

POLICY COMMITTEE MEETING

September 3, 2019
Central Office – Library
4:30 PM

AGENDA

COMMITTEE MEMBERS:

N. Carlow E. Creutz E. Forestiere
E. DeCotiis R. Deacon

1. Call to Order
2. Approve Minutes (5 mins)
3. IJOC – School Volunteers (20 mins)
 - IJOC-R – School Volunteers Administrative Procedure
 - IJOC-E – School Volunteer Form
4. JRA – Student Education records (15 mins)
 - JRA-R – Student Education Records Administrative Procedure
 - JRA-E – Annual Notice of Student Records & Information Rights
5. IHD – Adult Education Community Education (10 mins)
6. IHDA – Adult Education for High School Age Students (10 mins)

NEXT MEETING: *September 16, 2019*

MSAD 6

SCHOOL VOLUNTEERS

The Board recognizes that community members can provide valuable services to the schools by sharing their time, talents and experience. An effective volunteer program allows students to benefit from individual attention, provides enrichment opportunities that supplement the regular educational program, allows teachers to focus on teaching and learning by relieving them of non-teaching tasks, provides interested community members an opportunity to become directly involved with education, and strengthens the relationship between school and community.

The Board approves the use of volunteers to support MSAD 6's instructional programs and extracurricular activities, **including field trips**. The Board adopts this policy to provide direction for the MSAD 6 volunteer program.

For the purpose of this policy, a volunteer is a person who provides services, without compensation or benefits of any kind or amount, on an occasional or regular basis in the schools or in school activities.

All volunteers will be at least 18 years of age. Exceptions are student volunteers working as part of a class, students fulfilling a service learning or community service requirement for graduation, or student volunteers who work as part of a recognized student organization.

Volunteers serve under the direction and supervision of the building principal or designated staff. When volunteers work with children, their activities will be under the direct and immediate supervision of the classroom teacher, coach, activity adviser, or other designated employee.

Approval, assignment, continuation, or termination of volunteers will be at the discretion of the building principal.

Staff must have their use of volunteers approved in advance by the building principal. Volunteers will only be assigned to staff who request them.

Volunteers are expected to abide by all Board policies, procedures and school rules when performing their assigned responsibilities. The building principal will make volunteers aware of applicable policies, procedures, and rules before they undertake their first assignment through a volunteer orientation, volunteer handbook, or other means.

Volunteers should perform only those tasks that have been assigned.

Volunteers will not have access to confidential information in student records and will be responsible for maintaining confidentiality regarding information seen or heard while working as a volunteer.

Persons interested in volunteering time or services should contact the building principal. Prospective volunteers will be required to complete a written application as well as pass an annual online criminal background check.

To protect children, MSAD 6 is committed to ensuring that all current and prospective MSAD 6 volunteers who may have direct, unmonitored, and/or substantial contact with children, **including those chaperoning field trips**, are appropriate for serving in their positions. The Superintendent, or designee, will determine what situations will require the Criminal History Record Check (CHRC), fingerprinting and/or online criminal background checks. MSAD 6 will bear the cost for Criminal History Record Checks and fingerprinting if required for academic programming as well as MSAD 6 coaches and advisors of athletics and activities.

Information collected during this screening process will be treated as confidential to the extent allowed by law.

Volunteers may not transport students in private vehicles except as allowed by Board policy.

MSAD 6 will provide liability insurance protection for volunteers while performing assigned academic services as well as MSAD 6 coaches and advisors of athletics and activities.

The Superintendent will be responsible for evaluating the effectiveness of the volunteer program.

The Board will recognize volunteer service on an annual basis. The building principal will be responsible for appropriate school recognition of volunteers.

Legal Reference: 20-A MRSA § 1002

Cross Reference: **EEA-R – Bus Transportation- Field Trips Administrative Procedure**
~~JKAA – Use of Physical Restraint and Seclusion~~

First Reading: December 17, 2012
Second Reading: January 7, 2013
Adopted: August 19, 2013
Revised: March 16, 2015

School Volunteers Administrative Procedures

To protect school children, MSAD 6 is committed to ensuring that all current and prospective MSAD 6 volunteers who may have direct, unmonitored, and/or substantial contact with children are appropriate for serving in their positions. The following relates to the MSAD 6 School Volunteer Policy – IJOC with regard to the Criminal History Record Check (CHRC), fingerprinting and/or online criminal background checks.

All persons interested in volunteering will complete a written application as well as have an online criminal background check completed annually. Additionally, some volunteers may be required to have a Criminal History Record Check (CHRC) and fingerprinting completed; the CHRC requires renewal every five years.

