

Section G – Personnel

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Appendix A - Informed Consent/Decline for Hepatitis B Vaccination - Bloodborne Pathogen Policy

Appendix A - Informed Consent/Decline for Hepatitis B Vaccination

I, the undersigned employee, have read information about Hepatitis B and the Hepatitis B vaccine. I understand that due to my occupational exposure to blood or other potentially infectious materials, I may be at risk of acquiring Hepatitis B Virus (HBV) infection in the workplace. I have been given the opportunity to be vaccinated with Hepatitis B vaccine, at no charge to myself.

I further understand the risks involved in making this decision and I agree that MSAD #35, its agents and employees, who are required by law or regulation to make the Hepatitis B Vaccine available to me, are not legally responsible or liable for the side effects that may occur as a result of my accepting/not accepting the Hepatitis B Vaccine.

_____ I have opted to decline the Hepatitis B Vaccine at this time, I have already had the Hepatitis B Vaccine.

_____ I agree to accept the Hepatitis B Vaccine, given in three (3) doses over the next 6 months. (If you are pregnant or breastfeeding, it is advisable that you consult with your doctor before taking the Hepatitis B series/)

_____ I have opted to decline the Hepatitis B Vaccine at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring Hepatitis B, a serious disease. If in the future I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with Hepatitis B Vaccine, I can receive the vaccination series at no charge to me.

Print Name: _____ Title: _____

Signature: _____ Date: _____

School: _____

Witness: _____ Date: _____

Hepatitis B Virus/Vaccine

For Your Information - Please Read Carefully

The Disease - Hepatitis B is a viral infection caused by the Hepatitis B virus which causes death in 1% to 2% of patients infected. Most people with Hepatitis B recover completely but approximately 5% to 10% become chronic carriers of the virus. Most of these people have no symptoms but can continue to transmit the disease to others. Some may develop chronic hepatitis or cirrhosis. Carriers also run a high risk of developing primary liver cancer and pregnant carriers transmit the HBV through the placenta with some 90% of infected infants becoming carriers.

Simple, Effective Solution - Fortunately, now, there is a simple way to prevent HBV infection. The Center for Disease Control (CDC) recommends vaccination for anyone frequently exposed to blood or other body fluids in the workplace. Your individual risk is directly related to how often you are exposed to blood and other body fluids.

The Vaccine - The Hepatitis B Vaccine currently used is a noninfectious vaccine made from bread yeast (*Saccharomyces cerevisiae*). When injected into the deltoid muscle, the hepatitis vaccine has induced protection levels of antibody in more than 90% of the healthy individuals who received the recommended three doses of the vaccine. Persons with immune-system abnormalities have less response to the vaccine. Full immunization requires three doses of vaccine over a six month period. There is no evidence that the vaccine has ever caused Hepatitis B. However, persons who have been infected with Hepatitis B virus prior to receiving the vaccine may go on to develop clinical hepatitis in spite of immunization. The duration of immunity is unknown at this time.

Possible Adverse Side Effects - the incidence of side effects is very low. No serious side effects have been reported with the vaccine. Some people have experienced:

- Soreness, swelling, warmth, itching, redness, bruising and nodule formation at the injection site
- Fever ≥ 100 degrees F and malaise
- Tiredness/weakness
- Headache
- Nausea and/or diarrhea
- Sore throat and/or upper respiratory infection
- Dizziness
- Muscle aches
- Joint pain

Appendix B - Universal Precautions - Bloodborne Pathogen Policy

Appendix B - Universal Precautions

In order to provide a consistent approach in managing body substances from all students and staff, and reduce the risks of exposure to bloodborne pathogens, the practice of Universal Precautions shall be followed by all employees at all times, regardless of the situation. All blood and body fluids shall be considered potentially infectious. Universal Precautions shall apply to all blood/blood components and body fluids.

Universal Precautions

1. Wash hands and work surfaces frequently
2. Avoid contact with sharp objects
3. Use gloves and other personal protective equipment when you anticipate exposure to blood or other bodily fluids
4. Wash your hands immediately after exposure
5. Dispose of hazardous material safely using engineering controls (i.e. sharps box for used needles)

Appendix C - Medical Evaluation and Follow-Up - Bloodborne Pathogen Policy

Appendix C - Medical Evaluation and Follow-Up

Employee Name: _____

Date of Exposure: _____

To be completed by Health Care Provider:

Blood collected and Tested: _____ HBV _____ HIV _____ Declined Blood Testing

Hepatitis B _____ No prior Hepatitis B vaccination

_____ HBIG (Hepatitis B Immune Globulin) given

_____ HBV vaccinated - received 3 doses prior

_____ HBV series started

HIV _____ Risk counseling offered

Comments: _____

Post Exposure Medical Evaluation Completed by: _____

Print Name: _____

Signature: _____

Date: _____

GAB - Job Descriptions

GAB - 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.

Before any new position is established, the School Board or Superintendent/designee will approve a job description for the position. Job descriptions for teachers or administrators will be approved by the Board. All job descriptions will specify the qualifications and performance responsibilities required.

Legal Reference:

20-A MRSA § 1001(13)

Policy Adopted: February 24, 2010

Policy Revised: November 15, 2023

GBEBA - Staff Conduct, Ethics, and Attire

GBEBA - Staff Conduct, Ethics, and Attire

The MSAD #35 Board of Directors reaffirms one of the oldest beliefs in education: One of the best methods of instruction is that of setting a good example.

The Board expects that the staff of the district will strive to set the kind of example for students that will serve them well in their own conduct and behavior which will contribute toward an appropriate school atmosphere.

To that end, in dress, conduct, language and interpersonal relationships all staff should recognize that they are being continuously observed by students while on duty or attending school functions and their actions and demeanor will be reflected in the conduct of the students.

The Superintendent of Schools and building Principals shall assume the major responsibility for interpreting this policy.

Staff Conduct

All MSAD # 35 staff members have a responsibility to make themselves familiar with and abide by, the laws of the State as these affect their work, and the policies of the Board.

The following specific responsibilities will be required.

1. Faithfulness and promptness in attendance at work.
2. Support and enforcement of policies of the Board and the regulations of the school administration.
3. Diligence in submitting required reports at the time specified.
4. Care and protection of school property.
5. Concern and attention for their own and the school system's legal responsibility for the safety and welfare of students, including the need to ensure that students are under supervision at all times.
6. Careful attention to all professional duties.
7. Conduct should be such to protect the person's integrity and/or reputation and that of the school district.
8. Honesty, integrity, and fairness must be exhibited by each employee when engaging in any activity concerning the school district.

Staff Ethics

The MSAD #35 Board of Directors believes that those who choose education as a career assume the obligation to maintain high standards of ethical behavior. Employees are expected to uphold the following standards:

1. The placement of the education and welfare of children as the first concern of the school district.
2. The establishment of cordial cooperation between the community and the school district.
3. The maintenance of just and courteous professional relationships with students, parents, staff members, and others.
4. The maintenance of their own efficiency and knowledge of the developments in their fields of work.
5. The presentation of subject matter in a fair and accurate manner.
6. The maintenance of confidentiality regarding student performance and student records, except as disclosure is necessary for professional purposes or is required by law.
7. Refrain from using school contacts and privileges to promote partisan politics, sectarian religious views, or self-serving propaganda of any kind.

Staff Attire

The MSAD # 35 Board of Directors believes that an appropriate professional appearance of our staff members strengthens the community's attitude toward the district, public schools, and the teaching profession in general, as well as the conduct, morale, and performance of the district's students.

Employees should be readily distinguishable from District students. The dress and grooming of District employees shall be clean, neat, in a manner appropriate for their assignments. In addition, employees should regard role modeling of appropriate dress and grooming standards as a part of their professional responsibilities.

Therefore, the staff of MSAD # 35 must exercise good judgment in their choice of professional appearance for work or work-related activities by always appearing in a manner that will invoke a positive impression from the community.

