

FOREIGN EXCHANGE STUDENT PROGRAM

Introduction

Cape Elizabeth High School has enjoyed a tradition of hosting exchange students from a wide variety of countries representing many language and cultural backgrounds. The richness of their lives and personal experiences has enhanced the school community. In an effort to promote positive student exchange experiences for the host families, students and teachers, the following guidelines have been adopted to ensure quality placements.

- Exchange students must be placed with a family that resides in Cape Elizabeth. It is preferable that the host family have a student at Cape Elizabeth High School.
- Host families must obtain permission from the High School principal by July 1 for a student to begin the following September.
- Exchange student are accepted for only one academic year beginning in September.
- The maximum number of exchange students who may be enrolled at one time for one academic year is four.
- Exchange students must have a J-1 visa and be placed by approved exchange programs listed in the advisory list of International Exchange Travel and Exchange Programs of the Council on Standards for International Educational Travel Exchange and approved by the U.S. Information Agency.
- Competency in the English language is required.
- Exchange students are subject to all school rules and policies including up-to-date immunizations and a physical within the last two years.
- Exchange students will be awarded a Certificate of Attendance and a transcript of grades upon completion of one academic year.

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REVISED: October 11, 1994
REVISED: February 11, 1997
Recoded: June 1998
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ADMISSION-EDUCATION OF HOMELESS STUDENTS

The Board recognizes that homelessness alone should not be a sufficient reason to separate students from the mainstream school environment. Cape Elizabeth Schools will strive to ensure that homeless students are identified and provided access to the same free and appropriate public education provided to other students in the school system. In accordance with federal and state law and regulations, the school unit will provide homeless students with access to the instructional programming that supports achievement of the content standards of Maine's system of Learning Results and to other services for which they are eligible. Students shall not be segregated into a separate school or program based on their status as homeless, nor shall they be stigmatized in any way.

I. DEFINITIONS

- A. "Homeless" students are those who lack a fixed, regular, and adequate nighttime residence and include the following:
1. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement.
 2. Children and youths who have a primary nighttime residence that is a public or private place not designated for or ordinarily used as regular sleeping accommodation for human beings.
 3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.
 4. Migratory children who meet one of the above-described circumstances.
- B. "School of origin" means the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.
- C. "Unaccompanied youth" refers to a youth not in the physical custody of a parent or guardian (e.g., runaway and "throw away" children and youth).

II. ENROLLMENT/PLACEMENT

The school unit will determine, according to the best interest of the child or youth, whether the child or youth will be enrolled in the school of origin or in the public school that non-homeless students who live in the attendance area in which the child is actually living are eligible to attend. In determining the best interest of the child or youth, the school unit will, to the extent feasible, keep the child or youth in the school of origin, unless doing so is contrary to the wishes of the parent.

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If the youth is unaccompanied by a parent or guardian, the homeless liaison will assist in placement and enrollment decisions, with the views of the youth taken into consideration.

The school selected shall immediately enroll the homeless child or youth, even if the child or youth is unable to produce records normally required for enrollment, such as previous academic records, immunization records, evidence of residency, or other documentation.

The school unit may require a parent or guardian of a homeless child or youth to provide contact information.

The school unit must provide a written explanation, including a statement regarding the right to appeal, to the parent or guardian of the homeless child or youth if the school unit sends the child or youth to a school other than the school of origin or other than a school requested by the parent or guardian.

In the case of an unaccompanied youth, the homeless liaison will provide notice of the right to appeal.

The enrolling school shall contact the school last attended by the child or youth to obtain relevant academic and other records. If the child or youth needs to obtain immunizations or immunization or medical records, the parent or guardian of the homeless child or youth will be referred to the homeless liaison for assistance.

III. ENROLLMENT DISPUTES

If there is a dispute concerning enrollment, the child or youth shall be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute. The parent or guardian will be provided, in writing, with a written explanation of the school unit's decision and the right to appeal the decision.

The homeless liaison shall ensure that an unaccompanied youth is enrolled in school, pending resolution of a dispute.

IV. SERVICES

Homeless students shall be provided services comparable to services available to other students in the school system including, but not limited to, transportation services; educational services for which the student meets the eligibility criteria, such as educational programs for disadvantaged students, students with disabilities, gifted and talented students, and students with limited English proficiency; vocational and technical programs; preschool programs; before and after school-care programs; and school meals/nutrition programs.