Volunteer information will be maintained confidentially, on a need-to-know basis only by MSAD 6, which will designate one or two administrators who will routinely review volunteer information. CHRC information for volunteers will be kept on file at central office.

Based upon a review of the CHRC, the following processes and standards will apply to determine fitness for service with the MSAD 6 school system.

1. Convictions for rape; performing an unnatural act; indecent assault and battery; the crime of attempting any of the aforementioned offenses; the sale, use, manufacture, distribution, or possession with intent to distribute any substance that is unlawful; or a felony constituting a crime of violence within five years of the CHRC request will render said individual ineligible for service with MSAD 6; and
2. Convictions for any other felony other than those previously enumerated; any misdemeanor with an incarceration date or conviction date within five years of the CHRC request; any multiple (i.e., more than one) misdemeanor convictions within ten years for drunkenness, simple assault, affray or disturbing the peace may be reviewed by the Superintendent who may or may not determine such individual ineligible for service with MSAD 6 based upon a set of criteria. In making this determination, the Superintendent will consider and evaluate whether the nature of the conviction poses any threat or concern for the safety and well-being of MSAD 6 students.

3. Case-by-case determinations will need to be made. A chaperone at a high school dance would not fall within this category, but a chaperone of an overnight field trip would, since such chaperone would be in an unsupervised setting. An individual may dispute information contained in their CHRC in writing to the Maine Department of Education, MorphoTrust USA and/or the Maine State Police to correct any alleged error.

The District will use CHRC information only to further the protection of children and for no other purpose. Improper use of this information is both a civil and criminal offense, and would subject an employee to discipline.

Procedure for Obtaining CHRC Information

The administration will be responsible for the implementation of CHRC information.

1. An online criminal background check using the volunteer's birthdate will be done by MSAD 6 utilizing the Maine State Bureau of Identification *on a yearly basis*.
2. A full federal criminal background check may be required. This is done by completing a Fingerprint Registration application. This is a two-step process. After registering for a fingerprinting appointment, the applicant must also complete the Maine Department of Education Application for Initial Educational Approval. MSAD 6 will pay the fingerprinting fees and CHRC fees for volunteers who are involved in academic programming as well as MSAD 6 coaches and advisors of athletics and activities.
3. Any volunteer who can provide proof of a current CHRC will not be required to undergo another fingerprinting until the expiration date.
4. All staff will have an awareness training regarding volunteers. MSAD 6 will first notify all volunteers that the school district will be reviewing CHRC information provided by the Maine State Bureau of Identification and that, once reviewed, appropriate action will be taken that may affect current or future volunteerism with MSAD 6. The notice will state that all volunteers must complete the MSAD 6 School Volunteer Registration Form – IJOC-E and allow for MSAD 6 to request an online criminal background check and/or a CHRC and fingerprinting.

Procedure for Obtaining Fingerprinting

The Superintendent will consider the following when determining whether a particular position entails “direct and unmonitored contact with children” and will require a full federal fingerprinting through the Maine State Police.

1. Direct and unmonitored contact with children means such contact on a regular, not irregular, basis with MSAD 6 students when no other CHRC-cleared MSAD 6 employee is present; and
2. Substantial contact is on a regular, not infrequent, basis.

Requesting, Reviewing and Maintaining CHRC

It is MSAD 6’s desire that only one or two individuals have responsibility for obtaining and receiving online criminal background checks and CHRC information. The Superintendent’s designee(s) will receive and maintain all properly obtained online criminal background checks and CHRC information. Such designee(s) will notify the Superintendent if any discretion is found in these checks. The Superintendent, Assistant Superintendent and Legal Advisor will also have access to online criminal background checks and CHRC record information.

Review of CHRC Information

Mandatory Disqualification

An individual will not be eligible as a MSAD 6 volunteer if he or she:

- Has been convicted of committing the crime of rape, performing an unnatural act, indecent assault or battery, or the crime of attempting any of the above offenses;
- Has been convicted of committing the crime of the use, sale, manufacture, distribution, or possession with intent to distribute any of the controlled substances that are unlawful (except for simple possession of marijuana if the date of conviction is five or more years prior to the request for criminal record information); or
- Has been convicted of committing a felony constituting a crime of violence, where the date of the conviction is within five years immediately preceding the request for criminal record information.

