violation of this policy.

### G. Additional Rules for Use of Privately-Owned Computers by Students

1. Students are permitted to use Privately-Owned Computers in school provided that they comply with the policy and rules governing Computer and Internet Use, there is a suitable educational basis for the request, and the demands on the school district's network or staff are reasonable. In addition, if requested,

## STUDENT COMPUTER AND INTERNET USE RULES

the student must provide to the technology coordinator such information as IP addresses and login passwords as to enable enforcement of all policies and rules regarding use of Computer Services.

2. The Technology staff has the authority to determine whether use of a student's Privately-Owned Computer would place an undue burden on or could interfere with the Computer Services.
3. The student is responsible for proper care of his/her Privately-Owned Computer including any costs of repair, replacement or any modifications needed to use the computer at school.
4. The school district is not responsible for damage, loss or theft of any Privately-Owned Computer.
5. Students have no expectation of privacy in their use of Computer Services while using a Privately-Owned Computer at school.
6. Violation of any Board policies, administrative procedures or school rules involving a student's use of Computer Services or a Privately-Owned Computer may result in the revocation of the privilege of using the computer at school and/or disciplinary action.
7. The school district may seize any privately-owned computer used by a student in school without authorization as required by these rules and the contents of the computer may be searched in accordance with applicable laws and policies. The computer will be returned to the owner when it is no longer needed for investigatory or evidentiary purposes.

Cross Reference: IJNDB: Student Computer and Internet Use  
EGAD: Copyright Compliance

ADOPTED: January 10, 2006

Revised: February 8, 2011  
February 14, 2012  
January 14, 2014

2<sup>nd</sup> Reading: 1/14/14

Code: IKAB

**STUDENT PROGRESS REPORTS TO PARENTS**

The board believes that there should be continued emphasis on informing parents as to the academic and social progress of their children. Reporting shall occur at no less than the regularly scheduled intervals noted on the district calendar.

ADOPTED: October 9, 1984

REVIEWED AND ACCEPTED: September 13, 1994

ADOPTED: April 8, 2008

Revised: January 14, 2014



## PROMOTION, RETENTION, AND ACCELERATION OF STUDENTS

~~The Cape Elizabeth School Department offers a planned program of instruction designed to assist students in achieving the~~

It is the Board's intent to provide sequential instructional programming that provides equitable opportunity for students to acquire the knowledge and skills that will enable them to meet the content standards of the system of Learning Results for at each grade span. In general, students will progress annually from grade to grade, but level. 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 at every grade level, there are responsible for ensuring that parents are kept informed of differences among students in their child's progress through report cards, parent teacher conferences intellectual, physical, social, and emotional development, and other appropriate means. Parents are encouraged to keep themselves informed regarding that individual students may be more proficient in some content areas of the Learning Results than in others. Students may also differ in their child's progress and to inform their child's teacher(s) of any information that may impact progress toward achieving the cross-curricular skills identified in the child's school performance Guiding Principles of the Learning Results.~~

~~School administrators, teachers and guidance counselors shall consider the following factors While most students will advance from one grade to another at the end of the academic year, some students may benefit from retention or acceleration. Assignment of a student to a grade level [OR: decisions concerning promotion, retention, or acceleration of a student] should be consistent with the best educational interest of that student.~~

### A. Criteria

~~The following criteria will be used in making decisions concerning promotion, retention or and acceleration of students:~~

- ~~• Information regarding Although all listed criteria may be considered in the student from decision-making process, because of the student assessment system;~~
- ~~• Other indicators of academic relationship between a student's achievement;~~
- ~~• Attendance;~~
- ~~• Motivation, attitude of the content standards of the system of Learning Results and behavior;~~
- ~~• Age;~~
- ~~• Program options;~~

## PROMOTION, RETENTION, AND ACCELERATION OF STUDENTS

his/her future success in school, more consideration shall be given to the criterion articulated in paragraph "A" below than to any other issues pertinent to the particular student's school performance factors.

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

1. Achievement of the content standards of the Learning Results as demonstrated through classroom assessments, common assessments, standardized tests, portfolios, performances, exhibitions, projects and other elements of the school unit's local assessment system;
2. Achievement of cross-curricular skills associated with the Guiding Principles of the Learning Results,
3. Participation and success in remedial programs, tutoring, summer school, and/or other opportunities for success;
4. Potential benefit from repetition of a grade or learning experiences;
5. Potential for success if accelerated;
6. Attendance;
7. Social and emotional maturity;
8. Health;
9. Age in relation to grade placement;
10. Program options;
11. Student attitude; and
12. Parental concerns.

### B. Retention

~~Parents will~~should be notified as early as possible in the school year if their ~~child~~event that retention is being considered ~~for retention, and except in very unusual circumstances, no later than April 1. The~~ Parents will be informed of the remediation options available to students such as tutoring, online/Internet-based resources, after-school programs, and summer school. Whenever possible, decisions concerning retention should be made through a conference involving parents, the student's teacher, the building administrator/principal, and, as

## PROMOTION, RETENTION, AND ACCELERATION OF STUDENTS

appropriate, the guidance counselor, other professional staff, and/or consultants. Advancement to the next grade may be made conditional on successful remediation or demonstrated proficiency within a specified period of time.

The principal shall be responsible for making the final decision regarding retention~~or~~. A parent who is dissatisfied with the principal's decision may appeal to the Superintendent. The Superintendent's decision shall be final.

### C. Acceleration

Decisions regarding acceleration shall be made by the principal in consultation with the student's~~parents, teacher(s) and guidance counselor.~~teacher(s), the Gifted and Talented Education Coordinator, and other professional staff or consultants, as appropriate. A parent who is dissatisfied with the principal's decision may appeal to the Superintendent. The Superintendent's decision shall be final.

### D. High School Grade Level Assignment

For students starting high school prior to the 2014-2015 school year, grade level assignment will be based on the number of credits earned prior to the beginning of the school year.

For sophomore status, a student must have successfully completed [redacted] credits, for junior status [redacted] credits, and for senior status [redacted] credits.

Beginning January 1, 2018, demonstrated proficiency in the content standards of the system of Learning Results and in the cross-curricular standards skills identified in the Guiding Principles of the Learning Results, and successful completion of all other requirements specified in the Board's policy IKF (Graduation Requirements), will be required for a high school diploma. Starting with the 2014-2015 school year, credits will no longer be awarded or counted for graduation or other purposes.

High school grade level assignment will be based on the number of learning experiences/courses completed prior to the beginning of the school year.

For sophomore status, a student must have completed [redacted] learning experiences/courses, for junior status [redacted] learning experiences/courses, and for senior status [redacted] learning experiences/courses.

### E. Transfer Students

## PROMOTION, RETENTION, AND ACCELERATION OF STUDENTS

For students who transfer into the school system from another state or educational program not required to meet the content standards of the system of Learning Results, the principal will determine the value of the student's prior educational experience for the purpose of grade placement or the fulfillment of credits.

Legal References: ~~20-A M.R.S.A. §§ 4711; 4721 et seq.; 6201 et seq.~~

~~Chapters 125 and~~ Reference: Ch. 127 (Maine Department of Education Rules Me. Dept. of Ed. Rule)

Cross Reference: IK – Student Achievement

IKA – Grading/Academic Assessment

IKAB – Report Cards/Progress Reports

IKF – Graduation Requirements

ILA – Student Assessment/Local Assessment System

ADOPTED: October 10, 2006

Revised: November 13, 2012

Reviewed: January 14, 2014

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

## GRADUATION REQUIREMENTS

~~Before entering high school, students must need to know the standards for attaining a high school diploma in order to plan an appropriate, sequential, educational program to meet specific state and local that goal.~~

~~The Cape Elizabeth School Department has adopted a standards-based [OR: proficiency-based] system of learning consistent with Maine law, which means that after January 1, 2018, the awarding of a diploma will be contingent on the demonstration of proficiency in the content areas and Guiding Principles and the Learning Results rather than the accumulation of credits.~~

~~To be awarded a high school diploma from the Cape Elizabeth schools, students graduating in the Class of 2018 and beyond must demonstrate proficiency in the content areas identified in Maine's system of Learning Results, meet the cross-content performance standards set forth in the Guiding Principles of the Learning Results, and fulfill all additional graduation requirements in order to receive a high school diploma. set by the Board.~~

~~**Credits:** Successful completion of a full year course at Cape Elizabeth High School results in the award of 10 credits towards graduation, which is the equivalent of 1 Carnegie unit. Successful completion of a semester course at Cape Elizabeth High School results in the award of 5 credits towards graduation, which is the equivalent of ½ Carnegie unit.~~

~~**Credit Requirement for Graduation.** In order to graduate from Cape Elizabeth High School, a student must earn 230 credits.~~

~~Of the 230 total credits required for graduation, the following specific credits must be earned:~~

~~**English** 40 credits~~

~~**Mathematics** 30 credits~~

~~**Science** 30 credits. Beginning with the Class of 2011, those credits must be in the areas of Physics, Chemistry, and Biology unless an exception is made by the principal.~~

~~**Social Studies** 30 credits, of which 10 credits must be earned in United States History and 5 credits must be earned in United States government. Beginning with the Class of 2011, 15 additional credits must be earned in courses in World History Biology unless an exception is made by the principal.~~

~~**Health** 5 credits~~

~~**Physical Education** 10 credits~~

~~**Fine Arts** 10 credits~~

**~~Technology – 5 credits~~**

**~~Fine Arts/Technology. An additional 5 credits in either Fine Arts or Technology.~~**

**~~Course Failure.~~ Students who fail a required course must develop, with parent or guardian and guidance counselor, a plan for making up the lost credit.**

~~Students graduating in the Classes of 2014-2017 must meet the credit and other graduation requirements specified in this policy.~~

~~A student who would have graduated with the Class of 2017 and have been awarded a diploma at commencement but for his/her failure to earn sufficient credits or meet other requirements set by Board policy will have until December 31, 2017 to fulfill the graduation requirements applicable to the Class of 2017.~~

~~The Superintendent, through the high school principal or other designee, shall be responsible for making accurate information concerning diploma requirements available to incoming students and their parents prior to the start of their ninth grade school year. A copy of this policy will be disseminated to all incoming ninth grade students at the time of course selection. This policy will also be included in every edition of the high school student handbook.~~

~~The Board has approved the following schedule of minimum requirements for graduation, which includes minimum requirements specified by the State of Maine. The Board is aware that current law and regulations are subject to change.~~

~~The Board expects the Superintendent/designee to inform students and parents as soon as practicable of any additional State-imposed standards that must be met before students may be awarded a high school diploma.~~

**I. DIPLOMA REQUIREMENTS FOR STUDENTS GRADUATING IN THE CLASSES OF 2014, 2015, 2016 OR 2017**

Students who anticipate graduating in the Classes of 2014, 2015, 2016, or 2017 must meet the following minimum requirements in order to be awarded a high school diploma:

A. The student must successfully complete a total of 230 credits. Of these credits, 12 ½ (twelve and one-half) must be those specified by the State of Maine. They are:

1. English/language arts – 4 credits;

2. Mathematics – 2 credits;

3. Social studies and history, including one year of American history and government – 2 credits;
4. Science, including at least one year of laboratory study – 2 years;
5. Fine arts, which may include art, music, forensics or drama – 1 credit;
6. Health – 1/2 credit; and
7. Physical education – 1 credit.

