

JOB DESCRIPTIONS

In order for the school unit to function most efficiently and effectively, the duties and responsibilities for each position, along with the criteria (skills, knowledge and abilities) required to perform those duties, shall be set forth in written job descriptions.

The Superintendent is responsible for job description development, as well as review/revision as warranted, but not less often than every five years. Development, reassessment and revision of job descriptions shall include input from people affected by the position to ensure that the information contained is relevant to the position.

Legal Reference: 20-A MRSA § 1001(13)

Adopted: November 17, 2016

STAFF INVOLVEMENT IN DECISION MAKING

The formulation of policy involving the curriculum, instruction and the overall school program is one of the primary responsibilities of the Board of Directors, and the Board reserves the right to make the final decision regarding such policies. The Board believes that the best interests of the district's students should be the principle guiding the adoption of all educational policy. The Board further believes that appropriate input from the professional staff is important to the decision-making process.

The Superintendent shall ensure that there is a process in place to encourage meaningful professional staff input prior to making recommendations regarding curriculum, instruction and the school program to the Board. The process should be conducted in a spirit of cooperation, with a clear focus on student learning as the most important function of the schools, and with the understanding that the staff is collectively responsible for student proficiency.

Participation in the decision-making process is accompanied with an expectation of accountability by the professional staff. All proposals for changes to the curriculum, instruction or the district's educational goals should take into consideration evaluation procedures linked to student outcomes.

The Board encourages the use of professional development activities specifically directed to improving staff research, analytical and decision-making abilities.

The Superintendent shall ensure that the administrative team has the appropriate support to lead an effective instructional program with a consistent focus on student learning and demonstration of proficiency.

Legal Reference: 26 MRSA § 965

Cross Reference: BHC – Board Communications with Staff
GCI - Professional Staff Development Opportunities
GCOA - Supervision and Evaluation of Professional Staff

Adopted: Date of manual adoption (Unknown)

Revised: November 17, 2016

EMPLOYEE USE OF CELL PHONES

The purpose of this policy is to address employee use of cell phones and other electronic communication devices (except laptops), whether school unit-owned or personally owned, including those that send or receive text messages, allow retrieval or sending of email or provide Internet access.

The Board recognizes that the use of cell phones and other electronic communication devices may be appropriate to the efficient operations of the school unit and helping to ensure the safety of students and staff and the security of school unit property. School unit employees may not use cell phones or electronic communication devices, whether school unit owned or personally owned, for non-school related business while they are engaged in instruction or supervision of students or of a school sponsored activity, or in any other manner that interferes with attending to and/or carrying out their job responsibilities. Employees are free to use their personal cell phones and other electronic communication devices during off-duty, lunch or break times.

Use of cell phones and electronic communication devices, whether school unit owned or personally owned, in a manner that violates Board policies, administrative procedures and/or state or federal laws will result in discipline and referral to law enforcement officials, as appropriate. School administrators may confiscate and search a device when there is reasonable suspicion that an employee has violated this policy and that the device contains evidence of the violation.

In the interest of safety, school unit employees are prohibited from using hand-held cell phones and electronic communications devices while driving RSU 58/MSAD 58 owned motor vehicles, whether transporting students, other staff or driving alone. School unit employees are also prohibited from using hand-held cell phones and electronic communications devices while transporting students in private vehicles.

RSU 58/MSAD 58 may provide cell phones or other electronic communication devices to some employees to assist them in carrying out their employment-related duties on or off school property. The Superintendent/designee shall have the discretion as to which employees will be provided school unit owned cell phones and other electronic communication devices, based upon need and availability.

School unit owned cell phones and other electronic communications devices are to be used for school-related business purposes and are not intended for personal use except in emergencies involving employee health or safety. Employees have no expectation of privacy in their use of school unit owned cell phones/electronic communications devices or the information stored on them.

SCHOOL BUS DRIVERS

Employees operating a school bus or other school unit vehicle transporting students are prohibited from operating the vehicle while using a cell phone or other electronic communications device, whether personally owned or issued by the school unit, except during an emergency situation or to call for assistance in the event of a mechanical breakdown or other mechanical problem, and then only when the vehicle is stopped or parked.

Adopted: November 17, 2016

STAFF CONDUCT

All staff members have a responsibility to make themselves familiar with, and abide by, the laws of the State as these affect their work, the policies of the Board, and the administration regulations designed to implement them.

The Code of Ethics of the Education Profession sets forth standards for the ethical professional conduct of teachers. The Board expects teachers in the school system to adhere to this code. It expects its administrators also to adhere to the special code for administrators.

In the area of personal conduct, the Board desires that teachers and others conduct themselves in a manner that not only reflects credit to the school system, but that sets forth a model worthy of emulation by students.

All staff members shall be expected to carry out their assigned responsibilities with conscientious concern.

Essential to the success of ongoing school operations and the instructional program are the following specific responsibilities, which shall be required of all personnel:

1. Faithfulness and promptness in attendance at work.
2. Support and enforcement of policies of the Board and regulations of the school administration in regard to students.
3. Diligence in submitting required reports promptly at the times specified.
4. Care and protection of school property.
5. Concern and attention toward their own and the school system's legal responsibility
for the safety and welfare of students, including the need to assure that students are
under supervision at all times.

Adopted: date of manual adoption

Revised: June 15, 2017

STAFF CONDUCT WITH STUDENTS

The Board expects all staff members, including teachers, coaches, counselors, administrators, and others to maintain the highest professional, moral, and ethical standards in their conduct with students. For the purposes of this policy, staff members also include school volunteers.

The interactions and relationships between staff members and students should be based upon mutual respect and trust; an understanding of the appropriate boundaries between adults and students in and outside of the educational setting; and consistency with the educational mission of the schools.

Staff members are expected to be sensitive to the appearance of impropriety in their conduct with students. Staff members are encouraged to discuss issues with their building administrator or supervisor whenever they are unsure whether particular conduct may constitute a violation of this policy.

Unacceptable Conduct

Examples of unacceptable conduct by staff members include but are not limited to the following:

- A. Any type of sexual or inappropriate physical contact with students or any other conduct that might be considered harassment under the Board's policy on Harassment and Sexual Harassment of Students;
- B. Singling out a particular student or students for personal attention and friendship beyond the normal teacher-student relationship;
- C. Associating with students in any situation or activity that includes the presence of alcohol, drugs, or tobacco or that could be considered sexually suggestive;
- D. For non-guidance/counseling staff, encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, staff members are expected to be supportive but to refer the student to appropriate guidance/counseling staff. In either case, staff involvement should be limited to a direct connection to the student's school performance;
- E. Sending students on personal errands;

- F. Sexual banter, allusions, jokes, or innuendos with students;
- G. Asking a student to keep a secret;
- H. Disclosing personal, sexual, family, employment concerns, or other private matters to one or more students;
- I. Addressing students with terms of endearment, pet names, or otherwise in an overly familiar manner; and
- J. Permitting students to address you by your first name, nickname or otherwise in an overly familiar manner.
- K. Being alone with individual students out of the view of others;
- L. Inviting or allowing students to visit the staff member's home;
- M. Visiting a student's home, unless on official school business;
- N. Maintaining personal contact with a student outside of school by phone, email, Instant Messenger or Internet chat rooms, social networking websites, or letters (beyond homework or other legitimate school business);
- O. Exchanging personal gifts (beyond the customary student-teacher gifts); and/or
- P. Socializing or spending time with students (including but not limited to activities such as going out for meals or movies, shopping, traveling, and recreational activities) outside of school-sponsored events or except as participants in organized community activities.

