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## CODE OF CONDUCT

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The Bangor School Department believes that personal and collective achievement across the learning community is enhanced by observing and working toward five core elements of the Code of Conduct: Honesty, Respect, Responsibility, Compassion and Ambition. These expectations apply to all members of the greater Bangor School Department community and extend to all school activities.

- Honesty - Be a trustworthy student, citizen, and friend.
- Tell the truth.
  - Do your own work on assignments and tests.
  - Request and receive permission before using or borrowing others' things.
- Respect - Recognize the rights of others and practice appropriate ethical and civil behavior at all times.
- Use kind, considerate, polite and safe language and gestures.
  - Honor others' physical space. Keep hands, feet, and objects to self.
  - Take care of and show appreciation for the property of the school and others.
  - Be a courteous, supportive citizen.
  - Contribute to an environment where all individuals feel safe and valued.
- Responsibility - Know what is expected, do what is right, and be accountable for your actions.
- Inform an adult right away about possible damage to property or harm to others.
  - Obey school department rules.
  - Dress for success. Follow the Bangor School Department dress guidelines.
  - Be a law-abiding citizen.
  - Be a positive role model for others.
- Compassion - Be thoughtful, kind, and considerate.
- Be mindful of others' feelings.
  - Support others by demonstrating tolerance of differences in beliefs, opinions, appearance, and skill levels.
  - Seek and offer assistance when needed.
  - Manage conflicts or disagreements respectfully.



- Ambition - Be diligent in meeting your personal and academic goals.
- Complete assigned tasks to the best of your ability.
  - Attend school regularly. Arrive on time.
  - Give your best effort to reach your highest potential.
  - Challenge yourself.
  - Be a difference maker in the greater school community.

The following is designed to accommodate existing learning and developmental differences of students associated with any violation of the Conduct Code. Behavior related to a child's disability will be managed consistent with applicable laws and regulations.

Level I Consequence	Disciplinary action administered by the classroom teacher
Level II Consequence	Disciplinary action administered by the Principal (or designee)
Level III Consequence	Disciplinary action administered by the Superintendent or School Committee
Consequences (Schedule A)	Adherence to the Bangor School Department Code of Conduct is expected. Failure by students to behave as required will result in specific consequences for unacceptable action(s). Attached is a listing of appropriate consequences. (Schedule A)

ADOPTED: February 7, 2000  
 EFFECTIVE: February 7, 2000  
 REVISED: November 30, 2011



**POLICY JFC - SCHEDULE A**

**CONSEQUENCES LEVELS I, II, III**

	Level I	Level II	Level III
Warning	✓	✓	
Verbal or written apology	✓	✓	
Time Out	✓	✓	
Loss of recess	✓	✓	
Loss of school privileges	✓	✓	✓
Stay after school/detention	✓	✓	
Notify parents	✓	✓	✓
Require parent meeting	✓	✓	✓
Restitution		✓	✓
Meeting with Principal	✓	✓	
In-school suspension		✓	
Out-of-school suspension		✓	
Criminal charges filed		✓	✓
Suspension and outside psychological evaluation required		✓	✓
Expulsion and outside psychological evaluation required			✓
Expulsion			✓
Fail subject or course	✓		
Make up work required	✓	✓	✓
Reduction in grade	✓		
Other remedies that are deemed appropriate	✓	✓	✓



CHEMICAL HEALTH

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The Bangor School Department recognizes chemical dependency as a disease and the use of any substance which alters perception or behavior reducing that individual's ability to function appropriately in the academic environment as a significant health problem which results in negative effects on behavior, learning, and the total development of each individual.

To this end, the following policy and procedures will:

- a. reflect a position of zero tolerance of substance abuse
- b. emphasize the Department's concern for the health and safety of its students
- c. address physical and emotional effects of chemical use
- d. support existing laws regarding chemical use and abuse
- e. assist students to resist pressure which directs them towards the use of any substance which alters perception or behavior including mood-altering chemicals
- f. refer students for assistance and evaluation regarding their use of any substance which alters perception or behavior including mood-altering chemicals
- g. establish disciplinary procedures regarding use, possession, and distribution of any substance which alters perception or behavior including mood-altering chemicals
- h. insure that the student's right to confidentiality is protected at all times
- i. create Student Support Teams (SST) in each school

The SST will meet on a case referral basis and will be used to provide assistance to students who are having difficulties with chemical use. The SST will not be used for disciplinary purposes. No formal records will be maintained in the student's cumulative folder.