1. Dress must be appropriate to the situation and job classification.
2. Attire must provide appropriate role modeling for students.
3. Dress/attire must be conducive to high student and staff performance.
4. Staff should never dress in a way that is prohibited in the student dress code.
5. Staff attire should represent the authoritative nature of their position.
6. Clothing which causes a significant distraction to others is prohibited.
7. Staff members should be physically clean, neat, and well-groomed.
8. Staff casual days should be determined through a shared decision-making process with final approval granted by the building principal. During staff casual days, employees are still expected to wear clothing that is neat, clean, and in good repair.
9. Modifications may be made by the building principal to accommodate staff members who are engaged in specialized duties or in specialized activities that require or permit a relaxed mode of dress.

10. Under Maine law, there shall be no discrimination against employees whose grooming includes hair texture, Afro hairstyles, and protective hairstyles, including braids, twists, and locs.

Cross Reference:

GCSB-Use of Social Media by School Employees

Policy Adopted: January 2, 2008

Policy Revised: June 7, 2023

GBEBB - Staff Conduct with Students

GBEBB - Staff Conduct with Students

The Maine School Administrative District No. 35 Board of Directors 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 an educational setting; and consistent with the educational mission of the schools.

Unacceptable Conduct

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

1. 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 (ACAA);
2. Singling out a particular student or students for personal attention and friendship beyond the normal teacher-student relationship;
3. 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;
4. Sexual banter, allusions, jokes or innuendos with students;
5. Asking a student to keep a secret;
6. Disclosing personal, sexual, family, employment concerns, or other private matters to one or more students;
7. Associating with students in any situation or activity that includes the presence of alcohol, drugs, or tobacco or that could be considered sexually suggestive; and
8. Inappropriately discussing colleagues or administrators with students; and
9. Addressing students with terms of endearment, pet names or otherwise in an overly familiar manner

MSAD #35 expects staff to create an educational environment that focuses on civic and workplace skills and prepares students of MSAD #35 to occupy the role of citizen. This includes staff creating expectations where students address them in a formal manner and abstain from allowing students

to address them in an overly familiar manner including the use of nicknames, terms of endearment or calling the staff member by their first name.

Before engaging in the following activities, staff members will review the activity with their building principal or supervisor, as appropriate:

1. Being alone with individual students out of public view;
2. Driving students home or to other locations;
3. Inviting or allowing students to visit the staff member's home (unless the student's parent approves of the activity, such as when a student babysits or performs chores for a staff member);
4. Visiting a student at home or in another location, unless on official school business known by the parent;
5. Communicating with a student outside of school by telephone, computer (such as email, Instant Messenger social networking sites), or letters (beyond homework or other legitimate school related business);
6. Exchanging personal gifts (beyond the customary student-teacher gifts); and/or
7. 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 except as participants in organized community activities.

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.

Reporting Violations

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

Staff members are required to promptly notify the appropriate building administrator or superintendent if they become aware of a situation that may constitute a violation of this policy.

Disciplinary Action

Staff violations of this policy shall result in disciplinary action up to and including dismissal. Violations involving sexual or other abuse will also result in referral to the Department of Health and Human Services, the District Attorney and/or law enforcement, as well as notification of the Department of Education (Maine law, P.L. Ch. 477 (20-A MRSA Section 13025)).

GCSA- Employee Computer, Cell Phone, Electronic Devices and Internet Use

GCSA-R Employee Computer and Internet Use Rules

GCSB-Use of Social Media by School Employees

JLF-Reporting Child Abuse and Neglect

Policy Adopted: November 19, 2003

Policy Revised: February 1, 2006, April 16, 2008, February 27, 2019

GBEC - Drug-Free Workplace

GBEC - Drug-Free Workplace

The 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 "bath salts" or other synthetic hallucinogen 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 M.S.A.D. #35 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 seek voluntary diagnosis and treatment. The school nurse or the Director of Human Resources will provide the employee confidential referral services to an outside agency upon request and assistance 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 U.S.C. § 812 (Controlled Substances Act)

21 C.F.R. §§ 1300.11-1300.15

Fed. P.L. 101-226 (Drug-free Workplace Act)

17-A MRSA § 1101

22 MRSA § 2390-2394

Cross Reference: JICH - Drug and Alcohol Use by Students

Policy Adopted: February 14, 1996

Policy Revised: December 20, 2006 and February 24, 2010, May 12, 2021

GBGAA - Bloodborne Pathogen Policy

GBGAA - Bloodborne Pathogen Policy

The Board acknowledges the risk of infection from bloodborne pathogens that employees may incur when they handle or participate in procedures that involve blood, other body fluids or other potentially infectious materials.

The Board directs the Superintendent to implement the mandated Occupational Safety and Health Administration (OSHA) standard to eliminate or minimize occupational exposure to potentially infectious material for employees who have a reasonable anticipation of exposure to blood and other body fluids.

The Superintendent shall prepare for Board consideration and approval an Occupational Exposure Control Plan with updates on at least an annual basis. The adopted plan shall be distributed to all employees. The following issues shall be addressed in the plan:

- Exposure determination
- Compliance measures including training, universal precautions, Hepatitis B vaccination, engineering controls, work practice controls, and personal protective equipment
- Post-exposure evaluation and follow-up
- Recordkeeping

A detailed plan for implementing this policy will be maintained in each school's Crisis Plan Book and Staff Handbook.

Policy Adopted: June 19, 2013

Policy Revised: November 16, 2016

GBGAA-E - Bloodborne Pathogen Exposure Control Plan

GBGAA-E - Bloodborne Pathogen Exposure Control Plan

In accordance with the OSHA Bloodborne Pathogen standard, 29 CFR 1910.1030, the following exposure control plan has been developed.

Exposure Determination

OSHA requires employers to perform an exposure determination concerning which employees may incur occupational exposure to blood or other potentially infectious materials. The exposure determination is made without regard to the use of personal protective equipment (i.e. employees are considered to be exposed even if they wear personal protective equipment.) This exposure determination is required to list all job classifications in which all employees may be expected to incur such occupational exposure, regardless of frequency. As a result, MSAD #35 has determined that all employees of the district may have the potential for exposure to blood or other potentially infectious materials.

Compliance Measures

Universal precautions (Appendix B) will be practiced in MSAD #35 in order to prevent contact with blood or other potentially infectious materials. All blood or other potentially infectious material will be considered infectious regardless of the perceived status of the source individual.

Engineering and work practice controls will be utilized to eliminate or minimize exposure to employees at these facilities. Where occupational exposure remains after institution of these controls, personal protective equipment shall also be utilized. At these facilities the following engineering controls will be utilized:

1. All trash liners will be plastic;
2. Sharps containers will be kept in all nurse's offices;
3. Contaminated surfaces or areas shall be decontaminated with an appropriate disinfectant immediately after contamination.

Handwashing facilities are also available to the employees who incur exposure to blood or other potentially infectious materials. OSHA requires that these facilities be readily accessible after incurring exposure. In this district handwashing facilities are located:

Restrooms, janitors' stations, locker rooms, kitchens, science labs, consumer science rooms, nurse's offices, teacher's rooms.

After removal of personal protective gloves, employees shall wash hands and any other potentially contaminated skin area immediately or as soon as feasible with soap and water.

If employees incur exposure to their skin or mucous membranes, then those areas shall be washed or flushed with water as appropriate as soon as feasible following contact.

Needles

Contaminated needles and other contaminated sharps will not be bent, recapped, removed, sheared, or purposely broken. Contaminated sharps are to be placed immediately, or as soon as possible after use into appropriate sharps containers. In this district, the sharps containers are puncture resistant and labeled with a biohazard label.

Personal Protective Equipment

All personal protective equipment used at these facilities will be provided without cost to the employees. Personal protective equipment will be chosen based on the anticipated exposure to blood or other potentially infectious materials. The protective equipment will be considered appropriate only if it does not permit blood or other potentially infectious materials to pass through or reach the employees' clothing, skin, eyes, mouth, or other mucous membranes under normal conditions of use and for the duration of time which the protective equipment will be used.