Reporting Violations

Students and/or their parents/guardians are strongly encouraged to notify the building principal or Superintendent if they believe a teacher or other staff member may be engaging in conduct that violates this policy.

Staff members are required to notify promptly the principal or Superintendent if they become aware of a situation that may constitute a violation of this policy.

Disciplinary Action

Staff violations of this policy may result in disciplinary action up to and including dismissal. Violations involving sexual or other abuse will also result in referral to the Department of Human Services and/or law enforcement in accordance with the Board's policy on Reporting Child Abuse and Neglect.

Dissemination of Policy

This policy shall be included in all employee, student and volunteer handbooks.

Cross Reference: ACAA - Harassment and Sexual Harassment of Students
 GCSA - Staff Computer/Internet Use
 JLF - Reporting Child Abuse and Neglect

Adopted: November 17, 2016

DRUG-FREE WORKPLACE

The RSU 58/MSAD 58 Board recognizes that alcoholism and drug dependency are treatable diseases. Left untreated, they may result in serious personal and family problems. At the same time, the Board is also seriously concerned about the effects of alcohol and drug dependency upon an employee's job performance and ability to serve as a role model for our students.

The Board believes strongly that all employees and students should be able to work and learn in an environment free from alcohol and drug abuse. Accordingly, the Board expects all employees to report for work and to perform their duties in a manner that does not jeopardize the health, safety and well-being of co-workers and students.

No employee shall distribute, dispense, possess, use or be under the influence of any alcoholic beverage, malt beverage or fortified wine or other intoxicating liquor. Nor shall an employee unlawfully manufacture, distribute, dispense, possess, use or be under the influence of "bath salts" or of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, anabolic steroid or any other controlled substance (as defined in schedules I through V of section 202 of the federal Controlled Substance Act [21 USC § 812]; by regulation at 21 CFR, § 1300.11 through 1300.15; and in 17-A MRSA, § 1101). This applies before, during and after school hours, at school or in any other school system location, defined as follows:

"School system location" means in any school building or on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transports students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school unit; or during any period of time such employee is supervising students on behalf of the school system or otherwise engaged in school unit business.

Any employee who suspects that he/she may have an alcohol or drug dependency problem is strongly encouraged to contact his/her supervisor to seek voluntary diagnosis and treatment. The employee will be provided confidential referral services to an outside agency upon request and assisted in determining the extent to which insurance coverage to help pay for such services is available. All voluntary referrals shall be kept confidential.

Any illegal use, possession, furnishing, selling or provision of assistance in obtaining "bath salts," alcoholic beverages or scheduled drugs not covered by the preceding paragraph may, depending upon the circumstances, constitute sufficient grounds for

discipline, up to and including dismissal. Referrals under foregoing paragraphs of this policy will not preclude disciplinary action under this paragraph, depending on the circumstances.

As provided in the Drug-Free Workplace Act of 1988, any employee is required to notify the school unit of a criminal or civil conviction for a drug violation occurring in the workplace no later than five calendar days after such conviction. In turn, the Superintendent, within 10 calendar days of learning of such a conviction, is to give written notification to the U.S. Department of Education and to any other federal agency from which the unit receives grant funds.

Appropriate disciplinary sanctions shall be taken against any employee who violates the terms of this school unit's drug and alcohol policy, up to and including dismissal.

Implementation

The Superintendent shall be responsible for developing and administering appropriate procedures to implement this policy.

Communication

A copy of this policy is to be given or mailed to all current employees and to new employees at the time of their employment and is to be posted in appropriate locations throughout the school system.

Legal Reference: 20 USC § 7101 et seq. (Safe and Drug-Free Schools and Communities Act)
21 USC § 812 (Controlled Substances Act)
21 CFR § 1300.11-1300.15
Fed. P.L. 101-226
17-A MRS § 1101
22 MRS § 2390-2394

Cross Reference: JICH - Drug and Alcohol Use by Students

Adopted: September 12, 1990

Revised: June 13, 1991; March 3, 1997; November 17, 2011; November 17, 2016

STAFF PARTICIPATION IN POLITICAL ACTIVITIES

The Board believes in the principles of democracy and respects the rights of its employees to participate in the democratic process. These rights include discussing the social, political and economic issues of the day in public venues; participating actively in the political party of their choice; becoming a candidate for public office; and campaigning in the community for candidates and in support of political issues.

While the Board respects these rights and encourages its employees to engage in political activities as private citizens, the Board believes that campaigning and other political activities of individual staff members should not compromise the instructional program or disrupt the operations of the schools.

In adopting this policy, it is the intent of the Board to provide guidance for staff participation in political activities and communicate these expectations to parents, students and the community.

School employees shall not engage in political activities while carrying out their work responsibilities during the school day, while performing work for the school unit outside of the school day on school premises, or while performing work for the school unit at any other location.

“Political activities” include:

- A. Campaigning for or against any candidate, political party or issue;
- B. An employee’s using his/her position to attempt to influence students, parents or others to vote for or against any candidate or issue;
- C. Contacting students, parents or others for such purposes;
- D. Wearing apparel with political messages or displaying campaign paraphernalia while performing work; or
- E. Soliciting for or collecting funds or distributing material in connection with campaigning or support of political issues.

When engaging in conversations with students outside of classes or school activities, employees should be mindful of the potential effect of their position, authority and influence when stating personal opinions in regard to candidates and political issues.

No school employee shall use the school unit's resources (e.g., including but not limited to school unit-owned laptops and other electronic devices, school unit networks, copiers, scanners, or mail service) to promote political candidates or parties or to encourage a vote for or against an issue.

No school unit employee shall use the school unit's name or logo to promote his/her candidacy for political office, to promote other candidates or political positions, or to represent his/her views as those of the school unit or this Board.

Nothing in this policy shall prevent an employee from engaging in political activities on school premises when such activities are conducted in accordance with the school unit's facilities use policy.

Nothing in this policy shall preclude the discussion of political or controversial issues or current events or exposure of mature students to candidates as guest speakers provided that such is done in compliance with the Board's policy on the teaching of controversial issues (IMB) and policy on guest speakers in schools (IMC).

Nothing in this policy should be construed as precluding mock elections, debates, conventions or other simulated political activities, where the activity is intended as an educational experience.

Nothing in this policy shall prevent the Board from providing information or expressing its position or views on any political issue affecting the schools or from directing or authorizing the Superintendent to use school unit resources to accomplish this purpose. The Board will not use its influence or school unit resources to promote any particular political party or to promote or discourage the election of any particular candidate.

Cross Reference: GCSA – Staff Computer and Internet Use
 IMB – Teaching About Controversial/Sensitive Issues
 IMC – Guest Speakers in Schools
 KF – Community Use of School Facilities
 KHC – Distribution of Non-school/Community Materials

Adopted: Date of manual adoption (Unknown) (as GBI)

Revised: November 17, 2016 (as GBIA)

PERSONNEL RECORDS AND FILES

The school unit shall maintain records of current and former employees in the Office of the Superintendent in accordance with state and federal laws and regulations.

