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**SOUTHERN PENOBSCOT REGIONAL PROGRAM FOR CHILDREN WITH  
EXCEPTIONALITIES ORGANIZATIONAL PLAN**

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**I. PREAMBLE**

There shall be established a Southern Penobscot Regional Program for Children with Exceptionalities operated in accordance with laws of the appropriate State and Federal Governments. A Board of Directors shall be established as the governing body. Officers of the Regional Program shall consist of the Executive Officers and an Executive Director. A Regional Advisory Board (RAB) consisting of one voting special education administrator/representative shall provide advice to the Executive Director and the Executive Officers.

**II. OBJECTIVE**

The objective of the Regional Program is to provide any and all services for Children with Exceptionalities that cannot otherwise be provided within individual administrative units. The region will expand educational opportunities for Children with Exceptionalities while serving as the vehicle to arrange for the establishment of services to children within appropriate public school facilities.

**III. MEMBERSHIP**

The public school administrative units located in Southern Penobscot County may petition to join The Southern Penobscot Regional Program for Children with Exceptionalities by approval of the Southern Penobscot Regional Program for Children with Exceptionalities Executive Officers and the Board of Directors, and upon a majority vote of its governing board to join and accept the Southern Penobscot Regional Program for Children with Exceptionalities Organizational Plan. Units may withdraw their membership by a majority vote of their governing boards at least 60 days before the beginning of the next fiscal year and upon certification by the Board of Directors that all of the unit's fiscal obligations have been met.

**IV. COST SHARING**

All member units shall be assessed their pro-rated share of all administrative costs to operate the region.

Each unit's pro-ration shall be determined by averaging the resident student enrollment as of October 1 of the current year and April 1 of the calendar year preceding the fiscal year operating budget of the Southern Penobscot Regional Program for Children with Exceptionalities administrative costs. The pro-rated cost shall be billed annually to the participating districts.

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Administrative costs shall include monies for the operation of the Executive Director's office, stipend compensation for the Regional Advisory Board Chairperson, and all other administrative expenses to support grantsmanship and miscellaneous supplies. The administrative costs shall be paid to the school administrative unit serving as the Fiscal Agent.

The tuition rate for attendance and programs offered by the Southern Penobscot Regional Program for Children with Exceptionalities shall be determined by dividing the program budget as determined by the Board of Directors at the annual budget meeting by the number of students enrolled. Tuition payments shall be made directly to the member unit responsible for housing the specific program for which tuition is to be charged.

The tuition charges for each program may be adjusted monthly and, following the annual audit, any remaining balances shall be credited or rebated to the respective districts based upon:

- a. student enrollment; or
- b. used to reduce the costs of the programs' operating costs; or
- c. funds may be accrued in a reserve fund for capital improvement with annual reports of accumulating funds.

The Southern Penobscot Regional Program for Children with Exceptionalities Executive Officers may direct the local sponsoring district to delegate remaining balances consistent with a, b, or c above.

#### **A. COST SHARING FORMULA**

The Southern Penobscot Regional Program for Children with Exceptionalities will use the following criteria and formula for assessing costs for regional program space.

- Determine the total number of rooms in the school being used as classrooms, excluding the library, cafeteria, office and gym space.
  - Divide the number of classrooms being used by the Regional Program by the number of classrooms in the building, and apply the resulting percentage amount to building and personnel cost in the following categories of expense. The percentages are applied against the budget figures estimated for the upcoming fiscal year:
    - Principal and secretary salaries and all benefits
    - Custodial salaries and all benefits
    - Water and sewer
    - Electricity, fuel oil and propane gas
    - Telephones
    - Custodial supplies
    - Garbage collection
    - General and public liability insurance premiums
    - Central office cost = (central office cost divided by total of LEA budget = percentage of central office cost to be charged to regional program budget). In addition, programs without an assigned, budgeted administrator may charge the proportional amount (regional students divided by total local district special education pupil count) of the salaries
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and fringe benefits of its special education director's and special education secretary/administrative assistant.

- Lease costs (standard percentage plus one year adjustment)

Snowplowing and summer grounds maintenance costs are not to be part of the formula unless unusual circumstances dictate their inclusion.