B. The student must demonstrate computer skills according to the school unit's standards for computer literacy, proficiency, and performance.

C. In addition to the State requirements, the student must meet the following additional credit requirements established by the Board:

1. Math – [redacted] additional credit(s);
2. Science – [redacted] additional credit(s);
3. [Other Area of Study, e.g., World History] – [redacted] credit(s);
4. [Other Area of Study] – [redacted] credit(s);
5. [Senior portfolio, senior exhibition, "capstone" experience or other specific local requirement – [redacted] credit(s)].

D. The remaining credits may be selected by the student based on his/her interest, satisfaction of course prerequisites, and requirements of the field that he/she plans to enter upon graduation.

E. **[OPTIONAL:** The student must also satisfactorily complete a total of [redacted] community service hours.]

#### ALTERNATIVE METHODS OF EARNING CREDITS

A student who is deficient in these requirements or wishes to meet these requirements through alternative means may earn and apply credits in accordance with the provisions of this section.

A student who wishes to meet a credit requirement through an alternative method must have prior written approval as specified in this section.

A student who makes up deficiencies may participate in the next regular graduation ceremony following successful completion of all graduation requirements.

- A. A student may earn up to two credits through the \_\_\_\_\_ Adult Education Program. The student must have prior written approval from the Director of Adult Education, Guidance Counselor, Department Chair and Principal.
- B. A student may obtain credits through summer school in classes that he/she completed at Cape Elizabeth High School but did not pass. The student must obtain prior written approval from the Guidance Counselor, Department Chair and Principal.
- C. A student may earn up to \_\_\_\_\_ credits through distance learning/virtual courses provided 1) the course is approved in advance by the Guidance Counselor, Department Chair and Principal and 2) progress is monitored by a member of the High School's professional staff.
- D. Advanced courses or courses not available at Cape Elizabeth High School may be taken at other secondary schools or at approved postsecondary institutions with the approval of the Guidance Counselor and Principal.
- E. A student may earn up to \_\_\_\_\_ credits through independent study approved by the Guidance Counselor, Department Chair and Principal and monitored by the teacher(s) of the subject(s) to which the independent study is related.

#### STUDENTS RECEIVING SPECIAL EDUCATION SERVICES

Students who achieve proficiency in meeting the content standards of the Learning Results as specified in the goals and objectives of their Individualized Education Plans (IEP), will be awarded diplomas.

#### II. DIPLOMA REQUIREMENTS FOR STUDENTS GRADUATING IN THE CLASS OF 2018 AND BEYOND

In accordance with Maine law and Cape Elizabeth's standards-based [OR: proficiency-based] system of learning, after January 1, 2018, the awarding of a diploma from Cape Elizabeth schools will be contingent on the demonstration of proficiency in the content areas of Maine's system of Learning Results and meeting the cross-content performance standards of the Guiding Principles of the Learning Results, rather than the accumulation of credits. The student must also fulfill any other requirements specified in this policy.

Students who anticipate graduating in the Classes of 2018 and beyond must meet the following requirements in order to be awarded a high school diploma.



A. Demonstrate proficiency in meeting standards in the following content areas of the Learning Results. Meeting the standards entails demonstrating proficiency for each standard within each content area.

English Language Arts

Mathematics

Science and Technology

Social Studies

Health Education and Physical Education

Visual and Performing Arts

World Languages

Career and Education Development (embedded in the other content areas)

B. Meet the cross-content performance standards set forth in the Guiding Principles of the Learning Results.

A student graduating from Cape Elizabeth schools is expected to be a

Clear and effective communicator;

Self-directed and life-long learner;

Creative and analytical problem solver;

Responsible and involved citizen; and an

Integrative and informed thinker.

C. [OPTIONAL: Complete a capstone project [OR: integrative research or service learning project] through which he/she will demonstrate in-depth research, presentation, and technology application skills and evidence of proficiency in the Guiding Principles of the Learning Results.]

D. [OPTIONAL: Complete an application to a post-secondary educational institution, training program or other experience that provides an opportunity for further growth.]

E. [OPTIONAL: The student must also complete the following non-academic requirements.]

**MULTIPLE PATHWAYS TO THE AWARDING OF A PROFICIENCY-BASED DIPLOMA**

Cape Elizabeth's high school educational program [OR: curriculum] is designed to enable students to satisfy graduation requirements in four years through a sequence of educational (learning) experiences/courses providing opportunities to gain and demonstrate proficiency in all of the content areas of the Learning Results and in the cross-content Guiding Principles of the Learning Results.

Students following a traditional pathway will

- A. Engage in educational experiences in the content areas of English Language Arts, Mathematics, and Science and Technology in each year of their high school program.

**[NOTE: The requirement in "A" above is for the purpose of alignment with Maine law and the adoption of Common Core and national science standards.]**

- B. Engage in at least two [OR: three or \_\_\_\_\_] educational experiences in the content area of social studies during their high school program.
- C. Engage in at least one educational experience in each of the content areas of visual and performing arts during their high school program.
- D. Engage in at least \_\_\_\_\_ educational experiences in world languages during their high school program.
- E. Engage in at least \_\_\_\_\_ health and physical education experiences during their high school program.
- F. Engage in educational experiences that integrate career and education development into other content areas of the Learning Results.

Students following a traditional pathway must be enrolled in the equivalent of five [OR: \_\_\_\_\_] full year learning experiences/courses or integrated equivalents in each of their high school years.

Students may also opt to pursue a high school diploma through multiple additional pathways including:

- Early college/dual enrollment courses
- Career and technical education programming
- Online/virtual learning

Apprenticeships, internships and/or field work

Community service

Exchange programs

Independent study

Alternative education/"At Risk" programming

Adult education

Each pathway must provide a quality learning experience comparable in rigor to the school unit's own educational experience (course) offerings.

In order to pursue one or more of the multiple/alternative pathways, a student must have a Personal Learning Plan detailing how the pathway will provide exposure to the content standards of the Learning Results and how the student will demonstrate proficiency in meeting the standards. The personal learning plan must be approved by the Guidance Counselor, Department Chair and Principal **OR:** \_\_\_\_\_.

### STUDENTS RECEIVING SPECIAL EDUCATION SERVICES

Students who achieve proficiency in the content standards of the Learning Results and Guiding Principles, as specified in the goals and objectives of their Individualized Education Plans (IEP) will be awarded diplomas.

### III. ADDITIONAL CONSIDERATIONS APPLICABLE TO THE AWARDING OF A DIPLOMA FROM CAPE ELIZABETH HIGH SCHOOL

This section applies to all students, in all graduation classes.

#### A. Transfer Students

—For students who transfer to Cape Elizabeth ~~the~~ High School from another state or from an educational program that is not required to be aligned with the content standards of the system of Learning Results, the Cape Elizabeth High School Principal shall determine the value of the student's prior educational experience towards meeting Cape Elizabeth High School's graduation requirements.

#### B. Home-schooled Students

For home-schooled students wishing to receive a diploma from Cape Elizabeth High School, the Cape Elizabeth High School Principal shall determine the value of the student's prior educational experience toward meeting graduation credit

requirements. A home-schooled student must have attended Cape Elizabeth High School for a minimum of \_\_\_\_\_ semesters **OR**, ~~\_\_\_\_\_ semesters~~ **taken a minimum of \_\_\_\_\_ courses at Cape Elizabeth High School** in order to receive a Cape Elizabeth High School diploma.

**C. Delayed Awarding of Diplomas**

A student who leaves Cape Elizabeth High School to attend an accredited, degree-granting institution of higher education may upon satisfactory completion of the freshman year be awarded a high school diploma, provided that the student has notified the principal at the time of the early admission.

**D. Early Awarding of Diplomas**

~~—A student who has met the State's and the Board's diploma requirements in fewer than four years of high school may be awarded a diploma. Any student interested in pursuing this option must schedule a meeting with her/his parent/legal guardian and guidance counselor to review the requirements and prepare a plan no later than the end of the school year before the hoped for graduation date. The student's plan must be approved by the Principal, guidance counselor, and the student's parent(s)/guardian(s).~~

~~**Credit Waiver.** Students can petition the Principal for a waiver of local graduation requirements. Petitions will be considered on an individual basis by the principal and guidance counselor. The final decision on the waiver shall be made by the Principal.~~

**E. Extended Study**

Students are eligible for extended years of study to complete the requirements of a diploma if they have not reached the age of 20 at the start of the school year. Students eligible for extended years of study may be referred to adult education or other resources suitable to young learners. Extended study for students with disabilities shall be specified in the student's Individualized Education Plan.

**F. Certificate of Completion**

The Board may provide a certificate of completion to a student who leaves school having completed four years attendance as a full-time high school student and who has earned the required credits but has not met Learning Results proficiency standards that may be mandated by the State.

**G. Participation in Graduation Ceremonies. No student is allowed ceremony**

A student must complete all Board requirements for a high school diploma or certificate of completion in order to participate in graduation exercises ~~unless all~~

II. Honors and Awards at Graduation

~~In order to be eligible for honors or awards based wholly or in part on academic requirements are met, all school property is returned, and all school fees are paid. The school may also require as a condition of participation in achievement (e.g., valedictorian, salutatorian, class speaker, "Top 10"), a student must have been enrolled full time at Cape Elizabeth High School during the year [OR: for two years, OR: for \_\_\_\_\_ semesters] preceding graduation. Students who do not meet this enrollment requirement will not be "ranked" for the purpose of determining eligibility for graduation ceremonies that a student successfully completes a required plan for community service of no more honors, awards, or scholarships.~~

[NOTE: "Honors" at graduation is a different issue than ten-hour "honor roll" or "class rank," which may have different eligibility requirements, and a project related to senior transition away from high school into the wider community. may be addressed in other board policies.]