Directory Information

As required by law, a record of directory information for each employee shall be open to inspection and copying by any person. Directory information shall contain:

- A. Name of employee;
- B. Date(s) of employment by the school unit;
- C. Regular and extra-curricular duties, courses, subjects taught, and any other responsibilities since the start of employment by the school unit;
- D. Post-secondary education institution(s) attended;
- E. Major and minor field(s) of study as recognized by those institutions; and
- F. Degrees received and dates degrees were awarded.

Confidential Information

As required by law, all information (except Directory Information) about an employee, applicant for employment or an employee/applicant's immediate family shall be kept confidential if it relates to the following:

- A. All information, working papers, and examinations used in the evaluation or selection of applicants for employment;
- B. Medical information of any kind, including information pertaining to diagnosis or treatment of mental or emotional disorders;
- C. Performance evaluations, personal references and other reports and evaluations reflecting on the quality or adequacy of the employee's work or general character compiled and maintained for employment purposes;
- D. Credit information;

- E. The personal history, general character or conduct of the employee or any member of the employee's immediate family;
- F. Complaints, charges of misconduct, replies thereto and memoranda and other materials pertaining to disciplinary action;
- G. Social Security number;
- H. Any teacher action plan and support system documents and reports maintained for certification purposes; and
- I. Criminal history record information.

Personnel Files

Personnel files will contain a cumulative history of the staff member's employment, including formal or informal employee work evaluations and reports relating to the employee's character, credit, work habits, compensation and benefits.

Other Confidential Personnel Records

The school unit must maintain the following confidential employee records separate from the personnel files:

- A. Medical information of any kind; and
- B. Teacher action plan and support system documents and reports maintained for certification purposes.

Disciplinary Action Information

Any written record of a decision involving an employee disciplinary action by the Board shall not be included within any category of confidential information.

Procedures for Review of Personnel Files

For the purpose of this section, a personnel file shall include, but not be limited to, any formal or informal employee evaluations and reports relating to the employee's character, credit, work habits, compensation and benefits that are maintained by the school unit for employment purposes.

- A. The Superintendent shall, upon written request and within ten business days provide the employee, former employee, or his/her duly authorized representative(s) with an opportunity to review and copy his/her personnel file, if the Superintendent has a personnel file for that employee.
- B. Reviews of personnel files shall take place at the location where the personnel files are maintained and during normal office hours.
- C. The cost of any copying is to be paid by the person requesting the copy.
- D. Access to confidential college placement records and letters of reference will be granted only to the Superintendent/designee.

Access to Personnel Files

Access to personnel files may be given to the following persons without the consent of the employee.

- A. The Superintendent or his/her designee, the employee's principal or other supervisor(s). Personnel files are not accessible to individual Board members.

Relevant portions of a personnel file may be summarized and/or shared with the Board by the Superintendent when consideration is being given to performance evaluation, continuation of employment or disciplinary action.

- B. The general public shall have access only to the Directory Information as outlined above.

Access to personnel files will not be granted to any other persons except under the following circumstances:

- A. When the employee gives written consent for the release of his/her records. The written consent must specify the record(s) to be released and to whom they are to be released. Each request for consent must be handled separately; blanket permission for release of information will not be accepted; and
- B. Upon advice of counsel, when subpoenaed or under court order.

Records Management

The Superintendent has overall responsibility for maintaining and preserving the confidentiality of all employee/applicant records. The Superintendent may designate a staff member who shall be responsible for granting or denying access to records according to the guidelines in this policy.

Written reports shall be maintained in personnel files to document compliance with federal and state laws and regulations and Board policies regarding employee evaluations. Once a document is properly placed in a personnel file, it shall remain in the file permanently.

Records Retention

The school unit will retain all personnel records and files in accordance with applicable laws and regulations.

Legal Reference: 20-A MRSA § 6101
20-A MRSA § 13015
26 MRSA § 631
Chapter 10, Rules for Disposition of Local Government Records
(Maine State Archives)
Americans with Disabilities Act of 1990, 42 U.S.C. § 12101 et seq.
Family and Medical Leave Act of 1993, 29 U.S.C. § 2611 et seq.

Cross Reference: KDB - Public's Right to Know/Freedom of Information

Adopted: August 10, 1994

Revised: November 17, 2016

RETENTION OF APPLICATION MATERIALS

State and federal law permit submission of complaints to the Maine Human Rights Commission and/or the U.S. Office of Civil Rights within six months of an alleged act of unlawful employment discrimination. In addition, state regulations require applications for employment to be retained for a period of two years.

As a precautionary measure, all materials accumulated in the process of filling instructional and support staff positions shall be retained for at least three years. Such materials include applications and accompanying materials, notes made in the screening, interviewing and reference checking process, and any other pertinent information. Materials related to the search process (such as advertisements, job descriptions and interview guides) shall also be retained.

All materials accumulated in filling administrator positions (positions requiring Maine Department of Education administrator certification) shall be retained for at least three years.

Legal Reference: 5 MRSA § 4551 et seq. (Maine Human Rights Act)
20-A MRSA § 1001(13)
Chapter 10, Rules for Disposition of Local Government
Records (Maine State Archives)
Equal Employment Opportunities Act of 1972 (P.L. 92-261)
Amending Title VII of the Civil Rights Act of 1964
(42 U.S.C. § 2000(e) et seq.)

Cross Reference: GCF - Professional Staff Hiring
GCFB - Recruitment and Hiring of Administrative Staff
GBJ - Personnel Records and Files

Adopted: August 10, 1994

Revised: November 17, 2016

FAMILY AND MEDICAL LEAVE

The school unit shall comply with all applicable provisions of the federal Family and Medical Leave Act of 1993 (FMLA), the Maine Family Medical Leave Law, and any other Board policies and collective bargaining agreements regarding family and medical leave.

The Superintendent is responsible for implementing administrative procedures to comply with this policy.

Legal Reference: 26 USC § 2601 et seq.
29 CFR Part 825
26 MRS § 843 et seq.

Cross-Reference: GBN-R1 - Family and Medical Leave Act Administrative Procedure
GBN-R2 - Maine Family Medical Leave Administrative Procedure

Adopted: July 9, 1998

Revised: November 17, 2016

FAMILY AND MEDICAL LEAVE ADMINISTRATIVE PROCEDURE

A. Eligibility

To be eligible under the FMLA, employees must work at a site where 50 or more employees of the same school board are employed within 75 miles of that work site. An employee must have been employed by the school unit for at least twelve months and have worked at least 1250 hours in the previous twelve-month period. According to the law, teachers employed on a full-time basis are presumed to meet the minimum hours requirement.

B. Benefit

Under certain conditions, eligible employees, if qualified, may be entitled to up to 12 weeks or 26 weeks leave in a 12-month period with continuing participation in the school unit's group insurance plan.

The 12-month period for FMLA purposes is designated as the contract year.

C. Reasons for Taking Leave

Unpaid leave will be granted to eligible employees for any of the following reasons:

1. The birth and care of a child;
2. The adoption or foster placement of a child with the employee;
3. To care for a spouse, child or parent with a serious health condition; or
4. The employee is unable to perform the functions of his/her position because of a serious health condition.

D. Military Family Leave

1. Military Caregiver Leave

An eligible employee who is a relative of a servicemember can take up to 26 weeks in a 12-month period in order to care for a covered servicemember who is seriously ill or injured in the line of duty, or a veteran who is

undergoing medical treatment, recuperation or therapy for serious injury or illness that occurred any time during the five years preceding the date of treatment.