V. TRANSPORTATION

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Homeless students are entitled to transportation to their school of origin or the school where they are to be enrolled. If the school of origin is in another school unit and the student is enrolled in Cape Elizabeth Schools, or if a homeless student's school of origin is in Cape Elizabeth but he or she is enrolled in a different school unit, the school systems will coordinate the transportation services necessary for the student, or will share the responsibilities and costs equally.

VI. RECORDS

Any records ordinarily kept by the school, including immunization records, medical records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, regarding each homeless student, shall be maintained so that records may be transferred when a student enters a new school system. Access to records will be available to parents and students in accordance with the Family Educational Rights and Privacy Act (FERPA).

VII. HOMELESS STUDENT LIAISON

- A. The Superintendent shall designate an individual to act as the school unit's Homeless Student Liaison. The school unit shall inform school personnel, service providers and advocates working with homeless families of the duties of the school unit's Homeless Student Liaison.
- B. The Homeless Student Liaison will be responsible for ensuring that:
 1. Homeless children and youths are identified by school personnel and through coordination activities with other entities and agencies;
 2. Homeless children and youths enroll in and have a full and equal opportunity to succeed in schools within the school unit;
 3. Homeless families, children, and youths receive educational services for which they are eligible, including Head Start, Even Start, and preschool programs administered by the school unit, and referrals to health care services, dental services, mental health services, and other appropriate services;
 4. The parents or guardians of homeless children and youths are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;
 5. Public notice of the educational rights of homeless children and youths is disseminated where such children and youths receive services, such as schools, family shelters, and soup kitchens;
 6. Enrollment disputes are mediated in accordance with law;

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7. The parent or guardian of a homeless child or youth, and any unaccompanied youth, is fully informed of all transportation services, including transportation to the school of origin, and is assisted in accessing transportation to the school the student will be attending;
8. Unaccompanied youths are assisted in placement or enrollment decisions and provided notice of the right to appeal; and
9. Children or youths who need to obtain immunizations or immunization medical records receive assistance.

Legal References: 42 U.S.C. § 11431-11435
20-A M.R.S.A. §§ 261, 5205(7)
Ch. 14 (Me. Dept. of Ed. Rules)
Maine State Plan for the Education of Homeless Children and Youth

ADOPTED: October 13, 2009

STUDENTS OF LEGAL AGE

All students of the Cape Elizabeth School Department, including students in regular classes who have reached the age of 18 attending the high school, shall observe all the rules and regulations established by board policy or the school administration for all students unless special exceptions have been made.

The school administration is authorized to make special regulations for adult students in keeping with their greater maturity, providing these regulations do not violate basic board policy.

Cross Reference: JRA - STUDENT RECORDS
 JEA - COMPULSORY SCHOOL ATTENDANCE
 JHB - TRUANCY

ADOPTED: October 9, 1984
REVIEWED AND ACCEPTED: October 11, 1994
RECODED: June 1998
REVISED: September 9, 2008

Questioning and Searches of Students and Students' Locker/Storage Facilities

The School Board seeks to maintain a safe and orderly environment in the schools. School administrators may question and/or search students in accordance with this policy and accompanying administrative procedure.

Students, their personal property, and their vehicles may be searched upon reasonable suspicion that they possess any items or substances which are prohibited by law, Board policies and/or school rules, or which interfere with the operations, discipline or general welfare of the school.

When special circumstances exist, including but not limited to a suspected ongoing violation of the Board's drug/alcohol or weapons policies, or when a potential threat to safety is identified, school administrators may search groups of students or the entire student body without individualized suspicion.

Student use of all school storage facilities, including but not limited to lockers, desks, and parking lots, is a privilege granted by the school. All storage facilities are school property and remain under the control, custody, and supervision of the school. Students have no expectation of privacy in school storage facilities or for any items placed in such storage facilities. School administrators have the authority to inspect and search storage facilities and their contents on a random basis, with or without reasonable suspicion, and without notice or consent. Canine patrols may be used to conduct searches anywhere on school property.

If a search produces evidence that a student has violated or is violating the law, Board policies and/or school rules, such evidence may be seized and impounded by school administrators and appropriate disciplinary action may be taken. Evidence may be forwarded to law enforcement authorities as required by law or as deemed appropriate by school administrators.