## **V. TRANSPORTATION**

The Transportation of public school children to regional programs shall be the responsibility of each member unit within the Southern Penobscot Regional Program for Children with Exceptionalities. Whenever possible, the transportation to regional programs will be coordinated to minimize the cost while maximizing efficiency.

Adopted: Date unknown  
Revised: April 30, 1992  
Revised: January 25, 2012  
Reviewed: November 8, 2017

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**BOARD POWERS AND RESPONSIBILITIES**

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The Board of Directors of Southern Penobscot Regional Program for Children with Exceptionalities believes that the legislation of policies is the most important function of a board of directors, and that the execution of the policies should be the responsibility of the Executive Director/Leadership Team.

Delegation by the Board of its executive powers to the Executive Director/Leadership Team provides freedom for the Executive Director/Leadership Team to manage the program within the Board's policies, and frees the Board to devote its time to policy making and appraisal functions.

The Board holds the Executive Director/Leadership Team responsible for carrying out its policies within established guidelines and for keeping the Board informed about program operations.

In an effort to keep the Board informed, the Executive Director/Leadership Team will notify Board members as promptly as possible of any happenings of an emergency nature which occur in the regional program.

Adopted: April 11, 1979  
Revised: January 25, 2012  
Reviewed: November 8, 2017

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**BOARD MEMBER QUALIFICATIONS**

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Current membership on a participating LEA School Board or School Committee or appointment by a current LEA School Board or School Committee is a prerequisite for serving on the Board of Directors for the Southern Penobscot Regional Program for Children with Exceptionalities.

Adopted: April 11, 1979  
Revised: April 13, 2017  
Reviewed: November 8, 2017



**BOARD MEMBER CODE OF ETHICS**  
**(Adapted from Maine School Boards Association)**

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Having accepted the challenge of service on the SPRPCE Board of Directors, I accept the principles set forth in the following code of ethics to guide me in helping to provide free public education to all the children of the Member Districts.

1. I will view service on the Board of Directors as an opportunity to serve my community, state and nation because I believe public education is the best means to promote the welfare of our people and to preserve our democratic way of life.
  2. I will at all times think of children first and base my decisions on how they will affect the child and the child's education and training.
  3. I will make no disparaging remarks, in or out of the Board of Directors meetings, about other members of the Board or their opinions.
  4. I will remember at all times that as an individual I have no legal authority outside the meetings of the Board, and I will conduct my relationship with the school staff, the local citizenry, and all media of communications on the basis of this fact.
  5. I will recognize that my responsibility is not to operate the schools but to see that they are well operated.
  6. I will seek to provide education for all children in the community commensurate with their needs and abilities.
  7. I will listen to all citizens but will refer all complaints to the proper authorities and will discuss such complaints only at a regular meeting after failure of administrative solution.
  8. I will not criticize employees publicly, but will make such criticism to the Executive Director/Leadership Team for investigation and action if necessary.
  9. I will make decisions only after all facts bearing on a question have been presented and discussed.
  10. I will refuse to make promises as to how I will vote on a matter which should properly come before the Board as a whole.
  11. I will not discuss the confidential business of the Board in my home, on the street, or in my office; the place for such discussion being the Board of Directors meeting.
  12. I will confine my Board action to policy making, planning and appraisal, leaving the administration of the schools to the school Executive Director/Leadership Team.
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13. I will welcome and encourage cooperation and participation by teachers, administrators and other personnel in developing policies which affect their welfare and that of the children they serve.
14. I will endeavor at all times to see that the SPRPCE programs have adequate financial support within the capabilities of the community and state, in order that every child may receive the best possible education.
15. I will resist every temptation and outside pressure to use my position as a Board of Directors member to benefit myself or any other individual or agency apart from the total interest of the school department.
16. I will recognize at all times that the Board of Directors of which I am a member is an agent of the state and as such I will abide by the laws of the state and regulations which are formulated by the State Board of Education which is the body responsible for educational policies as determined by legislative acts.

ADOPTED: February 8, 2018

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**BOARD MEETING SCHEDULE**

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The SPRPCE Board of Directors shall hold meetings as needed, but at least twice a year.