2. **Qualified Exigency Leave** (applies to eligible employees with family members who are in the National Guard or Reserves, and Regular Armed Forces)
 - a. An eligible employee can take up to the normal 12 weeks of leave, if a family member who is a member of the National Guard or Reserve is called up to active duty on a contingency mission.
 - b. Qualifying exigencies include:
 - 1) Short-notice deployment;
 - 2) Military events and related activities;
 - 3) Childcare and school activities;
 - 4) Financial and legal arrangements;
 - 5) Counseling;
 - 6) Rest and recuperation;
 - 7) Post-deployment activities; and
 - 8) Additional activities agreed to by the employer and the employee.

E. Substitution of Paid Leave

Any leave taken for FMLA-qualifying purposes (including leave taken under employment policies, bargaining agreements, or contracts) shall also be applied to an employee's annual FMLA entitlement. When paid leave taken for FMLA-qualifying purposes is exhausted, the balance of FMLA leave shall be unpaid.

F. FMLA Leave When Both Parents Are School Unit Employees

If both parents of a child are employed by RSU 58/MSAD 58, they each are entitled to a total of 12 weeks of leave per year. However, leave may be granted to only one parent at a time and if leave is taken: (1) for the birth of a child or to care for the child after birth; or (2) for placement of a child for adoption or foster care or to care for the child after placement.

If spouses are employed by RSU 58/MSAD 58, the aggregate number of weeks of leave that can be taken is 26 weeks in a single 12-month period for serviceperson leave or a combination of exigency and serviceperson leave. The aggregate number of weeks of leave that can be taken by a husband and wife who work for the same employer is 12 weeks if for exigency leave only.

G. Employee Notice Requirement

The employee must follow the employer's standard notice and procedural policies for taking FMLA.

Except as provided elsewhere in this policy, an employee must submit an application for leave at least 30 days in advance when the leave is foreseeable or as soon as practicable if it is not foreseeable.

If an employee fails to provide 30 days' notice of foreseeable leave, the leave may be delayed to start 30 days after notice is given, provided the employee had actual notice of the FMLA notice requirements.

When the need for FMLA leave is foreseeable fewer than 30 days in advance, or the need for FMLA leave is not foreseeable, and the employee fails to provide notice as soon as practicable, the extent to which FMLA leave may be delayed depends upon the facts of the particular case.

H. Medical Certification

A sick leave request form is to be completed whenever an employee is absent from work for more than three days or when an employee has need to be absent from work for continuing treatment by (or under the supervision of) a health care provider.

The school unit will require medical certification to support a request for FMLA leave because of a serious health condition (at employee's expense).

If the leave request is due to the employee's serious health condition, the employee is required to provide medical certification stating the date the health condition commenced, the probable duration, the appropriate medical facts concerning the condition, and that the employee cannot perform the functions of his/her job.

If the leave request is due to the serious health condition of a family member, the employee is required to provide medical certification stating the date the health condition commenced, the probable duration, the appropriate medical facts concerning the condition, and an estimate of the time the employee will be needed to care for the family member.

If the leave request is for leave to care for a covered servicemember, the employee is required to provide certification of the date on which the serious medical condition or injury commenced, the probable duration, the appropriate medical facts within the knowledge of the health care provider regarding the condition or injury, and an estimate of the time the employee will be needed to care for the covered servicemember.

I. Notice for Leave Due to Active Duty or Call to Active Duty of Family Member

In any case in which the necessity for leave is foreseeable, whether because the spouse or a son, daughter, or parent of the employee is on active duty or because of notification of an impending call or order to active duty in support of a contingency operation, the employee shall provide such notice to the employer as soon as is practicable.

J. Employer Notice Requirement (29 C.F.R. § 825.300)

Employers are required to provide employees with notice explaining the FMLA through a poster and either a handbook or information upon hire. If an employee requests FMLA leave, an employer must provide notice to the employee within five business days of whether the employee meets the FMLA eligibility requirements. If an employee is not eligible to take FMLA, the employer must provide a reason. The employer must also provide a rights and responsibilities notice outlining expectations and obligations relating to FMLA leave. If the employer approves FMLA leave, it must provide the employee with a designation notice stating the amount of leave that will be counted against an employee's FMLA entitlement.

K. Insurance

An employee out on FMLA leave is entitled to continued participation in the appropriate group health plan, provided the employee continues paying the usual premiums throughout the leave period. An employee's eligibility to maintain health insurance coverage will lapse if the premium payment is more than 30 days late.

L. Return

Upon return from FMLA leave, the employee will be restored to his/her previous position or to an equivalent position with equivalent pay, benefits, and other employment terms.

An employee returning from FMLA leave for his/her own serious health condition is required to submit medical certification that indicates fitness to return to work and ability to perform the functions of the job.

If the employee is unable to return to work because of his/her own serious health condition at the end of allowable FMLA leave, the Superintendent may consider a request for extension of unpaid leave and benefits on a case-by case basis. Unless an extension has been granted, failure to return to work upon the expiration of FMLA leave may subject the employee to immediate termination.

M. Special Rules for Instructional Employees

Under federal regulations, certain special rules apply to instructional employees. These rules affect the taking of leave near the end of a semester and the taking of intermittent leave or leave on a reduced leave schedule.

N. Interaction with Maine Law

When an employee is eligible for leave under both the federal and Maine statutes, the applicable law shall be the one that provides the greater benefit.

An employee who is not eligible for federal FMLA leave may be eligible for leave under the Maine FMLA.

The school unit will analyze each request to determine eligibility for federal and/or Maine FMLA leave.

O. Recordkeeping

Employees, supervisors, and building administrators will forward requests, forms, and other material to payroll to facilitate proper recordkeeping.

Legal Reference: 29 C.F.R. Part 25 (Regulations to Implement the Family and
Medical Leave Act of 1993)

Adopted: July 9, 1998

Revised: November 17, 2016

MAINE FAMILY MEDICAL LEAVE ADMINISTRATIVE PROCEDURE

This administrative procedure covers the main provisions of the Maine Family Medical Leave Act. The school unit will analyze each employee request for leave to determine whether he/she is eligible under the Federal and/or State statute. When an employee is eligible for leave under both the Federal and State statutes, the applicable law with regard to each benefit shall be the one that provides the greater benefit (usually Federal FMLA).

I. ELIGIBILITY

To be eligible for Maine Family Medical Leave, employees must work at a site where there are 15 or more employees of a school board. An employee must have been employed by the same employer for 12 consecutive months and not taken such leave within the immediately preceding 24-month period or have used less than 10 weeks of family medical leave.

Under the Maine Family Medical Leave Act, an eligible employee is entitled to up to 10 weeks of leave during a 24-month period for the following reasons:

- A. Serious health condition of the employee;
- B. Birth of the employee's child or the employee's domestic partner's child;
- C. Placement of a child 16 years of age or less in connection with the adoption of the child by the employee or the employee's domestic partner;
- D. Serious health condition of a child, domestic partner's child, parent, sibling, domestic partner or spouse;

Serious health condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice or residential medical care facility or continuing treatment by a health care provider;

- E. The donation of an organ of the employee for a human organ transplant; or
- F. The death or serious health condition of the employee's spouse, domestic partner, parent, sibling or child if the spouse, domestic partner, parent, sibling or child is a member of the state military forces as defined in Title 37-B, section 102, of the Maine Revised Statutes, or of the United States

Armed Services, including the National Guard and Reserves, or dies or incurs a serious health condition while on active duty.