Discretionary Disqualification

An individual may be deemed ineligible as a MSAD 6 volunteer by the Superintendent, if he or she:

- Has been convicted of committing a felony other than those described in the section above;
- Has been convicted of committing a misdemeanor (other than a first conviction for the offenses listed in the next section, within the 10 years immediately preceding the request for such information); or
- Has been convicted more than once of committing any of the following misdemeanors, where the date of at least one of the convictions occurred within the 10 years immediately preceding the request for criminal record information: drunkenness, simple assault, affray, or disturbance of the peace.

In reviewing the applications of individuals who have criminal records, but who are not excluded under the mandatory disqualification portion of this policy, the Superintendent will give due weight to the following: the age of conviction, the age of the applicant when convicted, the nexus between the conviction and the individual's fitness to serve as a school volunteer; the type of offense; the age of the offense; whether there was a conviction; the sentence; whether probation was successfully completed; the date of the offense; and whether there were subsequent arrests. Upon reviewing this information, the Superintendent will determine whether to allow the individual to volunteer in the MSAD 6 schools.

Correcting CHRC Record Information Errors

If a volunteer applicant disputes the information contained in the CHRC, he or she should inform the Superintendent in writing. Such individual should then contact the Maine Department of Education, MorphoTrust USA and/or the Maine State Police for review and correction. The MSAD 6 process in interpreting the information will be stayed for a brief time. It is the applicant's responsibility to contact the Maine Department of Education, MorphoTrust USA and/or the Maine State Police to make and obtain any modification to the CHRC information. The applicant may have no contact whatsoever with any MSAD 6 student during the process of disputing and potentially correcting the information contained in the CHRC.

Unlawful Release of CHRC Information

CHRC information obtained under Policy IJOC – School Volunteers and IJOC-R School Volunteers Administrative Procedures must be used to “further the protection of children,” and for no other purpose.

Cross Reference: IJOC – School Volunteers
IJOC-E – Volunteer Registration Form

MSAD 6

Effective: March 16, 2015

MSAD 6
SCHOOL VOLUNTEER REGISTRATION FORM

Please attach a copy of your current driving license or a Maine State Identification.

Legal Name: _____ Other Names Used : _____
Date of Birth (mo/day/year): _____ Home Phone: _____
Address: _____ Work Phone: _____
E-Mail Address: _____ Cell Phone: _____

Do you have a child or grandchild attending school in the District? Yes No

Child's Name: _____
If yes, what grade: _____ and school _____

Have you already been approved to volunteer in any other MSAD 6 school? Yes No.

If yes, when: _____.

The MSAD 6 School Board and Administration requires that everyone volunteering in any of the MSAD 6 schools reads and signs this Volunteer Registration Form. A volunteer further enhances the educational opportunities and experiences of the children within the school district. The volunteer program is an integral part of the school community requiring dependability and cooperation on the part of the volunteer.

Final approval to be a volunteer at MSAD 6 will require an online criminal background check and/or Criminal History Record Check (CHRC) and fingerprinting.

In accordance with district policy and in order to ensure the safety of students, we need to have the following questions answered:

1. Have you ever been charged with or investigated for sexual abuse or sexual harassment?
 Yes No
2. Have you ever been convicted of a crime, other than a minor traffic offense, or entered pleas of guilty or "no contest" (nolo contendere), or has any court ever deferred proceedings without entering a finding of guilty and placed you on probation, for any crime other than a minor traffic offense?
 Yes No

If you answered "yes" to either of the previous questions, please explain in detail on a separate sheet of paper. Note: Criminal charges, investigations, arrests or conviction of a crime or misdemeanor are not necessarily bars to volunteer service. All information will be treated confidentially.

I understand that I have an obligation to maintain the highest level of ethical conduct and am aware of the need for confidentiality in regard to any school/child related information and recognize that activities will be directed at all times by the classroom teacher and/or MSAD 6 staff in accordance with all the established educational policies and objectives. I agree to fulfill my obligations as a school volunteer and to adhere to the district's policies. My signature below gives authorization to check my references, employment history, and criminal history. It also authorizes the release of information by any state, local or federal agency.

Signature: _____ Date: _____

(Please complete both sides of this form)

Do you have any special experiences or interests you think could be shared with the school staff?
Examples include the willingness to host students at your place of employment, professional experiences, foreign travel, special interests, hobbies, etc.