A student who refuses to comply with a search directive may be subject to disciplinary action, including the disciplinary consequences for the suspected violation.

The Superintendent is authorized to develop and implement, with input from legal counsel, administrators, and/or other appropriate persons, any administrative procedures necessary to carry out this policy.

This policy and the accompanying procedure will be included in student/parent handbooks.

Cross Reference: JIH-R - Questioning and Searches of Students Administrative Procedure
 JICH - Drug and Alcohol Use by Students
 JICIA - Weapons, Violence, and School Safety
 JK - Student Discipline

ADOPTED: September 9, 2008

**ADMINISTRATIVE PROCEDURE FOR
QUESTIONING AND SEARCHES OF STUDENTS/STORAGE**

The purpose of this administrative rule is to provide guidelines for the conduct of student questioning and searches by authorized school administrators. These are guidelines only and may be adjusted within reasonable and lawful limits on a case-by-case basis. School administrators have the discretion to request the assistance of law enforcement authorities as they deem necessary and in accordance with Board policy. Law enforcement authorities will not participate in searches except under exceptional circumstances. [NOTE: Administrators should be aware that police generally must have “probable cause” to conduct searches, which is higher standard than “reasonable suspicion”, the standard required of school administrators.]

During a search if any illegal item is found that violates Board policies or school rules, or which in the reasonable judgment of school administrators represents a threat to the safety and welfare of the school population shall be seized. Illegal items shall be turned over to law enforcement authorities. Other items shall be stored in a secure location until a determination is made regarding appropriate disposition.

School administrators are required to document all searches and items seized or impounded and inform the Superintendent and the parents of students involved.

A. Questioning by School Administrators

1. School administrators are under no obligation to notify a student’s parents/guardians prior to questioning a student regarding alleged violations of Board policies, school rules, and/or federal/state laws.
2. School administrators shall inform the student of the reasons for the questioning and provide an opportunity for the student to respond to any allegations. School administrators shall make a reasonable effort to question the student in a location out of the sight and hearing of other students.
3. If a student fails to cooperate, lies, misleads, or threatens any person during questioning, he/she may be subject to additional disciplinary action.

B. Searches of Students, Personal Property in Students’ Immediate Possession

1. School administrators are authorized to search students and/or personal property in students’ immediate possession, when, in their judgment, there are reasonable grounds to suspect that a student has violated or is violating Board policies, school rules, federal/state laws, or is interfering with the operations, discipline or general welfare of the school.
2. All searches of students and/or their personal property shall be authorized and conducted by a school administrator in the presence of a witness, except where the

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circumstances render the presence of a witness impractical. A reasonable effort will be made to conduct searches out of the sight and hearing of other students.

3. Searches should be reasonably related to the suspected violation and no more intrusive than necessary to discover the evidence for which the search was instigated. Searches may include pat downs and searches of the student's outer clothes (e.g., pockets, jacket, shoes, hat) and personal belongings (e.g., purse, backpack, gym bag, lunch bag). The student may be given the opportunity to open any closed items or items that are not easily accessible to visual search. If the student refuses, the administrator shall open and search the items. If the search produces a reasonable suspicion of the presence of evidence, a broader search may be justified. If a strip search appears to be necessary, law enforcement authorities shall be contacted.

4. Searches which disclose evidence that a student has violated Board policies or school rules will be addressed through school disciplinary procedures. Evidence of violation of federal/state laws may result in school disciplinary action and/or be forwarded to law enforcement authorities for possible investigation/prosecution.

C. Searches of Lockers, Desks, and Other School Storage Facilities

1. School administrators shall consult with the Superintendent prior to conducting random searches. Students have no expectation of privacy in school storage facilities or for any items placed in such storage facilities. School administrators have the authority to inspect and search storage facilities and their contents on a random basis, with or without reasonable suspicion, and without notice or consent.

2. Searches of individual student lockers, desks, or other storage facilities and their contents based upon reasonable suspicion will be conducted in the presence of a witness. If practical under the circumstances of the search, a reasonable effort will be made to conduct searches out of the sight and hearing of other students. If practical, the student may be given the opportunity to open any closed items or items that are not easily accessible to visual search. If the student refuses, the administrator shall open and search the items.

3. Any search which discloses evidence that a student has violated Board policies or school rules will be addressed through school disciplinary procedures. Evidence of violation of federal/state laws may result in school disciplinary action and/or be forwarded to law enforcement authorities for possible investigation/prosecution.