For the purpose of this procedure, “sibling” means a sibling of an employee who is jointly responsible with the employee for each other’s common welfare as evidenced by joint living arrangements and joint financial arrangements.

II. DOMESTIC PARTNER DEFINED

For the purpose of determining eligibility for Maine Family Medical Leave, “domestic partner” means the partner of an employee who:

- A. Is a mentally competent adult as is the employee;
- B. Has been legally domiciled with the employee for at least 12 months;
- C. Is not legally married to or legally separated from another individual;
- D. Is the sole partner of the employee and expects to remain so;
- E. Is not a sibling of the employee; and
- F. Is jointly responsible with the employee for each other’s common welfare as evidenced by joint living arrangements, joint financial arrangements, or joint ownership of real or personal property.

III. ADMINISTRATION

- A. The school unit may require certification from a physician to verify the amount of leave requested. An employee who in good faith relies on treatment by prayer or spiritual means, in accordance with the tenets and practice of a recognized church or religious denomination, may submit certification from an accredited practitioner of those healing methods.
- B. An employee requesting leave shall provide at least 30 days’ notice of the intended dates upon which the leave will commence and terminate, unless prevented by medical emergency from giving required notice.
- C. Any leave taken for Maine Family Medical Leave qualifying purposes, including leave taken under other applicable statutes, employment policies, and collective bargaining agreements or contracts, shall also be considered leave under Maine Family Medical Leave and shall be applied to an

employee's 10-week Maine Family Medical Leave entitlement every 24-month period. When paid leave taken for Maine Family Medical Leave qualifying purposes is exhausted, the balance of Maine Family Medical Leave shall be unpaid.

- D. During Maine Family Medical Leave, an employee shall be permitted to continue his/her medical insurance plan, providing the employee remits the monthly premium to the Superintendent's Office no later than the first day of the month for which the premium is due.
- E. Upon an employee's return to work, he/she will be restored to his/her previous position or to a position with equivalent seniority status, benefits, pay, and other conditions and terms of employment.
- F. An employee taking Maine Family Medical Leave for his/her own serious health condition may be required to submit certification that he/she is fit to return to work and is able to perform the functions of the position.
- G. If at the end of the allowable leave under Maine Family Medical Leave the employee is unable to return to work because of his/her own serious health condition, the Superintendent and School Board may consider a request for extension of unpaid leave and benefits on a case-by-case basis.
- H. An employee who is not eligible for Maine Family Medical Leave may be eligible for federal Family and Medical Leave.

IV. LEAVE TAKEN INTERMITTENTLY OR ON A REDUCED LEAVE SCHEDULE

Subject to the other requirements of this policy, leave taken intermittently or on a reduced leave schedule (i.e., a leave schedule that reduces the usual number of hours per workweek or hours per workday of an employee) may be taken subject to the following:

- A. Leave for birth or placement related to adoption may not be taken intermittently or on a reduced schedule unless agreed to by both employer and employee;
- B. Leave for a serious health condition of the employee or his/her child, domestic partner's child, parent, domestic partner or spouse, or for organ donation by the employee may be taken intermittently or on a reduced leave schedule when medically necessary;

- C. The taking of leave intermittently or on a reduced leave schedule may not result in a reduction in the total amount of Maine Family Medical Leave to which the employee is entitled beyond the amount of leave actually taken; and
- D. If an employee requests intermittent leave or leave on a reduced leave schedule for a serious health condition of the employee or his/her child, domestic partner's child, parent, domestic partner or spouse, or for organ donation by the employee that is foreseeable based on planned medical treatment, the employer may require the employee to transfer temporarily to an available alternative position offered by the employer for which the employee is qualified and that 1) has equivalent pay and benefits, and 2) better accommodates recurring periods of leave than the regular employment position of the employee.

Legal Reference: 26 MRSA § 843 et seq.

Adopted: July 9, 1998

Revised: November 17, 2016

FAMILY CARE LEAVE

This policy governs employee leave under 26 M.R.S.A. § 636, “An Act to Care for Families,” referred to in this policy as the “Family Care Act.” Leave under this policy is referred to as “Family Care Leave.”

The Board recognizes that under Maine’s “Family Care Act,” if an employer provides paid leave under the terms of a collective bargaining agreement or employment policy, the employer must allow an employee to use the paid leave for the care of an immediate family member who is ill.

In law and for the purpose of this policy, the following definitions apply:

- A. “Employer” means a public or private employer with 25 or more employees.
- B. “Immediate family member” means an employee’s child, spouse or parent.
- C. “Paid leave” means time away from work by an employee for which the employee receives compensation. Paid leave is limited to sick time, vacation time, compensatory time, and leave that is provided as an aggregate amount for use at the discretion of the employee for any of these purposes. Paid leave does not include paid short-term or long-term disability, catastrophic leave, or similar types of benefits.

Employees may take up to 40 hours of paid leave as Family Care Leave per 12-month period or the amount provided by an applicable collective bargaining agreement, whichever is greater.

The 12-month period shall be the same for all employees and shall be the 12-month period identified for the school unit’s administration of the Family Medical Leave Act (FMLA).

An employee is not entitled to use paid leave until that leave has been earned.

Any employee electing to take Family Care Leave must apply such leave against available paid vacation leave, and if vacation leave is exhausted against sick leave, then against personal leave and then any other available paid leave until all paid leave available has been exhausted, except as provided in applicable collective bargaining agreements.

Notice/verification of illness for Family Care Leave shall be the same as that required for the employee's own illness. The employee must specify that leave is being taken pursuant to the Family Care Act.

Application of Family Medical Leave Requirements

For purposes of applying family medical leave requirements (i.e., FMLA), the school unit shall treat leave under the Family Care Act in the same manner as the employer treats leave for an employee illness. Therefore, Family Care leave and FMLA leave shall run concurrently.

Legal Reference: 26 M.R.S.A. § 636

Adopted: November 17, 2016

PROFESSIONAL STAFF HIRING

Through its employment policies, the Board shall attempt to attract, secure and hold the highest qualified personnel for all professional positions. The selection program shall be based upon alertness to candidates who will devote themselves to the education and welfare of the children attending our public schools.

It is the responsibility of the Superintendent and of persons to whom he/she delegates this responsibility to determine the personnel needs of the school system and to locate suitable candidates to recommend to the Board for employment. Through effective administrative procedures, the Superintendent shall recruit and recommend to the Board the employment and retention of personnel who are motivated to do their best work and to be creative from their own inner resources.

It shall be the duty of the Superintendent to see that persons nominated for employment in the schools shall meet all certification requirements and the requirements of the Board for the type of position for which the nomination is made.

The following guidelines shall be used in the selection of personnel:

- A. There shall be no illegal discrimination in the hiring process.
- B. Interviewing and selection procedures shall assure that an administrator has the opportunity to aid in the selection of any staff member who will work under his/her supervision.
- C. No candidate shall be hired without a personal interview.
- D. All candidates shall be considered on the basis of their merits, qualifications and the needs of the unit. In each instance, the Superintendent and others playing a role in the selection shall seek to hire the best qualified person for the job; and
- E. While the Board may accept or reject a nomination, an approval shall be valid only if made with the recommendation of the Superintendent. In the case of a rejection, it is the duty of the Superintendent to make another nomination.