Please circle days and times which you are available to volunteer:

Monday		Tuesday		Wednesday		Thursday		Friday	
AM	PM	AM	PM	AM	PM	AM	PM	AM	PM

- Regular time each week
 Regular time every *other* week
 Work from home
 Occasional assistance
 Chair/co-chair an event or project

Please check all the activities that you might be interested in: (requires a weekly or bi-weekly commitment)

- Art Room Assistant
 Music Assistance
 Clerical
 Mentoring a Student
 Classroom Assistance (Occasional)
 Library
 Computer Lab/Keyboard Skills
 Work With Clubs
 Homework Help

MSAD 6

(Please complete both sides of this form.)

Please attach a copy of your current driving license or a Maine State Identification.

Effective: March 16, 2015

Student Education Records and Information

MSAD 6 will comply with the Family Educational Rights and Privacy Act (“FERPA”) and all other federal and state laws and regulations concerning confidentiality and maintenance of student records and student information.

Directory Information

MSAD 6 designates the following student information as directory information: name, participation and grade level of students in recognized activities and sports, height and weight of student athletes, dates of attendance in the school district, and honors and awards received. MSAD 6 may disclose directory information if it has provided notice to parents/guardians (and eligible students over 18) and has not received timely written notice refusing permission to designate such information as directory information.

Military Recruiters/Higher Education Access to Information

Under federal law, military recruiters and institutions of higher education are entitled to receive the names, addresses and telephone numbers of secondary students and MSAD 6 must comply with any such request, provided that parents/guardians have been notified of their right to request that this information not be released without their prior written consent.

Information on the Internet

Under Maine law, MSAD 6 will not publish on the Internet and other media sources any information that identifies a student, including but not limited to the student’s full name, photograph, personal biography, e-mail address, home address, date of birth, social security number and parents’/guardians’ names, without written parental consent.

Transfer of Student Records

As required by Maine law, MSAD 6 sends student education records to a school district to which a student applies for transfer, including disciplinary records,

attendance records, special education records and health records (except for confidential health records for which consent for dissemination has not been obtained).

Designation of Law Enforcement Unit

MSAD 6 may disclose student education records without parental consent to personnel of its law enforcement unit, provided that they have been designated as school officials with legitimate educational interests for the purpose of compliance with FERPA.

The Board hereby designates local law enforcement as MSAD 6's law enforcement unit for the purpose of disclosure of student education records under FERPA.

Health or Safety Emergencies

As permitted by FERPA, MSAD 6 may disclose personally identifiable information from a student's educational record to appropriate parties, including parents/guardians of an eligible student, if taking into account the totality of the circumstances, it determines that there is an articulable and significant threat to the health or safety of the student or other individuals and that knowledge of the information is necessary to protect the health or safety of the student or other individuals. In the event of disclosure, MSAD 6 will record the articulable and significant threat that formed the basis for the disclosure and the parties to whom MSAD 6 has disclosed and maintain such record with the student's educational record.

Administrative Procedures and Notices

The Superintendent is responsible for developing and implementing any administrative procedures and parent notices necessary to comply with the applicable laws and regulations concerning student education records and information. Notices will be distributed annually to parents/guardians and eligible students concerning their rights under these laws and regulations. A copy of this policy will be posted in each school.

Legal Reference: 20 U.S.C. § 1232g; 34 C.F.R. Part 99
20 U.S.C. § 7908
20-A M.R.S.A. §§ 6001, 6001-B
Ch. 101, 125 (Me. Dept. of Ed. Rules)

Cross Reference: JRA-E – Annual Notice of Student Education Records and
Information Rights
JRA-R – Education Records and Information Administrative
Procedure
ILD – Educational Research: Student Surveys, Analyses &
Evaluations

First Reading: December 19, 1994

Second Reading:

Adopted:

Reviewed: January 19, 1999; March 7, 2001; January 21, 2003; October 17,
2005; December 5, 2005

Revised: February 1, 1999; March 19, 2001; February 3, 2003; January 3,
2006; September 15, 2014

**Student Education Records and Information
Administrative Procedure**

This administrative procedure is intended to assist administrators and school staff in complying with the requirements of federal and state statutes and regulations concerning student education records and information, including special education requirements.

Definitions

The following definitions apply to terms used in this procedure.