Meetings shall be held at 6:00 p.m. at the Bangor Regional Program unless otherwise announced on the Agenda and shall conclude no later than 8:00 p.m. unless a majority of the Board members present shall vote to continue to a later hour. The Chair shall call for a vote of the Board as soon after 7:30 p.m. as practicable if it appears that the agenda will not be completed by 8:00 p.m.; remaining agenda items may be deferred to the next Regular Meeting or a Special Meeting may be called.

All meetings, except for those portions properly designated as Executive Sessions, shall be open to the public.

**Regular Meetings:** meetings where the Board acts upon the full range of business within its legal authority, normally the first meeting of each month.

**Special Meetings:** meetings called between Regular Meetings when necessary to act upon items specified in the agenda. Special Meetings may be called by the Chair, or upon the request of the Executive Director/Leadership Team, or upon the request of any four members of the Board.

**Emergency Meetings:** meetings called in an emergency to act upon a single item or items related to the emergency. Emergency Meetings may be called by the Chair or upon the request of the Executive Director/Leadership Team. Every possible effort will be made to give at least two (2) hours of notice.

ADOPTED: February 8, 2018

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**BOARD OFFICERS**

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DUTIES OF CHAIR

The chair shall preside at all meetings of the SPRPCE Director's and shall perform other duties as directed by law, State Department of Educational and Cultural Services, regulations and by this Board. In carrying out these responsibilities, the chair shall:

1. Sign the instruments, acts, and orders necessary to carry out State requirements and the will of the Board.
2. Consult with the Executive Director/Leadership Team in the planning of the Board's agenda. Confer with the Executive Director/Leadership Team on crucial matters which may occur between Board meetings.
3. Appoint subcommittees, subject to Board approval, and serve as an ex-officio member of all such subcommittees.
4. Call special meetings of the Board as found necessary.
5. Be public spokesperson for the Board at all times except as this responsibility is specifically delegated to others.
6. Be responsible for the orderly conduct of all Board meetings.

As presiding officer at all meetings of the Board, the chair shall:

1. Call the meeting to order at the appointed time.
2. Announce the business to come before the Board in its proper order. Enforce the Board's policies relating to the order of business and the conduct of meetings.
3. Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference.
4. Explain what the effect of a motion would be if this is not clear to directors.
5. Restrict discussion to the question when a motion is before the Board. Answer all parliamentary inquiries, referring questions of legality to the Board attorney.
6. Put motions to a vote, stating definitely and clearly the vote and the result thereof.
7. The chair shall have the right, as other Board members have, to offer resolutions, discuss questions, and vote.

DUTIES OF VICE-CHAIR

The sole duty of the vice-chair shall be to serve as chair pro tempore during the temporary absence of the Chair.

DUTIES OF THE SECRETARY

The Executive Director/Leadership Team shall serve as Secretary of the Board, with the right to speak on all questions and offer recommendations. The Secretary shall be responsible for ensuring that records are kept of all business transacted by the Board at both regular and appropriately called special meetings, and shall perform such other functions as are ordinarily functions of this office.

Legal Reference: 20-A MRSA § 1055

ADOPTED: February 8, 2018

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## EXECUTIVE SESSIONS

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### 1 MRSA §405. Executive Sessions

Those bodies or agencies falling within this subchapter may hold executive sessions subject to the following conditions.