The Student Support Team (SST) shall consist of the following members:

Chemical Health Support Person (where applicable)  
Principal or Assistant Principal  
School Social Worker  
School Psychological Service Provider  
Student's Guidance Counselor  
School Nurse  
Faculty representative(s) designated by the principal



The functions of SST shall include, but shall not be limited to the following:

1. review assessments made by the chemical health support person or other service provider
2. develop plans for students referred to the team
3. recommend participation in chemical health education programs
4. recommend participation in school-based support groups
5. recommend non-clinical assessments
6. recommend and facilitate referrals for clinical/medical assessments
7. act as a liaison among treatment facilities, parents, and the school
8. provide information to school staff and parents when appropriate
9. insure the student's right to privacy and confidentiality

When an SST is convened, the student and his/her parent(s) will be invited. Parents and students will be encouraged to participate in the SST process. All recommendations of the SST will be referred to the administration which will monitor their implementation.

#### RULES

1. During the school year, a student shall not use a beverage containing alcohol; or use, have in possession, buy, sell, or give away alcohol or any substance defined by law as a scheduled drug, a counterfeit drug, or an imitation scheduled drug. This rule will also apply to drug paraphernalia, look-alike drugs, and any substance which alters perception or behavior reducing that individual's ability to function appropriately in the academic environment and will be in effect on school property and at school-sponsored functions (including transportation provided by the Bangor School Department to and from facilities).
2. During the season of practice, play, rehearsal, or duration of any extra-or co-curricular activity (including athletics), a student shall at no time use a beverage containing alcohol; or use, have in possession, buy, sell, or give away alcohol or any substance defined by law as a scheduled drug, a counterfeit drug, or an imitation drug. This rule will also apply to drug paraphernalia and look-alike drugs and any substance which alters perception or behavior reducing that individual's ability to function appropriately in the academic environment.
3. Students in grades 6-12 who are involved in interscholastic activities and/or other extra- or co-curricular activities will sign a contract the terms of which will be consistent with this policy.
4. It is not a violation for a student to be in possession or a legally defined drug specifically prescribed for the student's own use by his/her doctor as long as the student's possession is in compliance with Policy JHCD Administering Medication to Students in School.



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## PROCEDURES FOR INTERVENTION IN CHEMICAL DEPENDENCY CASES

### Type I - All Disciplinary Referrals

1. Document the incident.
2. Notify the administration of the incident.
3. Administrator meets with student and discusses concerns.
4. Administrator notifies parent(s).
5. Administrator notifies Superintendent and follows appropriate legal avenues pertaining to possession of illegal substances by a minor.

### First Offense: Possession or Use

1. The student will be suspended from the regular school program for up to 3 days. (Athletes and other students involved in extra- or co-curricular activities will be suspended from those activities for 2 calendar weeks.)
2. The student will be given a non-clinical assessment by a member of the Student Support Team.
3. The chemical health support person will make a report to the SST.
4. The SST will make recommendations to the administrator regarding appropriate action which is then communicated to the student and parent(s) by the administrator.
5. The student will be encouraged to follow all recommendations during the process. Students involved in athletics or other extra- or co-curricular activities who do not comply with the recommendations of the SST will be suspended from the team or activity for the remainder of the season or duration of the activity.

### Second Offense: Possession or Use (During the Same School Year)

1. The student will be suspended from the regular school program for up to 5 days. (Athletes and other students involved in extra- or co-curricular activities will also be suspended for the remainder of the season or the duration of the activity.)
2. Parents will meet with the administrator and the SST.
3. A clinical/medical assessment will be recommended (for those in extra- or co-curricular activities, this must take place before participation in another activity; failure to comply will lead to suspension from all activities for the remainder of the year).
4. The student will be encouraged to follow all recommendations made during the process. Failure to comply may result in a recommendation for expulsion.