1. "Act" means the federal Family Educational Rights and Privacy Act (20 U.S.C. §1232g).
2. "Directory information" means the following information contained in an education record of a student: name, participation and grade level of students in officially recognized activities and sports, height and weight of student athletes, dates of attendance in MSAD 6, and honors and awards received.
3. "Eligible student" means a student who has attained 18 years of age who has not been judged by a court of competent jurisdiction to be so severely impaired that the student is unable to make decisions or exercise judgment on his/her own behalf. When a student attains the age of 18, all rights accorded to parents concerning education records transfer to the eligible student.
4. "Parent" means parent, regardless of divorce or separation, a legal guardian, or individual acting as a parent or guardian provided that there will be a presumption that a parent has the authority to exercise the rights governing such matters as divorce, separation or custody or a legally binding instrument that specifically revokes such rights.
5. "Education Record" means information or data that directly relates to a student and is maintained by MSAD 6 in any medium, including but not limited to handwriting, print, computer media, video or audio tape, microfilm and microfiche. Records of instructional, supervisory and

administrative personnel and personnel who support these individuals, which are in the sole possession of the maker thereof and which are not accessible or revealed to any other person except a temporary substitute for the person who made the record are excluded from this definition.

6. "Student" includes any individual with respect to whom MSAD 6 maintains education records.

Notification

Parents and eligible students will be provided with notice of their rights under FERPA and other applicable federal and state laws and regulations concerning education records at the beginning of each school year or upon enrollment if a student enrolls after the start of the school year. MSAD 6 may provide notice through any of the following means:

1. Mailing to students' homes;
2. Distribution to students to take home;
3. Publication in student handbooks;
4. Publication in newsletters or other materials distributed to each parent/eligible student; and
5. Electronic notifications.

Access to Policy and Administrative Procedures

The Board's policy on Student Education Records and Student Information will be posted in each school. In addition, school administrators will provide copies of this administrative procedure to parents/guardians/eligible students upon request.

Inspection and Review of Education Records

Parents/guardians/eligible students may review and inspect their educational records by the following procedure:

1. The parents/guardians/eligible student must make a written request to the Superintendent or building administrator to review the records.
2. The Superintendent or building administrator will comply with the request without unnecessary delay and in a reasonable period of time, but in no case more than 45 days after receiving the initial request, and will comply before any IEP Team meeting regarding an Individualized Education Program or any due process hearing relating to the identification, evaluation, or placement of the student.
3. The Superintendent or building administrator may deny a request for access to or copies of the student's education records if there is reasonable doubt as to the legality of the parent-child relationship. Access will be withheld until a determination of legal right to access can be established.

Parents/eligible students may also request to review the following:

1. MSAD 6's list of types and locations of all records and titles of officials responsible for the records; and
2. MSAD 6's record of disclosures of personally identifiable information (see following section).

Requests to Amend Education Records

Parents/eligible students may ask MSAD 6 to amend education records they believe are inaccurate, misleading or in violation of the student's privacy rights as follows:

1. The parents/guardians/eligible student must make a written request to the Superintendent or building administrator to amend the education record. The request must clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.
2. The Superintendent or building administrator will, within a reasonable period of time after receipt of the request, either amend the record in accordance with the request or inform the parents/guardians/eligible student of his/her refusal to amend the record and inform the parents/guardians/eligible student of their right to request a hearing.

3. If the parents/guardians/eligible student requests a hearing, it will be held within a reasonable period of time from the District's receipt of the written request. The parents/guardians/eligible student will be given advance notice of the date, place, and time of the hearing. The Superintendent will designate an individual to conduct the hearing. This individual may be an employee of MSAD 6 so long as he/she does not have a direct interest in the outcome of the hearing. The parents/guardians/eligible student will be afforded a full and fair opportunity to present evidence relevant to the issues raised and may be assisted or represented by individuals of his/her choice at his/her own expense, including an attorney.
4. MSAD 6 will make its decision in writing within a reasonable period of time. The decision of the school will include a summary of the evidence and the reasons for the decision.
5. If, as a result of the hearing, MSAD 6 decides that the information is inaccurate, misleading or otherwise in violation of the privacy rights of the student, it will amend the education records of the student accordingly and so inform the parents/guardians/eligible student in writing.
6. If, as a result of the hearing, MSAD 6 decides that the information is not inaccurate, misleading or otherwise in violation of the privacy rights of the student, it will inform the parents/guardians/eligible student of their right to include a statement in the student's education record about the contested information and/or setting forth any reasons for disagreeing with the decision of MSAD 6.
7. Any statement placed in the student's education record under the preceding paragraph will be maintained as long as the record or contested portion is maintained by MSAD 6. If the education records of the student or the contested portion is disclosed by the District to any party, the explanation will also be disclosed.