Legal References Reference: 20-A M.R.S.A. §§ 4722; 6209  
Ch. 125, 127, 131, 132 (Maine Department § 7 (Me. Dept of Education Rules) (d. Rule)

Cross REFERENCES: Reference: IHCDA: Post Secondary Enrollment Options

IK – Student Achievement

IKFA: Early Graduation

IKFC: Awarding of High School Course Credit Prior to Grade 9

ADOPTED: November 8, 1994

REVISED: November 12, 1996

May 13, 2003

November 14, 2006

June 10, 2008

December 11, 2012

Reviewed: January 14, 2014

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

**STUDENT ASSESSMENT**

The Board recognizes that Maine law requires each school administrative unit to use multiple assessment methods to measure student achievement of the learning results set forth in 20-A M.R.S.A. § 6209 and Department of Education (DOE) rules implementing that section and other curricular requirements established in § 6209 to inform instruction and to ensure that students are making progress toward achieving the learning results set forth in § 6209 and in DOE rules implementing that section, other curricular requirements and the requirements of a common course of study.

Through this policy, the Board adopts and directs the Superintendent/designee to implement and oversee an assessment system for District schools that will accomplish these objectives. The Superintendent shall be responsible for reviewing the assessment system for compliance with applicable statutes and rules and for certifying to the Commissioner that it is in compliance with Maine Department of Education standards.

Legal Reference: 20-A MRSA § 6202-B, 6209

APPROVED: January 8, 2008  
January 14, 2014

## **TEACHING ABOUT CONTROVERSIAL/SENSITIVE ISSUES**

American academic tradition stresses the free contest of ideas as a vital element both in the development of curriculum and in classroom teaching. The Cape Elizabeth School District believes that exploring controversial issues is an important part of the educational experience.

### **Teaching Controversial Issues**

Training in reflective and responsive thinking, may be incorporated in course offerings at all grade levels. This training is impossible, or at least severely hampered, if the community does not respect the principles of freedom and recognize that dissent does not necessarily mean disloyalty. However, one form of dissent which is incompatible with freedom is that which attempts to end freedom. Irrational fears do just this, and thereby may block the school in its efforts to handle controversial issues in an atmosphere of freedom and thoroughness.

- A. It is the responsibility of the schools to make provision for the study of controversial issues.
  - 1. The policy on controversial issues should be defined in terms of the rights of students rather than in terms of the rights of teachers.
  - 2. The study should be emphasized in the high school, when most students are mature enough to study the significant controversial issues facing our society.
  - 3. The study should be objective and scholarly with a minimum emphasis on opinion and a maximum emphasis on facts.
- B. In the study of controversial issues the students have the following rights:
  - 1. The right to study controversial issues which have political, economic, or social significance and concerning which (at the appropriate level) he/she should begin to have an opinion;
  - 2. The right to have access to relevant information;
  - 3. The right to form and express opinions on controversial issues without thereby jeopardizing relations with the teacher or the school; and
  - 4. The right to study under competent instruction in an atmosphere free from bias and prejudice.
- C. The teacher employs the same methods in handling controversial issues as characterize the best teaching at any time.

**TEACHING ABOUT CONTROVERSIAL/SENSITIVE ISSUES**

1. The teacher, in selecting both the content and the method of instruction, is mindful of the maturity level of the students.
2. The teacher has assured him/herself that the controversial subject to be discussed belongs within the framework of the curriculum to be covered, that the subject is significant as well as meaningful for the students, and that through the discussion, students will have the opportunity to grow.
3. The teacher handles the classroom presentation in ways that will ensure a wide range of information and interpretation for the students' consideration and strives to present a balance among many points of view.
4. The teacher does not use the classroom as a personal forum. He/she does not employ the techniques of the demagogue or the propagandist for attention, for control, or simply for color. The teacher has the right to identify and express his/her own point of view in the classroom as long as he/she indicates clearly that it is his/her own.
5. The teacher emphasizes keeping an open mind, basing one's judgment on known facts, looking closely at facts to evaluate them in terms of the subject under discussion, and being ready to change one's opinion should new facts come into light.
6. The emphasis always is on the method of forming an opinion as much as on the opinion formed.

Cross Reference: AD - Educational Philosophy  
GCSA – Employee Computer and Internet Use  
IJNDB – Student Computer and Internet Use

ADOPTED: \_\_\_\_\_



**ANIMALS IN SCHOOLS**

Permission is to be obtained from the Principal before animals are brought into the school by anyone. If students wish to bring in animals for educational purposes, they are to consult with their teachers who, in turn, will request permission from the Principal. Animals are not to be transported on a school bus.

Animals must be adequately housed and cared for in appropriate, contained habitats. Only the teacher or students designated by the teacher are to handle the animals.

If animals are to be kept in the classroom on days when classes are not in session, arrangements must be made for their care.

Cross References: ACAC – Service Animals in the Schools

ADOPTED: January 14, 1997  
Recoded: June 1998  
Revised: November 14, 2006  
January 14, 2014

**ADMISSION OF NON-RESIDENT STUDENTS**

The Cape Elizabeth School Board authorizes the superintendent to enroll without tuition and on a full-time basis, in accordance with applicable statutory provisions, persons who are not otherwise eligible for a free public education in Cape Elizabeth. Enrollment of any such persons shall be discretionary with the superintendent and shall be subject to such conditions as the superintendent deems necessary to avoid disruptive or adverse effects to the Cape Elizabeth school system, including that space is available, and that the educational needs of the student can be met with existing district programs.

Legal Reference: TITLE 20A MRSA §§ 2701; 5202; 5801

ADOPTED: October 9, 1984

REVIEWED AND ACCEPTED: September 13, 1994

Recoded: June 1998

REVIEWED: November 4, 2008

Revised: January 14, 2014

## 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: November 13, 2012

Reviewed: January 14, 2014

## CURRICULUM DEVELOPMENT AND ADOPTION

For the purpose of this policy “curriculum” means Cape Elizabeth School’s written document that sets forth the learning expectations for all students for all content areas of Maine’s system of Learning Results including the Common Core Standards for mathematics and English language arts, as well as for other content areas as specified by the Board. The curriculum shall reflect continuous, sequential and specific instruction aligned with the content areas of the Learning Results and Common Core Standards.

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 system to undertake intensive curriculum revision as needed.
- D. The Superintendent is expected to lead the ongoing curriculum development and review process, and align 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, and courses of study prior to their implementation.

The Superintendent is expected to develop plans and timelines as necessary for the development, implementation and evaluation of the curriculum and to provide the Board with an annual report on the status of the curriculum.

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

Legal Reference: 20-A M.R.S.A. §§ 1001(6), 6209  
Ch. 127 § 5-7 (Me. Dept. of Ed. Rules)

ADOPTED: June 9, 1992  
Recoded: June 1998  
Revised: November 8, 2005  
September 10, 2013  
Reviewed: January 14, 2014

**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: November 13, 2012  
Reviewed: January 14, 2014

## **REFERRAL/PRE-REFERRAL POLICY**

It shall be the policy of the Cape Elizabeth School Department to refer all school-age students suspected of having a disability that requires special education to the IEP Team for an evaluation in all suspected areas of disability. Referrals of students to the IEP team may be made by parents at any time, and by professional school staff and by other persons knowledgeable about the child's educational needs. Any such referral should be made in accordance with procedures that may be approved by the Superintendent of Schools.

Regardless of the source of the referral, a referral will be considered received by the school department 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 Director of Instructional Support thereby indicating the date of the receipt of that referral.

The Superintendent of Schools, in consultation with the Director of Instructional Support, may develop procedures for referral and the use of pre-referral interventions within the local school unit, and may from time to time amend those procedures as necessary.

References: Me. Dep't of Educ. Reg. ch. 101, §§ II(23), III, IV(2)(D), (E), V(4)(A) (May 2010).

Date Adopted: April 8, 2008  
Revised: November 13, 2012  
Reviewed: January 14, 2014

## 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  
November 13, 2012  
Reviewed: January 14, 2014

## 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 1<sup>st</sup> 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  
Revised November 13, 2012  
Reviewed: January 14, 2014



## 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

## **HOME SCHOOLING – PARTICIPATION IN SCHOOL PROGRAMS**

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.

## **HOME SCHOOLING – PARTICIPATION IN SCHOOL PROGRAMS**

### **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

**HOME SCHOOLING – PARTICIPATION IN SCHOOL PROGRAMS**

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)

Revised: November 13, 2012

Reviewed: January 14, 2014

## POST-SECONDARY ENROLLMENT OPTIONS

This policy establishes the requirements for student enrollment in post-secondary courses taken before high school graduation.

### Eligible Institutions

Students may take courses at eligible post-secondary institutions within Maine, which include the University of Maine System, the Maine Community College System and Maine Maritime Academy. Students may take courses offered through the DOE Distance Learning Network or the Internet if such participation is approved by the post-secondary institution.

Students may be allowed to take courses at private colleges or other institutions, including courses offered through the DOE Distance Learning Network or the Internet. Responsibility for all costs associated with any courses taken at private colleges will rest with the student and his/her parent(s). Any such requests shall be considered on a case-by-case basis to the extent that funds are available and the requirements of this policy are met.]

### Student Eligibility Requirements

A student may take no more than one course per semester and two courses per academic year.

A student must meet the following criteria prior to enrolling in a post-secondary course:

- A. Have a minimum of a B average [or 3.0] in his/her courses overall, unless the eligible institution has waived the minimum grade/grade point requirement;
- B. Meet the course admission standards of the eligible institution;
- C. Provide evidence of parent/guardian approval for taking the course; and
- D. Receive a recommendation to take a postsecondary course or courses from the school administration or one of the student's secondary school teachers following an assessment of the student by the administration.

A student enrolled in grade 11 or 12 who does not have a B average [or 3.0] in his/her courses overall is eligible to take a post-secondary course provided that he/she:

- A. Has been assessed and received a recommendation to take the course from the school administration or from a secondary school teacher; and
- B. Has been approved for participation in the course by an eligible institution.

### Awarding of Credits

## POST-SECONDARY ENROLLMENT OPTIONS

The eligible institution shall grant full credit to any student who successfully completes a course.

High school graduation credit for a course taken under this policy shall be awarded as follows:

- A. The course must meet for a minimum of one semester or for an equivalent number of credit hours.
- B. The course must meet any applicable Learning Results standards.
- C. The student must earn a passing grade in the course.
- D. Attendance must satisfy the instructor's requirements.
- E. If the above criteria are met, the student shall receive 5 (five) high school credits for each 45 credit hour course.
- F. The weight assigned to grades received in post-secondary courses approved pursuant to this policy shall be determined on a case by case basis by the Principal and the Guidance Director depending on the circumstances of the student's taking the class and the course description and expectations. There shall be no presumption that grades in approved courses shall receive weight simply because they are offered by a post-secondary institution.