Third Offense: Possession or Use (During the Same School Year)

1. Administrator recommends expulsion.
2. SST recommends a clinical/medical assessment.

NOTE: If parent(s) do not follow all recommendations during the process, a referral may be made to the Department of Human Services.

Type II - Concerned Person Referral

1. The concerned person shares his/her concern with a member of the SST who directs the referral to the chemical health support person.
2. The chemical health support person consults with others who know the student to assess behavior if applicable (student's right to confidentiality is protected).
3. Chemical health support person meets with student, if appropriate, to share concerns and review information and policies. (If student acknowledges problem, follow Type III, Self-Referral, First Report, and omit steps 4-6 below; if not proceed to step 4.)
4. Chemical health support person begins non-clinical assessment if appropriate.
5. Chemical health support person notifies parent(s) if appropriate.
6. If appropriate, and with student's consent, chemical health support person meets with SST to develop plan with student.

Type III – Self-ReferralFirst Report:

1. The teacher/staff person talks with the student about the student's concern.
2. The teacher/staff person recommends a self referral to the chemical health support person or makes a concerned person referral. (For concerned person referral, follow Type II steps 2-5.)
3. The chemical health support person evaluates the student and reports to the SST if appropriate (if not appropriate, omits steps 4 and 5 below).
4. The SST develops a plan with the student based on the report of the chemical health support person.
5. The SST follows up to determine if the student is utilizing the resources effectively, and, if not, meets with the student to review the plan.

Second Report:

1. Same as First Report, steps 1 - 2.
2. Chemical health support person refers student to the SST.



3. The SST will make recommendations based on the report of the chemical health support person. The SST will recommend a clinical/medical assessment.
4. The student will be encouraged to follow all recommendations during the process. Students involved in athletics or other extra- or co-curricular activities who do not comply with the recommendations of the SST will be suspended from the team or activity for the remainder of the season or the duration of the activity.

Third and Subsequent Reports:

1. Same as Second Report, steps 1- 3.
2. Athletes and other students involved in extra-or co-curricular activities will be suspended for the remainder of the season or the duration of the activity.
3. For any reports beyond the third, the student will be suspended from all extra- and co-curricular activities for the remainder of the year.

Type IV - Selling or Furnishing

First Offense: (During the Same School Year)

1. Confiscate substance.
2. Document the incident and notify an administrator.
3. Administrator notifies parent(s), superintendent and police.
4. The student will be suspended from the regular school program for up to 10 days. (Athletes and other students, involved in extra- or co-curricular activities will be suspended from all activities for the remainder of the year.)
5. A recommendation will be made for expulsion for the remainder of the school year.

Second Offense: (During the Same School Year)

1. Same as First Offense, steps 1-3.
2. Refer to Bangor School Department Policy JFCI, Policy JGE, and Regulation JGE on expulsion. A recommendation will be made for permanent expulsion.

NOTE: If parent(s) do not follow the recommendations during the process, a referral may be made to the Department of Human Services.

SEARCH AND SEIZURE:

1. A search and seizure may be made based on reasonable suspicion and consistent with Federal law and the laws of the State of Maine.





MEDICAL EMERGENCY:

1. In the case of a medical emergency, the normal administrative procedures for medical emergencies will follow.
2. Once the medical emergency has been dealt with, the appropriate policy provision will be implemented.

ADMINISTRATIVE DISCRETION:

1. The administration shall have final discretion in the implementation of these rules and procedures.

ADOPTED: September 19, 1988

REVISION ADOPTED: December 16, 1996

REVISION ADOPTED: July 23, 2008



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**BANGOR SCHOOL DEPARTMENT  
NONDISCRIMINATION AND AFFIRMATIVE ACTION**

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It is the policy of the Bangor School Department to provide an employment and educational environment that is free from discrimination and harassment based on race, color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin.

I. **NONDISCRIMINATION IN EMPLOYMENT**

A. Equal Employment Opportunity

Discrimination against school employees because of race, color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin is prohibited.