Disclosure of Education Records

All disclosures of education records will be made in compliance with federal and state statutes and regulations. MSAD 6 will maintain a record of disclosures of personally identifiable information from the education records of a student. Such

records do not include disclosures to the parents/guardians/eligible student, disclosures made pursuant to written consent of the parents/guardians/eligible student, disclosures to school officials or disclosures of directory information. MSAD 6 will not disclose any personally identifiable information from the education records of a student without the prior written consent of the parents/guardians/eligible student. The written consent will include a specification of the records that may be disclosed, the purpose(s) of the disclosure(s), and the identity of the party or parties to whom the disclosure(s) may be made.

There are several exceptions to the requirement to obtain prior written consent before disclosing education records as follows:

1. **Directory Information.** MSAD 6 may make directory information (as described in the Definitions section) public at its discretion unless a parent/guardian/eligible student has notified the Superintendent in writing within thirty (30) days of enrollment.

MSAD 6 may disclose directory information about former students without the consent of the parents/guardians/eligible student.

2. **Military Recruiters/Institutions of Higher Education.** Military recruiters and institutions of higher education are entitled to receive the names, addresses and telephone numbers of secondary students and MSAD 6 must comply with any such request, provided that parents have been notified of their right to request that this information not be released without their prior written consent. Parents/guardians/eligible students who do not want MSAD 6 to disclose this information must notify the Superintendent in writing by September 15th or within thirty (30) days of enrollment, whichever is later.
3. **School Officials with Legitimate Educational Interests.** Education records may be disclosed to school officials with a “legitimate educational interest.” A school official has a legitimate educational interest if he/she needs to review an education record in order to fulfill his/her professional responsibility. School officials include persons employed by MSAD 6 as an administrator, supervisor, instructor, or support staff member (including health or medical staff and MSAD 6 designated law enforcement unit

personnel, if any); members of the Board of Education; persons or companies with whom MSAD 6 has contracted to provide specific services (such as attorneys, auditors, medical consultants, evaluators or therapists); and parents, serving on an official committee (such as a disciplinary or grievance committee) or assisting a school official in performing his/her professional responsibilities.

4. **Other School Districts.** Under Maine law (20-A M.R.S.A. § 6001-B), MSAD 6 is required to send a student's education records to a school district to which a student registers/applies for transfer, including disciplinary records, attendance records, special education records and health records. Consent is not required for the transfer of these records, except for confidential health records.

At the request of the Superintendent and/or designee of the school district where a student seeks admission, the student's current or former school administrators will provide, in a timely fashion, an oral or written report to the Superintendent indicating whether the student has been expelled or suspended or is the subject of an expulsion or suspension proceeding.

5. **Other Entities/Individuals.** Education records may be disclosed to other governmental entities, agencies and individuals as specifically permitted by FERPA and the accompanying regulations.
6. **Information on the Internet.** Under Maine law (20-A M.R.S.A. § 6001), MSAD 6 will not publish on the Internet and other media sources any information that identifies a student, including but not limited to the student's full name, photograph, personal biography, e-mail address, home address, date of birth, social security number and parents' names, without written parental consent.

Waiver of Confidentiality Rights

A parent/guardian/eligible student may waive any of his/her rights regarding confidentiality of educational records, but any such waiver must be in writing and signed by the parent/guardian/eligible student. The school may not require that a parent/guardian/eligible student waive his or her rights. Any waiver may be

revoked with respect to actions occurring after the revocation. If a parent/guardian executes a waiver, that waiver may be revoked by the student any time after he/she becomes an eligible adult student.

Fees for Copying Records

There will be no charge to search for or retrieve education records of a student. MSAD 6 will provide copies of education records to parents/guardians/eligible students upon request. The cost of producing copies of the record to parents/guardians/eligible student will be 10 cents per page copied, plus postage. This fee, however, will not prohibit a parent's/guardians or eligible student's opportunity for access to the records if they are unable to pay for such copies.

Maintenance and Destruction of Education Records

MSAD 6 will maintain accurate and up-to-date education records as required by federal and state statutes and regulations.

1. Records will be maintained by personnel who are knowledgeable about the applicable confidentiality policies. All records will be safeguarded from unauthorized access. Student records must be kept in fireproof storage at the school or a duplicate set kept off-site.
2. The high school transcripts of all former students will be kept in perpetuity by MSAD 6. A permanent record of a special education student's name, address, phone number, grades, attendance record, classes attended, and grade and year completed will be maintained without time limitations. All other records will be maintained in accordance with Maine State Rules for Disposition of Local Governmental Records (Schedule L).
3. MSAD 6 will not destroy any education record if there is any outstanding request to inspect or review such records.
4. Records of access to education records will be retained as long as the records themselves.