Gloves shall be worn where it is reasonably anticipated that employees will have hand contact with blood, other potentially infectious material, non-intact skin, and mucous membranes. Gloves will be used for the following procedures:

- First aid
- Cleaning of bodily fluid spills
- General cleaning

Disposal gloves at these facilities are not to be washed or decontaminated for re-use and are to be replaced as soon as practical when they become contaminated or as soon as feasible if they are torn, punctured, or when their ability to function as a barrier is compromised. Utility gloves will be discarded if they are cracked, peeling, torn, punctured, or exhibit other signs of deterioration or when their ability to function as a barrier is compromised.

Masks in combination with eye protection devices, such as goggles or glasses with solid side shield, or chin length face shields, are required to be worn whenever splashes, spray, or droplets of blood or other potentially infectious materials may be generated and eye, nose, or mouth contamination can reasonably be anticipated. Situations at the school which would require such protection are as follows:

- N/A

This district will be cleaned and decontaminated according to the following schedule:

- Daily

Decontamination will be accomplished by utilizing the following materials:

- Rx 75 or other OSHA compliant disinfectant

All contaminated work surfaces will be decontaminated after completion of procedures and immediately or as soon as feasible after any spill of blood or other potentially infectious materials, as well as the end of the work shift if the surface may have been contaminated since the last cleaning.

All bins, pails, cans, and similar receptacles shall be inspected and decontaminated on a regularly scheduled basis.

- Inspected daily and decontaminated as needed by custodians

Any broken glassware which may be contaminated will not be picked up directly with the hands. The following procedure will be used:

- Gloves, brush and dustpan and then decontamination

Regulated Waste Disposal

If a student's health need requires a sharps disposal unit, it will be located in the nurse's office. Regulated waste containers are located in: N/A

Hepatitis B Vaccine

All employees will be offered the Hepatitis B vaccine, at no cost to the employee. The vaccine will be offered within 10 working days of their initial assignment to work involving the potential for occupational exposure to blood or other potentially infectious materials unless the employee has previously had the vaccine or who wishes to submit to antibody testing which shows the employee to have sufficient immunity.

Employees who are offered the Hepatitis B vaccine will sign a Consent/Decline statement after reading information regarding Hepatitis B and Hepatitis B vaccine.

Employees who initially decline the vaccine but who later wish to receive it may then have the vaccine provided at no cost.

Post Exposure Evaluation and Follow-Up

Exposure incident includes a specific eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of an employee's duties.

When the employee incurs an exposure incident, it should be reported to the school nurse.

All employees who incur an exposure incident will be offered post-exposure evaluation and follow-up in accordance with the OSHA standard.

This follow-up will include the following:

Documentation of the route of exposure and the circumstances related to the incident

If possible, the identification of the source individual and, if possible, the status of the source individual. The blood of the source individual will be tested (after consent is obtained) for HIV/HBV infectivity.

The employee will be offered the option of having their blood collected for testing of the employee's HIV/HBV serologic status.

The employee will be offered post exposure prophylaxis in accordance with the current recommendations of the U.S. Public Health Service.

The employee will be given appropriate counseling concerning precautions to take during the period after the exposure incident. The employee will also be given information on what potential illnesses to be alert for and to report any related experiences to appropriate personnel.

The following persons have been designated to assure that the policy outlined here is effectively carried out as well as to maintain records related to this policy: School Nurses and Superintendent's Office

Interaction With Healthcare Professionals

A written opinion shall be obtained from the healthcare professional who evaluates employees at this school. Written opinions will be obtained in the following instances:

1. When an employee is sent to receive the Hepatitis B vaccine;
2. Whenever an employee is sent to a health care professional following an exposure incident

Health care professionals shall be instructed to limit their opinions to:

1. Whether the Hepatitis B vaccine is indicated and if the employee has received the vaccine, or for evaluation following an incident
2. That the employee has been informed of the results of the evaluation
3. That the employee has been told about any medical conditions resulting from exposure to blood or other potentially infectious materials

Training

Training for all employees will be conducted prior to initial assignment to tasks where occupational exposure may occur.

Training for employees will include the following:

- The OSHA standard for Bloodborne Pathogens
- Epidemiology and symptomatology of bloodborne diseases
- Modes of transmission of bloodborne diseases
- Procedures which might cause exposure to blood or other potentially infectious materials in this district
- Control methods which will be used at the schools to control exposure to blood or other potentially infectious materials
- Personal protective equipment available at the schools
- Post exposure evaluation and follow-up
- Hepatitis B vaccine program in the District

Record Keeping

All records required by the OSHA standard will be maintained at the Superintendent's office.

Policy Adopted: June 19, 2013

Policy Revised: November 16, 2016

GBGAA–R - Bloodborne Pathogen Administrative Procedure

GBGAA-R - Bloodborne Pathogen Administrative Procedure

This procedure is intended as guidance for MSAD 35 district staff and school administrators in carrying out the district responsibility in the Management of Bloodborne Pathogens. All employees of the district may have the potential for exposure to blood or other potentially infectious materials.

New Staff

All new employees will be offered the Hepatitis B vaccine and can voluntarily receive this vaccine at no cost to the employee.

New employees will receive information about the vaccine at the initial meeting with the MSAD 35 Human Resources Department and will be provided: an Informed Consent/Decline form for Hepatitis B Vaccination form; the informational statement regarding Hepatitis B Virus/Vaccine; and an outline of universal precautions.

New Employees that opt to accept the Hepatitis B Vaccine

A new employee that opts to accept the Hepatitis B Vaccine will receive the vaccination at no cost to the employee. Employees will then arrange with their medical provider to receive the vaccination. The employee will provide proof of out of pocket cost of the vaccination and then be reimbursed by the district for their medical co-pay.

New Employees that opt to decline the Hepatitis B Vaccine

A new employee that opts to decline the Hepatitis B Vaccine will complete the Informed Consent/Decline form for the Hepatitis B Vaccination. Whether the vaccination was declined due to already having the vaccination or choosing not to be vaccinated at all, the employee recognizes the occupational exposure to blood or other potentially infectious material may be part of the employee's job responsibilities.

Current Employees

Current Employees wishing to receive the Hepatitis B Vaccine

Any current employee who has not already received this vaccine but wishes to do so will receive the vaccination at no cost to the employee. Employees will then arrange with their medical provider to receive the vaccination. The employee will provide proof of out of pocket cost of the vaccination and then be reimbursed by the district for their medical co-pay.

Annual Staff Training

All district staff will receive annual training in bloodborne pathogen management. This will be coordinated through the MSAD 35 District Nursing coordinator and district nursing staff.

GBGB - Workplace Bullying

GBGB - Workplace Bullying

The Board is committed to providing a respectful, safe, and inclusive workplace for employees, one that is free from bullying conduct. All employees and students in the school unit, as well as parents, community members, and others involved with the schools are prohibited from engaging in workplace bullying as defined in this policy.

DEFINITION

For the purposes of this policy, “workplace bullying” means intentional behavior that a reasonable person would expect to interfere with an employee’s work performance or ability to work. Generally, workplace bullying will involve repeated conduct. However, a single incident of egregious conduct could constitute workplace bullying.

Examples of workplace bullying include, but may not be limited to:

- Humiliating, mocking, name-calling, insulting, maligning, or spreading rumors about an employee;
- Shunning or isolating an employee or encouraging others to do so;
- Screaming or swearing at an employee, slamming doors or tables, aggressively invading an employee’s personal space; placing an employee in reasonable fear of physical harm; or other types of aggressive or intimidating behavior;
- Targeted practical jokes;
- Damaging or stealing an employee’s property;
- Sabotaging an employee’s work or purposely misleading an employee about work duties (e.g., giving incorrect deadlines or intentionally destroying an employee’s work);
- Harassing and/or retaliating against an employee for reporting workplace bullying;
- Cyberbullying, which is defined in Maine law as bullying occurring through the use of technology or any electronic communication, including but not limited to, a transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted by the use of any electronic device, including, but not limited to, a computer, telephone, cellular telephone, text messaging device, or personal digital assistant.

EXCLUSIONS

Workplace bullying does not include the following:

- When supervisors set reasonable performance goals or provide verbal or written counseling, direction, feedback, or discipline to employees in the workplace when the intent is to address unsatisfactory work performance or violations of law or school policy;
- When supervisors make personnel decisions designed to meet the operational or financial needs of the school unit or the needs of students. Examples include, but are not limited to

changing shifts, reassigning work responsibilities, taking steps to reduce overtime costs, transferring or reassigning employees to another building or position.