The Bangor School Department shall not discriminate against any employee or applicant for employment because of race, color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin. The Bangor School Department shall:

1. Recruit, hire, assign, train and promote persons in all job titles on the basis of merit and fitness, without regard to race, color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin.
2. Ensure that promotion decisions are in accord with principles of equal employment opportunity by imposing only strictly job-related requirements for promotional opportunities.
3. Ensure that all personnel actions such as compensation, benefits, transfers, layoffs, return from layoff, department-sponsored training, education, tuition assistance, social and recreation programs will be administered without regard to race, color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin.

B. Harassment and Sexual Harassment

Harassment of school employees because of race, color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin is prohibited. Such conduct is a violation of Bangor School Department policy and also may constitute unlawful discrimination under state and federal laws.

Harassment

Harassment includes but is not limited to verbal abuse, threats, physical assault and/or battery based on race, color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin.

Sexual Harassment

Sexual harassment may include unwelcome sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an employee's work environment or employee benefits.
- b. Submission to or rejection of such conduct by an employee is used as the basis for employment decisions; and/or
- c. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.



Examples of sexually harassing behavior include, but are not limited to, the following:

- Offensive sexual flirtations
- Suggestive or lewd remarks
- Sexually suggestive gestures
- Advances or propositions
- The display of sexually suggestive objects, pictures or written materials
- Lewd names
- Sexual practical jokes or horseplay

#### Consequences of Harassment

Any employee who engages in harassment or sexual harassment will be subject to disciplinary action, up to and including termination of employment.

#### Reporting Harassment

Employees who believe that they have been subjected to harassment or sexual harassment are expected to comply with the Discrimination and Harassment Complaint Procedure described in Section I(C) of this Policy. Complaints of unlawful harassment and sexual harassment also may be filed with the Maine Human Rights Commission, State House Station 51, Augusta, Maine 04333.

#### C. Discrimination and Harassment Complaint Procedure

Employees are expected to report incidents of discrimination or harassment as soon as possible after an incident occurs, to a Principal or Assistant Principal, the Superintendent or Assistant Superintendent, or the Department's Affirmative Action Officer. (See attached Schedule A.) Should the employee's supervisor be involved in the incident, the report can be made directly to any of the other administrators listed above. Employees who are uncertain whether unlawful discrimination or harassment has occurred are encouraged to discuss their concerns with any administrator.

#### Retaliation Prohibited

Employees shall not be retaliated against for reporting suspected discrimination or harassment or for participating in any part of the complaint process.

#### Investigation and Resolution of Complaint

Upon notification of a charge of harassment or discrimination, the Superintendent or Assistant Superintendent will designate the Affirmative Action Officer or other appropriate person to initiate an immediate investigation into the complaint. The complaint will be investigated and resolved in accordance with the following guidelines:

1. The investigator shall gather relevant information, through interviews and other necessary means, to objectively assess the exact nature of the alleged misconduct.
2. The investigator shall provide the individual who is the subject of the complaint an opportunity to be heard as part of the investigation.
3. The investigator shall keep a written record of the investigation.
4. Confidentiality shall be maintained to the extent possible, and in accordance with applicable state and federal laws.
5. The investigator shall consult with the Superintendent or Assistant Superintendent concerning the investigation, conclusions, and any remedial or disciplinary actions.
6. If the investigator determines that discrimination or harassment occurred, the investigator shall so report to the Superintendent or other appropriate administrator, who shall determine the appropriate remedial and disciplinary action to be taken.
7. The employee who made the complaint shall be informed of the results of the investigation and its resolution, subject to applicable state and federal laws.



D. Implementation and Enforcement

Ultimate responsibility for implementation and enforcement of the Nondiscrimination and Affirmative Action Policy rests with the Bangor School Committee. Initial inquiries should be directed to the Affirmative Action Officer or the Superintendent of Schools.