5. MSAD 6 will inform parents of students with disabilities when education records are no longer needed to provide educational services to the student or to demonstrate that the school has provided the student with a free appropriate public education as required by law. At that point, the records may be turned over to parents/guardians/eligible student upon their request, or destroyed in accordance with the parent's request or school unit procedures.

Complaints

The United States Department of Education maintains an office that handles complaints about alleged violations of FERPA by local school districts. Complaints regarding violations of rights accorded parents/guardians/eligible students may be submitted in writing to:

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

Office of Civil Rights
U.S. Department of Health & Human Services
Government Center
J.F. Kennedy Federal Building – Room 1875
Boston, MA 02203

Legal Reference: 20 U.S.C. § 1232g; 34 C.F.R. Part 99
20 U.S.C. § 7908
20-A M.R.S.A. § 6001, 6001-B
Me. Dept. of Ed. Rules, Ch. 101, 125
Maine State Archives, Rules for Disposition of Local
Governmental Records (Schedule L)

Revised: September 15, 2014

MSAD 6
ANNUAL NOTICE OF STUDENT EDUCATION RECORDS AND INFORMATION RIGHTS

The Family Educational Rights and Privacy Act ("FERPA") provides certain rights to parents and eligible students (18 years of age or older) with respect to the student's education records.

A. Inspection of Records

Parents/guardians/eligible students may inspect and review the student's education records without unnecessary delay and in a reasonable period of time, but in no case more than within 45 days after MSAD 6 receives the initial request. Such requests must be submitted to the Superintendent or building administrator in writing and must identify the record(s) to be inspected. The Superintendent or building administrator will notify the parents/guardians/eligible student of the time and place where the record(s) may be inspected. Parents/guardians/eligible students may obtain copies of education records at a cost of 10 cents per page.

B. Amendment of Records

Parents/guardians/eligible students may ask MSAD 6 to amend education records they believe are inaccurate, misleading or in violation of the student's right to privacy. Such requests must be submitted to the Superintendent or building administrator in writing, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the Superintendent or building administrator decides not to amend the record as requested, the parents/guardians/eligible student will be notified of the decision, their right to request a hearing, and information about the hearing procedure. **Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hear.**

C. Disclosure of Records

MSAD 6 must obtain a parent/guardian/eligible student's written consent prior to Disclosure of personally identifiable information in education records except in circumstances as permitted by law.

1. Directory Information

MSAD 6 designates the following student information as directory information that may be made public at its discretion: name, participation and grade level of students in officially recognized activities and sports, height and weight of student

athletes, dates of attendance in MSAD 6, and honors and awards received. Parents/guardians/eligible students who do not want MSAD 6 to disclose directory information must notify the Superintendent in writing within thirty (30) days of enrollment.

2. Military Recruiters/Institutions of Higher Education

Military recruiters and institutions of higher education are entitled to receive the names, addresses and telephone numbers of secondary students and MSAD 6 must comply with any such request, provided that parents have been notified of their right to request that this information not be released without their prior written consent. Parents/guardians/eligible students who do not want MSAD 6 to disclose this information must notify the Superintendent in writing by September 15th or within thirty (30) days of enrollment, whichever is later.

3. School Officials with Legitimate Educational Interests

Education records may be disclosed to school officials with a "legitimate educational interest." A school official has a legitimate educational interest if he/she needs to review an education record in order to fulfill his/her professional responsibility. School officials include persons employed by MSAD 6 as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); members of the Board of Education; persons or companies with whom MSAD 6 has contracted to provide specific services (such as attorneys, auditors, medical consultants, evaluators, or therapists); and parents, students and volunteers serving on an official committee (such as a disciplinary or grievance committee) or assisting a school official in performing his/her professional responsibilities.

4. Other School Units

As required by Maine law, MSA.D 6 sends student Education records to a school unit to which a student registers/applies for transfer, including disciplinary records, attendance records, special education records and health records (except for confidential health records for which consent for dissemination has not been obtained).

5. Health or Safety Emergencies

In accordance with federal regulations, MSAD 6 may disclose education records without prior written consent in a health and safety emergency to any person whose knowledge or the information is necessary to protect the health or safety of the student or other individuals.

6. Other Entities/Individuals

Education records may be disclosed to other entities and individuals as specifically permitted by law. Parents/guardians/eligible students may obtain information about other exceptions to the written consent requirement by request to the Superintendent or building administrator.