Legal Reference: 20-A MRSA § 13201 et seq.

Cross Reference: AC - Nondiscrimination/Equal Opportunity and Affirmative Action
GBJ – Personnel Records and Files

Adopted: October 7, 1999

Revised: November 17, 2016

EMPLOYEE SOCIAL MEDIA PRIVACY

For the purpose of this policy, “social media account” means an account with an electronic medium or service through which users create, share and view user-generated content including but not limited to videos, still photographs, blogs, video blogs, podcasts, instant and text messages, email, online service accounts and Internet website profiles and locations.

“Social media account” does not include an account opened at the employer’s behest or provided by an employer or intended to be used primarily on behalf of the employer.

In compliance with Maine’s employee social media privacy law, RSU 58/MSAD 58, through its administrators or designees, shall not:

- A. Request, require or coerce an employee or applicant for employment to disclose a password or any other means for accessing a personal social media account;
- B. Request, require or coerce an employee or applicant for employment to access a personal social media account in the presence of administrative or other RSU 58/MSAD 58 personnel or agent of the school unit;
- C. Require or coerce an employee or applicant to disclose any personal social media account information;
- D. Require or cause an employee or applicant to add anyone, including administrative or other RSU 58/MSAD 58 personnel or agent of the school unit to the employee or applicant’s contact list associated with a personal media account; or
- E. Request, require or cause an employee or applicant to alter settings that affect the ability of a third party to view the contents of a personal social media account.

RSU 58/MSAD 58 shall not discharge, discipline or otherwise penalize any employee, who refuses to disclose or provide access, add contacts or alter settings as specified above, or to fail to hire an applicant based on his/her refusal to comply with illegal requests, requirements or coercion.

This policy does not prohibit RSU 58/MSAD 58 from requiring an employee to disclose personal social media account information when the employer reasonably believes it to be relevant to an investigation of alleged employee misconduct or a workplace-related violation of applicable laws, rules or regulations, provided the information disclosed is accessed and used solely as necessary for the investigation of related proceedings.

This policy does not apply to information publicly available which may be available on an employee or applicant's public social media accounts.

As employer, RSU 58/MSAD 58 may maintain policies governing the use of its own electronic equipment, including a requirement that an employee disclose to the school unit the employee's user name, password or other information necessary to access employer-issued electronic devices or to access employer-provided software or email accounts.

Legal Reference: Maine P.L. 2015, Ch. 343

Cross Reference: GCSA – Employee Computer and Internet Use

Adopted: November 17, 2016

FACULTY SOCIAL MEDIA EXHIBIT

Definition

- Social Media is defined as any electronic tool that allows for social, interactive, and connective communication and learning, allowing for but not limited to:
- Video and photo sharing (YouTube, Slideshare, Flickr, Vimeo, SnapChat),
- Social Networking (MySpace, Facebook, Ning, Twitter, LinkedIn, Foursquare)
- Blogging,
- Micro-blogging (Tumblr)
- Use of a Wiki,
- Instant messaging,
- Use of Short Message Service (texting), and
- Web conferencing (Facetime, DimDim, TinyChat, Skype).

Context

Maine School Administrative District 58 recognizes the importance of social media tools both when used as a curricular resource, and as part of a larger communication network, that fosters education and personal growth, as well as institutional development. This policy is meant as an application of the principles of respect for every person, the development of the community and the ideals of education that are at the core of our identity.

Interacting with people online is no different than interacting with individuals face-to-face in that School Employees are expected to maintain the respect, dignity, and professionalism that is consistent with our mission, ideals, and act with concern for the safety and protection of students, the School, and themselves.

Policy

With specific regard to social media, as a School employee, you must:

- Understand that you are accountable for your postings and other electronic communications that are job-related — particularly online activities conducted with a school email address, or while using school property, networks or resources, or while discussing school-related activities.
- Recognize that:
 - your ability to serve as a positive role model for students and as a representative of the School is a critical aspect of your employment;
 - social media activities may be visible to current, past, or prospective students, parents, colleagues, and community members; and

- accordingly, you must exercise discretion when using social media (even for personal communication) when those communications can reflect on your role at the School.
- Keep in mind the uneven power dynamics that exist between teacher and student; employees must act in a manner that always respects and never exploits the power inherent in these relationships.

Guidelines

1. School-related uses of social media

- Per FERPA, official academic information, such as grades, can only be stored in and displayed via the School's official Student Information System, Powerschool, not in a social media platform.
- Class blogs, Facebook pages, Twitter accounts, wikis, podcasts or other social media tools used by a teacher for academic or co-curricular purposes must be actively monitored for proper online etiquette, and adherence to US copyright laws. If these social media tools are not hosted on official school platforms, such as the MSAD 58 Website, they should have at least two staff members acting as administrators to the site.
- Parent notification should be given regarding student use of social media for School-related activities. For example, if class projects will be posted to YouTube or if the class uses a Facebook Group, this needs to be communicated on the Course Description.

Note: the remainder of the guidelines below apply to personal social media uses rather than official school purposes.

School district technology resources are provided for purposes related to school programs and operations, and performance of their job responsibilities.

Incidental personal use of school computers is permitted as long as such use:

- 1) does not interfere with the employee's job responsibilities and performance;
- 2) does not interfere with system operations or other system users;
- 3) does not violate this policy and the accompanying rules, or any other Board policy, procedure or school rules.

"Incidental personal use" is defined as use by an individual employee for occasional personal communications.

2. "Friending" students, and parents

- Employees are urged to use extreme caution in connecting to students and parents using social media; there are legitimate reasons and uses for these connections, but personal boundaries need to be respected.
- Employees must be mindful of the power dynamic involved in making "friend" requests, and must leave that to students, and parents to initiate.
- Employees should remind student and parents of their moral and legal obligations as an educator.

3. School-related "friends"

- Employees should use good judgment when making and/or accepting connections to or from colleagues.
- All employees are particularly encouraged to use caution when making "friend" requests of their supervisors or subordinates due to the potential for both parties to feel pressured to accept the request, potentially impacting the work relationship (as well as raising conflict of interest, unequal treatment, discrimination, or similar concerns).

4. Non-school-related "friends"

All employees should be conscious of their position as an educator whose profile may be accessed by students and other members of the school community. Please monitor posts to your network regularly.

5. Posted content

Exercise care with personal profile data and posted content, to insure that this information does not reflect poorly on your ability to serve as a role model or otherwise create a conflict of interest.

6. Privacy settings

Inherent in social media technology is the capability to limit access to profiles and posted content. Employees are encouraged to check their privacy settings on a regular basis to ensure that they are revealing only what they wish to, only to those they wish to reveal it.

7. Time on social sites

In no case may use of social media interfere with or impede your duties or your responsibilities to the School or our students during the workday.

8. Online identity and posting to blogs

As a vibrant academic community, the school encourages active engagement in a range of activities, intellectual pursuits and causes. An individual's right to participate in these groups must be balanced with the school's right to manage public communications in its name, on its behalf, or which reflects on its excellence.

9. Protecting confidential information

Per FERPA, all confidential information must be protected and disclosed only pursuant to School policy or as otherwise required by law. No social media posts may communicate any confidential information.

10. Use of logos, trademarks, and intellectual property

Employees are not permitted to use the school's logo, trademarks, official photographs, or any other intellectual property of proprietary materials in any postings to social media without the written consent of the Superintendent.