### Financial Assistance

- A. The Maine Department of Education shall pay applicable tuition costs (up to the limits of legislative appropriation) for any student enrolled in a course under this policy if the eligible institution requires tuition payment.
- B. The student and his/her parent/guardian are responsible for paying for all textbooks, course fees and transportation costs.

### School District Reporting Requirements

The Superintendent shall make parents and students aware of post-secondary enrollment options through handbooks or other appropriate means.

Legal Reference: 20-A MRSA Section 4771 et seq.  
Chapter 127 (Maine Department of Education Rules)

ADOPTED: September 13, 2005 (Replacing original policy)

Revised: December 11, 2012

Reviewed: January 14, 2014

CAPE ELIZABETH SCHOOL DEPARTMENT



## **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**

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

## **SELECTION OF EDUCATIONAL MATERIALS**

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

**SELECTION OF EDUCATIONAL MATERIALS**

- 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 two community members.
- 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.

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

**SELECTION OF EDUCATIONAL MATERIALS**

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: December 11, 2012  
Reviewed: January 14, 2014

## **EARLY GRADUATION**

If a student can meet the graduation requirements of his/her class in less time than the four-year high school sequence, that student can apply for early graduation. In order to apply for early graduation the student must do the following early in the fall of the year graduation is requested (or the previous spring):

- A. Write a letter explaining the reasons for requesting early graduation in the year preceding his/her scheduled graduation. This letter is addressed to the school principal and should include the student's post-graduate plans.
- B. Arrange a meeting to include the student, parents, guidance counselor, principal and any appropriate faculty members.
- C. Complete an Early Graduation Form listing courses and credits needed to graduate. High school and college level courses can be used toward graduation. The plan for fulfilling these requirements will be reviewed. The student's reasons for requesting early graduation will be reviewed.
- D. Upon approval, as Early Graduates, they will be invited to participate in all senior activities relating to graduation.
- E. The high school administration will extend special types of honors recognition to a student who has exemplified superior academic achievement and has chosen to graduate early from CEHS. This recognition would be separate from the honors recognition extended to senior graduates of the high school at the graduation ceremony.
- F. The class ranking of early graduates will take place at the end of four semesters of high school. Early Graduates will be ranked in the class with which they entered high school. These students will be ranked with their own class and not with the senior class. Class ranking of seniors (weighted/unweighted) will take place at the end of six semesters of high school. Therefore, early graduates will not receive a weighted class ranking.
- G. Early graduates may be considered for Book Awards in their third year of high school.

ADOPTED: November 12, 1996  
Revised: December 12, 2006  
Reviewed: December 11, 2012  
January 14, 2014

**AWARDING OF HIGH SCHOOL COURSE CREDIT PRIOR TO GRADE 9**

Cape Elizabeth Middle School students who are approved to take courses at Cape Elizabeth High School will not receive high school credit.

Middle School students who successfully complete high school courses or other accelerated academic programs may list such courses on the student's Cape Elizabeth High School transcript, but they will not be included in calculating grade point average or accruing credits toward High School graduation requirements.

For the purposes of this policy, a student is not considered a high school student until s/he begins taking courses in the fall of his/her ninth grade year.

Legal Reference: Maine Department of Education Rule chapter 127 ¶ 7.02  
Cross Reference: IKF – Graduation Requirements

ADOPTED: January 9, 1996  
Revised: April 10, 2007  
Reviewed: December 11, 2012  
January 14, 2014

## **STUDENT SURVEYS AND MARKETING INFORMATION**

From time to time, the Cape Elizabeth School Department may administer surveys to students in the course of developing and evaluating programs and services offered in the schools. The school unit will comply with the federal Protection of Pupil Rights Act and applicable regulations concerning the administration of surveys and the use of personal information about students for marketing purposes as outlined in this policy.

### **Parental Consent to Surveys**

No student shall be required to participate in a survey receiving funding under U.S. Department of Education programs that reveals the following information without prior notice to and the written consent of parents/guardians:

- Political affiliations or beliefs of the student or the student's parent;
- Mental or psychological problems of the student or the student's family;
- Sex behavior or attitudes;
- Illegal, anti-social, self-incriminating, or demeaning behavior;
- Critical appraisals of other individuals with whom respondents have close family relationships;
- Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- Religious practices, affiliations or beliefs of the student or the student's parent; or
- Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

In the case of surveys not funded under U.S. Department of Education programs, parents/guardians will receive prior notice of the survey and their right to opt-out. Parents/guardians may request that their child not participate in a particular survey by submitting a written request to the Building Principal within five days of receiving the notice.

### **Notice to Parents Regarding Surveys**

Parents/guardians will be provided with a copy of this policy at the beginning of each school year, and within a reasonable time if substantive changes are made to the policy by the Board. If actual or expected dates of surveys have been scheduled when the policy is distributed, parents/guardians of affected students will be notified at that time. If surveys are scheduled after the start of the school year, parents/guardians will be provided with reasonable notice before the survey is administered.

### **Procedure for Inspection of Surveys/Instructional Materials**

Parents/guardians have the right to inspect any survey created by a third party before it is distributed or administered to students. Parents/guardians may also inspect any instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey.

Parents/guardians may request to inspect surveys or related instructional materials by submitting a request in writing to the Building Principal within five days of receiving notice that a survey is to be

## **STUDENT SURVEYS AND MARKETING INFORMATION**

administered. The Building Principal shall make arrangements for the parent/guardian to inspect the survey and/or materials within a reasonable time prior to the scheduled date for the survey.

### **Use of Student Personal Information for Marketing Purposes**

The School Department does not collect, use or disseminate personal information about students for marketing or commercial purposes.

This policy does not prevent the collection, use or dissemination of personal information collected from students for the exclusive purpose of developing, evaluating or providing educational products or services for or to students or educational institutions (including but not limited to tests and assessments, sale by students of products or services to raise funds for school-related purposes, student recognition programs and book clubs or magazines).

### **Protection of Student Privacy**

The Superintendent shall be responsible for ensuring that appropriate measures are taken to ensure that student privacy is protected when surveys are administered or personal information about students is collected, disclosed or used for marketing purposes.

### **Students Over 18/Emancipated Students**

In the case of emancipated students or students over the age of 18, the parent/guardian rights described in this policy transfer to the student.

### **Complaints**

The United States Department of Education maintains an office that handles complaints about alleged violations of the Protection of Pupil Rights Amendment by local school units. Complaints regarding violations may be submitted in writing to:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, D.C. 20202-4605

Legal References: 20 U.S.C. § 6361 (No Child Left Behind Act)  
20 U.S.C. § 1232h; 34 C.F.R. Part 98 (Protection of Pupil Rights Amendment)  
20 U.S.C. § 1232g; 34 C.F.R. Part 99 (Family Educational Rights and Privacy Act)

Cross References: JRA – Student Education Records and Information

ADOPTED: December 12, 2006

Revised: December 11, 2012

Reviewed: January 14, 2014



## **ACCOMMODATION OF SINCERE BELIEFS IN REQUIRED INSTRUCTION**

The curriculum of the Cape Elizabeth School Department is designed to meet statutory requirements and includes other areas of study deemed appropriate by the professional staff and the Board. The curriculum includes topics and materials that are age and ability appropriate to the students.

The Board acknowledges that from time to time individual students may be exposed to some ideas and materials with which they or their parent/legal guardian do not agree. Students and their parents cannot be required to adopt ideas with which they disagree, but such disagreement alone is not a sufficient basis to exempt a student from the prescribed curriculum. Exemptions from the required curriculum should be minimized because they can detract from the overall instruction provided to the class as a whole and the educational objectives sought to be achieved by the curriculum.

The Board recognizes, however, that there could be topics in the curriculum which may be objectionable to individual students based on their particular, sincerely held religious, moral or philosophical beliefs. Alteration of individual participation in this instruction which infringes on such beliefs may be requested by the parent(s)/legal guardian.

Requests for accommodation of beliefs in instruction must be made in writing to the building Principal and are subject to the approval of the Principal. The Principal shall notify the Superintendent as soon as practicable of any request for accommodation from instruction and of his/her decision. If the Principal denies an accommodation request, the parent/legal guardian may appeal to the Superintendent, whose decision shall be final.

In considering requests for accommodation, factors that the Principal should consider may include the following:

- A. Whether the course of instruction is required by state law or regulations, or Board policy.
- B. Whether an accommodation will adversely affect the instruction provided to other students.
- C. The educational importance of the material or instruction from which exemption is requested.
- D. Evidence regarding the sincerity of the belief on which the accommodation request is based.
- E. Whether the school has a legal obligation to accommodate the request. In the case of curriculum aligned with the system of learning results, if there is a conflict with the sincerely held religious beliefs of a student or his/her parent/legal guardian, accommodation in the curriculum shall be made for the student. If the accommodation is so great that the validity of the local assessment system is compromised, the

**ACCOMMODATION OF SINCERE BELIEFS IN REQUIRED INSTRUCTION**

Superintendent will determine how to address this, subject to approval of the Commissioner of Education.

F. Other factors that bear upon the particular request.

When a student is exempted from a portion of the regular curriculum, the staff will make reasonable efforts, within the scope of existing resources, to accommodate alternative instruction for the student. Alternative instruction may be provided by the school or thorough approved independent study. Any alternative instruction shall be approved in advance by the Principal in consultation with the classroom teacher, and shall meet the standards and objectives of the part of the curriculum that is being replaced.

Legal Reference: 20-A MRSA § 6209  
LD 1536, Chap. 51 Resolves  
Chapters 127 and 131 (Maine Department of Education Rules)

Cross Reference: ILA – Tests/Assessment  
IJJ – Instructional and Library Materials Selection  
IJJ-E Citizens Challenge of Educational Media Form

ADOPTED: November 14, 2006  
Reviewed: December 11, 2012  
January 14, 2014

## **COMPULSORY SCHOOL ATTENDANCE**

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

### **Compulsory Attendance Ages**

Under state law, full-time attendance at school is required of every child between the ages of 6 and under 18, unless he/she has received a high school diploma or its equivalent. .

### **Excusable Absences from School**

A person's absence from school is excused when the absence is for one of the following reasons:

- A. Personal illness;
- B. An appointment with a health professional that must be made during the regular school day;
- C. Observance of a recognized religious holiday when the observance is required during the regular school day;
- D. A family emergency;
- E. A planned absence for a personal or educational purpose which has been approved; or
- F. Education disruption resulting from homelessness, unplanned psychiatric hospitalization, unplanned hospitalization for a medical emergency, foster care placement, youth development center placement or some other out-of-district placement that is not otherwise authorized by an IEP or other education plan or Superintendents' agreement.

### **Adult Responsibility for School Attendance**

Parents or other adults having control of a person of compulsory attendance age are responsible for ensuring that a student attends school as required by law. The Board expects school administrators and staff to work with families in an effort to ensure compliance.

