

Portland School Committee

Business Meeting- 7pm – 8pm

Executive Session – 8pm

Wednesday, December 3, 2008

Room 250 – Casco Bay High School

Assuring that all students are learning for their future

7pm to 8pm – Business Meeting

Call to Order

Pledge of Allegiance

Report of the Chair

Report of Superintendent

1. Title IX progress report

Report of the Secretary

1. Consideration and action to approve the meeting minutes from the November 19, 2008 meeting.

Moved _____ Seconded _____ Voted _____ to approve the meeting minutes from the November 19, 2008 meeting.

Report of Committees

1. Policy Committee/Legislative Affairs
2. Finance Committee
3. Personnel Committee
4. Building Committee
5. Facilities Task Force
6. Other Committees and/or member concerns
 - Orientation Planning Committee

Consent Items

1. To PATHS Automotives program:
 - a. 1999 Plymouth Grand Voyager by Jessica Kaplan, Falmouth
 - b. 1993 Toyota Previa by Diane Mancini, Portland Public School
2. \$2,000 to be distributed in \$100 checks to our 17 schools, Adult Education and Portland Partnership by the Maine Marathon Committee, Portland

Old Business - None

New Business

1. First reading of policies:
 - a. IJOC – School Volunteers
 - b. JKAA Time out rooms and therapeutic restraint
 - c. BIC – Board member Freedom of Access Law Training
 - d. KDB – Public’s Right to Know/Freedom of Access
2. Consideration and action to the authorize the hiring process to begin for the vacancies listed:

Position	FTE	Location	Annual Salary (pro-rated)	Funding Source	Rationale
Secretary (Guidance)	1	Moore	12,643.68	Local	Without this position being filled, Lyman Moore will be left with two secretaries (administrative secretary and receptionist) without anyone responsible for, maintaining, managing the day to day operations in the Guidance Department. This position is vital to the operation of Lyman Moore.
Building Custodian	1	Lincoln	\$13,010.40	Local	clean and maintain building

All positions in FY09 budget

Moved _____ Seconded _____ Voted _____ to authorize the hiring process to begin for the vacancies listed.

Personnel - None

Committee Focus on Educational Issues

1. Discussion of superintendent’s search process to date

Public Comment Prior to 11:00 PM on any items not on the evening’s agenda

Adjournment

Moved _____ Seconded _____ Voted _____ to adjourn the business meeting at

8pm – Executive Session

Consideration and action to move into Executive Session to consider the content of questions to be used for the purpose of examining and evaluating candidates for the position of Superintendent of Schools pursuant to 1 MRS Section 405(6)(F) and 20-A MRS Section 6101(2)(B)(1).

Moved _____ Seconded _____ Voted _____ to move into Executive Session to review Superintendent’s Search interview questions pursuant to consider the content of questions

to be used for the purpose of examining and evaluating candidates for the position of Superintendent of Schools pursuant to 1 MRS Section 405(6)(F) and 20-A MRS Section 6101(2)(B)(1).

Moved _____ Seconded _____ Voted _____ to come out of Executive Session

Upcoming School Committee Meetings – Room 250, CBHS

Dec. 1, 4pm	Inauguration – City Hall Council Chambers
Dec. 3, 7pm	Business Meeting, Room 250, CBHS
Dec. 3, 8pm	Executive Session to consider the content of questions to be used for the purpose of examining and evaluating candidates for the position of Superintendent of Schools pursuant to 1 MRSA § 405(6)(F) and 20-A MRS § 6101(2)(B)(1)
Dec. 4, 5:30pm-7pm	Meeting with Portland’s Legislative Delegation, Rm 321, PATHS
Dec. 9, 5:30pm	Executive Session to discuss a personnel issue pursuant to 1 MRSA § 405(6)(A), Room 250, CBHS
Dec. 10, 5:30pm	School Committee orientation , part II, Rm, 250, CBHS
Dec. 17, 5:30pm	Executive Session to review candidate applications pursuant to 1 MRSA §406(6)(F), Room 250, CBHS