D. Complaints Regarding School Department Compliance with FERPA

Parents/eligible students who believe that MSA. 6 has not complied with the requirements of FERPA have the right to file a complaint with the U.S. Department of Education. The office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Office of Civil Rights
U.S. Department Health & Human Services
Government Center
J.F. Kennedy Federal Building – Room 1875
Boston, MA 02203

Adopted: September 15, 2014

Adult Community Education

In order to promote lifelong learning and embrace a system of continuous improvement, MSAD 6 will provide adult education programs to encourage and support adults in pursuit of basic or continuing educational opportunities. MSAD 6 will provide, at convenient times and at minimal cost, opportunities to participate in instructional programs appropriate to the needs of the community. MSAD 6 will:

- A. Provide a program to address basic numeracy and literacy skills;
- B. Provide opportunities for adults to attain a high school diploma by completing course work and completion of credit requirements for graduation, or to prepare for a test to obtain a Maine High School Equivalency Diploma;
- C. Provide introductory career training courses designed to help adults prepare for employment;
- D. Work collaboratively with the Community College and University systems to provide coursework and counseling to assist adults transitioning to post secondary institutions;
- E. Work collaboratively with Bonny Eagle High School regarding student referrals and attainment of credits for timely graduation from the regular high school program;
- F. Provide educational programs related to the general lifelong learning needs and interests of the community; and
- G. Work collaboratively with community agencies and service organizations concerning adult education and development.

Legal Reference: 20-A MRSA § 8601 et. seq.

Cross Reference: IKF – Graduation Requirements

First Reading: March 3, 1986
Adopted: April 7, 1986
Reviewed: December 1992, January 7, 2002, March 17, 2003
Revised: January 22, 2002, October 20, 2014

ADULT/COMMUNITY EDUCATION

An educational program for adults shall be established and maintained in the school system. This program shall provide, at convenient times and at reasonable costs, opportunities for residents of the community and surrounding areas to receive instruction in subjects commonly taught in the public schools and in such other fields as recommended by the Superintendent and approved by the Board. Appropriate recognition certificates of attendance and satisfactory performance of work shall be issued upon completion of units and instruction.

Through its various programs and courses for adults, the Board shall seek to meet the needs of adults of all ages who, for whatever reason, have been unable to secure a high school diploma in a regular school program, who need additional training to become more efficient in their chosen occupations, or who would like to pursue interests relating to academic, vocational or leisure time activities.

Legal Reference: 20-A MRSA § 8601 et seq.

Adopted: _____

PLEASE NOTE MSMA sample policies and other resource materials do not necessarily reflect official Association policy. They are not intended for verbatim replication. Sample policies should be used as a starting point for a board's policy development on specific topics. Rarely does one board's policy serve exactly to address the concerns and needs of all other school units. MSMA recommends a careful analysis of the need and purpose of any policy and a thorough consideration of the application and suitability to the individual school system.

MSMA sample policies and other resource materials may not be considered as legal advice and are not intended as a substitute for the advice of a board's own legal counsel.

Adult Education for High School Age Students

Maine law authorizes admission to adult education programs for any resident, 17 years of age or above, who is not pursuing a full-time high school diploma program, but requires the approval of the Superintendent and Director of Adult Education for the admission of persons less than 17 to adult education programs.

The MSAD 6 Adult and Community Education Program will provide educational services to high school age students who have interrupted their education, with the following limitations:

- A. No students will be allowed to enroll in adult high school diploma programs in the same semester of his/her termination from the day program except by the approval of the Adult Education Director and High School Principal.
- B. No student under the age of 16 will be allowed to earn high school credits in an adult education program, except by the approval of the Superintendent of Schools.

The Bonny Eagle High School Guidance Department will notify the Adult Education office of all dropouts for the purpose of further counseling.

Participation of Full Time Day Students

Students 17 years of age or older, enrolled in a regular program of study at Bonny Eagle High School, may also participate in Adult Education programs to either supplement the regular day school program or to satisfy graduation requirements.

- A. Students attending adult education programs to supplement the regular day school program must have the approval of the High School Principal and Adult Education Director.
- B. Students attending adult education programs for completion of diploma requirements shall be referred to adult education by the Guidance Department, stating the requirements to be fulfilled and the date of graduation.
- C. It is the intention of this service to provide the opportunity for timely graduation, and participation in the adult education program limited to graduating seniors. Alternative education services should be used for students in other grades.

An adult education counselor will provide services to school age high school diploma enrollees, and funding for this position will be provided via the State formula for services to this age group.

First Reading: April 7, 2003

Adopted: May 5, 2003, October 20, 2014