11. Employees who violate this policy may be subject to disciplinary action up to and including a written reprimand.

12. The use of official MSAD58 email is prohibited for use with personal social media.

Prohibited Use

Any use as a forum for communicating by e-mail or any other medium with other school users or outside parties to solicit, proselytize, advocate or communicate the views of an individual or non-school sponsored organization; to solicit membership in or support of any non-school sponsored organization; or to raise funds for any non-school sponsored purpose, whether profit or non-for-profit. No employee shall knowingly provide school e-mail addresses to outside parties whose intent is to communicate with school employees, students and/or their families for non-school purposes. Employees who are uncertain as to whether particular activities are acceptable should seek further guidance from the building principal or other appropriate administrator.

Adopted: November 17, 2016

RECRUITING AND HIRING OF ADMINISTRATIVE STAFF

The Board affirms its commitment to the strict prohibition of discrimination in employment on the basis of race, national origin, religion, sex, age, or disability, and to the principle of affirmative action to obtain wide and representative candidate pools.

In accordance with 20-A MRSA, § 1001(13), the Superintendent shall prepare a procedure designed to ensure nondiscriminatory practice in recruitment and hiring for all positions requiring administrator certification, as well as to result in selection of the most qualified candidates. This procedure shall be attached hereto as GCFB-R, and shall be reviewed periodically.

Moreover, upon each occasion of administrative vacancy, the Superintendent shall review the procedure and make appropriate adaptations as may be warranted by special circumstances. In the case of a vacancy in the Superintendentcy, the School Committee shall review the procedure, adapting as appropriate.

In accordance with 20-A MRSA, § 4502 (4-A), the school unit's Affirmative Action Plan shall include a description of the status of the unit's nondiscriminatory administrator hiring practice and plans for in-service training programs on gender equity for teachers, administrators and the School Committee.

Legal Reference: 5 MRSA § 4576
20-A MRSA §§ 6, 254 (8-10), 1001(13), 4502(4-A), 13011(6),
13019-B, 13019-C

Cross Reference: AC - Nondiscrimination/Equal Opportunity and Affirmative Action
GCFB-R - Recruiting and Hiring of Administrative Staff
Administrative Procedure

Adopted: February 24, 2000

Revised: November 17, 2016

RECRUITING AND HIRING OF ADMINISTRATIVE STAFF ADMINISTRATIVE PROCEDURE

These procedures implement the Board's policy GCFB and are designed to establish a thorough, efficient and nondiscriminatory practice for the recruiting and hiring of the most qualified candidates for administrative positions.

A. Job Description Development/Review

To ensure that a written role description of the vacant position accurately represents the current functions and needs, the Superintendent/designee (the Board in a Superintendent search) is to:

1. Conduct a review of (if none exists, develop) the job description, with input from persons affected by the position;
2. Include the criteria (skills, knowledge, abilities) required to perform the duties/responsibilities of the position; and
3. List the minimum qualifications (training, education and experience) for the position.

B. Recruitment

To attract a strong pool of qualified candidates, the Superintendent/designee is to advertise (except in the circumstances described in K below) by:

1. Posting notice of the vacancy within the unit;
2. Placing a display advertisement in appropriate print and online media, considering at least one appearance in a major Maine weekend or Sunday newspaper; and
3. Identifying and notifying other possible sources of potential candidates, such as professional associations, educational administration programs and placement offices at colleges and universities in Maine and other states, and the Maine Department of Education.

C. Screening

To ensure that a fair and efficient screening process will occur, the Superintendent/designee is to:

1. Ensure that all applications are reviewed by more than one individual, with attention given to an unbiased regard for the criteria and qualifications in the job description;
2. Appoint a screening panel with representation as deemed appropriate to the particular vacancy;
3. Provide orientation on confidentiality and equity issues to screeners;
4. Eliminate all candidates who do not meet the minimum qualifications;
5. Conduct preliminary reference checks, as appropriate;
6. Select candidates for interview based on the degree to which they meet the criteria and demonstrate the skills, knowledge and abilities outlined in the job description; and
7. Notify applicants not selected for interview.

D. Interviewing

To ensure that the interview process will be conducted in a legal and proper manner, the Superintendent/designee is to:

1. Appoint an interview panel (may be the same persons who serve the screening function) with representation as deemed appropriate to the particular vacancy;
2. Provide orientation on the process including the function and extent of responsibility of the panel, the weighting of criteria and the nomination/hiring procedure; and
3. Conduct training to ensure that panel members are aware of the legal aspects of interviewing, including confidentiality and equity issues.

The interviewing panel is to:

1. Design interview questions which match the criteria and the duties/responsibilities outlined in the job description; and
2. Provide equal opportunity for the candidates to respond to the same questions/questioners.

E. Selection

The interview panel is to:

1. Individually assess the candidates according to their answers to the job description-related questions, rating and commenting on each using a specially prepared form corresponding to the questions/criteria; and
2. Submit a report to the Superintendent, including the individual rating forms as well as a list (usually 2 to 4) of candidates to be considered further for the position.

The Superintendent/designee is to:

1. Have reference contacts made, as appropriate, to check perceived strengths and weaknesses of the candidates;
2. Review the material on the finalist candidates to determine whether additional information is needed;
3. Conduct final interviews of any or all finalists, as deemed necessary;
4. Select the most qualified candidate who fits the criteria and the duties/responsibilities outlined in the job description, based on his/her own professional judgment along with those of the interview panel (or, reject all finalists, reopen the position and begin the process anew); and
5. Have any further reference checks made, as appropriate.

F. Nomination/Employment

The Superintendent is to:

1. Notify and obtain agreement of the successful candidate, pending Board approval;
2. Inform the interview panel; and
3. Nominate and employ the successful candidate in accordance with state law and local policies.

G. Notification

The Superintendent/designee may:

1. Notify the nominee of the Board approval and employ the administrator; and
2. Notify the other candidates interviewed.

H. Orientation and Support

To ensure that the new administrator is provided with the proper information about the system and job expectations, the Superintendent/designee is to provide an orientation that includes expectations of the duties/responsibilities of the position along with the policies and procedures of the local school unit.

I. Record Keeping

To ensure that the confidentiality of employee and applicant records are properly maintained, the Superintendent is to provide for the maintenance in secure files of all applications and documentation of the hiring, screening and interviewing process for a period of three (3) years.

J. Confidentiality

To ensure that confidentiality is maintained throughout and permanently following the hiring process, the Board, all employees involved, and any other participants are to maintain absolute confidentiality about candidates, including names, in

accordance with state law (20-A MRSA § 6101). The Board is to assume responsibility through the Superintendent for providing adequate orientation at appropriate stages of the process, including at the completion.

K. Hiring of Current Employees

The school unit may forego one or more of the steps set forth in sections B-E of this procedure and appoint a person who is currently employed by the unit to fill an administrative position only if the Superintendent, after consultation with the School Board, or the Board in a Superintendent search, determines that the following circumstances exist:

1. The currently employed candidate is exceptionally well qualified for the position; and
2. The decision to forego all or part of the recruitment and screening process will not detract from the goals of this policy.

Adopted: February 24, 2000

Revised: November 17, 2016

PROFESSIONAL STAFF DEVELOPMENT OPPORTUNITIES

The Board recognizes the importance of developing, maintaining, and extending the skills of staff members and encourages employees to engage in programs and activities that will enhance their professional growth and increase their effectiveness as educators.