Upcoming Workshops – Room 250, CBHS

Dec. 10, 7pm	Graduation requirements and DOE learning results (tentative topics)
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Upcoming Subcommittee meetings

Dec. 2, 5:30pm	Policy/Legislative Affairs, Room 340, Central Office
Dec. 3, 5:30pm	Personnel Committee, Rm. 321, PATHS
Dec. 9, 5:30pm	Personnel Committee, Rm. 321, PATHS
Dec. 10, 5:30pm	New Board orientation, Room 250, CBHS
Dec. 10, 5:30pm	Finance Comm., Room 250, CBHS
Dec. 15, 6pm	Facilities Task Force, Hall School
Dec. 16, 5:30pm	Finance Comm., Room 250, CBHS

Draft: Nov. 20, 2008

Approved:

School Committee meeting Nov. 19, 2008

Under Report of the Secretary

The Committee met in a workshop session from 7pm to 8pm

Caucus

Purpose of the caucus is to discuss the 2008-2009 School Committee Chairperson and Finance Chairperson and come to agreement on nominations being brought forward at the first official meeting of the 2009 School Committee. All votes taken tonight are considered straw votes and are not binding. Official nominations and votes will be taken at the December 1, 2008 School Committee meeting.

Members Present:

Rebecca Minnick, Sarah Thompson, Peter Eglinton, Justin Costa, Kathleen Snyder, Marnie Morrione, Robert O'Brien, Jaimey Caron, , Elizabeth Holton

At 8:16 p.m Mr. Eglinton moved, seconded Ms. Snyder and voted unanimously to go into caucus session.

Mr. O'Brien nominated Mr. Eglinton as the 2008-2009 School Committee Chairperson.

Ms. Thompson seconded the nomination of Mr. Eglinton as the 2008-2009 School Committee Chairperson.

Ms. Minnick moved, seconded Mr. Eglinton and voted unanimously to cease nomination.

Committee voted unanimously to appoint Mr. Eglinton as the 2008-2009 School Committee Chairperson.

Mr. Eglinton nominated Ms. Snyder as the 2008-2009 Finance Committee Chairperson.

Mr. Caron seconded the nomination of Ms. Snyder as the 2008-2009 Finance Committee Chairperson

Ms. Minnick moved, seconded Ms. Thompson and voted unanimously to cease nomination.

Committee voted unanimously to appoint Ms. Snyder as the 2008-2009 Finance Committee Chairperson.

At 8:30p.m. Ms. Thompson moved, seconded Ms. Snyder and voted unanimously to adjourn the caucus session.

Business Meeting

Mr. Coyne called the meeting to order at 8:30pm

Members Present: Rebecca Minnick, Sarah Thompson, Peter Eglinton, Kathleen Snyder, Lori Gramlich, Robert O'Brien, Jaimey Caron, Susan Hopkins, John Coyne, Joel Daley, Joshua Tingley, Jules Szanton

Also present: Marnie Morrione, Justin Costa, Elizabeth Holton, Ness Smith-Savedoff, John Gjika, Simon Thompson

Report of the Chair

Mr. Coyne:

- Recognized newly elected committee members and student representatives.

- Inauguration will be on Dec. 1st, 4pm at City Hall
- Recognized outgoing School Committee members – Susan Hopkins, Lori Gramlich, Jules Szanton, Joshua Tingley, Joel Daley.
- Mr. Eglinton recognized Mr. Coyne for his work as a committee member and as chairperson for two years.

Report of the Superintendent

Interim Superintendent of Schools Ms. Whynot-Vickers:

- Announced a resignation: Effective 12/31/08 Sarah Anzora, Health-PE/Lincoln
- Provided a brief update on the Chart of Accounts
- Spoke briefly regarding first steps in the upcoming budget development
- Provided an update on possible late starts during stormy weather. Over 80% of respondents felt it would be appropriate to utilize this approach if possible.
- Spoke about bargaining units and the process of resolving an issue and the filing of a grievance.

