

Policy and Planning Committee Meeting Minutes
Nov 29, 2017
Town Hall

Board Members present: Joy Prescott, Jim Grant, Elizabeth Sokoloff
Staff Members present: Pender Makin, Linda Morris, Janet Rivard

The meeting convened at 5:00 pm.

Adjustment to the agenda: Move the health and medical policies discussion to the first item, since the nurses had joined us to explain their recommendations.

Discussion about new required policy, JICIA included a review of the MSMA sample policy. The team added clarifying language to specifically prohibit possession of items that resemble guns, weapons, or firearms – including BB Guns, Airsoft Guns, toy guns, paintball guns, toy guns, etc.

Recommendations approved by committee to go to full school board:

Review JLCB and update “reviewed” date. Nurses confirm this is up to date and accurate.

Revise

JLCC (See attached recommended replacement language)
JLCD (See attached recommended replacement language)

Rescind the following procedures, forms, and exhibits (which are neither required nor recommended as adopted policy documents, and which may require regular updates, based on ongoing legislative changes and professional best practice by school nurses):

- JLCB-R
- JLCB-E1
- JLCB-E2
- JLCB-E3
- JLCCA
- JLCD-E
- Physician’s Examination Form (has no policy code letters, but is posted online with policies)
- JICI (outdated weapons policy)

Add:

- JICIA (required, updated weapons policy – see attached recommended language)

DRAFT – RECOMMENDED LANGUAGE

COMMUNICABLE/INFECTIOUS DISEASES

Teachers shall be alert to signs of illness and communicable disease and refer students who show such symptoms to the school nurse.

All students under quarantine shall be excluded from school and school activities. Quarantine regulations established by the Bureau of Health shall be observed. The school nurse shall be responsible for notifying the local health department of all students having a communicable disease as required by law and Department of Education rules. The building principal shall be notified of all communicable disease cases and contacts in the school.

Students who have other types of communicable diseases shall be excluded from school as prescribed by law, or shall observe other protective procedures according to recommendations issued by the Maine Center for Disease Control and Prevention and in accordance with laws of confidentiality.

When a student returns to school after having had a communicable disease, a certificate from the attending physician may be required. The building principal and/or the school nurse must give permission before the student is readmitted to class.

Legal Reference: 5 MRSA § 19201 ets.eq.
 20-A MRSA §§ -1001.1 I-A~ 6301
 22 MRSA § § 8-0 1, _ 80211, 806, 823, 824

Adopted:
Revised:

DRAFT recommended language for JLCD

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

The intent of this policy is to promote the safe administration of medications to students by school personnel. This policy provides for authorization of student self-administration of medications. The Board encourages collaboration between parents/guardians and the schools in these efforts. The Board disclaims any and all responsibility for the diagnosis, prescription of treatment, and administration of medication for any student, and for any injury arising from administration or self-administration of medication.

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

Legal Reference: 20-A M.R.S.A. §§ 254; 4009 (4)
Ch. 40 (ME Dept. of Ed. Rule)
28 C.F.R. Part 35 (Americans with Disabilities Act
of 1990)
34 C.F.R. Part 104 (Section 504 of the
Rehabilitation Act of 1973)
34 C.F.R. Part 300 (Individuals with Disabilities
Education Act)

DRAFT recommended language for JICIA

* One committee member notes that items 1D and 1E are redundant, and are addressed in other policies.

WEAPONS, VIOLENCE AND SCHOOL SAFETY

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

School staff are required to immediately report incidents of prohibited conduct to the school administration for investigation and appropriate action.

I. PROHIBITED CONDUCT

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

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

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

C. Possession of items or objects, whether designed to be used as guns, weapons, or firearms or not, that are replicas of guns, weapons, or firearms or that resemble any items commonly used as weapons in likeness. Examples include, but are not limited to BB guns, airsoft guns, pellet guns, paintball guns, toy guns, pocket knives.

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

E. Verbal or written statements (including those made using computers or other electronic communications devices or technologies) which threaten, intimidate, or harass others, or which tend to incite violence and/or disrupt the school program;

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

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

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

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

J. Violations of state or federal laws; and

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

II. EXCEPTIONS TO PROHIBITIONS ON POSSESSION AND DISCHARGE OF FIREARMS ON SCHOOL PROPERTY

The prohibition on the possession and discharge of firearms on school property does not apply to law enforcement officials acting in the performance of their duties.

III. USE OF OTHER WEAPONS IN INSTRUCTIONAL ACTIVITIES

Nothing in this policy shall prevent the school system from offering instructional activities using objects other than firearms that are generally considered weapons (e.g., bows and arrows) or from allowing an object generally considered a weapon to be brought to school for supervised instructional activities (e.g., archery)

IV. DISCIPLINARY ACTION

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

school. Such conduct may also be grounds for expulsion under other provisions of 20-A MRSA § 1001(9 and 9-A) that specifically prohibit the use and possession of weapons, infractions of violence, and possession, furnishing, and trafficking of scheduled drugs.

A student who is determined to have brought a firearm to school or to have possessed a firearm at school shall be expelled for a period of not less than one year, except that this requirement may be modified by the Superintendent on a case-by-case basis.

All firearms violations shall be referred to law enforcement authorities as required by law. Other violations of this policy shall be referred to law enforcement authorities at the discretion of the Superintendent. Students with disabilities shall be disciplined in accordance with applicable federal and state laws/regulations.

V. NOTIFICATION TEAM/CONFIDENTIALITY

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

Within ten days or immediately if necessary for school safety, the Superintendent shall convene a notification team. The notification team must include the administrator/designee of the school building where the student attends, at least one classroom teacher to whom the student is assigned, a guidance counselor, and the student's parent/guardian.

The notification team shall determine on this basis of need which school employees are entitled to receive information concerning allegations or adjudications of use or threatened use of force. Information received by the Superintendent/designee and disclosed to the notification team and/or disclosed to school employees is confidential and may not become part of the student's educational record.

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

VI. PSYCHOLOGICAL EVALUATION/RISK ASSESSMENT

The Board authorizes the Superintendent to request an immediate psychological evaluation of a student who engages in conduct prohibited by this policy when, in his/her opinion, such an evaluation will assist in assessing the risk the student poses to school safety if the student were to remain in school. The Superintendent is also authorized to request psychological evaluations of students who have been identified as posing a substantial risk of violent behavior. All such evaluations shall be performed at the school unit's expense. If the parent/guardian and/or student refuses to permit a requested psychological evaluation, the Superintendent and the Board may draw any reasonable inferences from the student's behavior concerning the risk the student poses to school safety for purposes of determining appropriate action.

Legal References: 5 MRSA § 4681 et seq.
15 M.R.S.A. §§ 3301-A; 3308(7)(E); 3009
17-A MRSA §§ 2(9); 2(12-A)
20 USCA § 7151 (Gun-Free Schools Act)
20-A MRSA §§ 1001(9); 1001(9-A); 1055(11); 6552