D. Patrolling of Parking Lots and Searching Vehicles

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1. Students may drive vehicles to school and park in designated areas in accordance with school rules. School administrators retain the authority to patrol parking lots.
2. If school administrators have a reasonable suspicion that a vehicle which a student has parked at school contains evidence that the student has or is violating Board policies or school rules, or federal/state laws, and/or there is a substantial threat to the welfare and safety of the schools, a school administrator will search the vehicle in the presence of a witness, except where the circumstances make the presence of a witness impractical.
3. If practical, the student should be present during the search. A reasonable effort will be made to conduct searches out of the sight and hearing of other students. The student may be given the opportunity to open any closed items or items that are not easily accessible to visual search. If the student refuses, the administrator shall open and search the items.

E. Canine Patrols and Searches

1. The Superintendent may authorize canine patrols to take place anywhere on school property, including in hallways and parking lots, if he/she deems it advisable to maintain a safe and orderly school environment and/or to discourage drugs, weapons and/or other illegal substances or items from being brought onto school grounds.
2. The Superintendent must make requests for canine patrols in writing to the appropriate law enforcement authorities. Only certified dogs and handlers may be used.
3. Whenever possible, canine patrols will be scheduled to minimize disruption of the academic program and risk of contact with students.
4. When canine patrols take place during the school day, teachers will be notified prior to the initiation of a canine patrol to keep students in their classrooms during the patrol. Any students in the parking lot, or anywhere outside of a classroom, prior to a canine patrol will be instructed to report to the school office or appropriate classroom.
5. All student vehicles, lockers, and/or other school storage facilities will be scanned during a canine patrol. Any vehicle, locker or other school storage facility identified by the canine patrol will be noted by the school administrators accompanying the patrol.
6. Immediately following removal of the dogs, each area noted during the canine patrol will be searched. Each search will be conducted by a school administrator in the

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presence of a witness, except where the circumstances make the presence of a witness impractical.

7. If practical, the student should be present during a search of his/her vehicle, locker or other school storage facility. A reasonable effort may be made to conduct the search out of the sight and hearing of other students. The student may be given the opportunity to open any closed items or items that are not easily accessible to visual search. If the student refuses, the administrator shall open and search the items.

Cross Reference: JIH - Questioning and Searches of Students

ADOPTED: September 9, 2008

SCHOOL-SPONSORED SOCIAL ACTIVITIES/EVENTS

The Board recognizes the value of school-sponsored social activities/events in enhancing the educational experience of Cape Elizabeth students.

“Social activities/events” include dances, proms and other social functions that are held outside of regular school hours. Class outings and other school-sponsored excursions are outside the scope of this policy and are addressed in the Board’s policy IHOA-Field Trips. Participation in school-sponsored activities is a privilege not a right.

Classes (e.g., senior class) and student clubs and organizations may plan social events under the guidance of club or organization advisors or school administrators.

All student social activities/events must be approved in advance by the building principal. Activities/events shall be held in school facilities unless the off-campus venue is approved by the building principal and the Superintendent.

Approval of social activities/events will be contingent upon:

1. Designation of a staff member who shall be responsible for the activity/event and present in a supervisory capacity;
2. Provisions for adequate chaperonage/adult supervision and, if warranted by the circumstances of the activity/event, security or policy protection;
3. Provisions for the safety of students and adults involved;
4. When activities/events are held in school facilities, provisions for cleaning up afterward.

Students and their guests must comply with all Board policies and school rules pertaining to student conduct. Violations, which take place at school-sponsored events, will result in the same disciplinary consequences as would apply to on-campus infractions.

Students may leave the building at any time after arrival but may not return.

Students may engage in fundraising as allowed by Board policy to support social activities/events and reasonable admission fees may be charged to defray the cost.

The Superintendent/designee(s) may develop rules pertaining to the planning and execution of student social activities/events, including those related to supervision, student conduct and safety.

Cross reference: KF-Community Use of Facilities

APPROVED: December 2, 2008

INTERRUPTED STUDY

We support students in seeking cultural and educational experiences in other countries or school settings. Planning for such an experience should begin the year before the proposed study.