- Discrimination or harassment based on protected characteristics (race, color, sex, sexual orientation, gender identity, religion, ancestry or national origin, age, familial status, disability, or genetic information). Such conduct is prohibited under separate policies and complaints shall be addressed under ACAB-R – Employee Discrimination/Harassment and Title IX Sexual Harassment Complaint Procedure.
- Disrespectful conduct by students directed at school employees that can be addressed through enforcement of classroom rules, school rules, and applicable Board policies.

REPORTS AND INVESTIGATIONS

Employees who believe they have been bullied in the workplace, and other persons who believe they have witnessed an incident of an employee being bullied in the workplace, are expected to report the issue to the building administrator.

If the report is about the building administrator, the report should be made to the Superintendent of Schools/designee.

The building administrator/designee shall promptly notify the superintendent of all workplace bullying reports.

Any workplace bullying report about the Superintendent should be made to the Board Chair.

All reports of workplace bullying shall be investigated promptly and documented in writing. The person who was the subject of the alleged workplace bullying and the person alleged to have engaged in workplace bullying will be notified of the outcome of the investigation, consistent with confidentiality and privacy laws.

DISCIPLINARY ACTION

Any employee who is found to have engaged in workplace bullying will be subject to disciplinary action up to and including termination of employment.

Students who are found to have engaged in bullying of an employee will be subject to disciplinary action in accordance with applicable student discipline procedures.

Parents and others who are found to have engaged in bullying of an employee will be dealt with in a manner appropriate to the particular circumstances.

APPEALS

If dissatisfied with the resolution of the matter, the subject of the alleged workplace bullying or the person alleged to have engaged in workplace bullying may file a written appeal within five (5) business days with the superintendent stating the reason for the appeal. The superintendent will review the matter and issue a written decision within ten (10) business days. The Superintendent's decision shall be final.

If the matter involves employees covered by a collective bargaining agreement, any disagreement with the results of the investigation may be resolved through the agreement's dispute resolution process.

RETALIATION PROHIBITED

Retaliation for reporting workplace bullying is prohibited. Employees and students found to have engaged in retaliation shall be subject to disciplinary action.

SUPERINTENDENT'S RESPONSIBILITY

The Superintendent shall be responsible for implementing this policy and for the development of any necessary procedures to enforce it.

Legal References: 20-A MRSA §1001(21); 6544(2)(C)

Cross References: AC – Nondiscrimination, Equal Opportunity and Affirmative Action

ACAB – Harassment/Sexual Harassment of School Employees

ACAB-R – Discrimination/Harassment and Title IX /Sexual Harassment of School Employees

Adopted: April 27, 2022

GBGE - Return to Work and Light Duty Assignments

GBGE - Return to Work and Light Duty Assignments

The Board of Directors of MSAD #35 believes that it is in the best interest of both the school system and employees who have suffered workplace injuries or illnesses to return to the work environment as soon as possible. Further, the Board recognizes the need for a program to effectively manage workers' compensation costs throughout the system, while conserving its most valuable resources – the skills, knowledge, and experience of its employees. To that end, the Board supports the establishment of a comprehensive return-to-work program, including temporary modified or “light work” assignments, whenever appropriate, to minimize lost time and facilitate an employee's transition back to regular or full-time work.

Modified or light-duty assignments, including modified work schedules, will be designed to accommodate job restrictions specified by the health care provider or providers designated by the employer. Modified or light-duty assignments are intended to address short-term medical restrictions and are not to be used as a means to establish new assignments or displace other employees.

The Superintendent or designee shall be responsible for developing administrative procedures to implement a return-to-work program, including provisions for monitoring of modified duty assignments by the employee's supervisor, healthcare provider, the school system Workers' Compensation Coordinator and the workers' compensation insurance claims adjuster.

Policy Adopted: March 1, 2006

GBIA - Staff Participation in Political Activities

GBIA - 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 MSAD #35 outside of the school day on school premises, or while performing work for MSAD #35 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 MSAD #35's resources (e.g., including but not limited to MSAD #35-owned laptops and other electronic devices, MSAD #35 networks, copiers, scanners, or mail service) to promote political candidates or parties or to encourage a vote for or against an issue.

No MSAD #35 employee shall use MSAD #35's name or logo to promote his/her candidacy for political office, or to promote other candidates or political positions, or represent his/her view as those of MSAD #35 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 MSAD #35'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 MSAD #35 resources to accomplish this purpose. The Board will not use its influence or MSAD #35 resources to promote any particular political party or to promote or discourage the election of any particular candidate.

Cross References: GCSA – Staff Computer and Internet Use

IMB – Teaching About Controversial/Sensitive Issues

IMC – Guest Speakers in Schools

KF – Community Use of School Facilities

Policy Adopted: July 17, 2013

GBJ - Personnel Records and Files

GBJ - Personnel Records and Files

M.S.A.D. #35 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 MSAD #35;
- 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

M.S.A.D. #35 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 by Employees

This section pertains to review of personnel files by an employee, former employee, or his/her authorized representative. 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 two 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 by Persons Other Than Employees

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

M.S.A.D. #35 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.

Family and Medical Leave Act of 1993, 29 U.S.C. 2611 et seq.

Cross Reference: GBJC - Retention of Application Materials

KDB - Public's Right to Know/Freedom of Access

Policy Adopted: March 3, 2004

Policy Revised: April 7, 2010

Policy Reviewed: November 17, 2021

GBJA - Confidentiality in the Hiring Process Administrative Procedure

GBJA - Confidentiality in the Hiring Process Administrative Procedure

Maine state law strictly requires that all information relating to applicants for employment remain confidential. This applies to school board members, administrators and secretarial staff by virtue of their positions. It also applies to other staff and members of the public whenever they are involved in a screening and/or interviewing committee assisting in the selection process.

Therefore, the following applies during the hiring process for all positions.

- A. Potential candidates shall be notified on the application form that the materials submitted may be disclosed to a screening and/or interviewing committee which may include Board members, administrators, staff and members of the community. An individual must sign the consent form in order to be considered an applicant.
- B. Any screening and/or interviewing committee is to receive a thorough orientation on the strict responsibility to maintain confidentiality pursuant to state law.
- C. Each individual, prior to serving as a screening and/or interviewing committee member, shall sign a standard form acknowledging that he/she understands and intends to honor the strict requirement to maintain confidentiality regarding applicant information. Such forms shall be retained on file in the Superintendent's Office.

Legal Reference: 20-A MRSA § 6101.2 B

Policy Adopted: May 3, 2006

Policy Reviewed: March 8, 2010

GBJA-R - Confidentiality in the Hiring Process Form

GBJA-R - Confidentiality in the Hiring Process Form

The M.S.A.D. #35 School Board appreciates your willingness to assist in the process of screening applicants for the position of _____. We are confident that your participation will contribute to our selection of the best possible candidate.

Understanding the intent and seriousness of the legal requirements to maintain strict confidentiality is most important. In this regard, Title 20-A MRSA § 6101.2, B of the Maine Statutes reads in part:

...information in any form relating to an employee or applicant for employment, or to the employee's immediate family, shall be kept confidential if it relates to the following: (1) all information, working papers and examinations used in the examination or evaluation of all applicants for employment;

At least one test case has substantiated that even the name of an applicant is protected (including the fact that a person has applied). Moreover, the prohibition from discussing these confidential matters does not end with the selection and appointment of the successful candidate. It is permanent and applies to all unsuccessful candidates as well.

Therefore, in agreeing to participate in this important undertaking, we expect you to acknowledge having been provided with an orientation on the requirement for confidentiality and that you are accepting this responsibility.

Again, thank you very much for your assistance.

I understand and pledge to honor the strict requirement to maintain confidentiality regarding applicant information.