### **Exceptions to the Compulsory Attendance Requirement**

A child may be excused from compulsory attendance at school if he/she meets the requirements in one of the following sections.:

- A. He/she has:
  - 1. Reached the age of 16 years of age;

**COMPULSORY SCHOOL ATTENDANCE**

2. Obtained permission to leave school from his/her parent;
3. Been approved by the principal for a suitable program of work and study or training;
4. Has met with the Superintendent/designee to discuss the decision to withdraw from school;
5. Obtained permission to leave school from the Board or its designee; and
6. Agreed in writing with that person's parent and the Board or its designee to meet annually until that person's 18<sup>th</sup> birthday to review that person's educational needs.

If a request to be excused from school is denied pursuant to this section, the student's parent may appeal to the Commissioner of Education.

- B. He/she has matriculated and is attending an accredited, post-secondary, degree-granting institution as a full-time student. An exception to the compulsory attendance law under this paragraph must be approved by the Commissioner of Education.
- C. He/she is enrolled in an online learning program or course of study.
- D. A student who is 18 years of age or older who has not graduated from high school or obtained an equivalency diploma, and who wishes to withdraw from school shall meet with the Superintendent/designee to discuss the decision to withdraw from school.

**Alternatives to Attendance in Public School**

A person shall be excused from attending a public day school if he/she obtains equivalent instruction as allowed by law.

Equivalent instruction alternatives are as follows:

- A. A private school approved for attendance purposes pursuant to state law and regulations;
- B. A private school recognized by the Department of Education as providing equivalent instruction;
- C. A home instruction program that complies with state law and regulations;

**COMPULSORY SCHOOL ATTENDANCE**

- D. Any other manner arranged by the Board and approved by the Commissioner of Education; or
- E. Pursuant to 20-A MRS Sections 5104-A or 8605 (approved alternative education program or adult education program).

A student shall be credited with attendance at a private school under Paragraphs A or B only if the legally required certificate from the private school is filed with the student's school unit.

Legal Reference: 20-A MRS §§ 5001-A et seq.; 5051 et seq.; 2901; 5104-A; 8605  
Chapters 125 and 127 (Maine Department of Education Rules)

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

Replaces original JEA/JHB Student Attendance and Truancy

ADOPTED: December 7, 2007

Revised: December 11, 2012

Reviewed: January 14, 2014

## **DROPOUT PREVENTION COMMITTEE**

The Superintendent shall establish a Dropout Prevention Committee to study the problem of dropouts, truancy, and the need for alternative programs from kindergarten to grade 12, in accordance with the requirements of state law. The Committee shall submit a plan of action to the Board. The Committee will meet at least annually thereafter to review the plan and make recommendations to the Board as appropriate.

### **Committee Membership**

The Dropout Prevention Committee shall be composed of the following members, appointed on an annual basis:

- A. A member of the Board selected by the Board
- B. A school administrator selected by the Superintendent;
- C. A teacher and a school counselor selected by the teachers' organization;
- D. A parent selected by the local parent group or by the Board if no such group exists;
- E. A school attendance coordinator selected by the Superintendent;
- F. A high school student selected by the Dropout Prevention Committee members;
- G. A dropout selected by the Dropout Prevention Committee members; and
- H. A community resident of the district selected by the Dropout Prevention Committee members.

The Committee shall select a chair from among its members.

Legal Reference: 20-A MRS §§ 5001-A; 5102-5104-A  
Chapter 125 (Maine Department of Education Rules)

Cross Reference: JEA – Compulsory Student Attendance  
JHB - Truancy

ADOPTED: April 8, 2008  
Revised: December 11, 2012  
Reviewed: January 14, 2014

**SAMPLE PARENT LETTER FOR NCLB TEACHER QUALIFICATIONS**

~~[NOTE: the NCLB Act requires local school units to notify the parents of each student attending a school receiving Title I funds that they may request information regarding teacher qualifications. Such notice must be provided at the beginning of each school year. This sample letter addresses the requirements found in 20 U.S.C. § 6311. The law requires that “to the extent practicable,” this information must be provided in a language that parents can understand.]~~

————— **[SCHOOL LETTERHEAD]**

Dear Parent:

~~Under the federal No Child Left Behind Act, you have a right to request certain information about the professional qualifications of your child’s teacher or teachers:~~

- ~~• Whether the teacher has met State certification criteria for the grade levels and subject areas in which the teacher provides instruction;~~
- ~~• Whether the teacher is teaching under emergency or other provisional status through which State certification criteria have been waived;~~
- ~~• The teacher’s college major and the field of discipline of any advanced degrees held;~~
- ~~• Whether your child is provided services by any paraprofessionals such as educational technicians, and if so, their qualifications.~~

~~If you would like to receive any of this information, please contact me at the above address or by telephone at 799-7339.~~

Sincerely,

Building Administrator

~~[NOTE: local school units may choose to send these letters out under the Superintendent’s signature.]~~

~~Reviewed: December 14, 2004~~

**SUPPORT STAFF EVALUATION  
ADMINISTRATIVE GUIDELINES**

~~The following support staff are to be evaluated~~

- ~~• Bus Drivers and Custodians~~
- ~~• Central Office Staff~~
- ~~• Community Services Hourly Staff~~
- ~~• Food Service Staff~~
- ~~• Maintenance Staff~~
- ~~• Secretaries/Aides/Educational Technicians~~

- ~~1. New hires will be evaluated at the conclusion of their six-month probationary period.~~
- ~~2. All other employees will be evaluated on an annual basis.~~
- ~~3. Employees will be evaluated by their immediate supervisor.~~
- ~~4. The supervisor will meet with the employee to discuss the completed evaluation.~~

~~CROSS REFERENCE: — GDO — Evaluation of Support Staff~~

~~ADOPTED: — November 14, 1995~~

~~Reviewed: — January 11, 2005~~



## EXTENDED SCHOOL YEAR SERVICES

~~It is the policy of the Cape Elizabeth School Department to provide extended school year services during the summer months when ordered by the student's pupil evaluation team and set forth in his or her IEP (Individual Education Plan).~~

~~In making its determination about whether to provide extended school year services, the PET shall make an individualized assessment of whether the student is at risk of losing skills previously mastered and of being unable to recoup those skills in a reasonable time. In those cases where the benefits accrued to the child during the regular school year will be significantly jeopardized if the student is not provided with a summer program, the PET should order the program.~~

~~Determinations about whether a student requires extended year services should draw upon the evaluative data in the possession of the PET and may consider the following factors:~~

- ~~1. The nature and severity of the student's impairment;~~
- ~~2. Whether the student's IEP contains self-sufficiency and independence from caregivers;~~
- ~~3. Whether the student is failing or likely to fail to achieve IEP objectives due to an interruption in services;~~
- ~~4. The extent of regression caused by an interruption in educational programming; and~~
- ~~5. The rate of recoupment following an interruption of services.~~

~~The PET may make determinations of extended year programs based upon empirical data of actual regression and recoupment problems or upon reasonable calculations that such problems are likely given the child's unique needs.~~

~~ADOPTED: February 9, 1999~~

~~REVISED: September 13, 2005~~

SCHEDULING FOR INSTRUCTION – TIME ON TASK  
GUIDELINES

~~The following guidelines have been developed in order to assist our faculty with their attempts to meet the goal of Policy ID: Scheduling For Instruction – Time on Task:~~

- ~~A. The principals have the authority to schedule all classes and activities within their schools.~~
- ~~B. For any activity to disrupt classroom instruction, it would have to meet at least one of the following:~~
- ~~1. \_\_\_\_\_ It relates to curriculum and expands classroom knowledge and experience;~~
  - ~~2. \_\_\_\_\_ It provides faculty members with meaningful and useful training in an area which will directly serve their assigned students;~~
  - ~~3. \_\_\_\_\_ It provides a necessary opportunity for parents and teachers to collaborate;~~
  - ~~4. \_\_\_\_\_ It provides a necessary component of a career education or counseling program;~~
  - ~~5. \_\_\_\_\_ It is believed by the principal to be beneficial to the student body;~~
  - ~~6. \_\_\_\_\_ It improves a student's ability to function in class; i.e. English, speech therapy, counseling, OT, and PT~~
- ~~C. Situations which are to be monitored and generally not encouraged:~~
- ~~1. Scheduling of private lessons during any student's instructional time;~~
  - ~~2. Using intercom systems in non emergency ways;~~
  - ~~3. Scheduling athletic practices or games which would interfere with the school day;~~
  - ~~4. Parents expecting teachers to provide their children's lessons or make up when those needs are generated by family vacations during school days.~~

ADOPTED:

REFERRAL TO PUPIL EVALUATION TEAM

~~In addition to other requirements for parental notification, the local school unit shall notify parents in writing consistent with state special education regulations whenever their child has been referred to the Pupil Evaluation Team, and shall notify parents whenever their child has demonstrated educational difficulties that have led to completion by a staff member of the pre-referral 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 Pupil~~

~~Evaluation Team if they suspect that their child may need special education services. The Cape Elizabeth School Department 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 Pupil Evaluation Team, but the Cape Elizabeth School Department shall not reject or delay the referral until the intervention strategies have been tried if the parents request that the school proceed immediately with the referral. The school shall document the parents' decision.~~

~~That notification shall also inform the parents that they have a right to request a due process hearing from the Maine Department of Education in response to any refusal by the school to proceed with their request to refer their child to the Pupil Evaluation Team.~~

~~References: Maine Department of Education Regulations ch. 101, §§ 7.7, 9.8, 9.17 (Nov. 1999); 20 U.S.C. § 1400 (e) (5)(F); 34 C.F.R. Part 300, App. A., Q. 17 (Mar. 1999).~~

~~Cross Reference: JFCIAA Student Support Teams~~

~~ADOPTED: February 9, 1999~~

~~REVISED: November 14, 2000~~

REFERRAL/PRE-REFERRAL PROCEDURES

~~School employees who are making a referral shall do so by contacting the special education team leader in their building and by filling out the appropriate referral forms. Parents may at any time refer their child to the Pupil Evaluation Team if they believe the child may be in need of special services. Parent should contact the Director of Special Education at 799 3987 to make a referral, but also may contact the child's teacher to make that referral. School professionals who are informed by parents or others of a desire to refer a student should immediately direct that person to the Director of Special Education for initiation and discussion of the referral process. The school professional should also document in writing the contact with the parent or other person and should immediately forward that documentation to the Director of Special Education and the building principal.~~

~~Once the referral has been made, the PET members have 15 school days to review any existing evaluation data and to determine what evaluations may be needed as part of the referral process. That review may occur either at a PET meeting, or through other discussions that fully include the parent. If PET members are unable to reach agreement on necessary evaluations outside of a PET meeting, a PET meeting shall be held to discuss the issue.~~