1. **Not to defeat purposes of subchapter.** An executive session may not be used to defeat the purposes of this subchapter as stated in section 401.
2. **Final approval of certain items prohibited.** An ordinance, order, rule, resolution, regulation, contract, appointment or other official action may not be finally approved at an executive session.
3. **Procedure for calling of executive session.** An executive session may be called only by a public, recorded vote of 3/5 of the members, present and voting, of such bodies or agencies.
4. **Motion contents.** A motion to go into executive session must indicate the precise nature of the business of the executive session and include a citation of one or more sources of statutory or other authority that permits an executive session for that business. Failure to state all authorities justifying the executive session does not constitute a violation of this subchapter if one or more of the authorities are accurately cited in the motion. An inaccurate citation of authority for an executive session does not violate this subchapter if valid authority that permits the executive session exists and the failure to cite the valid authority was inadvertent.
5. **Matters not contained in motion prohibited.** Matters other than those identified in the motion to go into executive session may not be considered in that particular executive session.
6. **Permitted deliberation.** Deliberations on only the following matters may be conducted during an executive session:
  - A. Discussion or consideration of the employment, appointment, assignment, duties, promotion, demotion, compensation, evaluation, disciplining, resignation or dismissal of an individual or group of public officials, appointees or employees of the body or agency or the investigation or hearing of charges or complaints against a person or persons subject to the following conditions:
    - (1) An executive session may be held only if public discussion could be reasonably expected to cause damage to the individual's reputation or if the individual's right to privacy would be violated;
    - (2) Any person charged or investigated must be permitted to be present at an executive session if that person so desires;
    - (3) Any person charged or investigated may request in writing that the investigation or hearing of charges or complaints against that person be conducted in open session. A request, if made to the agency, must be honored; and
    - (4) Any person bringing charges, complaints or allegations of misconduct against the individual under discussion must be permitted to be present.

This paragraph does not apply to discussion of a budget or budget proposal
  - B. Discussion or consideration by a board of directors of suspension or expulsion of a public school student or a student at a private school, the cost of whose education is paid from public funds, as long as:

- (1) The student and legal counsel and, if the student is a minor, the student's parents or legal guardians are permitted to be present at an executive session if the student, parents or guardians so desire;
- C. Discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosures of the information would prejudice the competitive or bargaining position of the body or agency;
- D. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators. The parties must be named before the body or agency may go into executive session. Negotiations between the representatives of a public employer and public employees may be open to the public if both parties agree to conduct negotiations in open sessions
- E. Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage;
- F. Discussions of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute;
- G. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes; consultation between a body or agency and any entity that provides examination services to that body or agency regarding the content of an examination; and review of examinations with the person examined; and
- H. Consultations between municipal officers and a code enforcement officer representing the municipality pursuant to Title 30-A, section 4452, subsection 1, paragraph C in the prosecution of an enforcement matter pending in District Court when the consultation relates to that pending enforcement matter.

DISTRIBUTED: November 8, 2017

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**NOTIFICATION OF BOARD MEETINGS**

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Copies of the agenda, together with relevant supporting documents, shall be distributed to each member of the Board at least seventy-two hours prior to each meeting, other than in an emergency.

In the event of an emergency meeting, the Executive Director/Leadership Team shall notify the members of the Board and representatives of local news media simultaneously concerning the time and location of the emergency meeting by whatever means are practical under the circumstances.

ADOPTED: February 8, 2018

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**VOTING METHOD**

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Voting shall be by a show of hands. All members present shall vote or indicate their abstention therefrom. Except for unanimous decisions, the minutes shall clearly identify the votes of individual members.

All motions shall be carried by a majority of the members present and voting, except motions to adjourn to executive session, which shall require a vote of 3/5 of the members present and voting.

ADOPTED: February 8, 2018

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**PUBLIC PARTICIPATION AT BOARD MEETINGS**

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Board meetings are conducted for the purpose of carrying on the official business of the school system. All regular, special and emergency meetings of the Board of Directors are open to the public. The public is cordially invited to attend and participate in Board meetings as provided in this policy.

Although Board of Director meetings are not public forums, the Board of Directors will provide appropriate opportunities for members of the public to express opinions and concerns related to the matters under consideration by the Board of Directors. The intent is to allow a fair and adequate opportunity for the public to be heard and to provide adequate time for the Board of Directors to obtain information and opinion on subjects before it, while ensuring that the time allowed for public discussion does not interfere with the fulfillment of the scheduled agenda.

During the time allotted for public participation, members of the public may speak on any subject directly related to the operations of the schools, except for personal matters or complaints concerning specific employees or students, which shall be addressed through established policies and procedures.

Members of the public may address the Board of Directors within the guidelines provided in this policy. The Chair shall be responsible for maintaining proper order and compliance with these guidelines.

The following guidelines shall apply to public participation at Board of Director meetings.