The Superintendent is authorized to initiate programs and activities that are designed to serve the following purposes:

- A. To provide a structure through which staff members can stay abreast of new developments in their areas of specialty;
- B. To familiarize staff members with new research, innovative teaching methodologies, and methods of assessing student learning/proficiency;
- C. To assist staff members in the process of change and school improvement;
and
- D. To facilitate the development, implementation and evaluation of new programs and the transition to a proficiency-based system for student learning and achievement.

Within budgetary limitations, visitations and attendance at conferences may be approved by the Superintendent in accordance with School Board policy.

Legal Reference: Ch. 125 § 8.08 (Me. Dept. of Ed. Rule)

Adopted: November 17, 2016

PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS

The basic consideration in the assignment of professional personnel will be the needs of students and the instructional program. However, faculty satisfaction with assignments may be expected to have a significant impact on the morale of the professional staff and the effectiveness of the total educational program.

Therefore, it will be the policy of the Board that personnel be assigned on the basis of their qualifications, the needs of the school unit, and their expressed desires. When it is not possible to meet all of these conditions, an employee will be assigned first in accordance with school system needs—where the administration feels the employee is most qualified to serve, and second, regarding the preference of the employee.

Care will be exercised by the Superintendent and other unit administrators to ensure that the school is well staffed with effective teachers.

Within the school, the principal will have the right to assign classes and courses, provided this is done with full regard to the teacher's area of certification and Board policies. He/she will also recommend to the Superintendent assignments to any extra-pay positions in his/her school.

Transfer, reassignment, or special assignment may be requested by any employee. Such requests will be given due consideration in accordance with the provisions of this policy.

Adopted: Date of manual adoption (Unknown) (GCKA)

Revised: November 17, 2016

SUPERVISION AND EVALUATION OF PROFESSIONAL STAFF

A well-planned and systematic program of supervision and evaluation of performance tied to educational outcomes is vital to the ongoing improvement of the instructional program. It is the Board's responsibility to ensure that sufficient administrative time and energy are expended to supervise (observe and assist) and evaluate (measure and assess) teachers. The evaluation program shall address all aspects of teaching performance and recognize that the fulfillment of student needs is of primary importance.

The Superintendent shall be responsible for the development, implementation and periodic review of a comprehensive program of supervision and evaluation, which shall be adopted by the Board. The program shall provide minimum standards for the number and frequency of formal performance reviews, with the understanding that probationary teachers require closer support and more frequent performance reviews. Probationary teachers shall in any event be evaluated at least once in each year of their probationary employment.

- A. Criteria used for evaluation shall be in written form and made permanently available to the teacher;
- B. Evaluations shall be made by an immediate supervisor/administrator, or by other person(s) designated by the Superintendent;
- C. Results of the evaluations shall be put in writing and shall be discussed with the teacher;
- D. The teacher being evaluated shall have the right to attach a memorandum to the written evaluation; and
- E. Results of all evaluations shall be kept in confidential personnel files maintained at the Superintendent's office.

In accordance with Maine's Educator Effectiveness law (20-A MRSA § 13701-13706), by the end of the 2015-2016 school year, the school unit will have developed and piloted a performance evaluation and growth system, consistent with the requirements of applicable Department of Education rules, for full implementation in the 2016-2017 school year.

The performance evaluation and growth system must be approved by the Board.

In keeping with the Board's goal of employing the best qualified staff to provide quality education for all students, all teachers are expected to participate fully in the evaluation process, self-appraisal and continuous improvement of professional skills.

While supervision and evaluation policies and procedures are not negotiable in collective bargaining, the Superintendent is to seek appropriate involvement of staff in the development and periodic review of the supervision and evaluation program.

Legal Reference: 20-A MRSA §§ 1055, 13201; 13701-13706, 13802
Me. Dept. of Ed. Rule Ch. 125 §§ 4.02(E) (3), 8.08

Adopted: November 17, 2016

EVALUATION OF ADMINISTRATIVE STAFF

The Superintendent shall implement and supervise an evaluation system for all administrative personnel. A report shall be made to the Board annually on the performance of all administrators, with recommendations regarding their employment and/or salary status.

Formal evaluations shall be made at least once a year, but more often during the first two years in an administrative capacity. They shall be conducted according to the following guidelines:

- A. Evaluative criteria for each position shall be in written form and made permanently available to the administrator;
- B. Evaluations shall be made by the Superintendent or immediate supervisor;
- C. Results of the evaluations shall be put in writing and shall be discussed with the administrator;
- D. The administrator being evaluated will have the right to attach a memorandum to the written evaluation; and
- E. Results of all evaluations shall be kept in confidential personnel files maintained at the Superintendent's office.

In accordance with Maine's Educator Effectiveness law (20-A MRSA § 13701-13706), by the end of the 2015-2016 school year, the school unit will have developed and piloted a performance evaluation and growth system (PEPG), consistent with the requirements of law and applicable Department of Education rules, for full implementation in the 2016-2017 school year.

This system, which will apply to the evaluation and growth of school principals, must be approved by the Board.

Legal Reference: 20-A MRSA §§13701-13706; 13802
Me. Dept. of Ed. Rule Ch. 125 §§ 4.02(E) (3), 8.08
Me. Dept. of Ed. Rule Ch. 180

Adopted: November 17, 2016

EMPLOYEE COMPUTER AND INTERNET USE

RSU 58/MSAD 58 computers (including laptops and tablets), networks, and Internet access are provided to support the educational mission of the schools and to enhance the curriculum and learning opportunities for students and school staff. This policy and such rules/administrative procedures as may be developed to implement this policy also apply to computers issued directly to staff, whether in use at school or off school premises.

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

Compliance with the school unit's policies and rules concerning computer use is mandatory. An employee who violates this policy and/or any rules/administrative procedures governing use of the school unit's computers shall be subject to disciplinary action, up to and including termination. Illegal uses of the school unit's computers will also result in referral to law enforcement.

RSU 58/MSAD 58 computers remain under the control, custody, and supervision of the school unit at all times. The school unit reserves the right to monitor all computer and Internet activity by employees. Employees have no expectation of privacy in their use of school computers.

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

The Superintendent is responsible for implementing this policy and applicable rules/administrative procedures. Additional administrative procedures or school rules governing the day-to-day management and operations of the school unit's computer system may be implemented, consistent with Board policies and rules. The Superintendent may delegate specific responsibilities to the Technology Coordinator and others, as he/she deems appropriate.

Cross Reference: GCSA-R – Employee Computer and Internet Use Rules
IJNDB – Student Computer and Internet Use

Adopted: September 17, 2009

Revised: November 17, 2016

SUPPORT STAFF EMPLOYMENT

It is the policy of the Board that when any non-instructional position is created or becomes vacant, every effort is to be made to fill that position with the best qualified candidate.

The Superintendent is hereby designated as the agent of the Board to develop such procedures as are necessary under the law to carry out this policy and to employ, appoint, assign, evaluate, promote, transfer, accept resignations and terminate non-instructional staff in accordance with this and other applicable policies of the Board. Such actions are to be reported to the Board on a regular basis.

This policy applies to full and part time support staff positions and to coaching and other extra/co-curricular, part time/extra-duty positions.

Cross Reference: AC - Nondiscrimination/Equal Opportunity

Adopted: February 4, 2000

Reviewed: November 17, 2016