Appointment of Affirmative Action Officer

The Superintendent shall appoint an Affirmative Action Officer who shall have direct access to the Superintendent. The Affirmative Action Officer shall:

1. Investigate complaints alleging unlawful discrimination,
2. Coordinate or direct nondiscrimination and equal employment opportunity activities,
3. Assist persons through the Discrimination and Harassment Complaint Procedure,
4. Advise the Superintendent and other staff on policy and procedures, and
5. Prepare Affirmative Action plans and monitor compliance with same.

Policy Distribution and Training

All employees shall receive a copy of this policy on an annual basis. All newly hired employees shall be provided training about sexual harassment within one year of commencing employment, and all newly hired supervisory and administrative employees shall be provided training in addressing sexual harassment complaints within one year of commencing employment as a supervisor or administrator.

Policy Statement

The following statement shall be included in all written publications of the Department:

The Bangor School Department shall not discriminate and shall comply with applicable laws prohibiting discrimination on the grounds of race, color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin. Questions and complaints should be directed to the Superintendent of Schools, Bangor School Department, 73 Harlow Street, Bangor ME 04401, 992-4150.

E. Affirmative Action

Recruitment

The Bangor School Department shall secure application from qualified individuals. A conscientious effort will be made to secure applications from men, women and persons representing minority groups for employment in areas within the Department where representation of that sex or group is lacking or is in imbalance.

Implementation:

1. Include reference to “equal opportunity employer” in newspaper advertisements.
2. Notify staff members of vacancies in accordance with labor agreements.
3. Consider referrals of applications from placement offices and programs whose concerns are the employment of minorities, and encourage such applications when imbalances exist.

Affirmative Action Program

The Affirmative Action Officer shall be responsible for preparing affirmative action plans and ensuring compliance with all legal requirements relating to discrimination and harassment.

II. NONDISCRIMINATION IN EDUCATION

A. Equal Educational Opportunity

All policies and practices of the Bangor School Department shall be consistent with equal educational opportunities for all students entitled to attend the schools of the Department and will



comply with all federal and state laws, rules and regulations regarding civil and human rights. There shall be no unlawful discrimination based upon such factors as race, color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin.

B. Harassment and Sexual Harassment of Students

Harassment of students because of race, color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin is prohibited. Such conduct is a violation of Bangor School Department policy and may also constitute illegal discrimination under state and federal laws.

Harassment

Harassment includes but is not limited to verbal abuse, threats, physical assault and/or battery, based on race, color, sex, sexual orientation, physical or mental disability, religion, age, ancestry or national origin.

Sexual Harassment

Sexual Harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors or pressure to engage in sexual activity, and other verbal, nonverbal or physical conduct of a sexual nature that interferes with a student's education. School employees, fellow students, volunteers and visitors to the school activities are required to refrain from such conduct.

Consequences of Harassment

Harassment and sexual harassment of students by school employees is considered grounds for disciplinary action, up to and including discharge. Harassment and sexual harassment of students by other students is considered grounds for disciplinary action, up to and including expulsion. The Principal or Superintendent or will determine appropriate sanctions for harassment of students by persons other than school employees and students.

Investigation and Resolution of Complaints

The Affirmative Action Officer or other appropriate administrator will investigate complaints of harassment in accordance with the Student Harassment Complaint Procedure. School employees, students, and parents shall be informed of this procedure through handbooks or other means selected by the school administration.

C. Student Harassment Complaint Procedure

Students or parents are expected to report incidents of discrimination or harassment as soon as possible after an incident occurs to the Building Principal, Assistant Principal, or the Department's Affirmative Action Officer. Upon notification of a complaint of harassment or discrimination by a student or parent, the Principal or Assistant Principal shall initiate an investigation into the complaint. If the investigation indicates that discrimination or harassment occurred, the Principal or Assistant Principal shall determine the appropriate remedial and disciplinary action to be taken.

D. Student Scholarships

Student scholarships shall be awarded on a basis that prohibits discrimination by sex. The opportunity for scholarship awards will be equal for males and females in each graduating class.