Report of the Secretary

1. Consideration and action to approve the meeting minutes from the November 5, 2008 and November 12, 2008 meetings.

Mr. Caron moved, seconded Ms. Gramlich and voted unanimously to approve the meeting minutes from the November 5, 2008 and November 12, 2008 meetings. (Students voted with majority)

Report of Committees

1. Policy Committee/Legislative Affairs – Ms. Snyder – Committee met prior to meeting. Next meeting on Dec. 2nd, 5:30 in Room 340. Work on Dec. 2nd will include findings of the World Language Task Force, work on policy BDE and continue reviewing the Latin Grading System on Dec. 2nd
2. Finance Committee – Mr. Eglinton – Committee met Nov. 13th and discussed a bus replacement plan and sustainable education plan with the city. Finance Committee will be looking at status of state funding going forward. Next meeting will be Dec. 10th at 5:30, Room 250.
3. Personnel Committee – Ms. Thompson – School Committee held an Executive Session to review application packets and selected five candidates for interview. Dec. 3rd School Committee will review interview questions in Executive Session. First round of interviews in December and second round in January. Candidate will be presented to the School Committee in February.
4. Building Committee – Mr. Caron – No scheduled meetings have been held. State has delayed bond funding.
5. Facilities Task Force – Mr. Caron – At Monday's city council the council voted to allocated \$40,000 from sale of Martin's Point to be used for a consultant. Next meeting Monday, Nov. 24, 6pm at Presumpscot to meet with a representative from NESDEC who will be working as the consultant with the task force.
6. Other Committees and/or member concerns
 - Ms. Thompson – ask if the NESDEC contract will be voted on by the School Committee. Mr. Caron – the contract will not be coming forward to the committee because funding is provided by the city. Lyman Moore's Freedom Trail exhibit will be opening at city hall on Dec. 3rd. Recognized Lori Gramlich, John Coyne, and Susan Hopkins for their work on the committee.
 - Ms. Hopkins – Martin Luther King Task Force met today. Will Nelligan, CBHS student is rep on this task force. Group working on Martin Luther King Peace Trail.

Consent Items - None

Old Business - None

New Business

Consideration and action to the authorize the hiring process to begin for the vacancies listed:

Position	FTE	Location	Annual Salary (pro-rated)	Funding Source	Rationale
Ed Tech III	1	PATHS	\$11,138.40	Local	48% of the PATHS student population are on IEPs which makes each ed tech position is critical.
Building Custodian	1	PATHS	\$13,010.40	Local	clean and maintain building

All positions in FY09 budget

Ms. Minnick voted, seconded Mr. Caron and voted unanimously to authorize the hiring process to begin for the vacancies listed. (Students voted with majority)

Committee Focus on Educational Issues - None

Public Comment Prior to 11:00 PM on any items not on the evening's agenda

Mr. Coyne:

Recognized Ms. Blackwood for her work in the district first as a principal and then as an assistant superintendent.

Recognized and thanked Ms. Whynot-Vickers for all of the work she has done for the district.

Adjournment

Ms. Gramlich moved, seconded Ms. Hopkins and voted unanimously to adjourn the business meeting at 9:15pm.

Respectfully Submitted,



Jeanne Whynot-Vickers
Interim Superintendent of Schools

SCHOOL VOLUNTEERS

The Committee supports the use of community resources, including volunteers, to complement and support instructional programs and extracurricular activities in the schools. Volunteers work in partnership with, under the supervision of, and at the request of school administrators and staff.

The purposes of the volunteer program are to:

1. Assist teachers in providing more individualized instruction and enrichment opportunities for students; assist staff with school projects; supervise or chaperone student activities; and perform clerical work;
2. Build an understanding of and support for school programs among interested citizens; and
3. Strengthen school/community relations.