Signature _____ Date _____

Signature _____ Date _____

(Board/Search Committee Chair)

GBJC - Retention of Application Materials

GBJC - 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 References: 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: GBJ - Personnel Records and Files

Policy Adopted: April 7, 2010

Policy Reviewed: November 17, 2021

GBN - Family and Medical Leave

Employees are entitled to family and medical leave under the federal Family and Medical Leave Act of 1993 ("FMLA") or the Maine Family Medical Leave law when they meet all of the eligibility requirements of these laws. This policy sets forth several rules that must be applied uniformly to all employees who may be eligible for family and medical leave. As used in this policy, "family and medical leave" means leave available under both the federal and state laws.

I. THE FEDERAL EMPLOYEE ELIGIBILITY PERIODS

Employees who have been employed for at least 12 months and have worked at least 1,250 hours in the previous 12 months are eligible for FMLA leave under the federal law. (See Section III for additional school employees who are eligible for these federal FMLA benefits.)



There are two types of eligibility periods under the federal law as described below.

A. 12-Month Period for Birth, Adoption or Foster Care; Serious Health Condition Purposes; Qualifying Exigency

There is a 12-month eligibility period for 12 weeks of FMLA leave taken for the following qualifying purposes:

1. Birth and care of the newborn child of the employee;
2. Placement with the employee of a son or daughter for adoption or foster care;
3. Care for an immediate family member (spouse, child, or parent) with a serious health condition;
4. Medical leave when the employee is unable to work because of a serious health condition; or
5. Qualifying exigency leave for an employee whose spouse, child or parent is a regular member of the Armed Forces on covered active duty deployed to a foreign country or a reserve member of the Armed Forces (including National Guard) on covered active duty deployed to a foreign country under a call or order to active duty in a contingency operation.

The 12-month period used to determine employee eligibility for FMLA for the purposes described above shall be the 12-month period measured backward from the date an employee uses any FMLA leave.

B. Federal 12-Month Period for Military Caregiver Leave

There is a separate 12-month period for employees eligible for military caregiver leave of up to 26 weeks. Such leave may be taken to care for a spouse, child, parent or next of kin of an eligible service member or veteran with a serious injury or illness. This leave is calculated from the first day that leave is taken for this purpose and does not track the employer's designated 12-month FMLA tracking period as described above. Any military caregiver leave that is not taken within the specific 12-month period is forfeited. This leave period may overlap with the usual 12-month leave period designated by the employer and in certain circumstances, this may impact the employee's eligibility to take other types of FMLA leave.

II. MAINE REQUIREMENTS

A. Leave Amount and Eligibility

Employees who have been employed for at least 12 consecutive months are eligible for leave under the Maine Family Medical Leave law. Beginning August 8, 2022, hourly school employees who have worked at least 900 hours in the previous 12 months are also eligible for federal FMLA benefits under the same conditions as other employees eligible to receive such benefits.

The amount of family and medical leave available to employees under the Maine law is 10 work weeks in any two-year period.

B. Qualifying Purposes

Leave may be used for the following qualifying purposes:

1. Serious health condition of the employee;
2. Serious health condition of the employee's spouse, domestic partner, child (or child of domestic partner), grandchild (or grandchild of domestic partner), parent or sibling;
3. Birth of the employee's child or child of his/her domestic partner;
4. Placement of a child 16 years of age or younger with the employee or the employee's domestic partner for adoption;
5. Donation of an organ for human transplant by the employee;
6. Death or serious health condition of the employee's spouse, domestic partner, parent, sibling or child as a member of the state military forces or United States Armed Forces (including National Guard and Reserves) while on active duty.

III. NOTICE BY EMPLOYEE

Employees requesting leave shall provide at least 30 days' notice to the Employer whenever the need for such leave is foreseeable. The employee shall provide appropriate medical certification (or

other certification appropriate to the particular request) supporting the leave request.

When the Employer has reason to believe that an employee is or will be absent for an FMLA-qualifying purpose, the Employer should request the appropriate information from the employee to determine the employee's eligibility for family and medical leave.

IV. COORDINATION WITH OTHER LEAVE

When leave is taken that qualifies both as FMLA and as permitted leave under any employment contract, collective bargaining agreement or policy, the employee shall use FMLA and the other type of leave concurrently, provided that the employee meets all of the eligibility requirements for each type of leave. Types of leave that shall run concurrently with FMLA include, but are not necessarily limited to accrued sick leave; vacation and compensatory time; unpaid leave; disability leave; absence for work-related injuries; and any other applicable types of leave.

V. FITNESS FOR DUTY CERTIFICATE

Before returning to work, employees taking FMLA for their own serious health condition shall submit a certificate from a health care provider indicating that they are able to return to work and perform the essential functions of the position.

Legal Reference: 26 U.S.C. § 2601 et seq.; 29 CFR Part 825
26 MRSA § 843 et seq.

Adopted: June 2, 2004

Policy Revised: March 8, 2010, October 19, 2016, October 19, 2022

GBO - Family Care Leave

GBO - 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 M.S.A.D. #35 Board of Directors 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:

- “Employer” means a public or private employer with 25 or more employees.
- “Immediate family member” means an employee’s child, spouse or parent.
- “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 consistent with the 12-month period identified for MSAD #35’s administration of the Family Medical Leave Act (FMLA).]

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

An employee may elect which type of paid leave and the amount of each type of paid leave to use for Family Care Leave.

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), M.S.A.D. #35 shall treat leave under the Family Care Act in the same manner as M.S.A.D. #35 treats leave for an employee illness. Therefore, Family Care Leave and FMLA Leave shall run concurrently.

Legal Reference: 26 M.R.S.A. § 636

Cross Reference: GBN/Family and Medical Leave

Policy Adopted: September 21, 2005

Policy Reviewed: March 8, 2010

GBP - Earned Paid Leave

GBP - Earned Paid Leave

MSAD #35 will comply with all applicable provisions of Maine's Earned Paid Leave (EPL) law, effective January 1, 2021, and with Maine Department of Labor rules governing EPL.

The Superintendent/designee shall be responsible for developing and implementing administrative procedures to implement use of EPL under this policy.

Notice of the EPL law will be posted in a visible location in each workplace.

Administrative procedures, including employee eligibility, use of leave, and employee notice requirements will be provided to employees in writing and/or through electronic communications, the school unit's employee handbook, or other suitable means.

Legal Reference:

26 MRSA § 637

Maine Dept of Labor Bureau of Labor Standards Rule Ch. X

Cross-Reference:

GBN-Family and Medical Leave

GBO-Family Sick Leave

GBP-R Earned Paid Leave Administrative Procedure

Adopted: June 15, 2022

GBP-R - Earned Paid Leave - Administrative Procedure

GBP-R - Earned Paid Leave - Administrative Procedure

This procedure implements Maine's Earned Paid Leave (EPL) Law, 26 MRSA §637. The law became effective January 1, 2021.

This law requires most Maine employers- including school units- with more than 10 employees to provide earned paid leave that is accrued based on hours worked. EPL may be used for any purpose.

The law applies as of January 1, 2021 to non-unionized school unit employees.

For unionized employees covered by a negotiated collective bargaining agreement that addresses paid time off, the law does not apply until the expiration of the current negotiated collective bargaining agreement. Accordingly, unionized employees should refer to the provisions for paid leave in the negotiated collective bargaining agreement/Memorandum of Understanding and follow the school unit's procedures for requesting and/or accounting for paid leave.

1. ACCRUAL OF EARNED PAID LEAVE

1. Effective January 1, 2021, unless otherwise stated in an employee's negotiated collective bargaining agreement/Memorandum of Understanding or specific handbook employees shall accrue one hour of EPL for every 40 hours worked, beginning with the first day of employment, up to a maximum of 40 hours per year.
2. Employees may not use EPL until they have been employed for 120 calendar days. EPL cannot be used before it is earned and must be used in one-hour increments.

3. Employees employed by the school unit prior to January 1, 2021 will be eligible to use accrued EPL 120 days after their start date.
4. The designated year for purposes of accrual and use of earned paid time off will be effective with negotiated collective bargaining agreement/Memorandum of Understanding and specific handbook.
5. For business office accounting purposes, depending on an employee's regularly scheduled hours, up to 40 hours of EPL time may be "front-loaded" into the school unit's payroll/personnel benefits accounting system for some employees for ease of administration, but EPL may not be used until the 120-day employment requirement has been met.