Students must write a letter of intent to the school principal to leave the system to study in another location. This letter should clearly explain the student's plan for study away. The student and parents must meet with the respective guidance counselor to develop an academic plan that will insure successful fulfillment of the Cape Elizabeth graduation requirements. A semester of study away may affect the sequence of required courses as most of Cape Elizabeth academic courses are a year long. The families and school should plan the student's experience so that re-integration occurs at the beginning of a semester or year. The Cape Elizabeth School Department does not provide correspondence-type courses for students traveling for extended periods.

Official transcripts with grades to be added into the Cape Elizabeth academic record are required. These grades will be incorporated into student transcripts according to the high school's procedure for transfer of student grades. Each semester course will receive five credits towards high school graduation requirements.

CROSS REFERENCE: Cape Elizabeth High School Guidance Office –
“Procedures for Transfer of Student Grades”

ADOPTED: February 11, 1997
Recoded: June 1998
REVISED: November 4, 2008

**REINTEGRATION OF STUDENTS FROM JUVENILE
CORRECTIONAL FACILITIES**

Maine law requires the establishment of a reintegration team to assist a student entering a public school from a juvenile correctional facility. The Board recognizes the need for advance planning and appropriate confidentiality in these circumstances.

The Superintendent shall be responsible for determining whether a student will be accepted or denied access to school based on compliance with the juvenile's rehabilitation plan as it affects reintegration. Access may be denied until the Superintendent is satisfied that conditions have been met.

The school unit will comply with reintegration standards established by the Maine Department of Education. The Superintendent will be responsible for overseeing the transition of students from juvenile correctional facilities based on the following guidelines.

- A. Within ten days of receiving information from the Department of Corrections concerning the release of the juvenile offender, the Superintendent shall establish and convene a meeting of a reintegration team to review information received from the Department of Corrections, evaluate the student's individual educational needs, and determine what additional information may be relevant.
- B. The reintegration team shall include at a minimum the principal/designee of the school to which the student will be admitted, at least one classroom teacher to which the student will be assigned or who is involved in the school's student assistance team, the student's parent/guardian/custodian, and a guidance counselor. The student's juvenile correctional officer or other representative from the Department of Corrections may be invited to attend. Other members will be invited based on the student's specific identified needs.

[NOTE: Although not specifically provided for by law, we suggest that it would be reasonable to include the Director of Special Services and/or other professional personnel, as appropriate, in the reintegration team.]

- C. The reintegration team will determine, on the basis of need, which school employees should have access to information that would otherwise be considered confidential. The nature and extent of information provided should be limited to that needed to implement the student's reintegration plan and ensure the health and safety of the student, the safety of the school's students and staff, and the integrity of school property.
- D. The Superintendent/designee will be responsible for ensuring that confidentiality training, including a review of the school unit's policy and administrative

procedures pertinent to records from the juvenile criminal justice system, including the juvenile correctional facility, and to all student educational records under the Family Education Records and Privacy Act (FERPA), is provided to all school employees who have access to this information.

- E. Before the student enters school, at least one additional meeting of the reintegration team should be held to develop an individualized plan for the student's reintegration based on the student's educational needs and the options available within the school system. This meeting should include the student as well as the members of the reintegration team. The reintegration plan will address the student's educational program, participation in activities (including co-curricular and extracurricular activities), and access to school facilities (including transportation).
- F. Placement in grade, class, and/or school programs will be based on the student's abilities and academic achievement demonstrated in prior educational settings, including the student's stay at the juvenile correctional facility. The principal will be responsible for evaluating the student's transcript and portfolio from the juvenile correctional facility to assess progress toward meeting the content standards of the Learning Results. The principal may require the student to participate in additional tests or other demonstrations of skill or knowledge, consistent with the local assessment system, for the purpose of determining appropriate placement.
- G. The Superintendent/designee will be responsible for developing and implementing a process for monitoring and reporting a student's progress and compliance with the reintegration plan and for modifying the plan as needed.
- H. A student who violates Board policy or school rules will be subject to the disciplinary consequences described in policy, administrative procedures, and/or the student handbook/student code of conduct.
- I. The Superintendent/designee shall make any reports that may be required by the Department of Education concerning numbers of students entering the local school unit from juvenile correctional facilities.