Prospective volunteers must complete an application form and confidentiality agreement. Background checks are conducted on volunteers who have close contact with students as part of their assignment(s). Applications will be screened and approved by authorized school personnel. Volunteer applications may be declined or volunteer services terminated if the Superintendent or building principal determine it is in the best interests of the School Department.

Authorized school personnel must approve all volunteer assignments before volunteers begin work. The supervising staff member is responsible for giving volunteers a clear understanding of the duties, procedures and expectations necessary to perform their assignments.

All volunteers who are approved to work with students and/or in support of school programs are expected to comply with the following requirements.

1. Volunteers shall attend any required volunteer orientation/training sessions provided by the school department.
2. Volunteers will work with students under the supervision and direction of authorized school staff.
3. Volunteers shall perform only such duties and tasks specifically approved and assigned by an administrator or supervising staff member
4. Volunteers must keep all student and staff information strictly confidential. Volunteers may not access, review, disclose or use confidential student or staff information without specific authorization from a school administrator. This requirement applies even after a volunteer stops performing services for the schools.
5. Volunteers will conduct themselves in a professional manner and comply with all Committee policies, school rules and directions from school personnel.

6. In accordance with Maine law, a member of the Committee or a member's spouse may not serve as a volunteer when he/she has primary responsibility for a curricular or extracurricular program or activity and reports directly to the Superintendent or a school administrator. For example, a School Committee member could volunteer to chaperone a field trip or help out in a classroom with the teacher present and in charge, but could not volunteer to coach a sport or be an advisor to an extra-curricular activity.

The Superintendent may delegate specific responsibilities for implementing this policy to others as he/she deems appropriate. Administrative procedures or school rules governing volunteer programs may be implemented, consistent with Committee policies/procedures.

Legal Reference: 20-A MRSA § 1002

Adopted: November 28, 1984

Revised: August 26, 1992;

Policy on Time Out Rooms and Therapeutic Restraint

Portland Public Schools hereby authorizes school officials to use designated time out rooms and therapeutic restraint to the extent permitted by law, and in a manner consistent with state law and regulations. The Superintendent of Schools is responsible for developing procedures for the use of designated time out rooms and therapeutic restraint. This policy and any accompanying procedures shall be reviewed at least annually by the Superintendent or his/her designee, and the Superintendent shall recommend to the School Committee any needed changes in this policy.

For purposes of this policy and any accompanying procedures, the terms "designated time out room" and "therapeutic restraint" shall have the following meanings:

Designated time out room: A designated time out room is a room used specifically to isolate a student for the purpose of bringing under control student behavior that is dangerous or presents a risk of significant property damage. Dangerous behavior is behavior that presents a risk of injury or harm to that student or to others, and in the judgment of those involved cannot be controlled through interventions short of isolation in the designated time out room.

This policy and any accompanying procedures do not apply to interventions such as sending a student to the Principal's office, to any staff member's room or office, or to any other such setting, but is instead limited to use of a room specifically designated by the Superintendent of Schools for the purpose of isolating students as described above. Use of this area to control student behavior must comply with this policy and any procedures developed hereunder.

Therapeutic Restraint: Therapeutic restraint is physical restraint of a student for the purpose of preventing that student from injuring him or herself or others, when such restraint is undertaken in accordance with an individualized, written plan that specifically calls for therapeutic restraint. Therapeutic restraint as defined in this policy and any accompanying procedures should be administered by personnel trained in that restraint.

Therapeutic restraint does not include any intervention by any school official that would otherwise be governed by state law on the use of reasonable force (20-A M.R.S.A. § 4009), which includes the use of a reasonable degree of force by school officials against a person who is creating a disturbance, when the official believes that force is necessary to control the disturbing behavior or to remove the person from the scene of the disturbance.

References: 20-A M.R.S.A. § 4502(5)(M); Me. DOE Reg., ch. 33; 20-A M.R.S.A. § 4009.