1. ALLOWABLE USES AND NOTICE REQUIREMENTS

1. EPL leave may be used for any purpose. Notice requirements will differ between leave for planned purposes and leave for unplanned/emergency purposes unless otherwise noted in negotiated collective bargaining agreement/Memorandum of Understanding and specific handbook. EPL leave may not be used in less than ½ hour increments.
1. Planned Purpose: Unless otherwise noted in negotiated collective bargaining agreement/Memorandum of Understanding and specific handbook employees shall provide at least four (4) weeks' advance written notice to their supervisor to use EPL for a purpose that can be planned. Such purposes include, but are not limited to, weddings/social events, vacation, or recreational activity. Any such use of EPL shall run concurrently with any other type of paid leave for which the employee is eligible for this purpose (such as vacation or personal leave).

In general, planned EPL should not be used for more than three (3) consecutive work days. Planned EPL cannot be used on the days immediately before and/or after a holiday or vacation period, or on any other days determined by the employee's supervisor to conflict with the school unit's operational needs.

1. **Unplanned/ Emergency Purpose:** EPL may be used for an emergency, illness or injury, or other sudden necessity for which the employee does not have advance notice; is beyond the employee's control to schedule; and is otherwise unforeseeable. Examples include, but are not limited to, sudden illness or injury; motor vehicle accident, unanticipated child care closure; or residential issues such as burst pipes. In such cases, the employee is required to notify their his/her supervisor as soon as practicable in the circumstances.

The employee's supervisor will request appropriate documentation demonstrating the necessity of using EPL for unplanned purposes if an employee requests such leave for three (3) consecutive work days or more.

Any use of such EPL shall run concurrently with any other type of paid leave for which the employee is eligible (such as sick, personal or vacation leave).

1. CARRYOVER

All non "front-loaded" employees shall have the ability to carry EPL hours but not more than 40 hours in their contracted/academic year.

However, the amount of leave that an employee may accrue in that year will be reduced by the number of hours carried over. For example, if an employee carries over eight (8) hours of EPL from one year to the next the employee shall only be eligible to earn 32 hours in the second designated year.

1. SEPARATION FROM EMPLOYMENT

Earned paid leave will not be paid out upon separation of employment, and it may not be used to extend an employee's employment beyond the last day actually worked.

However, if the employee returns to work within one year of leaving, the accrued/remaining leave will be reinstated.

Legal Reference:

26 MRSA § 637

Maine Dept of Labor Bureau of Labor Standards Rule Ch. X

Cross reference:

GBP Earned Paid Leave

Policy adopted: June 15, 2022

GCF - Professional Staff Hiring

GCF - 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 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.

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. Any person involved in the interview process for potential candidates must participate in the Unconscious Bias in Hiring training prior to any interviews.
- C. 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.
- D. No candidate shall be hired without a personal interview.
- E. 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
- F. 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 References: AC - Non-Discrimination/Equal Opportunity and Affirmative Action

GBJC - Retention of Application Materials

GCJ - Professional Staff Probation and Continuing Teacher Contracts

GCOA - Supervision and Evaluation of Professional Staff

Policy Adopted: May 5, 2010

Policy Revised: December 15, 2021

GCFA - Stipend (Extracurricular) Positions

GCFA - Stipend (Extracurricular) Positions

All stipend position assignments are for one school year. For athletic stipends, the Athletic Administrator, in conjunction with the building Principal, will make recommendations to the Superintendent for the hiring and re-hiring of coaches on an annual basis.

New Varsity Coach Hiring Process

The Athletic Administrator and building principal will form a committee representative of the community that will act as a screening and advisory committee for any new varsity coaching vacancies. The committee will be notified of interview times and dates. The role of the committee will be advisory. The Athletic Administrator, in conjunction with the building Principal, will make the final recommendation to the Superintendent. The Superintendent's decision shall be final.

Sub-Varsity Coach Hiring Process (including JV, Freshman, & Jr. High Teams)

The Athletic Administrator, Varsity Sport Head Coach, and building principal will review applications after the position has been posted. The Athletic Administrator, in conjunction with the building Principal, will make the final recommendation to the Superintendent. The Superintendent's decision shall be final.

Rehiring Process

Coaches will be evaluated as stipulated in the Coach Evaluation Policy (GCFA-R).

The Athletic Administrator, with review by the principal, will make one of the following recommendations to the Superintendent at the end of the coach's sport season:

- To rehire
- To rehire with an action plan in place to remedy areas of concern
- Not to rehire, and to open the position for new candidates

The Superintendent's decision shall be final.

Non-Athletic Stipend Staff

Any employee interested in any non-athletic stipend positions shall apply by April 1 of the school year for the following year. The building principal will make a recommendation on each position to the Superintendent. If the recommended employee is currently under contract for the position, the

building principal will make one of the following recommendations to the Superintendent:

- To rehire
- To rehire with an action plan in place to remedy areas of concern
- Not to rehire

The Superintendent's decision shall be final.

Cross Reference: Athletic Coach Evaluations - GCFA-R

Policy Adopted: June 5, 2002

Policy Revised: August 15, 2007 and May 5, 2010

GCFA-R - Athletic Coach Evaluations

GCFA-R - Athletic Coach Evaluations

The purpose of the coach evaluation process is to promote the development and improvement of our coaching staff. In order to ensure that development and improvement takes place, the following evaluation process shall be followed:

A. Coaches shall be formally evaluated in each of their first 2 years of coaching employment, and every two years thereafter.

B. Evaluations will be the responsibility of the Athletic Administrator, with review by the Principal, and shall include:

1. 1. Written documentation of observations of practices and athletic events
2. A written evaluation of overall performance in 4 areas:
 - a. Professional and Personal Qualities/Skills and Knowledge
 - b. Coaching Responsibilities
 - c. Public Relations
 - d. Related Responsibilities

C. Evaluations shall be shared with and signed by the individual coaches, and a copy will be placed in the coach's personnel file.

Cross Reference: Stipend (Extracurricular) Positions - GCFA

Policy Adopted: June 5, 2002

Policy Revised: July 14, 2010

GCFB - Recruiting and Hiring of Administrative Staff

GCFB - Recruiting and Hiring of Administrative Staff

The Board affirms its commitment to the strict prohibition of discrimination in employment on the basis of race, color, sex, sexual orientation, gender identify, religion, ancestry or national origin, disability, age, familial status, pregnancy, or genetic information, and to the principle of affirmative action to obtain wide and representative candidate pools.

For the purpose of this policy, “race” includes traits associated with race, including hair texture, Afro hairstyles, and protective hairstyles, including braids, twists, and locs.

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 Superintendency, the School Board shall review that 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 (Maine Human Rights Act)

20-A MRSA §§ 1001(13), 4502(4-A), 13011(6)

Cross Reference:

AC - Nondiscrimination/Equal Opportunity and Affirmative Action GBJC - Retention of Application Materials

GCFB-R - Recruiting and Hiring of Administrative Staff Administrative Procedure

Policy Adopted: May 5, 2010

Policy Revised: July 18, 2018; April 26, 2023

GCFB-R - Recruiting and Hiring of Administrative Staff Procedures

GCFB-R - Recruiting and Hiring of Administrative Staff Procedures

These procedures implement Board 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 circumstances described in K below) by:

1. Posting the notice of the vacancy within the unit;
2. Placing a display advertisement in appropriate media, considering at least one appearance in a major Maine newspaper and/or online media; 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 an 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.

Cross Reference: AC – Nondiscrimination/Equal Opportunity and Affirmative Action

GCFB – Recruiting and Hiring of Administrative Staff

Policy Adopted: July 14, 2010

Policy Reviewed: July 18, 2018; April 26, 2023

GCI - Professional Staff Development Opportunities

GCI - 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 lead to their professional growth and increased competence.

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 and innovative teaching methods;
- 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.