Legal Reference: 20-A M.R.S.A. §§ 254(12), 1055(12), 2902(10), 4502(5)(O),
6001-B(1), 6001-B(2), 6001-B(3-A)
15 M.R.S.A. § 3009

[NOTE: 15 M.R.S.A. § 3308(7)(E) provides that when a juvenile has been charged with or adjudicated of a juvenile offense that involves the use or threatened use of physical force against a person, the District Attorney in the district where the charges were brought will provide certain information to the Superintendent (or designee) of the juvenile's school.

This information is limited to:

1. **The name of the juvenile;**

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2. The nature of the alleged offense or offense;
3. The date of the alleged offense or offense;
4. The date of the petition (date charged);
5. The date of the adjudication, if applicable; and
6. The location of the court where the case was brought, if applicable.

By law, this information is *not* to become part of the student's educational record.

This information is to be regarded as confidential except as provided in 20-A M.R.S.A. § 1055(11). This statute requires the Superintendent to convene a *notification team* within ten days of receiving notice of an alleged or adjudicated juvenile offense. This 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 is to determine on the basis of need which school employees are entitled to receive this information. The Superintendent "shall ensure" that confidentiality training is provided to all school employees who have access to this information.

Because this is a different issue from the reintegration of students who have been assigned to a juvenile correctional facility because they have been adjudicated as having committed one or more juvenile criminal offenses, we have chosen not to include language concerning notification teams in this policy. However, because of the confidentiality issues involved, Boards and Superintendents should be aware of the role of the Superintendent's responsibility and the role of the notification team.

As the composition of a specific notification or reintegration team depends upon the individual students (one student will have different teachers than another, for example) and because teams are convened only as needed, the teams are not static. While determining who should be on a team is an easy matter, the determination of who has the "need to know" and, therefore, should be given or have access to confidential information is not necessarily so easy. Boards and Superintendents should contact MSMA or their school attorney when questions concerning confidentiality arise.]

ADOPTED: June 9, 2009

REPORTING CHILD ABUSE AND NEGLECT

I. DEFINITIONS

- A. **Child abuse or neglect.** Child abuse or neglect is defined by Maine law as “a threat to a child’s health or welfare by physical, mental or emotional injury or impairment, sexual abuse or exploitation, deprivation of essential needs or lack of protection from these, or failure to ensure compliance with school attendance requirements under Title 20-A” (specifically when a child who is at least six years of age and has not completed grade six has the equivalent of seven full days of unexcused absences or five consecutive school days of unexcused absences during a school year).
- B. **Person responsible for the child.** A “person responsible for the child” means a person with responsibility for a child’s health or welfare, whether in the child’s home or another home or a facility which, as part of its function, provides for the care of the child. It includes the child’s parent, guardian or other custodian.

II. EMPLOYEES’ DUTY TO REPORT

Any employee of the school unit who has reason to suspect that a child has been or is likely to be abused or neglected must immediately notify the building principal who shall process the report as provided in Section III of this policy. In addition to notifying the building principal, the employee may also make a report directly to the Department of Health and Human Services (DHHS) or the District Attorney when the employee believes a direct report will better protect the child in question.

III. ADMINISTRATORS’ DUTIES

- A. The principal shall make an immediate verbal report to the Superintendent/ designee. If it is determined that there is a duty to make a report to DHHS or the District Attorney, the Superintendent/designee shall make the appropriate report(s), as provided in section B.
- B. The law provides that a report must be made to DHHS when the person suspected is a “person responsible for the child,” or to the District Attorney when the person suspected is not a person responsible for the child. However, because the legal definition of “person responsible for the child” is vague, the Superintendent/designee shall report all cases of suspected abuse or neglect to DHHS. In addition, if the person suspected is not the parent, guardian or other custodian of the child, the Superintendent/ designee shall also make a report to the District Attorney.
- C. The Superintendent/designee shall retain a record of all verbal and written reports made to DHHS, the District Attorney, or other outside agencies as well as all actions taken by the school unit.

REPORTING CHILD ABUSE AND NEGLECT

IV. REPORTING PROCEDURES

The verbal report shall include the following information, if known:

- A. The name and address of the child and the persons responsible for his/her care or custody;
- B. The child's age and sex;
- C. The nature and extent of the alleged abuse or neglect, including description of injuries and any explanation given for them;
- D. A description of alleged sexual abuse or exploitation, if any;
- E. Family composition and evidence of prior abuse or neglect of the child or his/her siblings;
- F. The source of the report, the person making the report, his/her occupation and where he/she can be contacted;
- G. Any actions taken by school staff, including any photographs taken or other materials collected; and
- H. Any other information the person making the report believes may be helpful.