Adopted:

PORTLAND PUBLIC SCHOOLS

BOARD MEMBER FREEDOM OF ACCESS LAW TRAINING

In accordance with Maine law, beginning July 1, 2008, every Board member must complete a course of training on the requirements of Maine's Freedom of Access law as it relates to public records and proceedings not later than the 120th day after the date he/she takes the oath of office to assume his/her duties as an elected official. Board members serving in office on July 1, 2008, must complete the training by November 1, 2008. Freedom of Access training must be repeated within 120 days of taking the oath of office each time a Board member is elected to serve anew term.

At a minimum, the training course must include instruction in:

- A. The general legal requirements of the Freedom of Access law regarding public records and public proceedings;
- B. Procedures and requirements regarding complying with a request for a public record under the Freedom of Access law; and
- C. Penalties and other consequences for failure to comply with the Freedom of Access law.

A Board member may meet the training requirement by conducting a thorough review of all the information made available by the State of Maine on the Frequently Asked Questions portion of its Freedom of Access website (www.maine.gov/foaa/faq/), or by completing any other training course that includes all of this information.

Each Board member shall attest by means of a written or electronic record that he/she has completed the training and provide a copy of such record to the Superintendent's office. To facilitate documentation of training, the Superintendent will make available to Board members copies of the State's sample Certificate of Completion of Freedom of Access Training form.

Legal Reference: 1 MRSA §§ 411, 412

Cross Reference: BIA – New Board Member Orientation
KDB – Public's Right to Know/Freedom of Access

Adopted:

PUBLIC'S RIGHT TO KNOW/FREEDOM OF ACCESS

The Committee recognizes the importance of a well-informed public to the operations of the school unit. The Committee will comply with all applicable sections of Maine's Freedom of Access Act. Except as otherwise provided by statute, all Committee proceedings shall be open to the public, any person shall be permitted to attend, and any records or minutes of such proceedings that are required by law shall be made promptly and shall be open to public inspection.

Committee agendas and minutes, proposed and approved Committee policies, annual budget reports, student handbooks and Committee member Freedom of Access training documentation/certificates shall be available for immediate inspection and/or copying in the Superintendent's office. Requests for all other public records shall be made, preferably in writing, to the Superintendent, specifying the records desired for inspection/copying. The Superintendent/designee may request clarification concerning which public record or records are being requested.

The Superintendent/designee shall acknowledge receipt of a request for inspection and/or copying of public records within a reasonable period of time.

If the request is denied, the Superintendent/designee shall inform the requestor in writing within five working days of the request and shall state the reason for denial. Otherwise, inspection and/or copying may be scheduled to occur within a reasonable period of time following the request at a time that will not delay or inconvenience the regular activities of the school unit.

FEES

Except as otherwise provided by law or court order, Portland Public Schools may charge fees as follows:

- A. A fee of 25 cents per page to cover the cost of copying. (As of Nov. 20, 2008 the fee is 25 cents per page, but is subject to change).
- B. A fee of \$10 per hour after the first hour of staff time per request to cover the actual cost of searching for, retrieving, and compiling the requested public record. Compiling the public record includes reviewing and redacting confidential information.
- C. If translation is required, a fee to cover the actual cost of translation.

No fee shall be charged for inspection of public records.

NEPN/NSBA Code: KDB

As required by law, the school unit will provide the person making the request an estimate of the time necessary to complete the request and of the total cost and, if the estimated total cost exceeds \$20.00, will inform the requestor before proceeding. If the estimated total cost is greater than \$100.00 or if the requestor has previously failed to pay a fee assessed for access to Portland Public School records, the requestor may be required to pay all or a portion of the estimated cost prior to the search, retrieval, compiling, translation, and copying of the public record.

The Superintendent is directed to develop and implement such administrative procedures as may be necessary to carry out this policy.

Legal Reference: 1 MRSA § 401 et seq.

Cross Reference: BEC – Executive Sessions
GBJ – Personnel Records and Files
JRA – Student Educational Records

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