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

Legal Reference: Ch. 125 § 8.08

Cross References: JICK - Bullying

Policy Adopted: September 21, 1988

Policy Revised: November 17, 1999 and March 21, 2007

Policy Reviewed: May 24, 2010

GCJ - Professional Staff Probation and Continuing Teacher Contracts

GCJ - Professional Staff Probation and Continuing Teacher Contracts

1. Under Maine Law, certified probationary staff may be non-renewed if the Superintendent fails to nominate or if the Board declines to elect after receiving the Superintendent's nomination.
2. Prior to May 15, a meeting of the Board of Directors shall consider nominations to renew contracts of Probationary Teachers. The nomination lists shall be circulated to the Board prior to the meeting and any Board member desiring to discuss the nominations in executive session shall notify the Superintendent who shall notify the individual(s) concerned who shall be offered the right to attend the executive session.
3. Prior to the date of Board action, the Superintendent shall notify, in writing, any teacher on continuing contract who will not be renewed and shall provide a reason for this decision.
4. A duly certified continuing contract teacher will be notified in writing by the Board of their non-renewal six months prior to the last day of their contract.

Legal reference: Chapter 503, § 13201, 13202, Title 20A

Cross Reference: GCF Professional Staff Hiring

GCOA Supervision and Evaluation of Professional Staff

Policy Adopted: February 16, 1977

Policy Revised: February 21, 1979, January 20, 1982, January 20, 1993 and December 20, 2006, December 15, 2021

GCOA - Supervision and Evaluation of Professional Staff

GCOA - 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) professional staff. The evaluation program shall address all aspects of teaching and leadership performance and recognize that the fulfillment of student needs is of primary importance.

The Superintendent shall be responsible for overseeing 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 professional staff require closer support and more frequent performance reviews. Probationary professional staff 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 professional staff;
- 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 professional staff;
- D. The professional staff being evaluated shall have the right to attach a memorandum to the written evaluation; and
- E. Results of all summative 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, the Board, through this policy, approves the Performance Evaluation and Professional Growth Plan ([PE/PG](#)) for MSAD 35's teachers and principals.

In keeping with the Board's goal of employing the best qualified staff to provide quality education for all students, all professional staff 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

Cross Reference:

GCOA-R Supervision and Evaluation of Professional Staff Procedures

Policy Adopted: October 18, 2006

Policy Revised: July 14, 2010 and June 20, 2018, June 17, 2020; October 16, 2024

Policy Reviewed: November 17, 2021

GCQC - Resignation of MSAD #35 Employees

GCQC - Resignation of MSAD #35 Employees

The Board authorizes the Superintendent to accept all employee resignations. Such acceptance shall be effective when first communicated to the employee orally or in writing. Acceptance shall be confirmed in writing to the employee. The resignation and its acceptance should be reported as information to the Board at the next regular or special meeting.

Policy Adopted: June 20, 2001

Policy Revised: July 14, 2010

GCSA - Employee Computer, Electronic Device, and Internet Use

GCSA - Employee Computer, Electronic Device, and Internet Use

MSAD # 35 computers, 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 the accompanying rules also apply to computers issued directly to staff, whether in use at school or off school premises.***

MSAD #35 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 MSAD #35's policies and rules concerning computer use is mandatory. An employee who violates this policy and/or any rules governing use of the MSAD #35's computers shall be subject to disciplinary action, up to and including termination. Illegal uses of the MSAD #35's computers will also result in referral to law enforcement.

M.S.A.D. #35 utilizes filtering technology designed to block materials that are obscene or harmful to minors, including child pornography. M.S.A.D. #35 takes precautions to supervise staff use of the Internet, but cannot reasonably prevent all instances of inappropriate computer use by staff in violation of Board policies and rules, including access to objectionable materials and communication with persons outside of the school. M.S.A.D. #35 is not responsible for the accuracy or quality of information that staff obtain through the Internet.

MSAD # 35 computers remain under the control, custody, and supervision of the MSAD #35 at all times. The MSAD #35 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 the accompanying rules through handbooks, the school website and/or other means selected by the Superintendent.

The Superintendent is responsible for implementing this policy and the accompanying rules. Additional administrative procedures or school rules governing the day-to-day management and operations of the MSAD #35's computer system may be implemented, consistent with Board policies and rules. The Superintendent may delegate specific responsibilities to the Technology Director and others as he/she deems appropriate.

Cross References:

GCSA-R - Employee Computer and Internet Use Rules

GCSB-Use of Social Media by School Employees

IJNDB/IJNDB-R - Student Computer and Internet Use

IJNDC - Website/Website Pages

IJNDC-R - M.S.A.D. #35 Website Guidelines

IJNDC-E - Guidelines Governing the Publishing of Student Information on the MSAD #35 Website

Policy Adopted: February 27, 2008

Policy Revised: January 9, 2013; December 20, 2023

GCSA-R - Employee Computer, Electronic Device, and Internet Use Rules

GCSA-R - Employee Computer, Electronic Device, and Internet Use Rules

These rules implement Board policy GCSA (Employee Computer and Internet Use). Each employee is responsible for his/her actions and activities involving MSAD #35 computers, electronic devices, networks, and Internet services, and for his/her computer files, passwords, and accounts. These rules provide general guidance concerning the use of MSAD #35's computers and examples of prohibited uses. The rules do not attempt to describe every possible prohibited activity by employees. Employees who have questions about whether a particular activity or use is prohibited are encouraged to contact a building administrator or the Technology Director.

Employee Use of Cell Phones and Other Electronic Devices

It is important for school employees to model the behavior we expect from our students when it comes to the use of cell phones and other personal electronic devices during the school day and school activities. In order to avoid disruptions to the educational process and school programs, employees are expected to refrain from personal calls, emails, texts and/or other personal business while supervising students and/or performing assigned duties during work time.

A. Consequences for Violation of Computer Use Policy and Rules

Failure to comply with Board policy GCSA, these rules, and/or other procedures or rules governing computer use may result in disciplinary action, up to and including termination. Illegal use of MSAD #35's computers will also result in referral to law enforcement.

B. Access to School Computers, Networks, and Internet Services

The level of employee access to MSAD #35 computers, networks, and Internet services is based upon specific job requirements and needs. Unauthorized access to secure areas of MSAD #35's computers and networks is strictly prohibited.

C. Acceptable Use

MSAD # 35 computers, networks, and Internet services are provided to employees for administrative, educational, communication, and research purposes consistent with MSAD #35's educational mission, curriculum, and instructional goals. All Board policies, school rules, and expectations for professional conduct and communication apply when employees are using MSAD

#35's computers, networks, and Internet services.

D. Personal Use

MSAD #35 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.

E. Prohibited Uses

Examples of unacceptable uses which are expressly prohibited include, but are not limited to, the following:

1. Any use that is illegal or which violates policy GCSA or other Board policies, procedures, or school rules, including harassing, discriminatory or threatening communications and behavior, bullying/cyberbullying, violations of copyright laws, etc. MSAD #35 assumes no responsibility for illegal activities of employees while using school computers;
2. Any use involving materials that are obscene, pornographic, sexually explicit or sexually suggestive;
3. Any inappropriate communications with students or minors;
4. Any use for private financial gain, or commercial, advertising, or solicitation purposes;
5. Any use as a forum for communicating by email 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 not-for-profit. No employee shall knowingly provide school email 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;
6. Any communication that represents personal views as those of the MSAD #35 or that could be misinterpreted as such;
7. Downloading or loading software or applications without permission from the system administrator. Unauthorized copying of software is illegal and may subject the copier to substantial civil and criminal penalties. MSAD #35 assumes no responsibility for illegal software copying by employees;
8. Sending mass emails to school users or outside parties for school or non-school purposes without the permission of the Technology Coordinator or building administrator;
9. Any malicious use or disruption of MSAD #35's computers, networks, and Internet services; any breach of security features; or misuse of computer passwords or accounts

(the employee's or those of other users);

10. Any misuse or damage to MSAD #35's computer equipment, including opening or forwarding email attachments (executable files) from unknown sources and/or that may contain viruses;
11. Any attempt to access unauthorized sites or any attempt to disable or circumvent MSAD #35's filtering/blocking technology;
12. Failing to report a breach of computer security to the system administrator;
13. Using school computers, networks, and Internet services after such access has been denied or revoked; and
14. Any attempt to delete, erase or otherwise conceal any information stored on a school computer that violates these rules or other Board policies or school rules, or refusing to return computer equipment issued to the employee upon request.