- A. Citizens and employees of the school unit are welcome to participate as provided in this policy. Others may be recognized to speak at the Chair's discretion. Individual employees and/or employee groups will not be permitted to discuss matters for which complaint or grievance procedures are provided.
- B. The Chair may limit the time allotted for comments on a particular topic as well as the time each individual may speak.
- C. In the event of a sizeable audience, the Chair may require persons interested in speaking to sign up so they may be called on in a fair and efficient manner.
- D. During the time set aside for public participation, the Chair will be responsible for recognizing all speakers, who must identify themselves and their place of residence as they begin talking.
- E. Speakers are not permitted to share gossip, make defamatory comments, or use abusive or vulgar language.
- F. All speakers are to address the Chair and direct questions or comments to particular Board members or the Executive Director/Leadership Team only with approval of the Chair. Requests for information or concerns that require further research may be referred to the Executive Director/Leadership Team to be addressed at a later time.
- G. Members of the Board of Directors and the Executive Director/Leadership Team may ask questions of any person who addresses the Board of Directors but are expected to refrain from arguing or debating issues. Questions must be addressed through the Chair.



- H. No complaints or allegations will be allowed at Board of Director meetings concerning any person employed by the school system or against particular students.  
Personal matters or complaints concerning student or staff issues will not be considered in a public meeting but will be referred through established policies and procedures.
- I. In order to make efficient use of meeting time, the Board of Directors discourages duplication or repetition of comments to the Board. The Board requests that groups or organizations be represented by designated spokespersons.
- J. The Chair has the authority to stop any presentation that violates these guidelines or the privacy rights of others.
- K. Persons who disrupt the meeting may be asked to leave, and the Chair may request law enforcement assistance as necessary to restore order.

An agenda shall be published in advance of each meeting in accordance with Board of Directors policy.

Legal Reference: 1 MRSA § 401 et seq.

Cross Reference: BDC – Executive Sessions  
BDDA – Notification of School Committee Meetings  
BDDC – Agenda Preparation  
BDDE – Rules of Order  
JFH – Complaints by Students or Parents

ADOPTED: February 8, 2018

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**BOARD POLICY**

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The Executive Director/Leadership Team shall review existing policies continuously and shall recommend changes or additional policies as may be appropriate. Members of the Board of Directors, employees, students, or members of the public may suggest topics for policy development or revision.

Policies shall be drafted by the Executive Director/Leadership Team and shall appear on the agenda of a Regular or Special meeting of the Board for a first reading. Policies shall have a second reading for adoption at a Regular or Special meeting at least two weeks following the first reading. However, the Board by unanimous vote may waive the second reading when the Agenda includes notice that such action is anticipated. Agendas shall identify proposed policies by title and copies shall be distributed to all members of the Board with the agenda.

Policies may be amended at the first or second readings. Once adopted, amendments shall be considered in the same manner as specified above for new policies.

All effective policies of the Board shall be published in the Policy and Regulation Manual of the SPRPCE.

The Executive Director/Leadership Team shall govern the SPRPCE Board of Directors in accordance with effective Federal and State laws and regulations, the policies of the Bangor School Committee, and the applicable bilateral labor Agreements between the Bangor School Committee and employee organizations.

ADOPTED: February 8, 2018

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EVALUATION OF THE EXECUTIVE DIRECTOR/LEADERSHIP TEAM

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As a regular and scheduled activity, the Executive Director/Leadership Team will be evaluated under procedures determined by the Board of Directors. The primary purpose of the evaluation will be to effect improvements in administrative leadership.

Adopted: April 11, 1979  
Revised: April 26, 2011  
Reviewed: November 8, 2017

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**ADMINISTRATION IN POLICY ABSENCE**

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In cases where action must be taken within the region where the Board has provided no guides for administrative action, the Executive Director/Leadership Team shall have the power to act.

Decisions, however, shall be subject to review by action of the Board at its regular meeting. It shall be the duty of the Executive Director/Leadership Team to inform the Board promptly of such action and of the need for policy.

Adopted: Date unknown  
Revised: April 26, 2011  
Reviewed: November 8, 2017

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**ELECTED BOARD OFFICIALS (Fiscal Agent)**

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The Bangor School Department shall serve as the Fiscal Agent, Treasurer of the Administrative Office/Leadership Team. The Fiscal Agent shall be the official custodian of all funds of the Region and shall be responsible for the proper safeguarding and accounting for all such funds.