~~Within 15 school days of receiving the referral, the Cape Elizabeth School Department should send to the parent a consent for initial evaluation form. When the Office of the Special Education Director receives that consent form back from the family with the appropriate signatures, the local school unit has 45 school days to complete the evaluation and to hold a Pupil Evaluation Team ("PET") 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 PET should develop an IEP for that child within 30 days of the determination that the student is eligible.~~

~~Transfer students who have already been identified as in need of special services shall on transfer and with prior written notice to the parent be provided with special education consistent with the IEP developed at the prior school, and shall be referred to the PET to review the program. If the transfer 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 school should develop a new IEP through appropriate procedures within a short time after the student enrolls at the school.~~

~~Upon enrollment in public school, a student who was being served by the Child Development Services (CDS) system shall be treated by the local school unit in the same manner as are transfer students under the state special education regulations, except that the student's Individual Family Service Plan from CDS will be considered as his or her current IEP until such time as a PET meets to alter or amend that program. Placement, however, will be in the public school system rather than at the site provided by CDS.~~

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

REFERRAL/PRE-REFERRAL PROCEDURES

~~The school staff member shall then develop an intervention strategy, using the intervention checklist, assistance of the Student Assistant Team, Teacher Assistant Team or the Pupil Service Team. The staff member may consult with other school employees and/or the student's parents in developing the intervention strategy. The intervention strategy shall have an established time period for implementation, and at the end of that time its success shall be assessed and documented in writing. If the intervention strategy fails to resolve satisfactorily the difficulties that were interfering with the student's education and the staff member suspects that the student may be in need of special education, the staff member shall refer the student to a Pupil Evaluation Team in accordance with the referral process noted above.~~

PARENTAL NOTICE

~~In addition to other requirements for parental notification, the local school unit shall notify parents in writing consistent with state special education regulations whenever their child has been referred to the Pupil Evaluation Team, and shall notify parents whenever their child has demonstrated educational difficulties that have led to completion by a staff member of the pre-referral 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 Pupil~~

~~Evaluation Team if they suspect that their child may need special education services. The Cape Elizabeth School Department 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 Pupil Evaluation Team, but the Cape Elizabeth School Department shall not reject or delay the referral until the intervention strategies have been tried if the parents request that the school proceed immediately with the referral. The school shall document the parents' decision.~~

~~That notification shall also inform the parents that they have a right to request a due process hearing from the Maine Department of Education in response to any refusal by the school to proceed with their request to refer their child to the Pupil Evaluation Team.~~

~~References: Maine Department of Education Regulations ch. 101, §§ 7.7, 9.8, 9.17 (Nov. 1999); 20 U.S.C. § 1400 (c) (5)(F); 34 C.F.R. Part 300, App. A., Q. 17 (Mar. 1999).~~

~~Cross Reference: JFCIAA Student Support Teams~~

~~ADOPTED: February 9, 1999~~

~~REVISED: November 14, 2000~~

## REFERRAL/PRE-REFERRAL

~~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. 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~~

## REFERRAL/PRE-REFERRAL

~~and parent agree to do so. Even in that situation, however, pre-referral interventions will continue during the referral process.~~

~~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/designee, thereby indicating the date of the receipt of that referral.~~

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

## **REFERRAL/PRE-REFERRAL**

~~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 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 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 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 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~~



**REFERRAL/PRE-REFERRAL**

~~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~~

## PROGRAMMING IN THE LEAST RESTRICTIVE ENVIRONMENT

~~The Cape Elizabeth School Department shall program for students with disabilities in the least restrictive educational environment that can appropriately address the student's needs. Toward that end, the Cape Elizabeth School Department shall ensure that, to the maximum extent appropriate, students with disabilities are educated with children who are not disabled, and that special education, separate schooling or other removal of students with disabilities from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.~~

~~Determinations regarding programming in the least restrictive environment shall be made by the student's Pupil Evaluation Team (PET) and shall draw upon a multidisciplinary assessment of the student's needs. The Cape Elizabeth School Department shall make available as appropriate the full continuum of educational placements when making placement determinations.~~

~~The Superintendent of Schools, in consultation with the Director of Special Education, may develop and promulgate procedures for implementing this policy, and may from time to time amend those procedures as necessary.~~

~~References: 20 U.S.C. § 1412 (a) (5); 34 C.F.R. § 300.550 to .552; Me. Dep't of Educ. Reg. ch. 101, § 11.1 to 11.3 (Nov. 1999).~~

~~ADOPTED: February 9, 1999~~

~~REVISED: November 14, 2000~~

~~REVIEWED & APPROVED: September 13, 2005~~

## PROCEDURES ON PROGRAMMING IN THE LEAST RESTRICTIVE ENVIRONMENT

Determinations regarding least restrictive programming may be made by the student's P.E.T. in the following manner:

1) ~~The P.E.T. should first assess whether education in the regular classroom, with the use of supplementary aids and services, can be achieved satisfactorily. In making that determination, the P.E.T. should assess each of the following factors:~~

~~a. **Supplementary aids and services necessary assist the student in obtaining a satisfactory education in the regular classroom.**~~

~~Supplementary aids and services may include, but are not limited to, resource room services, itinerant services, assistive technology services, modifications of curriculum, use of Educational Technicians, and consultation services from special educators.~~

~~When assessing supplementary aids and services, the P.E.T. need not order placement in the regular classroom if it would require modification of the regular curriculum beyond recognition or would result in the student not having to learn any of the skills normally taught in that regular education curriculum.~~

~~b. **A comparison of the benefits the student would receive in the regular education classroom with those that the student would receive in a more restrictive setting, such as a self-contained program.**~~

~~The assessment of benefits should consider both academic and social benefits of participation in the placement at issue. The P.E.T. should also assess academic and social detriments for the student that may arise from the placement at issue.~~

~~In some circumstances, large social benefits of regular education may outweigh small academic benefits, just as large academic benefits of a more restrictive setting may outweigh small social benefits of a regular education placement.~~

~~c. **Effect placement of the student in the regular classroom would have on other students in the classroom.**~~

~~The P.E.T. need not place a student in the regular classroom when the student's behavior, even with supplementary aids and services, would be so disruptive that the education of other students is significantly impaired. Nor would the P.E.T. need to place the student in the regular classroom when the student would require so much of the teacher's or the educational technician's time that the rest of the class suffers.~~

~~d. **The financial cost of supplementary aids and services accompanying an appropriate placement in the regular classroom.**~~

**PROCEDURES ON PROGRAMMING IN THE LEAST RESTRICTIVE ENVIRONMENT (continued)**

~~Placement in the regular classroom may not be rejected under this factor simply because it would be incrementally more expensive than placement in a more restrictive setting. Yet the school unit need not educate a student in the regular classroom, if the cost of such a placement would significantly impact upon the education of other students. In most circumstances, the school unit need not place a student in the regular classroom, if such placement requires that the student have his or her own full-time teacher.~~

- ~~2) If the P.E.T. determines after assessing the above factors that the student is unable to be educated satisfactorily in the regular classroom with supplementary aids and services, the P.E.T. should then determine the maximum extent of mainstreaming that the student may appropriately receive.~~

~~In making this determination, the P.E.T. should consider the full continuum of alternative placements — such as placing the student in regular education for some academic classes and in special education for others, mainstreaming the child for nonacademic classes only, or providing interaction with nondisabled students during lunch and recess.~~

~~Placements in residential programs shall be made only when the P.E.T. determines that the student is not otherwise able to receive some educational benefit from a day program.~~

~~References: 20 U.S.C. § 1412 (a) (5); 34 C.F.R. § 300.550 to .552; Me. Dep't of Educ. Reg. ch. 101, § 11.1 to 11.3 (Nov. 1999).~~

~~ADOPTED: February 9, 1999~~

~~REVISED: November 14, 2000~~

## INDEPENDENT EDUCATIONAL EVALUATIONS

~~A parent of a special education student has a right to obtain an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the local school unit. An “independent education evaluation” means an evaluation conducted by a qualified examiner who is not employed by the local school unit.~~

~~If a parent requests an independent educational evaluation at public expense to challenge an evaluation obtained by the local school unit, the school must provide a written response to that request within a reasonable period not to exceed 30 days of the receipt of the request, and shall without unnecessary delay, either — (1) initiate a hearing with the Maine Department of Education to show that its evaluation is appropriate; or (2) ensure that an independent educational evaluation is provided at public expense, unless the local school unit demonstrates in a hearing with the Maine Department of Education that the evaluation obtained by the parent did not meet agency criteria.~~

~~If a parent requests an independent educational evaluation at public expense, the public agency may ask for the parent’s reason why he or she objects to the local school unit’s evaluation. However, the explanation by the parent may not be required and the local school unit may not unreasonably delay either providing the independent educational evaluation at public expense or initiating a due process hearing to defend the local school unit’s evaluation.~~

~~If the independent evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the local school unit uses when it initiates an evaluation.~~

~~The local school unit shall provide to the parent, upon request for an independent educational evaluation, information about where an independent educational evaluation may be obtained, and the information about the school’s criteria applicable to independent educational evaluations at public expense.~~

~~If the parent obtains an independent educational evaluation at private expense, the results of the evaluation must be considered by the local school unit, if that evaluation meets the local school unit’s criteria for independent educational evaluations, in any decision made with respect to the provision of a free appropriate public education for the child.~~

~~If the parent requests an independent evaluation at public expense when the parent does not disagree with an evaluation provided by the local school unit, or when the school has not recently provided an evaluation in the area requested, the parent request shall be referred without unnecessary delay to the Pupil Evaluation Team to determine whether the PET should order an evaluation in the area requested.~~

~~Authority: 34 C.F.R. § 300.502 (March 1999); Me. Dep’t of Educ.Reg. ch. 101, §§ 9.19, 12.5 (Nov. 1999).~~

~~ADOPTED: February 9, 1999~~

~~REVISED: November 14, 2000~~

~~REVIEWED & APPROVED: September 13, 2005~~

Lau PLAN  
(Service to Limited English Proficient Students)

~~I. INTRODUCTION~~

~~A. Definitions:~~

- ~~1. LAU Plan — a written plan or policy developed by a school district to address the appropriate educational practices for limited English proficient students as a result of the US Supreme Court case of Lau v. Nichols (1974).~~
- ~~2. Limited English Proficient (LEP) — Describes a child who comes from a home where a language other than English was/is spoken and the child's proficiency in English (one or more skill areas) presents an obstacle to that child benefiting from an education conducted in English.~~
- ~~3. English as a Second Language (ESL) — Refers to programs designed around various structured teaching approaches for helping students whose first or native language is not English and who are limited English proficient.~~