F. No Expectation of Privacy

MSAD # 35 computers remain under the control, custody, and supervision of MSAD #35 at all times. MSAD #35 reserves the right to monitor all computer and Internet activity by employees and other system users. Employees have no expectation of privacy in their use of school computers, including email messages and stored files, and Internet access logs.

G. Disclosure of Confidential Information

Employees are expected to use appropriate judgment and caution in communications concerning students and staff to ensure that personally identifiable information remains confidential.

H. Employee/Volunteer Responsibility to Supervise Student Computer Use

Employees and volunteers who use school computers with students for instructional purposes have a duty of care to supervise such use. Teachers, staff members, and volunteers are expected to be familiar with MSAD #35's policies and rules concerning student computer and Internet use and to enforce them. When, in the course of their duties, employees or volunteers become aware of a student violation, they are expected to stop the activity and inform the building principal.

I. Compensation for Losses, Costs and/or Damages

The employee is responsible for compensating MSAD #35 for any losses, costs, or damages incurred by MSAD #35 for violations of Board policies and school rules while the employee is using MSAD #35 computers, including the cost of investigating such violations. MSAD #35 assumes no responsibility for any unauthorized charges or costs incurred by an employee while using MSAD #35 computers.

J. Additional Rules for Use of Privately-Owned Computers by Employee

1. The employee is responsible for proper care of his/her privately-owned computer including any costs of repair, replacement or any modifications needed to use the computer at school.
2. MSAD #35 is not responsible for damage, loss or theft of any privately-owned computer.

3. Employees are required to comply with all Board policies/procedures and school rules while using privately-owned computers at school.
4. Employees have no expectation of privacy in their use of a privately-owned computer while it is being used at school. The contents of the computer may be searched in accordance with applicable laws and policies.

Cross References:

GCSA - Employee Computer and Internet Use

GCSB- Use of Social Media by School Employees

IJNDB/IJNDB-R- Student Computer and Internet Use

IJNDC- Website/Website Pages

IJNDC-R - M.S.A.D. #35 Website Guidelines

IJNDC-E – Guidelines Governing the Publishing of Student Information on the MSAD #35 Website

Policy Adopted: February 27, 2008

Policy Reviewed: May 24, 2010

Policy Revised: January 9, 2013; December 20, 2023

GCSB - Use of Social Media by School Employees

GCSB - Use of Social Media by School Employees

The Board recognizes that social media sites have become important means of communication with potential pedagogical value. This policy sets forth expectations for school employees when using social media for school-related and personal purposes. Employees are expected to preserve the integrity of the learning environment in their use of social media, and must maintain professional boundaries with students at all times.

"Social media" shall mean technology and/or Internet-based tool(s) for communicating or sharing information, opinions and ideas with others, including but not limited to websites, blogs, forums, social networking, social networking and image sharing applications and news sites.

A. Approval Procedure

The use of social media for school-related purposes requires pre-approval in accordance with this policy.

A school employee who desires to use social media for school-related purposes shall submit a proposal and request for approval to their building principal/supervisor. Proposals for the school-related use of social media should include an articulated educational purpose and be appropriate to the students' ages, level(s) of understanding, and range(s) of knowledge. Use of social media with students is limited to grades seven and higher. Any student under 13 needs parent/guardian permission to access approved social media.

The building principal/supervisor or designee may take one of the following actions on a proposal: 1) approval; 2) approval with required modifications or 3) denial. The building principal/supervisor may consult with the Superintendent or others as appropriate in evaluating the request. Any decision on a use of social media by a staff member resulting from this policy can be appealed to the Superintendent. The decision of the Superintendent shall be in writing and the decision is final. Any later modifications to a proposal that has been already approved must also be pre-approved by the building principal/supervisor. The building principal/supervisor may withdraw his or her approval at any time.

Approved proposals for the school-related use of social media shall be resubmitted annually by September 30th for review. If an employee discontinues their use of approved social media, the building principal/supervisor shall be notified.

B. Terms of Use

The school-related use of social media approved in accordance with this policy shall be subject to the following terms and conditions:

1. Content on approved social media shall at all times comply with school unit policies, procedures and guidelines as well as with any applicable state and federal laws (including confidentiality laws).
2. The responsible school employee shall monitor any student use of the approved social media and shall remove content that violates school unit policies, procedures or guidelines, and/or state or federal laws. Any inappropriate use of approved social media shall be reported to the building principal/supervisor.
3. The school unit may monitor any approved social media for compliance with applicable policies, procedures, guidelines and/or laws.

C. Personal Use of Social Media

The Board understands that many school employees use social media for personal purposes on personal time. Employees shall keep their professional social media presence separate from their personal social media. Employees shall not use work time, school unit technology, or their work-issued email address for personal use of social media.

School employees are prohibited from “friending” students or engaging in any other interactions on social media (outside of any school-approved activity).

School employees shall not engage in conduct that violates Board policies, procedures and guidelines; which adversely affects their capacity to serve as a role model for students; or which distracts from or disrupts the educational process or the operations of the schools.

Violations of this policy may result in the withdrawal of approval to utilize social media for school purposes and/or disciplinary action, depending on the circumstances of each case.

Cross Reference: GCSA Employee Computer, Cell Phone, Electronic Devices, and Internet Use

GCSA-R Employee Computer and Internet Use Rules

GBEBB Staff Conduct with Students

GBEBA Staff Conduct, Ethics and Attire

IJNDB Student Computer and Internet Use

IJNDB Student Computer and Internet Use Rule

IJNDC-R Website Guidelines

Policy Adopted: October 21, 2020

Policy Reviewed: April 26, 2023

GBB - Staff Involvement in Decision Making

GBB - 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 performance.

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 incorporate 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 outcomes.

Legal Reference:

26 MRSA § 965

Cross Reference:

BHC - Board Communications with Staff

GCI - Professional Staff Development Opportunities

GCOA - Supervision and Evaluation of Professional Staff

Policy Adopted: October 16, 2024

GBJB - Employee Social Media Privacy

GBJB- 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, M.S.A.D. #35, through its administrators or designees, shall not:

1. 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;
2. Request, require or coerce an employee or applicant for employment to access a personal social media account in the presence of administrative or other M.S.A.D. #35 personnel or agent of the school unit;
3. Require or coerce an employee or applicant to disclose any personal social media account information;
4. Require or cause an employee or applicant to add anyone, including administrative or other M.S.A.D. #35 personnel or agent of the school unit to the employee or applicant’s contact list associated with a personal media account; or
5. 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.

M.S.A.D. #35 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 their refusal to comply with illegal requests, requirements or coercion.

This policy does not prohibit M.S.A.D. #35 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 an employer, M.S.A.D. #35 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: April 30, 2025

GCGA - Substitutes for Instructional Personnel

GCGA - SUBSTITUTES FOR INSTRUCTIONAL PERSONNEL

The Board recognizes that substitute personnel perform an important role in supporting continuity of student learning in the event of absence, resignation, inability to employ, or termination of a regularly employed certified employee. It is the Board's desire to employ appropriately certified persons, if available, for substitute teaching positions.

A certified teacher or educational specialist may serve as a substitute with no time limit, provided that their teaching certificate bears an endorsement for the grade and subject being taught, or their educational specialist certificate is appropriate to the employment.

The Superintendent may request a waiver from the Commissioner if finding candidates that meet the eligibility criteria is difficult.

Any substitute serving on a short-term basis (less than six consecutive weeks) in any teaching assignment must have at least a high school diploma. The Board may approve more stringent standards at its discretion.

All applicants for substitute teaching positions must obtain a Criminal Background Check approval, based on fingerprinting, in accordance with Maine Department of Education rules and processes before they are assigned to a school.

Substitute compensation will be reviewed annually by the Superintendent or upon request of the Board.

Legal Reference:

20-A MRSA §§ 13001-A; 13402(3)

26 MRSA 26 MRSA §664

Dept. of Educ. Rule Ch. 115(9)

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