Adopted: April 11, 1979  
Revised: April 26, 2011  
Reviewed: November 8, 2017

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**SPRPCE POLICY ON BUDGET**

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The administrative part of the budget, when approved by the Board of Directors, will be assessed on a pro rata basis to participating units and not subject to increase.

The contracted services for itinerant specialists will be shared pro rata by those units receiving the service.

The final tuition billing for the school year for each LEA sponsored program shall be adjusted as of June 30 to reflect the actual operating costs of said program.

Adopted: April 11, 1979  
Reviewed: November 8, 2017

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BANGOR REGIONAL PROGRAM BILLING

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Bangor Regional Programs will bill districts for services as follows:

1. Bangor School Department including Bangor High School does not charge regular education tuition for students enrolled in Regional Programs.
2. Districts are billed for days students are absent.
3. Districts are billed for days students are enrolled at Acadia Education or any other hospital program.
4. In order to stop billing on a student, the IEP Team has to withdraw a student from the Regional Program and the student loses the educational spot. If the IEP Team wants the student to return to the Regional Program following withdrawal, an IEP Team Placement Meeting is necessary.
5. If a student is withdrawn from a Regional Program by the IEP Team, Regional Program teachers do not provide school work for students. The student needs to be enrolled in the Regional Program in order to have the school work provided.
6. High School students can be dropped from the Regional Program and continue to be on Bangor High School's attendance roster however, students must be enrolled in classes at Bangor High School. Bangor High School must be the student's declared high school of choice in order to become enrolled. Once enrolled the sending district will be billed Bangor High School tuition.
7. The costs for classroom educational technicians are factored into the tuition bill. If the IEP Team determines the student needs a 1:1 educational technician, the sending district is billed for the tuition plus the cost of the 1:1 educational technician.
8. Districts are billed for 1:1 educational technicians when students are absent from school or when students are enrolled at Acadia Education or any other hospital program.
9. Costs for educational technician services or interpreter services, when a student is accompanied to an afterschool activity, will be added to the district's tuition bill.

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**ANNUAL REPORT**

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To have the Board of Directors review the location of the Administrative office and the Fiscal Agent on a bi-annual basis.

Adopted: May 21, 1997  
Reviewed: November 8, 2017

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**LOSS OF BUILDING DUE TO NATURAL DISASTERS**

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In the event there is temporary loss of a Regional Program location—the sponsoring district Superintendent will arrange for appropriate space.

Adopted: April 30, 1992  
Reviewed: November 8, 2017

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**PRELIMINARY DEVELOPMENT OF POLICIES  
(Staff Involvement in Policy Development)**

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It shall be the policy of the Board to encourage employee participation in policy making for the Region. The Director of Services Executive Director is authorized to establish such committees as necessary to recommend policies for the proper functioning of the regional program.

All Executive Officers and professional personnel shall be encouraged to assist in the formation of recommended educational policy for the Region through their representatives on the Policy Committee. Recommendations of this committee, which relate to the overall regional program shall be submitted, after affirmative vote of the committee, to the Director of Services Executive Director for Board consideration.

Adopted: Date unknown  
Reviewed: November 8, 2017

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**INDIVIDUALIZED EDUCATIONAL PLAN DEVELOPMENT**

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The individualized educational plans (IEP) for children referred to regional sponsored programs will be worked out cooperatively with the sending pupil evaluation team and the special education staffs in the sponsoring local education agency (LEA). Regional staff will be involved as needed.

Adopted: Date unknown  
Reviewed: November 8, 2017

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## **REFERRAL/PRE-REFERRAL**

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Referrals of students for educational evaluations and clinical observations may be made by participating Southern Penobscot Regional Program for Children with Exceptionalities districts to regional program staff through the regional program sponsoring local education agency or through regional program administration. Availability of regional program staff for educational evaluations and educational/clinical observations and the associated costs will be determined by the sponsoring local education agency or regional program administration.

Educational evaluations and educational/clinical observations may be provided by regional program employees consistent with their assignments, licenses, and certifications. The referring local education agency will be responsible for payment of costs and assuring that legal requirements under the Family Education Rights to Privacy Act and other applicable laws and regulations are met.