~~B. Legal Foundation for Necessity of Providing Language Support Services~~

~~The United States Congress addressed the subject of discrimination against limited English proficient students in the Equal Education Opportunity Act of 1974.~~

~~No state shall deny equal educational opportunity to an individual on account of his or her race, color, sex or national origin.~~

~~Congress acted to ensure that all public schools would comply with this act, not just those receiving federal funds. This statute recognizes the state's role in assuring equal educational opportunity for limited English proficient students. The statute also stresses that the failure of an educational agency to rectify appropriately a limited English proficient student's English competencies is a denial of equal educational opportunity.~~

~~II. IDENTIFICATION OF STUDENTS~~

~~A. Registration:~~

- ~~1. Any student who does not speak English is referred to the ESL coordinator for language assessment.~~
- ~~2. If, on the registration form, a parent (or sponsor) indicates a language other than English is spoken at home, a copy of the registration form should be sent to the ESL coordinator.~~

Lau PLAN  
(Service to Limited English Proficient Students)

~~3. All students who live in a home where a language other than English is spoken must be assessed by the ESL coordinator to determine placement.~~

~~B. Other Referral Sources:~~

- ~~1. Parents~~
- ~~2. Classroom teachers~~
- ~~3. Previous school records~~
- ~~4. Student self referral~~
- ~~5. Others~~

III. ASSESSMENT OF ENGLISH LANGUAGE PROFICIENCY

~~A. The ESL Coordinator oversees the educational program of LEP students enrolled in the Cape Elizabeth school system. The coordinator will:~~

- ~~1. Conduct identification and language assessment activities of newly registered LEP students.
  - ~~a. Identify primary language through Home Language Survey.~~
  - ~~b. Interview students and/or parent to determine grade level.~~
  - ~~c. Review all available educational documents.~~
  - ~~d. Determine English language proficiency.~~~~
- ~~2. Monitor programs of LEP students on a yearly basis to determine if student is ready for partial or full-time mainstreaming.~~
- ~~3. Establish a record keeping system for recording assessment results and instructional placement.~~

~~B. Assessment Areas:~~

~~1. Kindergarten and Primary~~

~~Listening: Such assessments as:-  
Language Assessment Scales Oral (LAS-O)  
IDEA Oral Language Proficiency Test (IPT)  
Peabody Picture Vocabulary Test (PPVT)~~

~~Speaking: Such assessments as:  
Language Assessment Scales Oral (LAS-O)  
IDEA Oral Language Proficiency Test (IPT)  
SPELT (assesses specific grammatic structure)~~

Lau PLAN  
(Service to Limited English Proficient Students)

~~English language readiness skills~~

~~2. Grades 3-12~~

~~Listening: Such assessments as:~~

~~Language Assessment Scales Oral (LAS O)~~

~~IDEA Oral Language Proficiency Test (IPT)~~

~~“Directed Oral Passages”~~

~~Story retelling~~

~~Peabody Picture Vocabulary Test (PPVT)~~

~~Speaking: Such assessments as:~~

~~Language Assessment Scales Oral (LAS O)~~

~~IDEA Oral Language Proficiency Test (IPT)~~

~~Oral Interview~~

~~Story Retelling~~

~~Reading: Such assessments as:~~

~~Language Assessments Scales (LAS Rdg./Wr.)~~

~~Standardized Achievement Tests~~

~~Informal Reading Inventory~~

~~Writing: Such assessments as:~~

~~Language Assessment Scales (LAS Rdg./Wr.)~~

~~Writing Samples Holistically scored~~

~~Dictation~~

IV. PLACEMENT/PROGRAMMING FOR STUDENTS IDENTIFIED AS LEP:

~~A. If students are classified as LEP, the students attend school where they will receive English As A Second Language (ESL) instruction.~~

~~B. Elementary Students K-5~~

~~1. Based on the English language assessment and educational data collected by the ESL coordinator, the LEP student's program will be developed by the ESL team consisting of the ESL coordinator, a classroom teacher, a school principal and parent(s) if possible.~~

~~2. The parent will receive results of the meeting and a description of the student's ESL and educational program. Personal contact will be made with parent(s) whenever possible.~~



Lau PLAN  
(Service to Limited English Proficient Students)

~~3. Content areas of the curriculum will be adapted to meet the language and educational needs of the LEP student.~~

~~4. Yearly assessment of the student's progress will be documented.~~

~~C. Middle School and High School Students~~

~~1. Based on the English language assessment and educational data collected by the ESL coordinator, the LEP student's program will be developed by the ESL coordinator, guidance counselor, parent, and at times, an ESL tutor and classroom teacher.~~

~~a. Consideration will be given to scheduling LEP students with teachers who have expressed interest and have expertise adapting curriculum to meet LEP students' needs.~~

~~b. A guidance counselor will meet with the ESL teacher/coordinator and parents to inform them of daily language and content area instructional programs.~~

~~2. Yearly assessment of the student's progress will be documented.~~

~~D. LEP service will be provided during the school day by an appropriately certified teacher or a teacher assistant supervised by a certified teacher.~~

~~E. Adequate space and instructional materials will be provided for LEP students.~~

~~F. Record keeping—The student's cum folder will contain ESL information which may include:~~

~~—1. Results of assessment and interpretation~~

~~—2. Pertinent communication with classroom teachers, guidance, parents~~

~~—3. Dated samples of student's work~~

~~—4. Checklist of strengths/weaknesses~~

~~—5. Standardized test data~~

~~—6. Documentation report of year's progress~~

~~V. RECLASSIFICATION/EXIT CRITERIA:~~

Lau PLAN  
(Service to Limited English Proficient Students)

- ~~A. Student will be assessed by multi criteria evaluation tools to determine reclassification to partial or full mainstreaming.~~
- ~~1. ESL teacher and classroom teacher feel that student has:
    - ~~a. Appropriate English language skills to perform effectively with program modifications.~~
    - ~~b. English language skills sufficient for participation with non LEP students.~~~~
  - ~~2. Student is successful in mainstream classroom commensurate with English-speaking students of like ability as measured by report card grades and teacher input.~~
  - ~~3. Student has mastered ESL skill objectives; criterion referenced and/or norm-referenced testing.~~
  - ~~4. Student meets the publisher's specified English fluency score on oral language assessment test.~~
  - ~~5. Student demonstrates achievement in reading comprehension and writing on parity with English speaking peers at the same age and grade level on a criterion referenced or norm referenced standardized test.~~
- ~~B. Student will be monitored after program change — After program change, the ESL coordinator will monitor and review a reclassified student's academic and social adjustment to ascertain if the student is able to compete academically with English language peers in the new instructional placement.~~
- ~~C. Student's parents will be notified — The ESL coordinator (K-5) or the guidance counselor (6-12) will notify the parent(s) of the new instructional placement. If the parent(s) cannot read English, s/he will be notified in his/her own language.~~

~~ADOPTED: May 13, 1997~~

**MODEL SUPPLEMENTAL STATEMENT OF RIGHTS  
FOR PRIVATE SCHOOL STUDENTS WITH DISABILITIES**

~~If you are the parent/legal guardian of a disabled child or suspect that your child may have a disability that is covered by state or federal special education laws, and you have privately placed your child in a private school program located within this school district, you have the following rights.~~

- ~~A. You have the right to have your child located, identified and evaluated by the Cape Elizabeth School Department as a possible special education student, including referral of your child to an IEP Team to determine whether your child qualifies as a special education student, and to be re-evaluated at least every three years to determine your child's continued eligibility for special education. The school unit child find and referral obligations toward your child while he/she is parentally placed in a private school program located in the Cape Elizabeth School Department are the same as for students enrolled in public school, as described in the attached special education "Procedural Safeguards Statement."~~
- ~~B. Students with disabilities who have been parentally placed in private schools located within the Cape Elizabeth School Department do not have an individual right to special education and related services while enrolled in the private school program.~~
- ~~C. When designing and implementing special education services for parentally placed, private school children attending private schools within the school unit, the school unit has an obligation to consult in a timely and meaningful manner with representatives of those children and with private schools regarding the following issues:~~
  - ~~1. The child find process itself, and whether parentally placed private school and home school students participate in that process equitably, and how parents of these children and private schools are notified of the process;~~
  - ~~2. How the public school determines the proportionate share of federal dollars that will be spent;~~
  - ~~3. The consultation process itself, including how that process will operate throughout the school year so as to ensure meaningful participation in services;~~
  - ~~4. How, where, and by whom special education and related services will be provided, including the types of services and how such services will be apportioned if funds are insufficient to serve all children, and how and when these decisions will be made; and~~

**MODEL SUPPLEMENTAL STATEMENT OF RIGHTS  
FOR PRIVATE SCHOOL STUDENTS WITH DISABILITIES**

- ~~5. If the local unit disagrees with views of private school officials on the provision and types of services, the local unit will provide a written explanation of the reasons why the local unit made the decisions that it did.~~
- ~~D. The Cape Elizabeth School Department has a duty to expend on the pool of identified parentally placed, private school students with disabilities an amount that is the same proportion of the school unit federal special education dollars as the number of those students is to the overall total number of students with disabilities within the school unit's jurisdiction. If some of those funds are not expended in a given year, the school unit must carry over unspent funds to the following year for expenditure on these services.~~
- ~~E. The school unit, not the IEP Team, shall make the final decisions with respect to the services to be provided to eligible parentally placed, private school students with disabilities, following timely and meaningful consultation as described in Paragraph C. above.~~
- ~~F. For any parentally placed, private school student with a disability for whom the school unit decides that it will provide services, the school unit shall initiate and conduct a meeting of the IEP Team to develop, review, and revise a services plan detailing the special education and related services to be provided and including goals for measuring the outcome of such services. To the extent appropriate, the Team shall develop the services plan in a manner consistent with development of an IEP.~~
- ~~G. Parents may file for a due process hearing with the Maine Department of Education, Division of Special Services (624-6650), alleging that the Cape Elizabeth School Department has failed to meet its child find duty to locate, identify, and evaluate all private school/home school students with disabilities. Parents may also file due process complaints with the same agency regarding the implementation of any of the rights addressed in this document. Finally, private school officials may file a complaint with the Maine Department of Education, Division of Special Services, alleging that the Cape Elizabeth School Department has not engaged in consultation that was timely or meaningful or did not give due consideration to the views of the private school official.~~
- ~~H. Should the parents of a parentally placed, private school student choose to enroll their child in the public school program where they reside, the disabled child would have a right to receive a free, appropriate public education and an Individualized Education Program (IEP) from that public school unit. Parents of~~