ADOPTED: February 7, 2000  
REVISED: January 27, 2010  
EFFECTIVE: January 27, 2010  
UPDATED: September 2013  
REVIEWED: January 23, 2014



## **POLICY AC - SCHEDULE A**

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Betsy M. Webb, Superintendent

Robert L. MacDonald, Assistant Superintendent

Paul S. Butler, Principal, Bangor High School

Brian M. Doyle, Asst. Principal, Bangor High School

Timothy Y. Reed, Asst. Principal, Bangor High School

Steven T. Vanidestine, Director of Athletics, Bangor High School

Edward M. Hackett, Principal, James F. Doughty School

Samuel W. Moring, Asst. Principal, James F. Doughty School

Gary J. Gonyar, Principal, William S. Cohen School

Douglas K. Ferguson, Asst. Principal, William S. Cohen School

Albert E. Mooers, Principal, Downeast School

Ryan A. Enman, Principal, Fairmount School

Daniel W. Chadbourne, Principal, Fourteenth Street School

Richard L. Fournier, Principal, Fruit Street School

John T. Tennett Jr., Principal, Abraham Lincoln School

Michael H. Missbrenner, Principal, Mary Snow School

Lynn M. Silk, Principal, Vine Street School

Patti A. Rapaport, Director of Pupil Services

Christina A. Babin, Asst. Director of Pupil Services & Affirmative Action Officer

Dana L. Andrews, Director of Bangor Regional Therapeutic Day Program

Gregory C. Leavitt, Director of Adult & Community Education

Noelle J. Scott, Director of Food Services



**INJURIOUS HAZING**

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Actions or situations by any person or organization which recklessly or intentionally endangers the mental or physical health of a student enrolled in the Bangor School Department are prohibited.

Violations by persons or organizations not associated with the Bangor School Department will cause all violators to be ejected from all school property.

Violations either on or off school property by any student, group or organization affiliated with the Bangor School Department are prohibited. Penalties shall include, but not be limited to, the following:

1. Students shall be subject to individual suspension, expulsion or other appropriate disciplinary action; and
2. In the case of an organization affiliated with the Bangor School Department which authorizes hazing, rescission of permission for that organization to operate on school property or receive any other benefit of affiliation with the public school.

ADOPTED: September 18, 1989



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## BULLYING – ADMINISTRATIVE PROCEDURE

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This procedure is intended as guidance for school administrators in carrying out their responsibilities when bullying is alleged to have occurred. It provides important definitions as well as steps for reporting, investigating and responding to allegations of bullying.

Bullying behavior alleged to be based on race, color, ancestry, national origin, sex, sexual orientation, religion or disability should be addressed under the procedures set forth in the Student Harassment and Sexual Harassment procedure, ACAA-R, rather than under this procedure.

### Definitions

The following terms are defined in Maine law (20-A MRSA § 6554):

#### Bullying

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

- A. Has, or a reasonable person would expect it to have, the effect of:
  - 1. Physically harming a student or damaging a student’s property; or
  - 2. Placing a student in reasonable fear of physical harm or damage to his/her property;
- B. Interferes with the rights of a student by:
  - 1. Creating an intimidating or hostile educational environment for the student; or
  - 2. Interfering with the student’s academic performance or ability to participate in or benefit from the services, activities or privileges provided by the school; or
- C. Is based on:
  - a. A student’s actual or perceived characteristics identified in 5 MRSA § 4602 or 4684-A (including race; color; ancestry; national origin; sex; sexual orientation; gender identity or expression; religion; physical or mental disability) or other distinguishing personal characteristics (such as socioeconomic status; age; physical appearance; weight; or family status); or
  - b. A student’s association with a person with one or more of these actual or perceived characteristics or any other distinguishing characteristics;  
and that has the effect described in subparagraph A. or B. above.

#### Cyberbullying

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

For the purpose of this policy, bullying does not mean mere teasing, put-downs, “talking trash,” trading of insults, or similar interactions among friends, nor does it include expression of ideas or beliefs so long as such expression is not lewd, profane or does not interfere with students’ opportunity to learn, the instructional program or the operations of the schools. This does not preclude teachers or school administrators from setting and enforcing rules for civility, courtesy and/or responsible behavior in the classroom and the school environment.