Staff of regional programs will be made available to assist with the process of student placement in regional programs sponsored under the Southern Penobscot Regional Program for Children with Exceptionalities consistent with their assignments, licenses, and certifications and at the discretion of administrative/ supervisory personnel of the local education agency sponsoring the regional program.

Adopted: Date unknown  
Revised: January 25, 2012  
Reviewed: November 8, 2017

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**LIFE-SUSTAINING EMERGENCY CARE**

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A primary concern of the Southern Penobscot Regional Program for Children with Exceptionalities shall be with the health and safety of its students. In emergency situations involving accident or illness, school employees should undertake reasonable efforts to provide first aid or life-sustaining emergency care to the extent of their knowledge and training, and/or to seek the assistance of school medical personnel or other staff members to obtain emergency assistance for the student.

It is the policy of the Southern Penobscot Regional Program for Children with Exceptionalities not to comply with directives from parents or others that life-sustaining emergency care should not be provided to any particular student in need of such care while under the control and supervision of the school.

For those students who may present an ongoing need for medical interventions at school, including a need for life-sustaining emergency care, school personnel shall convene a team meeting for the purpose of developing an individualized plan to address the student's specialized health needs. The team should include persons at the school who are knowledgeable about the student, as well as the student's parents and a school administrator. The Team may consider requests from the parents that alternative forms of life-sustaining emergency care be used as part of that plan, but those requests must be substantiated by specific medical documentation from the student's physician. The Team shall not approve a parental request to deny all life-sustaining emergency care for a student, but may specify that only certain types of intervention are appropriate in a particular situation.

For purposes of this policy, "life-sustaining emergency care" means any procedure or intervention applied by appropriately trained school staff that may prevent a student from dying who, without such procedure or intervention, faces a risk of imminent death. Examples of life-sustaining emergency care include (but are not limited to): efforts to stop bleeding, unblocking airways, mouth-to-mouth resuscitation, maintaining an open airway, use of an automated external defibrillator, and cardio-pulmonary resuscitation ("CPR").

Legal Reference: 29 USC § 794(a)

Cross Reference: JLCE – First Aid and Emergency Medical Care

ADOPTED: February 8, 2018

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## **ADMISSION OF NONRESIDENT STUDENTS**

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It is the policy of the Southern Penobscot Regional Program for Children with Exceptionalities to adhere to Maine's Special Education Regulations - Chapter 101, which in part addresses the need to provide services "as close as possible to the students' residence." Additionally, the Southern Penobscot Regional Program for Children with Exceptionalities is actively pursuing more integrated placements for all of the students it serves. Only those students who by law are entitled to access public education within the Region, shall be served by the Southern Penobscot Regional Program for Children with Exceptionalities.

Any exceptions to the above policy will require the approval of the Executive Officers and the Board of Directors of the Southern Penobscot Regional Program for Children with Exceptionalities.

Adopted: April 30, 1992  
Revised: January 25, 2012  
Reviewed: November 8, 2017

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**ADMISSION OF NONRESIDENT STUDENTS**

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Non-resident students may be admitted into a program sponsored by the Southern Penobscot Regional Program for Children with Exceptionalities under the following conditions:

1. The superintendent of schools of the school administrative unit hosting the requested program will present the circumstances of the student's potential enrollment and recommend action, in support of or not in support of the placement, to be taken by the Executive Officers regarding the request.
2. The sending school administrative unit will agree, in writing, to the following:
  - a. It will provide financial compensation to the administrative office of the Southern Penobscot Regional Program for Children with Exceptionalities equal to the median administrative fee paid by participating member districts of the Southern Penobscot Regional Program for Children with Exceptionalities;
  - b. It will be assessed a tuition rate equal to the amount charged to participating school administrative units of the Southern Penobscot Regional Program for Children with Exceptionalities, or a tuition rate that reflects the actual cost of the student's placement, whichever is greater; and
  - c. It acknowledges that the student's placement may be terminated with notice because the program's capacity is exceeded, the student commits repeated behavioral infractions, or the program cannot provide the student with a free and appropriate public education (FAPE).
3. The student's enrollment is approved by a vote of the Executive Officers.

Adopted: June 6, 2012  
Reviewed: November 8, 2017

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