**MODEL SUPPLEMENTAL STATEMENT OF RIGHTS  
FOR PRIVATE SCHOOL STUDENTS WITH DISABILITIES**

~~such children who reside in Cape Elizabeth should contact the Director of Instructional Support, Cape Elizabeth School Department, 320 Ocean House Road, PO Box 6267, Cape Elizabeth, Maine 04107 if you have any interest in exploring what special education services your child might receive if enrolled in the school unit's public schools. Cape Elizabeth School Department would then convene an IEP Team meeting to discuss this with you further. If you enroll your child in public school, you and your child are entitled to all the rights set forth in the school unit's attached special education "Procedural Safeguards Statement."~~

- ~~I. If you would like a complete copy of the state and federal regulations addressing the duties of the Cape Elizabeth School Department toward private school/home school students with disabilities or have any other questions, please contact the Instructional Support Office at the Cape Elizabeth School Department at 799-2217 or the Maine Department of Education, Division of Special Services (624-6650). If you have any concerns about your child, please address those concerns in writing to: Director of Instructional Support, Cape Elizabeth School Department, 320 Ocean House Road, Cape Elizabeth, Maine 04107.~~

~~Legal References: 20 U.S.C. § 1412(a)(10)(A)  
34 C.F.R. § 300.130 to .144 (August 2006)  
Me. DOE Reg. Ch. 101, § II(20), IV(4)(G) (Aug. 2007)~~

~~Adopted: April 8, 2008~~

SCHOOL SYSTEM WEBSITE/WEB PAGES ADMINISTRATIVE PROCEDURES

**A. Web Site Website Purpose**

The purpose of Cape Elizabeth School District's official web site is to provide general information about our school system as well as information about educational programs, extracurricular activities and school events. This web site and student and staff activities on the website is intended to support the educational mission of the schools, to enhance the curriculum and learning opportunities for students and staff, and to inform the larger community about our schools. The following guidelines are intended to ensure that the website meets these goals and to 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 web site is an outlet for the official message of Cape Elizabeth School District and its not a forum for dissemination of other views. The content of the web site shall remain in the exclusive control of Cape Elizabeth School District, and its School Board and designated agents.

**B. Web Site Website Structure**

The web site School Department website includes the following content areas:

- System-wide information (such as including Department of: Central Office, Technology, School Board information, Transportation, Facilities, and Food Service);
- 1. School Board information (such as members, officers, committees, meeting agendas, minutes and policies);
- School-wide information for each individual school;
- Individual department, grade level and/or classroom information (which may include including student work and/or teacher-created work and resources); and
- Information about
  - 1. School-sponsored extracurricular organizations;
  - 2. Information about school events and activities; and
  - 3. Contact information for School Board members and school staff.
  - 4. Official positions of the School Board on school-related issues.

**C. School Unit Department Authority and Webmaster Responsibilities Cape Elizabeth**

The School District Department reserves the right to approve all web site content and to edit, delete, or modify any web page content as it sees fit to comply with the intended purposes of the web site and these guidelines.

SCHOOL SYSTEM WEBSITE/WEB PAGES ADMINISTRATIVE PROCEDURE

The Superintendent shall designate a Webmaster, who is shall be responsible for maintaining the web site school Department's website, approving all material to be posted on the site, and monitoring all web site website activities for compliance with Board policies, applicable laws and regulations, and these guidelines. If the Webmaster is unsure whether particular material is appropriate, he/she shall consult with the Superintendent, whose decision shall be final. Only the Webmaster and other authorized school staff shall have password-protected access to the web server to place and remove web pages and content.

All position statements and viewpoints published on the website related to school policy, governance and initiatives must be approved by the School Board or its designee.

Only the Webmaster and other authorized school staff shall have password-protected access to the web server to place and remove web pages and content.

**D. Web Site Content** Quality and Subject Matter  
Cape Elizabeth

The School District's web site Department's website does not create, nor is it intended to create, a public or limited public forum. All materials placed on the web site website must serve the educational mission of the school and shall support the Cape Elizabeth School District's official views regarding how best to accomplish the educational mission of the school.

1. Web site content is limited to school-sponsored information and activities. No personal student or staff web pages are permitted on the web site.
2. Web page content must comply with all Board policies, administrative procedures and school rules. concerning the publication and distribution of school-sponsored materials.
3. All materials placed on the web site website must be appropriate for web site and meet academic standards for proper spelling, grammar, content, and accuracy and appearance.
4. Student web site content may include artifacts of learning such as ePortfolios, student multimedia content, and other web tools.

If the Webmaster is unsure whether particular material is appropriate for the web site, he/she shall consult with the Superintendent, whose decision shall be final.

All materials placed on the website must comply with all Board policies, administrative procedures and school rules concerning the acceptable use of technology.

Web page content must be limited to school-sponsored information and activities. No personal student or staff web pages or domains or domains are permitted on the website.

SCHOOL SYSTEM WEBSITE/WEB PAGES ADMINISTRATIVE PROCEDURE

**E. Confidentiality of Student Information**

- ~~1. The web site website shall be in compliance with all applicable state and federal confidentiality laws and regulations.~~
- ~~2. At no time shall personal information about students (such as home address, telephone number, e-mail address, birth date, social security number, etc.) or any other information made confidential by state or federal law appear on the web site. website. The web site website will not include any information that indicates the physical location of students at any given time, other than attendance at a particular school or participation in school activities.~~
- ~~3. Student information, photographs or work may only be published on the web site website if the student's parent/guardian has signed the Parent/Guardian Agreement Form to Publish Student Information. For purposes of these guidelines, student information includes name, class rosters, awards/honors received, and team/extracurricular activity participation lists.~~

~~Schools must obtain prior written consent from parents before posting student information on their web site or elsewhere on the Internet.~~

**F. Confidentiality of Staff Information**

- ~~1. At no time shall personal information about staff appear on the web site website (including home address, home telephone number, home e-mail address, birth date, social security number, etc.).~~
- ~~2. Because the School unit's web site department website is maintained in part to enhance communication with students and their families, the school e-mail addresses address and/or telephone numbers of staff are published on the web site. website.~~

**G. Copyright**

- ~~1. Appropriate permission will be obtained before any copyrighted or trademarked material is used on the web site website. No copyrighted material may be reproduced, transmitted or stored on Cape Elizabeth School District's web site department website without obtaining permission from the copyright owner.~~
- ~~2. Students shall retain the copyright on materials that they create.~~
- ~~3. An appropriate copyright notice will appear with all copyrighted material published on the web site website.~~



SCHOOL SYSTEM WEBSITE/WEB PAGES ADMINISTRATIVE PROCEDURE

- ~~4. Except for the above exceptions, all web pages and content published on the web site are the property of and owned by Cape Elizabeth School District.~~

**H. Web Site Design and Accessibility**

- ~~1. The Webmaster is authorized to develop standards for the design and appearance of Cape Elizabeth School District's web site. These standards will include measures to make web pages accessible to persons with disabilities. School unit information available on the web site will also be made available to the public in alternative ways upon request.~~

**I. Advertising**

- ~~1. The Cape Elizabeth School District's web site will not include any advertising, nor will it include any selling activities outside of publicity for school-sponsored and/or approved fundraising activities.~~

**J. Links to External Sites**

- ~~1. The Cape Elizabeth School District's web site will not include links to any personal web sites of students or staff.~~
- ~~2. The web site may include links only to web sites that have demonstrated educational value to students, staff and/or the community, as deemed appropriate by the Webmaster.~~
- ~~3. The web site shall include a disclaimer informing users that links are provided as a convenience, and that Cape Elizabeth School District does not endorse these sites or have any responsibility for the content of these sites.~~

**K. Additional Requirements**

- ~~1. The web site shall inform users about how to contact the Webmaster.~~
- ~~2. Each web page will contain the date the page was last updated.~~
- ~~3. The Webmaster will provide appropriate information to school users regarding technical requirements for publishing material on the web site.~~

Cross Reference: IJND – Cape Elizabeth School District Web Site

APPROVED: January 10, 2006  
Revised: December 14, 2010

**DISTANCE LEARNING PROGRAM**

~~The Cape Elizabeth School District is a member of the Maine Department of Education Distance Learning Network, a network of schools that uses real time interactive technology to provide expanded educational opportunities to students and staff. This system enables schools across the state to share course offerings, professional development, ideas and information regardless of the participants' geographic location.~~

~~The DOE Distance Learning Network is to be used for educational purposes consistent with the mission and goals of the schools. The Board and administration will consider and address distance learning opportunities and issues when reviewing and developing policies, preparing budgets, and planning for curriculum and professional development. The Superintendent is authorized to enter into agreements with other school units regarding the Distance Learning Network.~~

~~All users of the DOE Distance Learning Network facility and participants in distance learning programs are expected to comply with applicable Board policies, procedures and school rules. Violations of Board policies, procedures and school rules may result in loss of privileges to use the facility or participate in distance learning programs, as well as disciplinary sanctions under the applicable policy or rule.~~

~~The Superintendent is responsible for implementing the distance learning program, although specific responsibilities may be delegated to administrators or other appropriate staff at the Superintendent's discretion.~~

~~Cross References: — Distance Learning Program Guidelines  
————— EGAD — Copyright Compliance  
————— IHCDA — Post-Secondary Enrollment Options  
————— IJNDB — Student Computer and Internet Use  
————— GCSA — Employee Computer and Internet Use  
————— KF — Community Use of Facilities~~

~~ADOPTED: January 10, 2006~~

---

## EVALUATION OF INSTRUCTIONAL PROGRAMS

~~The evaluation of the instructional program shall be a major responsibility of the Superintendent and his/her staff with periodic reports being presented to the Board to enable them to make judgments on the success of, or weaknesses in, the program. No instructional program should be considered as the final answer and all school programs shall be under continuous study by the staff. It should be borne in mind that instruction is the primary responsibility of the schools and all other activities are merely subsidiary. This being the case, the evaluation of the instructional program shall be done with great care to meet all state and federal regulations and the Board kept informed at all times.~~

~~Moreover, the Superintendent is expected to lead the staff, community and Board in the development and ongoing review of Board adopted criteria and standards by which to measure the results of the educational process.~~

~~Cross Reference: IGA Curriculum Development and Adoption~~

~~ADOPTED: December 10, 1991~~

~~Receded: June 1998~~

~~REVISED: December 12, 2006~~

---

**FLAG DISPLAYS**

~~In accordance with Maine law, the United States and Maine flags are to be displayed from the public school buildings of this school unit every school day and on appropriate occasions. Further, the American flag is to be displayed in every classroom in each public school in the unit.~~

~~Legal Reference: 20-A MRSA §§ 1055; 4805~~

~~ADOPTED: June 13, 1995~~

~~RECODED: June 1998~~

~~REVISED: December 12, 2006~~