The determination whether particular conduct constitutes bullying requires reasonable consideration of the circumstances, which include the frequency of the behavior at issue, the location in which the behavior occurs, the ages and maturity of the students involved, the activity or context in which the conduct occurs, and the nature and severity of the conduct.

#### Retaliation

“Retaliation means” an act or gesture against a student for asserting or alleging an act of bullying. “Retaliation” also includes reporting that is not made in good faith on an act of bullying (i.e., the making of false allegations or reports of bullying).

#### School Grounds

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

#### Alternative Discipline

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

### Bullying Reports

#### Students and Parents/Guardians

Students who believe they have been bullied, or who have witnessed or learned about an act of bullying should report this behavior to the building principal

Parents/guardians may report bullying on behalf of their children or when they have witnessed or are aware of the occurrence of bullying.

Reports of bullying may be made anonymously, but no disciplinary action shall be taken against a student solely on the basis of an anonymous report.

Any student who has been determined to have made a false report of bullying will be subject to disciplinary consequences.

#### School Employees

For the purposes of this procedure, “school employees” includes coaches, advisors for co-curricular or extracurricular activities and volunteers.

All school employees are expected to intervene when they see acts of bullying in progress and are required to report incidents of bullying they have witnessed or become aware of to the building principal as soon as practicable.

School employees who fail to report bullying or who have made a false report of bullying will be subject to disciplinary consequences up to and including termination, in accordance with any applicable collective bargaining agreement.

#### Others

Contractors, service providers, visitors or community members who have witnessed or become aware of bullying are encouraged to report such incidents to the building principal.



### Form of Reports

Complaints or reports of bullying may be made orally or in writing, but all reports will be recorded in writing by school personnel authorized to receive complaints or reports, using the school unit's reporting form (JICK-E1).

School employees are required to make reports of bullying to the principal in writing. Although students, parents and others, as identified above, may make bullying reports anonymously, all persons reporting incidents of bullying are encouraged to identify themselves.

Bullying reports may be made anonymously, but in no instance will action be taken against any person or organization affiliated with the schools solely on the basis of an anonymous report.

The building principal will forward a copy of the report to the Affirmative Action Officer by the end of the next school day.

### Interim Measures

The building principal may take such interim measures as he/she deems appropriate to ensure the safety of the targeted student and prevent further bullying and will inform the parents of the targeted student of measures taken.

### Investigation

The principal will ensure that all reports of bullying and retaliation are investigated promptly and that documentation of the investigation, including the substance of the complaint or report and the outcome of the investigation is prepared and forwarded to the Affirmative Action Officer within a reasonable period of time.

### Response to Bullying by Students

If bullying has been substantiated, the building principal or designee as appropriate under the circumstances will determine the appropriate disciplinary consequences, which may include detention, suspension or expulsion; alternative discipline; remediation; and/or other intervention.

Alternative discipline includes but is not limited to:

- A. Meeting with the student and the student's parents;
- B. Reflective activities, such as requiring the student to write an essay about the student's misbehavior;
- C. Mediation when there is mutual conflict between peers, rather than one-way negative behavior, and when both parties freely choose to meet;
- D. Community service; and
- E. In-school detention or suspension.

If the bullying behavior appears to be a criminal violation, the building principal will notify local law enforcement authorities.

If bullying has been substantiated, the building principal will provide written notification to:

- A. The parents/guardians of the targeted student, including the measures being taken for the student's safety; and to
- B. The parents/guardians of the student found to have engaged in bullying, including the process for appeal.

All communications to parents must respect the confidentiality of student and employee information as provided by federal and Maine law and regulations.



Appeals

Any appeal of the building principal's decisions in regard to consequences for bullying must be submitted, in writing, within 14 calendar days of the parental notification. The Affirmative Action Officer will review the investigation report and actions taken and decide whether to sustain or deny the appeal. Any appeal of the Affirmative Action Officer's decision must be submitted, in writing, within 14 calendar days of the parental notification. The Superintendent will review the decision and decide whether to sustain or deny the appeal. The Superintendent's decision shall be final.

Cross Reference: JICK – Bullying in Schools  
JO – Student Records

ISSUED: October 9, 2013