Upon DHHS' request for a written report, the Superintendent/designee shall complete the Suspected Child Abuse/Neglect Report and mail a copy to DHHS. Proper documentation shall be maintained in accordance with Section III.C.

V. INTERNAL INVESTIGATIONS AND DISCIPLINE

- A. **Employees.** If the person suspected of abuse or neglect is an employee, the Superintendent/designee shall investigate and take appropriate action, in accordance with applicable Board policies, collective bargaining contracts, and federal and state laws.
- B. **Students.** If the person suspected of abuse or neglect is a student, and the abuse or neglect occurred on school premises, during a school activity, or is otherwise related to the school, the Superintendent/designee shall investigate and take appropriate action, in accordance with applicable Board policies and federal and state laws.

VI. INTERVIEWS OF CHILD AND SCHOOL PERSONNEL

REPORTING CHILD ABUSE AND NEGLECT

DHHS personnel shall be permitted to meet with and interview the child named in the report when the child is present at school as provided in this section. The principal/designee shall:

- A. Require the DHHS employee requesting to interview the child to provide written certification that in the Department's judgment, the interview is necessary to carry out its duties;
- B. Require the DHHS caseworker to discuss the circumstances of the interview and any relevant information regarding the alleged abuse or neglect with the child's teacher, guidance, school nurse, social worker or principal as the caseworker deems is necessary to provide needed emotional support to the child prior to and following the interview;
- C. Not place conditions on how the interview is conducted, including, but not necessarily limited to requiring that certain persons be present during the interview; prohibiting certain persons from being present during the interview; and requiring notice to or consent from a parent or guardian;
- D. Provide an appropriate, quiet and private place for the interview; and
- E. Not disclose any information about DHHS's intention to interview the child except to school officials or the school's attorney who need the information to comply with the interview request.

VII. CONFIDENTIALITY OF INFORMATION AND RECORDS

All records, reports and information concerning alleged cases of child abuse and neglect shall be kept confidential to the extent required by Board policies and applicable law.

The building principal/designee is permitted to release a child's school records without prior consent of the parent/guardian to DHHS or law enforcement officials as necessary to protect the health or safety of the child or other individuals under federal law.

VIII. GOOD FAITH IMMUNITY FROM LIABILITY

Any person who in good faith reports, assists DHHS in making the child available for an interview, or participates in the investigation or proceedings of a child protection investigation is immune from any criminal or civil liability for the act of reporting or participating in the investigation or proceeding. Good faith does not include instances when a false report is made and the person knows the report is false.

Legal Reference: 22 MRSA Chap. 1071, Child and Family Services and Child Protection Act
20 USC § 1232g, Family Educational Rights and Privacy Act

REPORTING CHILD ABUSE AND NEGLECT

20-A M.R.S.A. §§ 3272(2); 5051-A(1)(C); 5051-A(2)(B)

Cross Reference: ACAA – Harassment and Sexual Harassment of Students
 JLF-E – Suspected Child Abuse/Neglect Report Form
 JRA – Student Records

Adopted: May 13, 2008
Revised: December 11, 2012

SUSPECTED CHILD ABUSE/NEGLECT REPORT FORM

- 1) Name/title/telephone number of person making first report: _____

- 2) Date and time of first report: _____
- 3) Name/title of school department official first report made to: _____

- 4) Did the person making first report contact DHS independently: ____ Yes ____ No
- 5) Date/time/person making report to Superintendent: _____
- 6) Name of student who is subject of report: _____
Birthdate: _____ Sex: _____ Grade: _____
Known history of abuse/neglect? _____
Parent/Guardian Name(s): _____
Address: _____
Home and work telephone numbers: _____
Name(s) of sibling(s): _____
- 7) Statements or indicators leading to the suspicion of abuse/neglect (include all known information, including date, time and location, name of alleged abuser, and relationship to student): _____

- 8) List any photographs taken or other materials collected related to the report: _____

SUSPECTED CHILD ABUSE/NEGLECT REPORT FORM

9) Actions taken by school officials (list date, time and personnel involved):

10) Reports to authorities:

Agency contacted by telephone: _____

Name and title of agency contact: _____

Date and time of telephone report: _____

Copy of report form sent (include date and addressee): _____

Signature and title of person completing form:

Date: _____